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M I N U T E S  
OF THE MEETING  
OF THE  
ZONING BOARD OF APPEALS  
INCORPORATED VILLAGE OF MALVERNE

September 10, 2025

7:00 p.m.

PRESENT:

- |                    |                 |
|--------------------|-----------------|
| BRUCE MAWHIRTER,   | ACTING CHAIRMAN |
| MICHELLE SALOGUB,  | MEMBER          |
| MARY ANN HANSON,   | MEMBER          |
| PATRICIA MCDONALD, | MEMBER          |

Also Present:

- Kevin Walsh - Village Attorney
- Mary Kate Schnaars - Building Department Clerk
- Louis Santora - Building Superintendant

1 MEMBER MAWHIRTER: Good evening.

2 Welcome to the September 10th Zoning Board  
3 meeting.

4 Stand for the Pledge.

5 (Whereupon, the Pledge of Allegiance  
6 was recited.)

7 MEMBER MAWHIRTER: Mary Kate, is there  
8 any particular order to go in?

9 MS. SCHNAARS: The legal notice was 20  
10 Birch is the first case, we can go in that  
11 order if you like.

12 MEMBER MAWHIRTER: Would you mind?

13 MS. SCHNAARS: No problem.

14 The first case we are going to hear  
15 this evening is Applicant Sean Garrick, address  
16 is 20 Birch Road, Malverne, New York; Driveway  
17 Permit Application 2024-0818, proposes to  
18 maintain and legalize expansion of a concrete  
19 driveway and construct a new concrete apron to  
20 25 feet 8 inches wide; with a proposed driveway  
21 parking area of 752 square feet in the front  
22 yard where only 585 square feet is allowable.

23 MEMBER MAWHIRTER: Good evening.

24 Can you please state your name?

25 MR. BANDINI: Craig Bandini, engineer,

Garrick, 20 Birch Road - September 10, 2025

1 residing at 2736 Harrison Avenue, Oceanside,  
2 New York 11572 representing Mr. Garrick and his  
3 wife.

4 MR. GARRICK: Sean Garrick, 20 Birch  
5 Road, Malverne, New York 11565.

6 MEMBER MAWHIRTER: The floor is yours.

7 MR. BANDINI: Good evening, Members of  
8 the Board, Mary Kate.

9 We are seeking relief from the Village  
10 Zoning Code, as Mary Kate had mentioned, for  
11 the driveway and the apron, whereas we are over  
12 on the driveway apron -- driveway square area,  
13 585 square feet is allowable, and we are asking  
14 to make it 752 square feet.

15 And also the driveway is only permitted  
16 to be within 2 feet of the side property line,  
17 we are proposing to be within 1 foot in order  
18 to get the accessible vehicle in that  
19 Mr. Garrick needs for his disabled daughter to  
20 park the car, he needs the extra 20 feet.  
21 There is also the curb, which is a maximum of  
22 20 feet is permitted, we need to go 5.66 feet  
23 further, 25.66. And, again, for the same  
24 reason as the curb being close to the property  
25 line is to align the driveway for the

1 accessible car that they use for their disabled  
2 daughter to easily get in and out.

3 MR. WALSH: Mr. Chairman, can I just  
4 make an announcement first?

5 MEMBER MAWHIRTER: Yes.

6 MR. WALSH: So this applies to your  
7 case also.

8 I am the Zoning Board counsel. Because  
9 as you see tonight there are four Board Members  
10 that vote on this application, the total Board  
11 has five members, one unexpectedly couldn't be  
12 here. In order to get a grant of a variance  
13 for any of these cases tonight you need a  
14 majority of the whole Board, so normal case you  
15 would need three out of the five votes.  
16 Because as the rule says majority of the whole  
17 Board, everyone is in a little bit of a  
18 disadvantage tonight because you still need the  
19 three votes but there is only four votes.

20 This Village's practice has always been  
21 to say to applicants before the case, if you  
22 feel uncomfortable and want the fifth Board  
23 Member for your case, you can request an  
24 adjournment, which will be granted, and you  
25 will appear next month, but that's an option.

Garrick, 20 Birch Road - September 10, 2025

1           I will tell you people make a decision  
2           different ways. And I am not trying to lead  
3           you one way or another, it's something we  
4           announce at the beginning of each of these  
5           meetings.

6           I am led to think that you are not  
7           making that request, or do you want to talk to  
8           your client about it and then let us know?

9           MR. GARRICK: No, I am not making that  
10          request.

11          MR. WALSH: Okay, the client has  
12          spoken.

13          So we may proceed.

14          MEMBER MAWHIRTER: Thank you.

15          MR. BANDINI: Mr. Garrick also has a  
16          24-hour nurse that stays at the house, so this  
17          extra driveway space will allow for three cars  
18          now, one for the van, one for the 24-hour nurse  
19          and one for Mr. and Mrs. Garrick.

20          Another reason why they needed the  
21          extra 5 feet of curb cut to get the third  
22          vehicle in for the day nurse -- excuse me, the  
23          24-hour nurse, she stays overnight.

24          MR. GARRICK: Two nurses, two 12-hour  
25          shifts, 8:00 a.m. to 8:00 p.m., the night nurse

Garrick, 20 Birch Road - September 10, 2025

1 goes from 8:00 p.m. to 8:00 a.m.

2 MEMBER MAWHIRTER: My understanding is  
3 the driveway is currently existing, and the new  
4 construction would be the widening of the  
5 actual curb cut on the roadway?

6 MR. GARRICK: Yes, sir.

7 MR. BANDINI: Yes.

8 MEMBER MAWHIRTER: Anyone else?

9 MR. WALSH: What's the vehicle, the van  
10 vehicle, what type of vehicle is that, is that  
11 a normal size vehicle or is it expanded or  
12 wider?

13 MR. GARRICK: It's actually a Chrysler  
14 Pacifica, but it was modified for handicap  
15 accessibility, seats were taken out of the back  
16 and a ramp was added, hydraulic ramp, so her  
17 wheelchair is able to enter through the rear of  
18 the vehicle.

19 MR. BANDINI: And I would think you  
20 need extra room around the vehicle, just to be  
21 able to perform that function, you need a  
22 little extra room.

23 MR. WALSH: And the curb cut assists in  
24 the three vehicles getting in without having to  
25 maneuver around two of them that might be there

1 and angle park and back up and everything.

2 MR. GARRICK: Exactly correct.

3 MR. BANDINI: Yes.

4 MR. GARRICK: Exactly correct, maneuver  
5 the vehicle to get inside.

6 MEMBER MAWHIRTER: Anybody have any  
7 questions?

8 MEMBER HANSON: No.

9 MEMBER MAWHIRTER: Any questions from  
10 the public?

11 (Whereupon, there was no response.)

12 MEMBER MAWHIRTER: I'll entertain a  
13 motion.

14 MEMBER MCDONALD: I'll make a motion  
15 for approval of this.

16 MEMBER MAWHIRTER: So we have a motion  
17 for approval as shown on the documents.

18 Do I have a second?

19 MEMBER SALOGUB: I'll second it.

20 MEMBER MAWHIRTER: All in favor?

21 (Chorus of ayes.)

22 MEMBER MAWHIRTER: Opposed?

23 (Whereupon, there was no response.)

24 MR. GARRICK: Thank you very much.

25 MEMBER HANSON: Good luck.

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MR. BANDINI: Thank you very much.

1                   MEMBER MAWHIRTER: Next case is  
2                   Ramnaraine.

3                   MS. SCHNAARS: Yes, the next case we  
4                   will call is 140 Hempstead Avenue. The  
5                   applicant is Hemchand Ramnaraine, 140 Hempstead  
6                   Avenue, Malverne; Amended Building Permit  
7                   Application 2024-0751A, proposes to enlarge the  
8                   rear deck to 565 square feet from the  
9                   previously proposed 358 square feet; with a  
10                  proposed lot coverage of 28.57.

11                  MEMBER MAWHIRTER: State your name for  
12                  the record.

13                  MR. O'BRIAN: This is the homeowner.

14                  MR. RAMNARAIN: Hemchand Ramnaraine,  
15                  140 Hempstead Avenue, Malverne, New York 11565.

16                  MR. O'BRIAN: I am the contractor,  
17                  Corey O'Brian, 25 Allegheny Drive West,  
18                  Farmingville, New York.

19                  I guess just kind of in summary, if  
20                  anybody is familiar with the project, 140  
21                  Hempstead Avenue, large renovation, finally  
22                  getting going there, windows were actually  
23                  delivered today, start coming to life over  
24                  there.

25                  So in doing so we have completed all

1           the interior layouts, rough-ins, all that kind  
2           of stuff. Family come to the house, walk  
3           through everything, get a feel for the space.  
4           And then the next step they kind of went  
5           outside at that point, okay, we are envisioning  
6           what the front porch looks like, the back  
7           porch, laid it all out, sprayed it all out.  
8           And the first question kind of came up, where  
9           do we put a table? Where do we put a barbecue?  
10          Where's the stairs? That kind of stuff.

11                    So in theory, first time going through  
12           a process like this, so they saw the drawings,  
13           everything looks great on the drawings, from  
14           the aerial view, black and white obviously, but  
15           then when sprayed on the grass and dirt that's  
16           back there and they were able to stand inside  
17           the footprint, they just kind of asked the  
18           question, is it possible to kind of bump out a  
19           little bit?

20                    So prior to even considering coming to  
21           the meeting here, we had the architect,  
22           probably two different designs or so, utilizing  
23           the approved square footage to kind of  
24           reconfigure the actual deck space, but sort of  
25           no matter what he did, while it did sort of

1           benefit on one side, then it shrunk one section  
2           and it affected the staircase or the driveway  
3           entry, that kind of stuff.

4                        So Mr. Ramnaraine and his wife decided  
5           at that point they have gone through enough of  
6           the process here at this point, might as well  
7           come in and ask for a couple more square  
8           footage, a little bit more square footage to  
9           accommodate the deck that really -- I would say  
10          truthfully fits the house as well, still leaves  
11          the generous size backyard. He has two  
12          daughters, naturally they are not going to be  
13          out on the street, playing in the backyard,  
14          front yard, that kind of stuff. So outside of  
15          increasing the deck, they naturally have a  
16          thought process behind how much room the girls  
17          are going to have back there and stuff like  
18          that to play around.

19                       With that being said, yeah, just kind  
20          of here to ask permission or your thoughts on  
21          it.

22                       MEMBER MAWHIRTER: Can you just  
23          describe where the deck increased, was it in  
24          depth, in width?

25                       MR. RAMNARAIN: Width.

1                   MR. O'BRIAN: We also do -- depth, your  
2                   width stayed the same.

3                   MR. RAMNARAIN: The width actually  
4                   came out. The deck was 15 foot. I think it  
5                   was 14, we went to 15, and we actually went to  
6                   the side of the house.

7                   MR. O'BRIAN: So the right side  
8                   remained and then the left side came out.

9                   MS. SCHNAARS: We can put on the record  
10                  that the Zoning Board had previously approved a  
11                  lot coverage of 27.9 percent, and the request  
12                  now is 28.57.

13                  MEMBER MAWHIRTER: Any Board Members  
14                  have any questions?

15                  MEMBER SALOGUB: No questions.

16                  MEMBER MCDONALD: I just want to say, I  
17                  wasn't here the last time, but as a resident  
18                  here, I am just so happy to see that it wasn't  
19                  torn down and that you are doing what you are  
20                  doing because it was a magnificent house.

21                  MEMBER SALOGUB: Gorgeous.

22                  MEMBER MCDONALD: And so I personally  
23                  when I saw you starting to do the work I said,  
24                  oh, this is great.

25                  MR. RAMNARAIN: Thank you.

1                   MEMBER MCDONALD: I am very happy to  
2                   see.

3                   MR. O'BRIAN: It was a process to keep  
4                   it up to be honest with you.

5                   MEMBER MCDONALD: And I think your  
6                   neighbors must be ecstatic.

7                   MR. O'BRIAN: I think they are now that  
8                   it's finally starting to come together.

9                   MEMBER MCDONALD: I know a back story,  
10                  so I know some history there.

11                  MR. RAMNARAIN: My daughter started  
12                  school at Malverne yesterday, and one of the  
13                  teachers lives on Ryder, and the teacher said  
14                  she left a note to purchase the house a few  
15                  years ago and the owner called her and cursed  
16                  her out.

17                  MR. SANTORA: Sounds like the owner.

18                  MR. O'BRIAN: From what we've heard,  
19                  yeah.

20                  MEMBER MCDONALD: So, again, I am so  
21                  happy.

22                  MR. RAMNARAIN: Appreciate that.  
23                  Thank you.

24                  MEMBER MCDONALD: You are welcome.

25                  MR. O'BRIAN: You'll see over the next

1 week or so when you pass by, the windows were  
2 delivered now, so you'll start to see those  
3 come in, and right behind that the siding is  
4 going to take place.

5 MEMBER MCDONALD: You will have a lot  
6 of people knocking to say they want to come in  
7 and say they want to see it.

8 MR. RAMNARAIN: That's fine, I am okay  
9 with that.

10 MEMBER MCDONALD: I might be one of  
11 them.

12 MR. RAMNARAIN: Absolutely, please do.  
13 Everybody come through.

14 You give me the space we'll have a  
15 party on the deck.

16 MEMBER MAWHIRTER: Sounds good.

17 MR. RAMNARAIN: That's an incentive.

18 MEMBER HANSON: Watch what you ask for.

19 MEMBER MAWHIRTER: Kevin, any  
20 questions?

21 MR. WALSH: Nothing, no. I think it's  
22 up to you.

23 MEMBER MAWHIRTER: I personally don't  
24 see an issue. I think the increase is di  
25 minus, and I believe it makes sense from what

1           you are saying.

2                   Any Board Member entertain a motion?

3                   MEMBER SALOGUB: I'll make a motion to  
4           approve the request for increased lot size.

5                   MEMBER MAWHIRTER: Second?

6                   MEMBER HANSON: I'll second it.

7                   MEMBER MAWHIRTER: All in favor?

8                   (Chorus of ayes.)

9                   MEMBER MAWHIRTER: Opposed?

10                   (Whereupon, there was no response.)

11                   MEMBER MAWHIRTER: Congratulations!

12                   MEMBER HANSON: Good luck.

13                   MR. RAMNARAIN: Thank you.

14                   MR. O'BRIAN: Thank you very much,  
15           everybody.

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1                   MEMBER MAWHIRTER: Next case is 380  
2                   Ocean Avenue.

3                   MS. SCHNAARS: Next application is that  
4                   of Luis Gonzalez, 380 Ocean Avenue, Malverne,  
5                   New York; Building Permit Application  
6                   2025-0378A, proposes to construct an 18 foot  
7                   long by 12 foot wide by 12 foot high pool  
8                   cabana and enclose with walls on four sides,  
9                   previously the cabana was approved at 12 foot  
10                  by 16 foot by 10 foot high and open sided;  
11                  proposes to add a waterfall feature adjoining  
12                  the swimming pool; and proposes to construct a  
13                  10 foot by 10 foot open sided cabana with 2  
14                  foot roof overhangs on each side with a  
15                  seasonal outdoor kitchen underneath; proposed  
16                  lot coverage is 34.3, maximum allowable lot  
17                  coverage is 25 percent; the proposed enclosed  
18                  pool cabana is 12 foot high where the maximum  
19                  allowable is 10 foot; the proposed open cabana  
20                  with seasonal outdoor kitchen under has a  
21                  proposed distance of 5 feet 8 inches to the  
22                  main dwelling on the lot and 3 foot 2 inches to  
23                  the property line where 8 foot from the  
24                  dwelling or main building is required and 4  
25                  foot from the property line is required; the

1 proposed waterfall feature adjoining the  
2 swimming pool has a 3 foot 6 inch setback where  
3 4 foot is the minimum required setback.

4 MEMBER MAWHIRTER: Thank you.

5 State your name for the record.

6 MR. GONZALEZ: How you doing? Luis  
7 Gonzalez, 380 Ocean Avenue, owner.

8 Sorry about my appearance, I was forced  
9 overtime today.

10 MEMBER MAWHIRTER: That's okay.

11 MEMBER HANSON: Lucky you.

12 MR. GONZALEZ: So, yeah, I'm proposing  
13 to get an outdoor kitchen for my backyard and  
14 it's going to have, like, a gazebo over it, so  
15 when it rains and we're barbecuing with the  
16 family doesn't get -- we don't get any rained  
17 on or event gets closed if we have a backyard  
18 gathering.

19 And I'm also proposing the waterfall  
20 feature which is going to be in the center of  
21 the pool behind the park. Yeah, it's just  
22 basically decorations and so the kids can enjoy  
23 the backyard.

24 And I'm proposing -- I did propose the  
25 pool house at first, and according to

1 everything I was doing, I wanted to make it a  
2 little bit bigger, so it was 2 feet more wider.  
3 At first it was 16, so I wanted to see if I can  
4 go 18 feet.

5 MEMBER MAWHIRTER: Regarding that pool  
6 house, is there a need for it to be that size  
7 or is it more of a preference?

8 MR. GONZALEZ: It's more of a  
9 preference. And I was making it a decent size  
10 so that when the winter does come, I can store  
11 all my outdoor furniture in there instead of  
12 hiring a company more or less to wrap it up  
13 and, you know, more or less maintain the  
14 outdoor furniture during the winter, stuff like  
15 that.

16 MEMBER MAWHIRTER: You are proposing  
17 for that to be fully enclosed, right?

18 MR. GONZALEZ: Yes, that's going to be  
19 enclosed, yeah. It's going to be enclosed with  
20 doors -- at first when I came to the Board I  
21 was going to do a gazebo, and then I spoke with  
22 Lou about it and he said it didn't matter  
23 whether it was enclosed or not but, you know, I  
24 am here presenting it for it to be enclosed.

25 MEMBER MAWHIRTER: And in terms of the

1 construction of that structure itself, is this  
2 a kit or is this something that's built from  
3 scratch?

4 MR. GONZALEZ: No, it's going to be --  
5 at first I was going to do a kit at the gazebo,  
6 but then how it turned out to be enclosed is  
7 because everything that's manufactured that's  
8 an outdoor gazebo, like, just the legs and the  
9 roofing, it doesn't have the requirements that  
10 the town wants. More or less is what Lou said  
11 it has to have 125 miles per hour wind proof,  
12 and it's also supposed to withstand 20 pounds  
13 per square foot of roofing of snow. And  
14 nothing that's manufactured can actually  
15 withstand that.

16 So I decided to enclose one and built  
17 one more or less. I was going to go with  
18 original one that you buy at Home Depot or  
19 Costco and Amazon, and none of them really met  
20 those standards.

21 MEMBER HANSON: My concern is the  
22 height. It's 12 feet, that's very high.

23 MR. GONZALEZ: Yeah, 12 feet. The way  
24 the pool is going to be is inset 2 feet down,  
25 so from my backyard I have three steps down to

1 the platform of where the pool is, so basically  
2 the height it's about, like, 2 feet above --  
3 well, actually 4 feet above the actual fence  
4 from the back.

5 MR. WALSH: The fence you got a  
6 variance on?

7 MEMBER HANSON: Yes.

8 MR. GONZALEZ: Yeah, the fence I got a  
9 variance because it gets sometimes crowded back  
10 there, and just for privacy for the family.

11 MEMBER HANSON: A 8 foot fence I was,  
12 like --

13 MEMBER SALOGUB: Any way you can reduce  
14 the height at all? What's the allowable,  
15 10 feet?

16 MEMBER HANSON: 10 feet, right?

17 MR. SANTORA: Yes.

18 MEMBER HANSON: 10 feet is the  
19 allowable height, that's why my concern is the  
20 12 feet. Now it's above your huge fence, now  
21 it's above that.

22 MR. GONZALEZ: Yeah, either way 10 feet  
23 or 12 feet is going to be above the fence. But  
24 10 feet, though, the ceiling would be a little  
25 low, would be, like, 7 foot something, and I

1 wanted to go with 12 feet, but 12 feet would  
2 just probably be the peak of it, it won't be,  
3 like, 12 feet box square, it would have a point  
4 at the 10 feet more or less.

5 MEMBER MAWHIRTER: So you will not have  
6 an open ceiling, you plan on putting a ceiling  
7 across?

8 MR. GONZALEZ: Correct, fresh flat  
9 ceiling.

10 MEMBER SALOGUB: And how many walls are  
11 going to be on this big gazebo?

12 MR. GONZALEZ: It's going to be  
13 enclosed, so it will be four walls, they have  
14 to meet standards, they have to be fireproof.

15 MEMBER SALOGUB: So it's really not a  
16 gazebo, it's like a shed.

17 MR. GONZALEZ: It's more or less a pool  
18 house.

19 MEMBER HANSON: He is doing both, a  
20 gazebo over the kitchen --

21 MEMBER SALOGUB: This one.

22 MR. GONZALEZ: With the four walls,  
23 yeah, that one has four walls, the pool  
24 house/storage shed.

25 MR. SANTORA: There is a separate

1 drawing that shows the gazebo.

2 MR. WALSH: Can I ask a question? Why  
3 are -- you mentioned you are going to grill  
4 there. And you are going to grill there and  
5 there's going to be smoke, why would you lower  
6 the ceiling height on your own choice rather  
7 than having a cathedral ceiling that's open and  
8 allows a little more room?

9 MR. GONZALEZ: No, I don't think I hear  
10 your question. Where the island is going to be  
11 open, open gazebo, so the island basically is  
12 like an outdoor kitchen, and I have, like, an  
13 island, and then another island behind it and  
14 then on those corners there will be four posts  
15 obviously and then a cover -- a roof over it  
16 more or less, and that's going to be open.

17 MR. WALSH: So there will be a  
18 cathedral ceiling inside?

19 MR. GONZALEZ: Inside there, yes.

20 MS. SCHNAARS: In the open one.

21 MR. GONZALEZ: In the open one, yes.

22 MR. WALSH: That's the one with the  
23 grill, right?

24 MR. GONZALEZ: That's the one with the  
25 grill is open one. Because if it's a flat

1 ceiling then the smoke you won't breathe while  
2 you are cooking.

3 MEMBER HANSON: That's the open?

4 MEMBER MAWHIRTER: The one on the upper  
5 deck.

6 MR. GONZALEZ: That's the one on the  
7 upper deck, correct, yes.

8 MEMBER MAWHIRTER: The one we are  
9 talking about, the larger one, that's the one  
10 on the same level as the pool?

11 MR. GONZALEZ: Yes, that's correct,  
12 which is 2 feet down, 2 feet down.

13 MEMBER MAWHIRTER: Any of the other  
14 Board Members have questions?

15 MEMBER SALOGUB: No.

16 MEMBER HANSON: I just feel you need to  
17 bring the height down.

18 MEMBER MAWHIRTER: I think the general  
19 concern of the Board is the overall height of  
20 both structures, since 10 is what's required by  
21 code.

22 I am not understanding why you might  
23 need the interior ceiling in there. I still  
24 think you can probably bring the height of your  
25 walls down a little bit and maybe adjust the

1 slope on your roof to bring it down to a little  
2 bit more of a reasonable height, because right  
3 now you are almost at 12 feet.

4 MR. GONZALEZ: Yeah, I was going to do,  
5 like, 11 foot 9, around there.

6 MEMBER MAWHIRTER: I think the Board  
7 would like to see, you know, as much as maybe a  
8 foot reduction in the height if that's  
9 possible.

10 MEMBER HANSON: Like 10 and a half.

11 MEMBER MAWHIRTER: Like make a  
12 compromise.

13 MR. GONZALEZ: Yeah, definitely.  
14 11 feet will work. It will just be steeper on  
15 the roof, that's it.

16 MR. WALSH: So let me put on the  
17 record, set something up here. So you have  
18 been here before as a gentleman with your  
19 applications, reasonable with the Board and the  
20 Board has been reasonable with you and granted  
21 some applications that were pretty significant.

22 MR. GONZALEZ: Correct.

23 MR. WALSH: A lot of it is based on  
24 your location because the Board takes into  
25 consideration your location is a little bit

1 unique. You also have a neighbor who  
2 apparently has not weighed in opposing anything  
3 you are doing, so we have to assume that they  
4 have no objection to this. So those things are  
5 in your favor.

6 But these are significant variances.  
7 On paper they look like they should be denied,  
8 is what I am saying on paper, but the Board, I  
9 think is getting into this a little bit to see  
10 what you can tolerate and what you can't.

11 And I know from the Village's  
12 perspective, the aesthetic view of your  
13 property from Whelan Field is critical, it's  
14 critical your view too, you've taken care of  
15 what you would like to see, which is what we  
16 will call the 8 foot fence, but maybe not an 8  
17 foot fence, but from the Whelan Field it looks  
18 rather significant.

19 As the Board weighs in on this, I think  
20 the question I have for you, this has to be  
21 your choice and voluntary, would you consider  
22 contributing to the Village Tree Fund so that  
23 at least four trees, Village spec trees, chosen  
24 by the Village, can be put along your fencing  
25 there to mitigate the uniqueness of your fence?

1 They would be maintained by the Village. So  
2 once you make the contribution, you are no  
3 longer responsible, you are done. But if you  
4 make that and you have to make that request if  
5 you do that and then the Board can finish this  
6 or not. You don't have to, it's a voluntary  
7 thing, but I am telling you that I am hearing  
8 that, in my world it might be something you  
9 want to consider.

10 MR. GONZALEZ: Yeah, I will definitely  
11 consider it. If you guys agree to the 12 foot  
12 high or 11 and a half height then, yeah, I  
13 would donate to get some trees back there, give  
14 me some more privacy and shade, so I don't mind  
15 it.

16 MR. WALSH: So let's see this, my  
17 suggestion --

18 MR. GONZALEZ: Depending how much the  
19 tree, get \$2,000 trees I might just say --

20 MR. WALSH: No, I can give you the  
21 total for all, it would be under \$600 for all  
22 of them.

23 MR. GONZALEZ: That's fine.

24 MR. WALSH: I think the Board, because  
25 they don't really relate to the issues the

1 Board might be talking about right now, the  
2 Board ought to give you more direction on where  
3 they are coming in on the height. It sounds  
4 like it's not set, so that you can then make  
5 your determination based on that.

6 MR. GONZALEZ: I like your opinion.

7 MR. WALSH: We are back to the Board.

8 MR. GONZALEZ: So, yeah, so if we could  
9 go at least 11 and a half and I donate to the  
10 town, which I don't mind, I live in the town  
11 and I love the park, the new park, and my  
12 family loves it.

13 MEMBER SALOGUB: My feeling is, say,  
14 make a compromise at 11 and a half, if you have  
15 the trees that softens all the angularness of  
16 that hip roof on the gazebo.

17 MR. GONZALEZ: Correct.

18 MEMBER SALOGUB: So actually probably  
19 wouldn't notice it, and it might be a good  
20 idea, because you wouldn't have to water these  
21 trees or maintain them or feed them.

22 MR. GONZALEZ: Yeah.

23 MEMBER SALOGUB: And if they're dying,  
24 hello Village Hall, we need new trees.

25 MR. GONZALEZ: I'm definitely in favor

1 of that to help the town and the park.

2 MEMBER SALOGUB: I am just looking at  
3 this little picture here, and the hip roof is  
4 very angular, and if you get trees along there  
5 it would be pretty.

6 MR. GONZALEZ: Definitely would be  
7 nice.

8 I spoke actually with the  
9 superintendent of the Parks Department, and he  
10 was telling me that they had, like, 23 trees  
11 that they were going to put up a line across  
12 there, but when I noticed it didn't look like  
13 he had enough trees to go on towards my side.

14 MR. WALSH: I think they are trying to  
15 get some help with that.

16 MR. GONZALEZ: I am definitely willing  
17 to contribute to put the trees in with the  
18 town.

19 MR. WALSH: Let's see where we are with  
20 height, because that seems to still be a  
21 contention.

22 MEMBER MAWHIRTER: I think what we are  
23 going to ask you to look at is lower the  
24 overall height of your walls, which right now  
25 you are at 8 foot 5.

1 MR. WALSH: Not the walls.

2 MR. SANTORA: Walls are 8 foot 5 high.

3 MEMBER MAWHIRTER: No, no, the walls of  
4 the gazebo.

5 MR. WALSH: Okay, but there is two ways  
6 to reduce the overall height of those, either  
7 do walls or you can change the pitch, right?

8 MEMBER MAWHIRTER: Probably a  
9 combination of both.

10 MR. WALSH: So what you are really  
11 talking about is your goal to get the overall  
12 height down and leave it to the applicant to  
13 see how they can do that?

14 MR. SANTORA: You can make the pitch  
15 and leave the 8 foot 5 --

16 MR. GONZALEZ: I don't think it's 8  
17 foot 5 inches on the height.

18 MR. SANTORA: It is on the drawing.

19 MR. GONZALEZ: If it was 12 foot maybe,  
20 yeah. We can adjust the roofing more or less  
21 and have it instead of like that, more like a  
22 flatter roof.

23 MR. SANTORA: Just speaking  
24 technically, I think what the Chairman is  
25 talking about is if you -- right now the fascia

1 is higher than the fence.

2 MR. GONZALEZ: The fascia?

3 MR. SANTORA: The roof is higher than  
4 the fence.

5 MR. GONZALEZ: Oh.

6 MR. SANTORA: So maybe it would soften  
7 it up if you lowered the walls and combination  
8 of pitch, that's up to the Board, I don't have  
9 a vote, that would help assist in not just see  
10 roof and not, you know, white gutters and  
11 pieces of wall.

12 MR. GONZALEZ: I agree. To bring it  
13 down, probably the fascia -- how big is the  
14 fascia, 8 inches maybe?

15 MR. SANTORA: Yeah. Matters how you  
16 build it.

17 MR. GONZALEZ: Yeah.

18 MEMBER HANSON: You know what, I am  
19 just giving you a suggestion --

20 MR. GONZALEZ: Yes.

21 MEMBER HANSON: -- only because my  
22 cousin in Manhasset has one, they kept the roof  
23 open inside, they put, like, a ceiling on, they  
24 kept it open.

25 MR. GONZALEZ: Cathedral.

1                   MR. SANTORA: This -- the drawings  
2 presently show, and this is not a zoning thing,  
3 just to give you technical information, he has  
4 a cathedral ceiling in the enclosed cabana, he  
5 does, that's what it shows.

6                   MR. GONZALEZ: That's what it shows,  
7 but I wasn't planning to do that.

8                   MEMBER HANSON: He wasn't planning to  
9 do that.

10                  MR. SANTORA: That has nothing to do  
11 with the Board.

12                  MEMBER HANSON: I am saying if you  
13 lower it to, like, 10 and a half, 11 feet, you  
14 will still get that big feeling inside.

15                  MR. WALSH: So we are talking about  
16 reducing the wall height to match the no higher  
17 than existing fence, is that what I am hearing?

18                  MR. SANTORA: Technically what I think  
19 he's talking about is maybe the fascia.

20                  MR. WALSH: Right.

21                  MR. SANTORA: The fascia is not higher  
22 than the fence -- the top of the fascia.

23                  MR. WALSH: And then the overall height  
24 would be maxed at what?

25                  MR. GONZALEZ: 12 foot? 11?

1                   MEMBER MAWHIRTER: Is it easier to do  
2                   it with a lower pitch or can we come in with a  
3                   different height?

4                   MR. SANTORA: In my technical opinion,  
5                   you probably would have a combination of both.  
6                   It's a 5/12 pitch right now in the drawings,  
7                   that could be 4/12, you wouldn't know the  
8                   difference. And the walls are 8 foot 5, that  
9                   could be 8 foot 7/8 plate height and go up from  
10                  there, you probably wouldn't feel that either,  
11                  and that would chop a foot off it right there.

12                  MR. GONZALEZ: A foot off the 12?

13                  MR. SANTORA: Yes. That's at a  
14                  minimum. It could possibly be more. Just  
15                  doing two simple things like that would chop a  
16                  foot off.

17                  MEMBER HANSON: And not affect you.

18                  MR. SANTORA: You also want to talk  
19                  about the other cabana too. You want to do the  
20                  same thing on both, you want that lower, that's  
21                  up to you guys.

22                  MR. GONZALEZ: What's the height on the  
23                  cabana?

24                  MR. SANTORA: The open one with the  
25                  kitchen he's 11 foot 5 with a 5/12 pitch, again

1 with 7/7 plate height and then the enclosed one  
2 is -- got an 8 foot 5 wall and 5/12 pitch with  
3 total height of 11 foot 11, basically 12.

4 MR. GONZALEZ: If I could somehow get  
5 at least 8 foot ceilings, will that bring me  
6 down to, like, 11? Just curious. I know,  
7 because you are an architect.

8 MR. SANTORA: That will save you  
9 5 inches if you left the pitch the same.

10 MEMBER HANSON: So you are saying both  
11 have to be adjusted?

12 MR. SANTORA: Yeah, unless you bring  
13 the 8 foot 5 down to 7 foot 8. Like the open  
14 sided one is 7 foot 7 to the bottom of the  
15 beams around the perimeter. So you brought it  
16 down to 7 foot 7, that will bring it down  
17 another 10 inches, get you left at the 5/12  
18 pitch.

19 MR. GONZALEZ: 10 inches. I'm thinking  
20 about it, because if I barbecue there I don't  
21 want the smoke, you know, the lower it is --

22 MR. SANTORA: I'm talking about the big  
23 one. This one here he's already got it at 7  
24 foot 7.

25 MEMBER HANSON: He already has the open

1 one lowered. It's the closed one.

2 MR. SANTORA: The closed one is 8 foot  
3 5. I'm talking about the wall heights.

4 MEMBER SALOGUB: So I'm getting  
5 confused here. What is the final height that  
6 you are telling him?

7 MR. SANTORA: You are asking me can he  
8 reduce the height without affecting it, yes, he  
9 can by a couple of different ways.

10 MEMBER SALOGUB: What are we bringing  
11 it to?

12 MR. SANTORA: That's up to you guys.

13 MEMBER SALOGUB: All these things you  
14 are saying to him to get it down, are you  
15 telling him to get it down to -- he could get  
16 it down to 10 and a half?

17 MR. SANTORA: I am saying he can get it  
18 down by changing wall heights and/or roof  
19 pitches.

20 MEMBER HANSON: Get it down to 10 and a  
21 half to 11 without really affecting what it's  
22 going to look like.

23 MR. GONZALEZ: It needs 11.

24 MEMBER HANSON: You are really pushing  
25 your luck here.

1                   MEMBER SALOGUB: Can I ask a question?  
2                   We are talking about the big shed, so you want  
3                   to put a ceiling in there or you want to leave  
4                   it open, like in a garage?

5                   MR. GONZALEZ: Honestly I was trying to  
6                   get the 12 foot so I can have a ceiling and  
7                   maybe put, like, an attic door there to put  
8                   storage stuff.

9                   MEMBER HANSON: I knew it.

10                  MEMBER SALOGUB: Why don't you just  
11                  leave it like a cathedral ceiling so you have  
12                  height, because you're tall, I'm assuming any  
13                  relatives are tall and that way --

14                  MR. GONZALEZ: It will feel open like  
15                  that.

16                  MEMBER SALOGUB: -- you could have 11  
17                  but it wouldn't feel that you are choking  
18                  because you have that extra height and you  
19                  could put your lawn pieces and stuff up there.  
20                  You start doing an attic then it brings in  
21                  another host of problems.

22                  MR. SANTORA: Luis --

23                  MR. GONZALEZ: It won't be like a big  
24                  attic.

25                  MR. SANTORA: Either way it's not going

1 to be a big attic.

2 MEMBER SALOGUB: I will tell you what  
3 will happen, you will push stuff up there, then  
4 nobody will be able to go up there to get it,  
5 can't go up there, your kids won't want to go  
6 up there, your wife's not going up there.

7 MR. GONZALEZ: Definitely not going up  
8 there.

9 MEMBER SALOGUB: And so what's the  
10 point? The stuff is lost up there, like in  
11 cyberspace, so it's just going to be a black  
12 hole.

13 MR. GONZALEZ: I agree.

14 MR. SANTORA: Not much of an attic.  
15 You are going to have this much room at the  
16 peak.

17 MR. GONZALEZ: Not much. Might as well  
18 do a cathedral.

19 MR. SANTORA: You still might --

20 MEMBER SALOGUB: And put rafters.

21 MR. SANTORA: Once we get this fixed,  
22 you are going -- you may need some ceiling  
23 joists or rafter ties anyway structurally  
24 because I don't know how this is going to work  
25 just looking at it right now.

1                   MR. GONZALEZ:  Yeah.

2                   MR. SANTORA:  So you might need  
3 horizontal stuff.

4                   MR. GONZALEZ:  If I need that --

5                   MR. SANTORA:  I think the Board likes  
6 the hip roof, softens it up.  Because if you  
7 change it to a gable, do a ridge beam and done.  
8 This is a hip roof which needs rafter ties or  
9 ceiling joists in there structurally, but  
10 that's above and beyond what you guys need to  
11 know.

12                   You are going to have a tough time  
13 fitting stuff, that's my point, in the attic.

14                   MR. GONZALEZ:  I wasn't planning like  
15 putting anything big, like a box or two, like  
16 she is saying doesn't make sense.

17                   MR. SANTORA:  Put some fishing poles up  
18 there, but that's about it.

19                   MR. GONZALEZ:  Yeah.

20                   MEMBER SALOGUB:  And you'll never go  
21 fishing again.

22                   MR. GONZALEZ:  Probably not if it's up  
23 there.  Once it's stored you never see it.

24                   So I won't put an attic there, that's  
25 eliminated.

1                   MEMBER SALOGUB: Leave it open. That  
2 way tall people like you can go in and out and  
3 won't have a problem.

4                   MR. GONZALEZ: The only thing with  
5 that, I have to go back to the architect, he is  
6 going to have to draw it out for me again.

7                   MR. SANTORA: He's got to do some work  
8 anyway.

9                   MR. GONZALEZ: It is what it is.

10                  MEMBER SALOGUB: You know we all have  
11 too much stuff, so one box goes in, another box  
12 got to go out, that's got to be the rule.

13                  MR. GONZALEZ: No, I agree 100 percent,  
14 definitely.

15                  MEMBER MAWHIRTER: Can I ask the  
16 public, any other questions?

17                  MR. SANTORA: Anybody in the audience?

18                  MR. WALSH: Can I just ask where  
19 somebody might tell me who thinks that they  
20 might be able to carry a vote what the overall  
21 height is for both of these structures, and  
22 then we can figure out how we get to that, but  
23 I want to make sure because then I am going to  
24 ask the applicant if he is willing to put that  
25 commitment to the Village on the record.

1                   MEMBER MAWHIRTER: I think the  
2 consensus is looking for an overall height of  
3 10 and a half feet.

4                   MR. WALSH: 10 and a half feet?

5                   MEMBER MAWHIRTER: To the peak.

6                   MR. WALSH: He can accomplish that  
7 through reducing the fascia, coupled -- Lou, we  
8 would like to give him something that's doable,  
9 I need to know whether you think it's doable.

10                  MR. SANTORA: Yeah, an 8 foot wall or a  
11 4/12 pitch, or leave the 5/12 pitch and bring  
12 it down to 7 foot 7 or 7 foot 8 like the other  
13 cabana, could get him to 11 feet.

14                  MEMBER HANSON: 11?

15                  MR. SANTORA: Yeah.

16                  MEMBER MAWHIRTER: So 10 and a half?

17                  MR. GONZALEZ: Can we do 11?

18                  MEMBER SALOGUB: We are only talking  
19 about 6 inches, 11 is fair. He took it down a  
20 whole foot, right?

21                  MR. GONZALEZ: Yes.

22                  MEMBER SALOGUB: So 11 is fair.

23                  MR. WALSH: The maximum height for each  
24 of these structures, Board, motion might be for  
25 11 feet?

1 And the fascia is the right term, Lou?

2 MR. SANTORA: Fascia or eave, yeah.

3 MR. WALSH: Reduced on each to a  
4 maximum of what?

5 MR. GONZALEZ: No, the fascia he just  
6 wants it below the actual fence.

7 MR. SANTORA: Top of the fascia is not  
8 higher than 8 feet, maybe put it like that.  
9 This way if you are at the park or his  
10 neighbors see a nice roof, slightly roof slope,  
11 roof shingles on there or do a metal roof.

12 MR. GONZALEZ: I mean they are going to  
13 see my neighbor's shed, and I don't think they  
14 will be happy about that one. The neighbor's  
15 shed is falling apart, you can see that from  
16 the back of the park.

17 MEMBER MAWHIRTER: Hopefully trees will  
18 eventually go in.

19 MR. GONZALEZ: Yeah, the trees will  
20 definitely help out to cover it.

21 MEMBER MCDONALD: You are right.

22 MR. GONZALEZ: It's unfortunate.

23 MEMBER SALOGUB: Can I ask you a  
24 question, what are you going to side the walls  
25 with, vinyl siding?

1                   MR. GONZALEZ: The vinyl siding -- to  
2 be honest with you I haven't decided yet. I am  
3 thinking not vinyl, not brick -- honestly I  
4 don't know yet, I haven't decided that, but  
5 maybe vinyl -- I said not vinyl.

6                   MEMBER SALOGUB: Something aesthetic  
7 like --

8                   MR. GONZALEZ: Any suggestions?

9                   MEMBER HANSON: Hardie board.

10                  MR. GONZALEZ: Hardie board?

11                  MEMBER MAWHIRTER: Cement.

12                  MR. GONZALEZ: That looks more like --

13                  MEMBER HANSON: They are boards.

14                  MEMBER SALOGUB: Some of the vinyls are  
15 very nice.

16                  MR. GONZALEZ: Even the vinyls have  
17 them like that, correct, I've seen them.

18                  MEMBER HANSON: We don't need to design  
19 it.

20                  MEMBER SALOGUB: I wanted to make sure  
21 it wasn't going to be cinder blocks.

22                  MR. GONZALEZ: Actually they have  
23 these, like, brick vinyls that they are just  
24 vinyl but look like brick stones, and I was  
25 thinking maybe something like that, but it's

1 not brick it's vinyl.

2 MEMBER SALOGUB: A lot of brick back  
3 there already.

4 MR. GONZALEZ: Yeah, I do.

5 MR. SANTORA: Before you vote, I just  
6 wanted to mention that one of the conditions  
7 should be, of course, that he can't -- this is  
8 typical with other code, villages and towns,  
9 that you can't have habitable space in here,  
10 can't be an apartment, can't be a bedroom, that  
11 whole thing.

12 MR. GONZALEZ: Yeah, yeah, no.

13 MR. SANTORA: Not that I think you are.

14 MR. GONZALEZ: I don't plan to have  
15 anyone live there, not even my basement or use  
16 that as a guest house or anything like that.  
17 It's just a pool house so we can enjoy it  
18 indoors if it's raining, you know, in the  
19 winter store all my stuff in there, keep it  
20 locked up so it doesn't get rusty and stuff  
21 like that. Every year I have the company come  
22 and wrap it, so I can store it and put it away,  
23 when the summer comes on, the spring, take it  
24 all back out.

25 If you noticed my yard isn't that big,

1 so I am trying to work with the space that I  
2 have, so that's why the outdoor gazebo and work  
3 from there.

4 MR. WALSH: Can I read what I think we  
5 are at and you can decide whether someone is to  
6 make a motion.

7 I think a motion here that might be  
8 coming might be conditioned upon both  
9 structures having the top of the fascia to be  
10 reduced to a maximum of 8 feet in height and  
11 the overall height for each structure not to  
12 exceed 11 feet, and the applicant is offering  
13 contribution to the Village Tree Fund of \$600.

14 MR. GONZALEZ: You threw that in there  
15 for me, alright.

16 MR. WALSH: You have to say yes.

17 MR. GONZALEZ: For sure.

18 MR. WALSH: You said you will consider  
19 it.

20 MR. GONZALEZ: For sure I consider it.  
21 Why not.

22 MR. SANTORA: I just wanted to clarify  
23 regarding the gazebo on the upper terrace, you  
24 are going to see that fascia because the fence  
25 is not 8 foot high there, so you only want to

1 talk about the fascia for the lower one.

2 MR. GONZALEZ: Yeah, because the one  
3 that's going to be above the patio, you are  
4 going to be able to see that fascia because you  
5 can't go any lower.

6 MR. WALSH: From grade, what is it at?

7 MR. SANTORA: No more than 8 anyway.

8 MR. WALSH: You are letting the Board  
9 know that's not going to be non-visual.

10 MR. GONZALEZ: Correct.

11 And then the other thing I proposed was  
12 the waterfall next to the pool that was behind  
13 the backyard. I know there has to be like a 4  
14 foot or something like that or 6 foot away?

15 MR. WALSH: I think you are close to  
16 getting your approval, I don't know if that's  
17 come up, I wouldn't mention anything else.

18 MR. SANTORA: You might just want to  
19 share with the Board and for the record the  
20 waterfall feature is not going to be 20 foot  
21 high, right?

22 MR. GONZALEZ: I was thinking 30 foot  
23 high.

24 MR. SANTORA: How high?

25 MR. GONZALEZ: It's probably going to

1           be 2 feet, 3 feet, around there. Maybe 2 feet.

2                   MR. SANTORA: Fine, as long as it's not  
3 higher than above the 8 foot fence.

4                   MR. WALSH: Above the 8 foot fence.

5                   MR. GONZALEZ: You won't see it unless  
6 you are peeking over.

7                   I got to watch you, Lou.

8                   MEMBER MAWHIRTER: We have the setback  
9 variances and the area.

10                  MR. WALSH: Yeah. Any discussion on  
11 those more, do you want to have a discussion  
12 anybody on the Board, or are you okay?

13                  MEMBER MCDONALD: I'm good.

14                  MEMBER MAWHIRTER: I think I'm okay.

15                  MEMBER HANSON: They were minimal.

16                  MR. WALSH: Are you making that offer  
17 that I read to you for the \$600 contribution?

18                  MR. GONZALEZ: Of course.

19                         Listen, why not, it benefits me, makes  
20 the park look nice, the park is beautiful. If  
21 I can donate a lot more to the park, like, a  
22 children's playground, because I have two kids,  
23 a three year old and a two year old, I will  
24 have some contributions to that.

25                  MR. WALSH: They are all ears.

1                   MR. GONZALEZ: Maybe I should talk to  
2 the whole town, we could put something there  
3 because it's just a dog park.

4                   MR. SANTORA: Go with that other person  
5 on that court, he got a big playground in his  
6 backyard. You know who I'm talking about.

7                   MR. GONZALEZ: I don't have the space.

8                   MEMBER SALOGUB: You have a summer  
9 playground with the pool.

10                  MR. GONZALEZ: Yeah.

11                  MR. WALSH: I think you are set up  
12 unless there is further discussion.

13                  MEMBER MAWHIRTER: Any other comments  
14 or questions? If not I will entertain a  
15 motion.

16                  MEMBER SALOGUB: I make a motion.

17                  MR. WALSH: With the conditions I  
18 described will be in this motion.

19                  MEMBER HANSON: And the waterfall is  
20 approved to be 3 foot 6 instead of 4 foot from  
21 the fence.

22                  MEMBER MAWHIRTER: Can I have a second?

23                  MEMBER HANSON: I'll second.

24                  MEMBER MAWHIRTER: All in favor?

25                  (Chorus of ayes.)

1 MEMBER MAWHIRTER: Opposed?

2 (Whereupon, there was no response.)

3 MEMBER MAWHIRTER: Good luck.

4 MEMBER HANSON: Can't wait to see those  
5 beautiful trees.

6 MEMBER MAWHIRTER: Do I have a motion  
7 to close?

8 MEMBER SALOGUB: I'll make a motion.

9 MEMBER MAWHIRTER: Second?

10 MEMBER MCDONALD: Second.

11 MEMBER MAWHIRTER: All in favor?

12 (Chorus of ayes.)

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I, Mary Kate Waldron, Court Reporter, within and for the State of New York, do hereby certify that I have reported the proceedings, that it is a true and accurate transcription of my stenographic notes.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of September, 2025.

Mary Kate Waldron  
MARY KATE WALDRON