

1 INCORPORATED VILLAGE OF THOMASTON

2 ZONING BOARD OF APPEALS

3 SEPTEMBER 3, 2020

4 7:00 P.M.

5
6 APPLICATION OF 805 NORTHERN BOULEVARD

7
8 P R E S E N T:

9 NICK TOUMBEEKIS, CHAIRMAN

10 MICHAEL NIKROOZ, DEPUTY CHAIRMAN

11 LARRY GREENGRASS, BOARD MEMBER

12 JOHN PSCHENICA, BOARD MEMBER

13 COUNSEL FOR ZBA, BRIAN STOLAR, ESQ.

14 DENISE KNOWLAND, VILLAGE ADMINISTRATOR

15 LINDA EARLEY, DEPUTY VILLAGE CLERK

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23 JENNIFER DEVLIN
24 COURT REPORTER

1 CHAIRMAN TOUMBEEKIS: Call the meeting to
2 order. And I just have one announcement
3 before we proceed.

4 Due to public health and safety concerns
5 related to COVID-19 and pursuant to
6 Governor's Executive Orders, the Board of
7 Appeals will not be meeting in person until
8 further notice. The Board will meet on
9 September 3, 2020 at 7:00 p.m. tonight via
10 Zoom conferencing -- video conferencing. The
11 hearing will be recorded and a transaction --
12 a transcription will be provided at a later
13 date. The public will have an opportunity to
14 see and hear the hearing live.

15 The Zoom login information is meeting ID:
16 873 0039 6317. The password is: 681998. Or
17 you can dial in by phone from your location
18 at (646) 558-8656.

19 I will just repeat it one more time for
20 everybody. The Zoom login information is
21 Meeting ID: 873 0039 6317. And the password
22 is 681998. And the dial by phone is (646)
23 558-8656.

24 Any interested member of the public may

1 provide comments to the Board regarding this
2 hearing during the hearing via Zoom upon
3 recognition by the Board or by using the chat
4 feature. Comments also can be provided via
5 email before and during the hearing to -- and
6 I will take my time and spell it out as well
7 -- deputyclerk@villageofthomaston.org. I'ts
8 D-E-P-U-T-Y-C-L-E-R-K at village,
9 V-I-L-L-A-G-E, of Thomaston,
10 T-H-O-M-A-S-T-O-N -- all one word. No spaces
11 -- dot org.

12 Please check the meeting agenda posted on
13 the Village website on
14 www.villageofthomaston.org/public_notice.html
15 to access the virtual meeting and for updated
16 information.

17 Plans and other materials associated with
18 the proposed application may be reviewed and
19 downloaded at
20 www.villageofthomaston.org/public_notice.html
21 or may be obtained upon email request to the
22 email I previously indicated:
23 Deputyclerk@villageofthomaston.org up to 4
24 hours prior to the hearing time.

1 Good evening everybody and welcome.

2 MR. SADIAN: Good evening.

3 CHAIRMAN TOUMBEEKIS: So I guess we will
4 start.

5 Do we have an order here, Denise, in
6 terms of the applications?

7 MS. EARLEY: 805 goes first and Brompton
8 Road is second.

9 CHAIRMAN TOUMBEEKIS: I'm going to ask the
10 applicant and anyone on their behalf at 805
11 Northern Boulevard LLC to indicate and
12 present here this application that we have
13 before us this evening.

14 I think -- Mr. Sadian, I think you're
15 attempting to speak. You're on mute. I
16 would ask that you unmute yourself.

17 MR. SADIAN: Good afternoon.

18 CHAIRMAN TOUMBEEKIS: Good evening, Mr.
19 Sadian.

20 MR. SADIAN: Good evening to you.

21 So I made -- would you like me to --

22 CHAIRMAN TOUMBEEKIS: I would like for you
23 to give us an explanation of the application
24 we're looking at here this evening. We've

1 had a chance to review the documents. We
2 understand it's for adding a sign. But can
3 you give us a little bit more detail and
4 explain to us the need? That would be
5 helpful.

6 MR. SADIAN: Yeah. Sure.

7 So in the beginning I did the signage
8 according to the maximum that I was allowed
9 to. But once I started to market the
10 project, I quickly realized that the signage
11 that I have, the size is not quite
12 appropriate for the size of the building.
13 And I was approached with many, many tenants,
14 potential tenants. And some of them, they
15 are of some scale. And they -- one of the
16 questions that always comes up, what signing
17 you let me have? And that's why I'm applying
18 for this.

19 CHAIRMAN TOUMBEEKIS: So at this time let
20 me ask you a question.

21 Do you have a tenant that has made a
22 specific request, or is this still potential
23 tenants?

24 MR. SADIAN: We successfully signed

1 Merrill Lynch and with Northwell Healthcare
2 so far.

3 CHAIRMAN TOUMBEEKIS: Merrill and
4 Northwell. Is either one of them requesting
5 a sign?

6 MR. SADIAN: Both of them they requesting
7 a sign.

8 CHAIRMAN TOUMBEEKIS: And what are they
9 requesting specifically in terms of a sign?

10 MR. SADIAN: I promised them the signage
11 in the front. We didn't get to details. I
12 couldn't get too much specific because first
13 I need to go to you before I promise them
14 something.

15 CHAIRMAN TOUMBEEKIS: Okay. In this
16 regard does anybody have any specific
17 questions about this sign that's being
18 proposed? Does anybody on the board require
19 any additional information other than what we
20 received in the packets?

21 MR. GREENGRASS: This is Larry
22 Greengrass.

23 You're proposing a 60 square foot sign.
24 And my question was: Have you looked at any

1 of the other commercial buildings on Northern
2 Boulevard in the area? And has anybody on
3 your behalf determined whether there are 60
4 square foot signs in -- on Northern Boulevard
5 in front of any commercial properties?

6 MR. SADIAN: The building in front of me
7 is well aware of what I am asking. The
8 building in front is well aware. And we have
9 a picture that we can present to you. Would
10 you like to see the picture?

11 MR. GREENGRASS: Sure. Which building?

12 MR. STOLAR: You can't -- anything that
13 wasn't submitted before the meeting you
14 cannot receive as an exhibit now.

15 MR. SADIAN: Fine.

16 MR. GREENGRASS: I wasn't sure because
17 there is a photograph in the exhibit, but
18 that's proposed -- but that's 805, so --

19 MR. SADIAN: I think it's an exhibit
20 here. I'm referring to Exhibit 4.

21 MR. GREENGRASS: I don't see any other
22 photographs. Maybe somebody else does.

23 CHAIRMAN TOUMBKIS: Larry, if you look
24 in the packet, the -- it's the -- hold on a

1 second. It's in the certificate of
2 completion packet. The last page there is --
3 it looks like a photo or a mock-up of a sign
4 that says "Mount Sinai Hospital."

5 MR. GREENGRASS: I have that one, Nick.
6 Yeah. Okay.

7 CHAIRMAN TOUMBEEKIS: Other than that do
8 you have anything else?

9 MR. GREENGRASS: Okay.

10 MR. PSCHENICA: Sorry. That's the 805
11 sign? The picture is a rendering of the sign
12 we're talking about.

13 CHAIRMAN TOUMBEEKIS: Rendering of the 805
14 sign. But any other signs are --

15 MR. PSCHENICA: No.

16 This is John Pschenica.

17 Question, Mr. Sadian. Also in the
18 package, besides the sign that you were
19 talking about expanding because there's an
20 existing sign out there, you're also
21 proposing an additional corner sign on -- I
22 believe it's a retaining wall at the corner
23 of the property. And --

24 MR. SADIAN: It's set back. It's like

1 available corner. That in the beginning
2 stages when we designed the building we were
3 thinking to install a -- something like in
4 shape of a harp because the name of the
5 building is "Harp."

6 Very quickly. We understand that
7 branding and name is much more value. So I
8 am -- to use that for Northwell.

9 MR. PSCHENICA: So you had mentioned
10 before the reason to expand the existing sign
11 was because you have two tenants that are
12 interested or that you've signed leases with:
13 Merrill Lynch and Northwell. So are you
14 saying that Northwell would have signage at
15 the building corner and on the monument sign?

16 MR. SADIAN: Potentially, yes. Yes.
17 Potentially. My goal is to the -- I need to
18 see who is coming to the building. Because
19 according to the size, Merrill Lynch took
20 30,000 square feet. So I promised them a
21 decent size signage. Northwell took 11,000
22 square feet. And they are probably going to
23 take another 7,000 square feet.

24 In addition to that I have my -- the name

1 of the building that I would like to somehow
2 present it. And we will be -- we are left
3 with one -- a quarter of second floor and --
4 at one third of first floor and lobby. So
5 potentially we're going to have five tenants
6 all together. With the name of building it's
7 six. It will be difficult to make it look
8 nice. And I really think the size of the
9 building justifies something bigger.

10 MR. PSCHENICA: Thank you.

11 MR. SADIAN: Thanks.

12 DEPUTY CHAIRMAN NIKROOZ: Mr. Sadian, do
13 you know what you asking for? You asking for
14 8 by 8 by 2 1/2 big wide sign in these
15 extensively large. Even though I appreciate
16 what you have and your building and the size
17 of your building, the size of your sign has
18 nothing to do with the size of your building.
19 The size of your building should be somehow
20 erected and installed. So it should be
21 reasonable for the people to passing by there
22 to recognize your location and recognize your
23 tenant. Eight feet by 8 feet is a room.
24 It's a giant size.

1 Do you think with -- you could consider
2 to adjust the size to a more suitable and
3 reasonable size than it is? Eight feet to my
4 opinion, it is huge.

5 MR. SADIAN: So I have -- honestly I get
6 this, a lot of talk. And probably by now you
7 know that I am a detailed guy. I would not
8 do anything that looks less than perfect. We
9 made the drawings with realtor. And I really
10 think that what I am proposing, aesthetically
11 it will look perfect and is not on the way of
12 anyone. If anything it will make everything
13 much more -- look more important and perfect.

14 I understand what you saying about the
15 size, but around me there are bigger sizes
16 like that. And they don't look nice. I have
17 to tell you. Some of the signage in
18 surrounding of me, they look like bizarre in
19 Istanbul.

20 I am trying to do something nice. It
21 will be luxury. It will match the bottom
22 part. I am skipping 4, 5, 6 inches. So they
23 are not going to be sitting on top of each
24 other. I --

1 DEPUTY CHAIRMAN NIKROOZ: Do you know
2 what 6 inches is?

3 MR. SADIAN: Yes.

4 DEPUTY CHAIRMAN NIKROOZ: Six inches --

5 MR. SADIAN: I know what is 6 inches.

6 DEPUTY CHAIRMAN NIKROOZ: -- it is so
7 minimal in regard to the size of your --
8 height of your sign.

9 MR. SADIAN: No. I'm talking about the
10 spacing between the two. If you want to make
11 it 8 inches, I can.

12 DEPUTY CHAIRMAN NIKROOZ: No. It is not
13 a matter of the distance. It is a matter of
14 the big sign. It is 8 by 4, every one of
15 them. You have two panel. Every one of them
16 it is 8 feet by 4 feet?

17 MR. SADIAN: Yes, sir.

18 DEPUTY CHAIRMAN NIKROOZ: And this is
19 somehow somewhere -- I think not that it is
20 too excessively large, but it is covering up
21 a portion of your building.

22 MR. SADIAN: It's --

23 DEPUTY CHAIRMAN NIKROOZ: Second issue
24 that I have is a question. Perhaps some area

1 -- I don't know if the board to make a
2 decision about the size, not only me, but
3 decision is you putting this one in middle of
4 your -- on the center of your building that
5 is a common portion of your building the same
6 token. On the corner of your building right
7 next to that street that you have going
8 upward you have a tank or something that's
9 exposed. It is a --

10 MR. SADIAN: It's not a tank.

11 DEPUTY CHAIRMAN NIKROOZ: It's exhaust or
12 something.

13 MR. SADIAN: Yes. Yes.

14 DEPUTY CHAIRMAN NIKROOZ: Maybe if you
15 put -- relocate the sign where there's more
16 suitable size to that corner to cover up that
17 tank, I think that it will be more suitable
18 for your building than you putting it in the
19 air to covering up portion of your building,
20 your entrance to your building.

21 MR. SADIAN: I want to bring to your
22 attention that the signage that I'm proposing
23 is not covering anything. Absolutely
24 nothing. Nothing in the building. Nothing

1 from anyone else. It's just having one
2 exposure for more tenants. And I really,
3 really think that it's going to look
4 fantastic. It's what I have right now for --
5 is not enough to support six names,
6 especially if you're talking about brand
7 names. If I had a customer or a tenant that
8 is 1,500 square feet I would tell him sorry.
9 I cannot offer you any signage.

10 But to a 20,000 square feet tenant after
11 I waited so long, I want to do the right
12 thing for them. And we are not covering
13 anything of the building. I examined this
14 from a million angles.

15 DEPUTY CHAIRMAN NIKROOZ: What would the
16 -- your comment about relocating the sign
17 with a more suitable size to the corner to
18 cover up that tank --

19 MR. SADIAN: I said that -- I said that
20 -- I sent the two drawings: that one and
21 this one together. I understand that I
22 forgot one. I do not need a variance for
23 that one. And that's why I am applying for
24 this variance. I will definitely install on

1 that corner something nice as well. Because
2 just like it bothers you, that tank bothers
3 me as well. I will do my best to make that
4 corner look very chic.

5 DEPUTY CHAIRMAN NIKROOZ: What are you
6 planning to do? Do you have any intention?
7 Do you have any kind of an idea?

8 MR. SADIAN: I was waiting for variance
9 to come up so I can make my deal in the
10 signage company as a package and not going
11 two times.

12 DEPUTY CHAIRMAN NIKROOZ: Naturally if
13 this variance should be granted, it should be
14 somehow coming along with your idea, your
15 very nice great idea. But what we -- this
16 variance comes with the idea that -- what are
17 you going to do to cover up those tanks
18 that's exposing here?

19 MR. SADIAN: The tanks, they will be most
20 part covered. I promise you. They bother me
21 more than they bother you. They bother me
22 since day one.

23 DEPUTY CHAIRMAN NIKROOZ: Okay.

24 MR. SADIAN: This is all designed before

1 my time. And it's a mask beneath them. It's
2 a suction of carbon monoxide from the lower
3 levels. It's not something that I can touch.
4 But we will do --

5 DEPUTY CHAIRMAN NIKROOZ: I'm not saying
6 to touch it. I'm saying it's been done. But
7 what you could offer to cover it up so --

8 MR. SADIAN: I can make -- I can make the
9 signage much higher keeping that signage
10 flush with walls not sticking out. If it
11 becomes a touch higher it will cover that fan
12 completely.

13 DEPUTY CHAIRMAN NIKROOZ: I'm not
14 following you. Are you saying that you are
15 going to put the sign to go higher than a
16 wall?

17 MS. GUILOR: Can I say something? Can
18 you hear me okay? Good evening everyone.
19 I'm sorry I cannot be on video. For some
20 reason I cannot get on the video.

21 I can tell you that we are working hard
22 to find a solution for that corner. And we
23 will work with whatever is necessary to solve
24 it. But that corner and entrance to the

1 building are really very separate issues.

2 The entrance to the building needs to
3 recognize the people that are in the
4 building. The size that we have, the 30
5 square feet, is really -- if you look across
6 the street it's the size of their number:
7 900. And all along here across the street
8 from us we have a big sign for a building
9 that's a quarter of the size.

10 So we felt that the size of the sign that
11 we have, if we double it and we really broke
12 it up so it's really not one continuous sign
13 and it's really very elegant and cleaner, it
14 will enhance the entrance. Now, I understand
15 the whole issue with the western corner --
16 the eastern corner of the building, but I
17 don't think we're even recognizing that you
18 coming to the building. It's two separate
19 issues.

20 And I do understand that we need to treat
21 that corner. And you're talking about it.
22 And we'll back to the building department
23 hopefully without a need for a variance to
24 resolve it in a way that we will be allowed

1 to use there.

2 So I really would like to concentrate on
3 the sign that we need here to go into the
4 building, promising you that it's a good
5 sign, a nice size, a good quality sign and
6 will help especially when we drive up from
7 the east and we don't really see it because
8 of the slope, it really will help. And I can
9 promise that we will treat the corner by
10 Wheatley Court in a way that it will be
11 allowed. We're not going to do anything
12 that's not allowed. And we're not planning
13 to come back to the Board of Zoning for that.
14 That's a separate issue.

15 MR. STOLAR: If I may, Edna.

16 You didn't identify yourself. If you can
17 identify yourself.

18 MS. GUILOR: Sorry. Edna Guilor,
19 architect. 17 Ravine Road, Great Neck, New
20 York.

21 MR. STOLAR: Thank you.

22 MR. SADIAN: I understand what you saying
23 about the corner. And I promise that it will
24 be (Inaudible).

1 CHAIRMAN TOUMBEEKIS: The tenants that you
2 have, it's -- you're talking to Merrill
3 Lynch. And who is the other tenant?

4 MR. SADIAN: Northwell Healthcare.

5 CHAIRMAN TOUMBEEKIS: Northwell Health.
6 And how much space is Northwell Health
7 looking to take?

8 MR. SADIAN: They already took 11,000.
9 And they are aiming 7,000.

10 CHAIRMAN TOUMBEEKIS: And how much is
11 Merrill looking at?

12 MR. SADIAN: Merrill already took 30,000.

13 CHAIRMAN TOUMBEEKIS: What's the total
14 square footage of building again?

15 MR. SADIAN: 57,000.

16 CHAIRMAN TOUMBEEKIS: Okay. And you've
17 had specific discussions with Northwell
18 Health about signage?

19 MR. SADIAN: Yes.

20 CHAIRMAN TOUMBEEKIS: And have they
21 provided you with any samples of what they
22 would like to do?

23 MR. SADIAN: I didn't give them option of
24 choosing the model of the sign. They can

1 choose their logo and the colors of the -- I
2 understood that they going to provide me with
3 the file. And we're going to bring forward
4 them.

5 CHAIRMAN TOUMBEEKIS: Has Northwell in any
6 of its conversations with you indicated that
7 they have a specific request as to signs?

8 MR. SADIAN: Many, many, many different
9 occasions. Many, many.

10 CHAIRMAN TOUMBEEKIS: Did they ask you to
11 take a look at 611 Northern Boulevard right
12 next to Seven Seas?

13 MR. SADIAN: No.

14 CHAIRMAN TOUMBEEKIS: Did they tell you
15 that on that building that they prefer to
16 have signs that are on the building at a
17 height above 18 feet, that they didn't want
18 street signs?

19 MR. SADIAN: They did not tell me
20 anything like that.

21 CHAIRMAN TOUMBEEKIS: So did you have any
22 discussions with them that they, for
23 instance, wanted this particular sign that
24 you're proposing now?

1 MR. SADIAN: We're talking about monument
2 and the --

3 CHAIRMAN TOUMBEEKIS: The one that you're
4 proposing now, Mr. Sadian. Did they review
5 that proposed sign and say that would be
6 acceptable to them?

7 MR. SADIAN: Yes.

8 CHAIRMAN TOUMBEEKIS: They did?

9 MR. SADIAN: I mean not yet, but I
10 assured them the location. And they liked
11 it.

12 CHAIRMAN TOUMBEEKIS: But they didn't
13 specifically agree to any signage yet?

14 MR. SADIAN: The way I envisioned this,
15 Merrill Lynch, it will be -- the first name
16 on the top will be the name of the building:
17 Harp. The second one will be Merrill Lynch,
18 a decent size, because they are 30,000 square
19 feet. And right after them we're going to
20 put Northwell Healthcare. And we'll have
21 some other spots. Currently we are
22 negotiating with another major real estate
23 company. And definitely 100 percent they ask
24 me for signage.

1 CHAIRMAN TOUMBEEKIS: And Merrill Lynch,
2 are they the same Merrill Lynch that's
3 currently at 1010 Northern Boulevard?

4 MR. SADIAN: Yes. They going to move
5 across the street.

6 CHAIRMAN TOUMBEEKIS: And are you aware of
7 the sign that they have at 1010 Northern
8 Boulevard?

9 MR. SADIAN: Yes. I am aware.

10 CHAIRMAN TOUMBEEKIS: And were they
11 dissatisfied with that sign in any way?

12 MR. SADIAN: Honestly I think they were
13 dissatisfied with many things. So if they
14 are moving -- they are moving --

15 CHAIRMAN TOUMBEEKIS: But do you know if
16 they were satisfied or dissatisfied with the
17 sign that they currently have at 1010?

18 MR. SADIAN: I just want to tell you --
19 bring something to your attention.

20 CHAIRMAN TOUMBEEKIS: Sure.

21 MR. SADIAN: Me personally I had very,
22 very, very little talk with the two
23 companies. Everything was handled through
24 attorneys and brokers.

1 CHAIRMAN TOUMBEEKIS: Yes. Okay.

2 DEPUTY CHAIRMAN NIKROOZ: Are the signs
3 equally divided?

4 MR. SADIAN: They -- I didn't --

5 DEPUTY CHAIRMAN NIKROOZ: Equally
6 divided.

7 MR. SADIAN: I didn't see their logo.
8 One of them is aiming to change their logo.
9 And I don't know what they are changing it to
10 yet. The goal is, yes, to treat them equal.
11 Yes.

12 MR. SADIAN: Okay. And also you saying
13 that this is the double image sign? It means
14 from the front and the back it shows the same
15 name?

16 MR. SADIAN: Yes, sir.

17 DEPUTY CHAIRMAN NIKROOZ: And you're
18 saying that you're not intention of adding
19 any other name besides six names in this
20 sign?

21 MR. SADIAN: I can't.

22 MS. GUILOR: It's really five plus our
23 address.

24 MR. SADIAN: My goal is -- I waited so

1 long. And my goal is just to do it -- the
2 right thing and keep luxury and clean and
3 make it beautiful.

4 DEPUTY CHAIRMAN NIKROOZ: Mr. Sadian, I'm
5 asking you if the seven tenant walk into your
6 office and your request for a space --

7 MR. SADIAN: I don't have a -- I have no
8 more space after that.

9 DEPUTY CHAIRMAN NIKROOZ: I'm sorry. If
10 this space is not being rented --

11 MR. SADIAN: Yes.

12 DEPUTY CHAIRMAN NIKROOZ: -- and you
13 decided to subdivide one space to two
14 space --

15 MR. SADIAN: Yes.

16 DEPUTY CHAIRMAN NIKROOZ: -- and as a
17 result becomes seven tenant --

18 MR. SADIAN: Okay.

19 DEPUTY CHAIRMAN NIKROOZ: -- are you
20 having an intention to add another layer of
21 name into that?

22 MR. SADIAN: If the seven names is
23 something that bothers you, I am here
24 prepared to give you commitment that we have

1 at most six names.

2 DEPUTY CHAIRMAN NIKROOZ: Six names?

3 MR. SADIAN: If there is a seventh
4 name --

5 DEPUTY CHAIRMAN NIKROOZ: I'm not making
6 any determination that the size is sufficient
7 or not. I'm not giving you any commitment
8 yet.

9 MR. SADIAN: Yes.

10 DEPUTY CHAIRMAN NIKROOZ: The board is
11 supposed to make this decision. But what I
12 am saying is if we go ahead and we compromise
13 size --

14 MR. SADIAN: Yes.

15 DEPUTY CHAIRMAN NIKROOZ: -- the back and
16 the front of this sign is going to carry the
17 same name?

18 MR. SADIAN: That's the goal.

19 DEPUTY CHAIRMAN NIKROOZ: That's the
20 goal.

21 Okay. And it is only six names?

22 MR. SADIAN: It could be six names. I
23 don't envision that I'm going to have seven
24 or eight tenants. I envision six. Yes.

1 That's correct. Actually five plus the name
2 of the building. Six.

3 DEPUTY CHAIRMAN NIKROOZ: Thank you.

4 MS. GUILOR: Right.

5 CHAIRMAN TOUMBEEKIS: Do we have anybody
6 else who has any questions?

7 MR. STOLAR: If I might. Brian Stolar,
8 counsel. Just because I haven't heard
9 answers to questions that were posed by Mr.
10 Greengrass and Mr. Nikrooz, one having to do
11 with whether you have looked to see whether
12 there are similar signs on office buildings
13 in Thomaston on Northern Boulevard.

14 And secondly, what are you presenting to
15 show that this proposed sign is visible for
16 people passing by, which usually is shown
17 through a traffic engineer? And I don't know
18 if you have answers to those questions, but I
19 haven't heard them yet.

20 MR. SADIAN: I looked around and I
21 realized that -- having an all glass
22 building, it's nice. But then you have some
23 restrictions and some difficulties with floor
24 to ceiling glass. It's -- there's some

1 challenges adding signage and -- from garden
2 side after blocking the glass.

3 MS. GUILOR: What you're trying to say is
4 you're not going to be able to put a sign on
5 the building?

6 DEPUTY CHAIRMAN NIKROOZ: This is what
7 you're trying to say, Mr. Sadian?

8 MR. SADIAN: Yes, sir. If I will be able
9 to do it. If it's going to look nice, I'm
10 not sure, because you will be blocking the
11 glass. And from inside I don't think it's
12 going to be so charming that someone in the
13 room is looking at the back of signage
14 instead of a view of the street or something
15 else. Because my glass is from floor to
16 ceiling.

17 DEPUTY CHAIRMAN NIKROOZ: That's correct.
18 And I agree with you. It will not be --

19 MR. SADIAN: It will not look nice. It
20 will be --

21 MS. GUILDOR: Which is something that we
22 probably could do and we're allowed to do but
23 opting not to do. And we're just asking to
24 add a 30 square foot sign in here. I think

1 that the size of the sign allowed on the
2 building is much, much larger.

3 I haven't been part of the beginning of
4 the hearing, so I didn't hear the question.
5 There was a question about a traffic
6 engineer. What was that question?

7 MR. STOLAR: The question was then to the
8 presentation. It did not include anything
9 demonstrating why the sign is needed at that
10 size and that height for visibility purposes.

11 MR. SADIAN: Look, when you coming from
12 east and west in both directions because of
13 this slope and the angling of the building
14 and some of the electric balls that they are
15 on the sidewalk and a lot of other opticals,
16 some of the signage, it does not become
17 visible until you are actually very, very
18 close.

19 Together with the tenant with the
20 difficulty of -- the signage is actually
21 very, very long compared to the size of
22 building. I don't think -- if you look at
23 the building, the size of the building and
24 you look at the signage, I don't think there

1 is a question definitely that the building
2 can handle a bigger signage. It would not
3 look not appropriate. If anything it would
4 look more appropriate.

5 DEPUTY CHAIRMAN NIKROOZ: You put a 15
6 foot high sign, would you clarify that the 50
7 feet, it is from the street or it is on top
8 of the flower box? And how far it is the
9 flower box to the sidewalk and the street?

10 MR. SADIAN: No. The 50 feet I believe
11 -- if I make a mistake, correct me. The 50
12 feet is from the floor. That is correct?

13 MS. GUILOR: Yes. The sidewalk is a
14 little bit higher at that point.

15 DEPUTY CHAIRMAN NIKROOZ: No. Sidewalk
16 is lower than the flower box. Am I correct
17 or not?

18 MR. SADIAN: No. No. The sidewalk is
19 higher.

20 MS. GUILOR: No. The sidewalk, it's
21 higher.

22 MR. SADIAN: The sidewalk, it's higher.

23 MS. GUILOR: It's higher than the flower
24 box.

1 MR. SADIAN: The sidewalk is a lot
2 higher.

3 DEPUTY CHAIRMAN NIKROOZ: Talking about
4 the entrance. You driving through here --

5 MR. SADIAN: I know what you're talking
6 about. The entrance of the building and the
7 sidewalk on the Northern Boulevard is 7
8 inches higher than the footing of my signage.

9 DEPUTY CHAIRMAN NIKROOZ: Higher than
10 footing of sign?

11 MR. SADIAN: Yes, sir. That's right.

12 MS. GUILOR: Yeah. Yeah. I'm looking at
13 a picture. I cannot send it to you, but I'm
14 looking at a picture now.

15 MR. SADIAN: I know this.

16 MS. GUILOR: You have the picture there,
17 Mr. Sadian.

18 MR. SADIAN: No. I have --

19 MS. GUILOR: You might be able to --

20 MR. SADIAN: I have to tell you. I know
21 this because I poured tons of gravel in that
22 planter area to make it look a little bit
23 more appropriate.

24 MS. GUILOR: Flush with the top?

1 MR. SADIAN: Flush with the top.

2 Exactly.

3 I just put the picture. If you see this
4 picture, the signage and my surrounding, they
5 are several feet higher than what I'm
6 proposing.

7 DEPUTY CHAIRMAN NIKROOZ: I don't see any
8 picture. I don't know where that picture
9 you're talking about. I do not see that
10 picture. I don't see any picture.

11 MR. SADIAN: Jonathan, would you like?
12 Jonathan my son is here. He would like to
13 add a word.

14 MR. JONATHAN SADIAN: Hi. My name is
15 Jonathan.

16 So yeah. The presentation that you sent
17 to me, there's some images of 800 Northern
18 Boulevard which is just --

19 MS. GUILOR: If you look at the last
20 picture, the last picture that you see the
21 800 and other sign on 805, you can see they
22 have a sign there "for lease." That's about
23 -- bigger than our sign.

24 DEPUTY CHAIRMAN NIKROOZ: Edna, where you

1 see this -- are you reflecting this picture
2 on the screen? Is it what you're doing?

3 MS. GUILOR: Jonathan, can you share it?

4 DEPUTY CHAIRMAN NIKROOZ: I cannot see
5 it. Does anybody see it?

6 MR. SADIAN: Screen maybe.

7 MR. JONATHAN SADIAN: Nor can we shift
8 it. We have it on our desktop.

9 CHAIRMAN TOUMBEEKIS: We cannot accept it
10 if it's not in the package.

11 MS. GUILOR: These are some pictures that
12 we took just to be able to talk about what's
13 in the neighborhood and what's around. But
14 you do have one picture that's the proposed
15 elevation. And in there you see the
16 schematic. And the next street you see a
17 vivid superimposition of the sign on the
18 building, right?

19 CHAIRMAN TOUMBEEKIS: Ms. Guilor, did you
20 enter this diagram knowing the side elevation
21 and the front elevation of the signage?

22 MS. GUILOR: Yes.

23 CHAIRMAN TOUMBEEKIS: That was prepared by
24 you?

1 MS. GUILOR: Well, that was prepared by
2 the person who's manufacturing the sign.

3 CHAIRMAN TOUMBEEKIS: Yup.

4 MS. GUILOR: And we fixed it so that it
5 will be corrected. Yeah.

6 CHAIRMAN TOUMBEEKIS: And who prepared the
7 -- specifically who is the sign company that
8 prepared this -- this drawing?

9 MS. GUILOR: You should have the name in
10 there. I don't have it in front of me.

11 CHAIRMAN TOUMBEEKIS: There's no title
12 block on this, this drawing, this sketch.

13 MR. SADIAN: I would like to bring the
14 same guy that did the --

15 MS. GUILOR: Yeah. That we did first.

16 CHAIRMAN TOUMBEEKIS: Well, who is that?

17 MS. GUILOR: The building department has
18 all the information.

19 CHAIRMAN TOUMBEEKIS: On the application
20 you refer to a US Fence & and Red Lion, Inc.
21 Would they be the ones who sold you the sign?

22 MR. SADIAN: Potentially. Yes.

23 CHAIRMAN TOUMBEEKIS: Because then I have
24 another email here from you dated June 22nd,

1 Mr. Sadian, 3:51 p.m., that says, Please be
2 advised that we changed the fabricator for
3 the sign to A1 Signart.

4 MR. SADIAN: A1 Signart is the one that
5 installed the original one.

6 CHAIRMAN TOUMBEEKIS: Yes.

7 MR. SADIAN: And the one you mentioned
8 now, they -- actually they became more
9 friendly. I don't mind if there's something
10 that matters. I can -- no problem.

11 CHAIRMAN TOUMBEEKIS: Did either one of
12 them prepare this drawing, this one-page
13 drawing that shows the sign elevation?

14 MR. SADIAN: A1. Yes.

15 CHAIRMAN TOUMBEEKIS: Who prepared it?

16 MR. SADIAN: A1.

17 CHAIRMAN TOUMBEEKIS: Why didn't they put
18 their title block on this?

19 MR. SADIAN: They are a little bit more
20 -- not too savvy.

21 MS. GUILOR: You don't know.

22 CHAIRMAN TOUMBEEKIS: Well, they presented
23 something to the board. And it doesn't show
24 who the author is.

1 MR. SADIAN: That's my mistake. He
2 presented for me. That's my mistake. I
3 apologize.

4 CHAIRMAN TOUMBEEKIS: You know, I think
5 we're entitled to know who's proposing this
6 and what they're proposing.

7 MR. SADIAN: That is my mistake.

8 CHAIRMAN TOUMBEEKIS: Do we have any other
9 questions?

10 MS. GUILOR: We have to change the
11 drawing.

12 MR. SADIAN: Edna, Edna, Edna, Edna.

13 MS. GUILOR: Yes.

14 MR. SADIAN: They hear you with your
15 other conversation here.

16 MS. GUILOR: Okay. I'm muting you.

17 MR. SADIAN: I think she has another
18 variance in another town.

19 CHAIRMAN TOUMBEEKIS: So in this regard
20 any other questions from anyone?

21 DEPUTY CHAIRMAN NIKROOZ: I have one more
22 question that I would like to clarify.

23 CHAIRMAN TOUMBEEKIS: Yes.

24 DEPUTY CHAIRMAN NIKROOZ: The partial

1 side entrance on the Northern Boulevard, I
2 see a couple of elevations. If you look at
3 the site plan, it says bottom of picture
4 167.08 and on the sidewalk. And also when
5 you go to under the sign it says 187.63. If
6 you are deducting this two from each other,
7 it shows that the sign, if I'm not making a
8 mistake, if I'm reading correctly -- maybe I
9 should ask this question before I make any
10 comment. What is the elevation 187.63?

11 MR. SADIAN: Elevation 87.63?

12 DEPUTY CHAIRMAN NIKROOZ: 187.63. Is it
13 the top of the sign? Bottom of the sign?
14 What it is?

15 MR. SADIAN: The top.

16 DEPUTY CHAIRMAN NIKROOZ: But it's -- or
17 it is the flower box?

18 MR. SADIAN: I think it's the top of the
19 sign.

20 DEPUTY CHAIRMAN NIKROOZ: So if it is the
21 top of the sign, your sign, if you deduct
22 these two numbers from each other, your sign
23 is 20 feet, 20 feet and a half. It is not
24 15 1/2. You show on the bottom in here

1 proposed elevation of the extension and you
2 show the sign. Thirteen feet 3 inches. What
3 of the sign to top of the sign?

4 MR. SADIAN: That's correct. Whatever
5 you have is the correct one. I don't think
6 anything in front of me right now. But what
7 was submitted to you is the correct -- rest
8 assured that is correct.

9 DEPUTY CHAIRMAN NIKROOZ: Mr. Sadian,
10 with all respect to you I'm confused. I
11 would like to know. Your sign is 13 feet 3
12 inches or 20 feet and a half inches? You see
13 on the sign on the site plan it shows two
14 different elevations?

15 MR. SADIAN: Yes. It's the -- one is the
16 existing one.

17 DEPUTY CHAIRMAN NIKROOZ: No. Bottom is
18 167.08. You see that one?

19 MR. SADIAN: 167.

20 CHAIRMAN TOUMBEEKIS: I think it's 167.68,
21 no?

22 DEPUTY CHAIRMAN NIKROOZ: No. 187.63.

23 CHAIRMAN TOUMBEEKIS: Oh. 08. I got you.

24 DEPUTY CHAIRMAN NIKROOZ: There's two

1 elevation in there that's confusing. One is
2 on the sidewalk. And it's says bottom
3 167.08. And then another on the bottom of
4 sign it says 187.8 -- 63. If you deduct
5 these two from each other it shows 20 feet
6 and a half. If it's 20 feet and a half it is
7 the height of your sign. Why on the bottom
8 of this site plan you show the elevation of
9 the sign and you writing 13.5 height of the
10 sign?

11 MR. SADIAN: I think 13.5 is the existing
12 one. And then we -- I think that we would
13 like to add the additional box on top.

14 MR. PSCHENICA: Michael, I think I can
15 clarify for a second.

16 Who's presenting on the screen right now?

17 MR. SADIAN: Not me.

18 MR. PSCHENICA: Because I'm seeing --

19 MS. GUILOR: Denise is doing that.

20 Denise is sharing.

21 MR. PSCHENICA: Denise, if you can zoom
22 in on the left side, the side right there.
23 Sorry. Up. The plan above that.

24 And, Michael, you're saying that there's

1 that -- to the left of that big rectangle
2 there it says 167.08?

3 DEPUTY CHAIRMAN NIKROOZ: Thank you.

4 MR. PSCHENICA: That's what you're
5 talking about?

6 DEPUTY CHAIRMAN NIKROOZ: That's correct.

7 MR. PSCHENICA: And then you're saying
8 below the sign where it says "sign" inside
9 the rectangle it says, elevation -- I think
10 it shows up better in here. I see what
11 you're seeing because there is a hatch in
12 that planter area that's right next to that
13 6. But it looks like -- you can see in this
14 it does look like 167.63. And actually to
15 the right of that there's an enlarged version
16 that says 167.63.

17 I think it's just the way that the hatch
18 is shown on the plan.

19 MS. GUILOR: Okay. I'm back on. Maybe I
20 can clarify. What's the question?

21 MR. SADIAN: They almost hang me here.

22 DEPUTY CHAIRMAN NIKROOZ: Okay. I could
23 accept the fact, John, that it might be some
24 kind of a typo -- typo in there. And in this

1 case, yes. Then in this case it is
2 acceptable.

3 MS. GUILOR: Hello.

4 CHAIRMAN TOUMBEEKIS: Yes. You're here.
5 We can hear, Ms. Guilor.

6 MS. GUILOR: Okay.

7 DEPUTY CHAIRMAN NIKROOZ: Please proceed.

8 CHAIRMAN TOUMBEEKIS: I think at this
9 point if there's any other questions, let's
10 get them out there. Otherwise I don't have
11 any further questions. And I'm prepared to
12 close the meeting at this time, unless if we
13 have any comments from the public.

14 MR. GREENGRASS: Nick, this is Larry. I
15 have one question actually for Brian.

16 CHAIRMAN TOUMBEEKIS: Sure.

17 MR. GREENGRASS: So can we -- are we
18 committed to consider information that is
19 public that's online? In other words, if you
20 simply Google for example, 800 Northern
21 Boulevard, which is the building across the
22 street that has a Fed Ex and a bunch of other
23 -- it's a one-story building that has a bunch
24 of signs on it, are we entitled to consider

1 that even though that wasn't submitted as
2 part of the application?

3 MR. STOLAR: The way it works is anything
4 that you have -- and I apologize. My video
5 keeps going in and out. But any information
6 that you have available to you you can use as
7 part of the hearing, as long as you discuss
8 it. To observe something across the street
9 outside of the village on a retail shopping
10 center at 800 as you're describing, you can
11 use that. Just make sure that you state it
12 for the record. You obviously can't take a
13 picture of it now and use it, but your
14 observations are permitted.

15 MR. GREENGRASS: Okay. All right.

16 CHAIRMAN TOUMBEEKIS: The only thing that
17 I point out, Larry, is that 800 Northern
18 Boulevard is in Town of North Hempstead, not
19 Thomaston.

20 MR. GREENGRASS: Understood.

21 CHAIRMAN TOUMBEEKIS: But their zoning and
22 (Inaudible) are obviously in ours
23 potentially. The only thing, if I'm
24 recalling (Inaudible).

1 MR. GREENGRASS: Understood. Thank you.

2 CHAIRMAN TOUMBEEKIS: So with that do we
3 have any comments or questions from the
4 public?

5 (None.)

6 CHAIRMAN TOUMBEEKIS: So with that -- not
7 hearing anything, Brian, I think we can move
8 to make a motion and close the meeting for a
9 -- not close the meeting, but put it up for
10 discussion.

11 MR. STOLAR: So you can make a motion to
12 close the hearing.

13 CHAIRMAN TOUMBEEKIS: I make a motion to
14 close the hearing.

15 MR. GREENGRASS: Second.

16 CHAIRMAN TOUMBEEKIS: All in favor? Sign
17 of hands. We're unanimous. No nays. No
18 abstentions.

19 With that we can make a motion to --
20 Brian, I just lost you there, so I will wait
21 a second and make sure you're here.

22 MR. STOLAR: I'm here. For some reason
23 my video keeps popping in and out, but my
24 sound is perfect.

1 CHAIRMAN TOUMBEEKIS: We'll proceed with a
2 motion at this time to -- do we go into
3 discussion? You want to make the motion for
4 consideration -- to consider the approval of
5 this variance?

6 MR. STOLAR: You can have your discussion
7 on this application of course. You close the
8 hearing.

9 CHAIRMAN TOUMBEEKIS: All right. So look,
10 everyone, I think that there are major things
11 lacking here in my view. And there's major
12 inconsistencies with this application. The
13 sign in and of itself, what I see here is
14 they're -- between the drawing and the
15 mock-up and the photo, the photo that was
16 presented shows almost three different signs.

17 On top of that we don't have confirmation
18 that any of the tenants, Merrill or Northwell
19 that are coming on board, have any specific
20 requests that this be the sign. And there's
21 been nothing submitted in that context.

22 As Brian points out also, there's no
23 traffic engineer that's put in a study or a
24 report talking about -- speaking as to, one,

1 safety issues and No. 2, how this sign would
2 be seen and viewed from the road, if at all.

3 And then top own of it the -- there's no
4 information here in terms of detail as far as
5 I'm concerned that this sign is consistent
6 with any other sign that we've approved or
7 not approved along Northern Boulevard.

8 So I don't know how you guys feel, but in
9 my view I can't tell -- if you guys can tell
10 me between the drawing -- the drawing that
11 has no title, block and nobody taking
12 ownership of what's been put on this drawing
13 and authoring it, no information -- the sign
14 shown in the mock-up showing Mount Sinai
15 Hospital apparently is not the sign that's
16 shown in the drawing.

17 And then in the mock-up photo that they
18 submit there's a third sign that looks
19 different than the Mount Sinai Hospital. If
20 you guys notice that in that site plan
21 elevation, it shows one sign with a space and
22 then another sign on top of --

23 MR. SADIAN: That's the sign with the
24 space. And another sign is the one I'm

1 trying to get the variance for. I honestly
2 have no clue how the Mount Sinai sign got to
3 you. That was my marketing brochure for
4 Mount Sinai. But the one with the gap and
5 the harp on top is the one I'm trying to get
6 here.

7 CHAIRMAN TOUMBEKIS: In that regard, Mr.
8 Sadian, I appreciate your comments, but we've
9 closed the meeting for discussion at this
10 point in time. So I ask that you not
11 interrupt.

12 MR. SADIAN: Okay.

13 CHAIRMAN TOUMBEKIS: These are the things
14 that we're seeing. They're on their face.
15 They're apparent. The -- and I think that we
16 have looked at packages in the past
17 specifically as they relate to Northwell
18 Health and their requirements for signage.
19 And I can tell you that if Northwell Health
20 is proposing signage which they know in the
21 Village of Thomaston is going to be need to
22 be approved if it falls outside of the zoning
23 requirements, they have a full signage
24 package that they will submit and we will

1 review. And that's not before us.

2 And so I understand your concern about
3 adequate signage and that it may be -- there
4 may be an issue vis-a-vis where it's
5 currently located and the slope, but we have
6 -- in this instance I don't see any
7 information supporting any reason why we
8 should go ahead and approve a sign that
9 frankly I don't even know what sign we're
10 approving, who's going to build it, what
11 they're going to do and how it's going to
12 look at the end of the day.

13 CHAIRMAN TOUMBEEKIS: John? Larry? Mike?

14 MR. PSCHENICA: Nick, one thing that I
15 wanted to just bring up -- and I think when
16 we're -- and I don't disagree with what
17 you're saying. But I believe the picture
18 that shows the Mount Sinai Hospital and the
19 sketch with the no title block, I took that
20 to be all of the old application package that
21 was attached to the certificate of completion
22 for the original sign that's standing out
23 there.

24 CHAIRMAN TOUMBEEKIS: Sure. I hear you,

1 John. But at the end of the day we still
2 don't know what we're -- what they're
3 installing. That's -- if that's what's
4 existing out there or purports to be
5 existing, what are they, in fact, going to be
6 constructing out there? And, you know, even
7 though it was off the -- it was after the
8 fact here, Mr. Sadian just said that what he
9 wants to do is what's actually shown on the
10 plan elevation. So we don't have any
11 drawings or details as to that.

12 MR. PSCHENICA: I would agree.

13 MR. GREENGRASS: This is Larry.

14 I have one question again for Brian. And
15 that is -- or maybe, Nick, you will be able
16 to answer it. So the application is for a
17 proposed sign that's 60 square feet where a
18 maximum of 30 is permitted and 13.25 feet in
19 height where a maximum is 9 -- of 9 is
20 permitted.

21 Are we -- does that mean that we need to
22 approve a specific sign that fits those
23 parameters? In other words, you know,
24 there's been discussion whether it will have

1 five sections for five tenants or four or six
2 or seven or this sort of thing, or are we
3 simply to decide whether or not we will
4 permit a 60 square foot sign that is 13.25
5 feet in height as a variance? In other
6 words, how much specificity are we required
7 or permitted to give with respect to this
8 proposed variance?

9 MR. STOLAR: It's very simple. You have
10 the constitutional content neutral
11 requirement with regard to what's on there.
12 You can't dictate what they put on there.
13 You can dictate the size of the sign, size of
14 the lettering, size of the background, things
15 like that that are more content neutral. But
16 wording itself and how they say it, what they
17 say is not within your purview and not for
18 your consideration. It's other elements that
19 you can consider.

20 CHAIRMAN TOUMBEEKIS: And in that regard,
21 Larry, we don't have any information about
22 how much wattage is coming off of this sign.
23 We have no information as to whether or not
24 this sign -- that the size and the height

1 it's going to be is not going to fall down
2 and hurt somebody. We don't know if it's
3 going to block a motorist's view or distract
4 a motorist.

5 And so in that regard all of the basic
6 elements we should be looking for here don't
7 exist. And aesthetically while 60 by 60 in
8 and of itself may be something that we can
9 agree upon in terms of a size, we have no
10 idea that at the end of the day this sign may
11 very well be a huge, huge distraction or a
12 huge, huge problem. And there's nothing in
13 this record. There's nothing they provided
14 that gives us any of this information.

15 I don't know how much it weighs. I don't
16 know how it's going to be held in the ground.
17 I don't know whether or not it can withstand
18 100 mile an hour wind loads. There's nothing
19 here. We have a sketch. And if we approve
20 it and it falls on somebody and it kills
21 somebody, I think that the public, whoever
22 says, you know, who approved this, we're
23 going to have none of that information in
24 this record.

1 I'm not opposed to sign changes. We've
2 done it on Northern Boulevard. But I am
3 opposed to this application in the form that
4 it's in. And there's just nothing here.

5 MR. SADIAN: I hear you.

6 CHAIRMAN TOUMBEEKIS: Hurricane Isaias
7 just came through and knocked out electric
8 for 4 days in our area. If this sign were to
9 come down, I don't know what the impact is on
10 this sign. And the problem is there's no
11 information in this packet telling us
12 anything.

13 MR. SADIAN: Sir, I understand what
14 you're saying exactly. And just because the
15 first round I didn't have to provide that
16 information, I assumed that this will be the
17 same just the first round. But I am prepared
18 to listen to you and prepare all this stuff
19 that you're asking and present it to you. I
20 understand what you're saying.

21 CHAIRMAN TOUMBEEKIS: Sure.

22 DEPUTY CHAIRMAN NIKROOZ: For my own
23 information, Brian, is it such a sign should
24 be receiving the approval from Architectural

1 Review Board or no?

2 MR. STOLAR: I don't know if your Design
3 Review Board gets involved in this. I'm not
4 sure they do. I don't think they do. And
5 based on the village clerk's representation
6 as she just indicated, I'm pretty sure my
7 answer is correct.

8 VILLAGE ADMINISTRATOR KNOWLAND: Yes.
9 The signs for permits go before the Board of
10 Trustees. They're not required to go before
11 the Architectural Review Board. The Board of
12 Trustees will issue a permit.

13 DEPUTY CHAIRMAN NIKROOZ: Thank you. I
14 got my answer.

15 CHAIRMAN TOUMBEEKIS: In terms of the
16 aesthetics on it, Mike, that's one thing.
17 But we don't have anything.

18 DEPUTY CHAIRMAN NIKROOZ: You're right.

19 CHAIRMAN TOUMBEEKIS: I don't know that we
20 even have the aesthetics of this thing.

21 DEPUTY CHAIRMAN NIKROOZ: Your point is
22 completely valid. And I agree with it. And
23 as I'm -- Robert said that he's going to
24 comply with it and come back with more

1 information and the documentation and
2 everything that he has to bring. And then
3 we --

4 CHAIRMAN TOUMBEEKIS: I think we need a
5 drawing from a licensed professional that can
6 tell us that the material being used, the
7 manner in which it's going to be affixed is
8 going to -- is not going to fall over, hurt
9 somebody, that it complies with building
10 codes in terms of wind load, in terms of
11 wattage, and that it's not going to
12 illuminate to the point that it distracts
13 people or somebody gets injured. All of
14 those things. And it's just not here. And
15 frankly at a very basic level I just don't
16 even know what the sign looks like. I have
17 an idea here based on what Mr. Sadian said in
18 terms of the plan elevation. And it looks
19 pretty. But I don't know if it will perform
20 in any way, shape or form.

21 MR. SADIAN: I will do what -- exactly
22 what you ask me to do. But the sign, it will
23 be just exact -- the same like the bottom
24 one. The same material --

1 CHAIRMAN TOUMBEEKIS: So.

2 MR. SADIAN: -- looks-wise.

3 CHAIRMAN TOUMBEEKIS: What do you want me
4 to do here? You know, I'm saying in terms of
5 -- can I make a motion to reserve decision
6 until all of these things are done or ask him
7 to withdraw the application and reapply?
8 What's the easiest way to do?

9 MR. STOLAR: Here is what I'm hearing.

10 CHAIRMAN TOUMBEEKIS: All right.

11 MR. STOLAR: It seems to be -- at this
12 point just on this application itself it
13 appears that if the board were to vote today
14 the vote may very well be to deny. All
15 right. You cannot consider -- because the
16 hearing is closed you cannot consider
17 additional information that is being provided
18 or would be provided by the applicant.
19 Instead either make a decision today.

20 Or if the applicant thinks that he -- and
21 as he's represented to you, that he provides
22 to this board sufficient information to
23 address the concerns even before you make a
24 decision, the board has the option to reopen

1 the hearing to be heard on another night. So
2 you don't have a new application, new fees,
3 etc., to be heard on another night pursuant
4 to appropriate notice being given both
5 posted, published and also mailed.

6 So you have three ways of doing it. But
7 that would have to be the board reopening the
8 hearing, which would have to be a vote of the
9 board tonight or a hearing another night.
10 That would have to be unanimous to reopen.
11 So you can do that as well if you don't want
12 to make a decision, if you want to give Mr.
13 Sadian an opportunity to present a different
14 and more detailed case.

15 CHAIRMAN TOUMBEEKIS: Well, it sounds like
16 he wants to do that. And I think that -- I
17 don't know about you guys, but maybe I should
18 just take a poll. Mike, Larry, John, would
19 you approve this application? Because maybe,
20 you know, if it's your inclination to approve
21 it, then maybe I'm in the minority here.

22 MR. GREENGRASS: Nick, I think all of
23 your points are very valid. I guess I didn't
24 quite understand the village requirements.

1 In other words, I thought what we were
2 talking about was a variance to allow 60
3 square feet 13 1/4 feet high. So if someone,
4 for example, does not need a variance and
5 they want to put up a 30 square foot sign
6 that's 9 feet high, do they have to provide,
7 you know, engineering reports, traffic study,
8 to show that it's not going to fall down in a
9 hurricane, what it's made of, what it's going
10 to look like etc., etc?

11 I didn't realize that what we were being
12 asked to do was to approve a specific sign.
13 I thought it was those two parameters that
14 were under discussion. All of your points I
15 think are perfectly valid. And if those are
16 the points that we're entitled to consider on
17 the application, I agree with you that it's
18 deficient and there's not enough here. And I
19 would be okay with, you know, further
20 reopening down the road on the basis of
21 further information.

22 CHAIRMAN TOUMBEEKIS: You make a great
23 point, Larry, as to whether or not, you know,
24 just purely do we agree with 60 by 60 as the

1 height and the square footage of the sign?
2 Do we sort of live within that box and that
3 box alone? And I think the answer is no.
4 Just as the same way when we look at other
5 things that ultimately affect -- it's not
6 only whether or not we're just going to grant
7 it purely because he's coming in and saying
8 60 by 60, but sort of the necessity and the
9 need for why he's asking for that.

10 And in this regard the -- I think at a
11 very basic level when you're asking to take a
12 sign off of the ground level, elevate it and
13 the very issue that we're deciding is whether
14 or not in elevating that sign it's going to
15 either fall over and hurt somebody, it will
16 be too illuminated that it will distract
17 folks or that it will aesthetically block a
18 view that, you know, is not really helpful to
19 the neighbor, I think that's in effect what
20 we are deciding in granting the variance, how
21 much it --

22 MR. GREENGRASS: Fair enough.

23 CHAIRMAN TOUMBKIS: Potentially how it
24 could hurt somebody. Safety issues. To me

1 it's a safety issue first and foremost based
2 on the elevations we're talking about and the
3 size.

4 MR. SADIAN: I am prepared to show you
5 structure-wise how this was installed. I can
6 tell you unofficially right now.

7 CHAIRMAN TOUMBEEKIS: Look, I'm not going
8 to -- because we're closed. But I can tell
9 you in our discussion --

10 MR. SADIAN: Let's give me --

11 CHAIRMAN TOUMBEEKIS: -- what I'm asking
12 for is aesthetic drawings from somebody with
13 a license and a seal that is going to show me
14 the exact size.

15 MR. SADIAN: I heard you.

16 CHAIRMAN TOUMBEEKIS: The effects, wind
17 loads, all of those calculations have been
18 done to make sure that everything is safe.

19 MR. SADIAN: Give me a chance to come
20 back to you more prepared.

21 CHAIRMAN TOUMBEEKIS: So in that regard,
22 Brian -- let me just take a quick poll. Who
23 would -- would any of you approve this
24 application tonight as is?

1 MR. GREENGRASS: No.

2 MR. PSCHENICA: No.

3 CHAIRMAN TOUMBEEKIS: So, Brian, I would
4 like to make a motion to give the applicant
5 an opportunity to come back in and provide
6 the necessary information to establish the
7 need for the sign and all of the details that
8 go with it that would show us the -- that
9 it's, you know --

10 MR. STOLAR: So just basically Mr. Sadian
11 already understands what you want. So if
12 that's the path you want to take, motion to
13 reopen.

14 CHAIRMAN TOUMBEEKIS: Motion to reopen.

15 MR. STOLAR: So the Chair made the motion
16 to reopen.

17 DEPUTY CHAIRMAN NIKROOZ: I second that.

18 MR. GREENGRASS: Second.

19 MR. STOLAR: Mr. Greengrass seconded it.

20 All in favor?

21 MR. GREENGRASS: Aye.

22 MR. PSCHENICA: Aye.

23 DEPUTY CHAIRMAN NIKROOZ: Aye.

24 CHAIRMAN TOUMBEEKIS: Aye.

1 MR. STOLAR: Four zeros. So it's going
2 to be reopened.

3 Mr. Sadian, you will have to talk to the
4 village clerk, building department in a few
5 days. Gets plans in. And once the
6 information is in we'll schedule a hearing
7 which will have to be done pursuant to
8 (Inaudible)

9 MR. SADIAN: Thank you so much. Thank
10 you. Keep safe everyone. Thank you.

11 MR. PSCHENICA: Thank you. You too.

12 (Time noted: 8:43 p.m.)
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