



**TOWN OF PATTERSON
ZONING BOARD OF APPEALS
February 17, 2010**

AGENDA & MINUTES

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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

**ZONING BOARD OF
APPEALS**

Howard Buzzutto, Chairman
Mary Bodor, Vice Chairwoman
Marianne Burdick
Lars Olenius
Gerald Herbst

PLANNING BOARD

Shawn Rogan, Chairman
Charles Cook, Vice Chairman
Michael Montesano
Maria DiSalvo
Thomas E. McNulty

**Zoning Board of Appeals
February 17, 2010 Meeting Minutes**
Held at the Patterson Town Hall
1142 Route 311
Patterson, NY 12563



Present were: Chairman Howard Buzzutto, Board Member Mary Bodor, Board Member Marianne Burdick, Board Member Gerald Herbst, Board Member Lars Olenius, Carl Lodes, Attorney with Town Attorney's Office Curtiss & Leibell and Rich Williams, Town Planner.

Chairman Buzzutto called the meeting to order at 7:04 p.m.

There were approximately 1 members of the audience.

Sarah Wagar was the secretary for this meeting and transcribed the following minutes.

[Dictaphone machine not working right – kept stopping]

Chairman Buzzutto stated all set.

The Secretary stated I think so.

Chairman Buzzutto stated roll call.

The Secretary stated okay.

Roll Call:

- Board Member Bodor - here
- Board Member Burdick - here
- Board Member Olenius - here
- Board Member Herbst - here
- Chairman Buzzutto - here

1) JOEY MCKNEELY CASE #02-10

Mr. Joey McKneely was present.

Chairman Buzzutto stated you want to read the notice.

The Secretary read the following legal notice:

NOTICE IS HEREBY GIVEN BY THE TOWN OF PATTERSON BOARD OF APPEALS of a public hearing to be held on Wednesday, February 17, 2010 at 7:00 p.m. at the Patterson Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider the following application:

Joey McKneely Case #02-10 – Area Variances

Applicant is requesting area variances pursuant to §154-58 of the Patterson Town Code; Enlargement of nonconforming buildings and §154-62 C. of the Patterson Town Code; Buildings on nonconforming lots. Applicant owns two adjoining lots, each with a small single-family dwelling. Applicant wishes to combine both dwellings to create one single-family dwelling and combine both parcels to create one parcel. The Code requires there to be a 20' rear yard setback; Applicant can provide 0'. §154-62 C. requires that on a 12,000 square foot parcel of property that the livable floor area does not exceed 1,000 square feet; Applicant is proposing 2,072 square feet; Variance requested is for 1,072 square feet. These properties are located at 70 and 74 South Lake Drive (RPL-10 Zoning District).

Chairman Buzzutto stated you are the applicant.

Mr. Joey McKneely stated I'm Joey, yes.

Chairman Buzzutto stated okay, I just want to make sure. Okay, you heard the reading. Is there anything different about that that... You want to come up to the mic, Sir.

Mr. McKneely stated yes.

Chairman Buzzutto stated you want to raise your right hand, Sir. You swear the testimony you provide tonight will be the truth, the whole truth.

Mr. McKneely stated I do.

Chairman Buzzutto stated okay, fine.

Board Member Bodor stated and give your name for the record please.

Mr. McKneely stated my name is Joey McKneely.

Chairman Buzzutto stated McKneely.

Board Member Bodor stated and your address, Sir.

Mr. McKneely stated I reside at 74 South Lake Drive, Patterson, New York.

Board Member Bodor stated thank you.

Chairman Buzzutto stated okay. So you heard that. Is there any changes in that that you...

Mr. McKneely stated no. There are no changes in that.

Chairman Buzzutto stated as read is what you...

Mr. McKneely stated absolutely is.

Chairman Buzzutto stated alright. How long have you owned the property...the two lots.

Mr. McKneely stated I've owned 74 [South Lake Drive] since '96, '97. And 70 [South Lake Drive] since '98.

Chairman Buzzutto stated okay. So now you want...

Mr. McKneely stated so about 15, 16...

Chairman Buzzutto stated to merge the two...

Mr. McKneely stated yes.

Chairman Buzzutto stated into one tax map. Move the one...You're going to move these buildings, or you're just going to...

Mr. McKneely stated no, no. The footprint of the buildings are going to remain. What I'm...The houses are 12' apart. On one side it's 12' and on the lakeside they're about 14 1/2'. I'd like to adjoin the two by just building a structure to connect one house into the other house.

Chairman Buzzutto stated okay.

Mr. McKneely stated and if I can...I can walk you through...

Chairman Buzzutto stated right. You have something...

Mr. McKneely stated everything to explain...Yes, yes. I also...We can follow along with the packet, so...

Chairman Buzzutto stated fine. That...Pull that over this way if you wish [referring to the board that Mr. McKneely is posting his survey on]. Okay.

Board Member Bodor stated you'll have to take the microphone in your hand, so...

Mr. McKneely stated of course.

Board Member Bodor stated okay.

Mr. McKneely stated of course. Sorry.

Carl Lodes stated that's fine right there [referring to the board].

Mr. McKneely stated I feel like I'm on stage now.

[Laughter]

Mr. McKneely stated so let's start with the survey. This survey that I had done in 2004. This is a...I had it surveyed as one lot because it's three parcels per each lot. Okay. Here's the 74 [South Lake Drive] structure.

Chairman Buzzutto stated three parcels for each lot. I don't...

Mr. McKneely stated well, it's a...

Chairman Buzzutto stated three lots...

Mr. McKneely stated well, I guess it's three lots for each parcel. Sorry about that. This is the 74 dwelling, which exists right now. As you can see, that dwelling is right on, basically, on the property line. I think it's a...it's probably just about, you know, about 6 or 8 inches off the property line on one end. And the deck just overlaps about 3" on this end here. The other parcel it's askewed slightly, and the deck overlaps the property line by about 3'2". And with that I had gone to the PLCC and I had a variance from them, which I can show you here that we established a licensing agreement with PLCC. I need to get this attached to my deed.

Chairman Buzzutto stated yes. Can we get a copy of that.

Mr. McKneely stated yes. I can get a copy, too, of that for you.

Board Member Bodor stated is that just for the agreement just for the deck or for the patio...

Mr. McKneely stated it's just for the deck overhang here.

Board Member Bodor stated and the deck wood walk and all the rest of the stuff.

Mr. McKneely stated all this is they...This is not a problem for them because this is grandfathered...I haven't done anything. That's been grandfathered...in existence. Since that's not a structure, they don't seem to have an issue with anything that's not an actual structure. The deck overhang because of the foundation of that is cinderblock. It's not a post or anything; it's a cinderblock. That's considered a structure. So that's what...They said I needed the variance. They didn't tell me that anything else was a problem. It's just really was the structure.

Board Member Bodor stated not the deck wood walkway which is going also from the...

Mr. McKneely stated this little piece here [referring to the survey].

Board Member Bodor stated yes.

Mr. McKneely stated that's stone. They didn't have a problem with that at all either.

Board Member Bodor stated no, come back from that [referring to the survey]. Over to...Go...

Mr. McKneely stated here.

Board Member Bodor stated yes. Back up now into the property line.

Mr. McKneely stated yes.

Board Member Bodor stated there is...it indicates a deck walk...the wood walk going to the stone. I can see the...

Mr. McKneely stated that's not a wood walk.

Board Member Bodor stated it's not.

Mr. McKneely stated it's a stone walk. It's stone, you know.

Board Member Bodor stated but there's no problem with that either.

Mr. McKneely stated they had no problem with that at all. It was just the structure. Because there's a level change from the property here to the lake property; it's a difference of about 5'. And the only way to access down is by those existing steps right here. This over here, it graduates down and slopes down so there's no...there's access to the park property on this side. But that was grandfathered in from before. And they didn't bring that up at all. That wasn't a problem when we wrote this out.

Board Member Olenius stated just for clarification...

Mr. McKneely stated yes.

Board Member Olenius stated from the rear of your dwellings...

Mr. McKneely stated yes.

Board Member Olenius stated how far is it to the water's edge.

Mr. McKneely stated it's about 40'...50' from here [referring to the survey] and I'd say this gets up to almost 100' on this side.

Board Member Olenius stated okay.

Mr. McKneely stated and...

Board Member Bodor stated is this...Excuse me.

Mr. McKneely stated yes.

Board Member Bodor stated is this common over in the lake to have privately owned structures on...that are interfering with the PLCC properties.

Mr. McKneely stated yes. From my understanding, there've been about five or six instances where there's...people have either built decks or part of the actual foundation of homes. Because in the past, the survey system wasn't very good or people just didn't do their research. Before everyone...And they have given this licensing...they've entered this licensing agreement several times with other people, even to go so far as to issue one for a septic tank, which was a big issue for them because some guy put a septic tank and his field onto the PLCC property. And they said...

Board Member Bodor stated and they okayed it.

Mr. McKneely stated well, after a great deal of engineering, research, and evaluations. Generally, because it's such a small amount of the deck, you know, they didn't have much of an issue with it since I've been a member for so long and I paid up on all my dues and everything. You know, they said if I was going to build anything additional onto property, they would have a big problem with that. And I'm not doing that at this point. I'm not requesting anything.

Chairman Buzzutto stated where is the property line of the lake exist at. I'm not talking about the waterline. The lake itself...

Mr. McKneely stated well, usually it's just the waterline is the end of their property level because the actual water, I believe, is Patterson owned or jurisdiction, I think.

Chairman Buzzutto stated for the water itself.

Mr. McKneely stated the water itself. But the actual land around is all PLCC. So they're land, from the waterline up to my property, they have jurisdiction over that piece of the peninsula.

Chairman Buzzutto stated okay. Where's their...I'm confused on that.

Mr. McKneely stated okay.

Board Member Bodor stated from the waterline...

Chairman Buzzutto stated yes, to here.

Board Member Bodor stated to his property line. That's all PLCC.

Chairman Buzzutto stated in other words, their property line goes right up to...

Mr. McKneely stated absolutely. Yes.

Board Member Bodor stated yes.

Chairman Buzzutto stated so you have nothing back there. Just a...

Board Member Bodor stated where this...

Chairman Buzzutto stated yes.

Board Member Bodor stated this is the edge of his property. Right here.

Chairman Buzzutto stated and this is PLCC.

Board Member Bodor stated that's all PLCC.

Mr. McKneely stated so in order...in regard to the variances for setbacks, my home's already over those setbacks, you know.

Chairman Buzzutto stated well, that's preexisting.

Mr. McKneely stated exactly. Exactly. And that's the same thing with the deck. The deck was preexisting. So in terms of...If I wasn't going to do any sort of structural improvements, the PLCC probably wouldn't have an issue with the deck because I'm not asking them for anything. But because of...I figured that would be one of biggest questions that the Zoning Board would have. Or about the structure or property that's...The structure that's not on my actual property. That's why I've gone to them to get the okay from them and a variance from them, which I have to attach to me deed. Which they say they've done this several times before.

Chairman Buzzutto stated well, you still have to get a variance from the Zoning Board to...

Mr. McKneely stated well, I have to get a variance from...My question is, I was never told that I would need to get a variance for preexisting structure that's grandfathered in.

Chairman Buzzutto stated well, not preexisting, but the deck...These probably weren't preexisting, were they.

Mr. McKneely stated everything...I've not done anything, added anything to this property. And they have no record in the...There's also a...There should be something attached to your file that says there's no history of structures or anything in the file from before, because it happened before recordkeeping.

Chairman Buzzutto stated in other words, when you bought that property and moved there, that was already on...

Mr. McKneely stated absolutely, yes.

Chairman Buzzutto stated there when you bought it.

Mr. McKneely stated yes. Yes.

Board Member Bodor stated you have no idea what the size of the structure was when it was originally built, either one of them, back in 1940.

Mr. McKneely stated no. From the bones of the property, it seems like everything started as one little, tiny, one-room shack...

Board Member Bodor stated yes.

Mr. McKneely stated and they eventually built up.

Board Member Bodor stated that's what I'm looking at. The way...

Mr. McKneely stated yes. That's what the bones...

Board Member Bodor stated both of those buildings are situated...or the outline of the footprint of them right now, looks like there may have been a piece up facing Lake Drive itself. And then that back part beyond the jut there was added on at some future time. That's what my thought is. And it wouldn't have been on the property line had it been, that front part...I'm calling the front part...

Mr. McKneely stated right.

Board Member Bodor stated being the original structure. It would not have been on the property line. The addition brought it back. That's what I'm thinking in my head.

Mr. McKneely stated probably. Probably. When I originally...I was also told that there was, before the survey, people thought that the property line was further back. I've also done a little research with that because they did aerial surveys.

Board Member Bodor stated yes.

Mr. McKneely stated and so, it could have been that the people thought they were within their jurisdiction because the survey said that the property line was further back.

Board Member Bodor stated right.

Mr. McKneely stated but until proper research...surveys came in, they did the proper measurement. Because I think way back then, they just did like a...That's what my research kind of...came up with that.

Chairman Buzzutto stated are these little bungalows, are they both occupied right now.

Mr. McKneely stated no. Just this one [referring to 74 Lake Shore Drive]. This one's not occupied [referring to 70 Lake Shore Drive].

Chairman Buzzutto stated the other one isn't.

Board Member Bodor stated are you living in the one.

Mr. McKneely stated I'm living in this one, yes.

Board Member Bodor stated okay.

Mr. McKneely stated so it's just, in terms of the licensing agreement, is referring to this piece of deck there, you know. The other part, what I'm requesting for the variance, is that I would continue this line of this house to bring it into this house here. Straight across there [referring to the survey]. Same thing: you could take this line and continue it straight across into the structure on the right so that the front door to the property would be right here and you would enter into the house in between the two structures. So that variance for that, and plus I would like to take a...I'm asking for the variance to go all the way up to the property line so that the deck from one side can match...it could feed into the house on the right so that, somehow, this deck is connected as opposed to just having a space there.

Chairman Buzzutto stated so the overall living space created after you do this will be...I have that here some place.

Mr. McKneely stated each house right now is approximately, I want to say, 800 square feet on its own. The structure between would be approximately 400 square feet.

Chairman Buzzutto stated 400 [square feet].

Mr. McKneely stated because this is about 30' [referring to the plans], and I guess that's including the deck addition to attach the two so it's connected. That's approximately the 400 extra square feet that I'm asking, additional to what's already preexisting on each house.

Chairman Buzzutto stated how do you want to...going to accommodate...The eaves of the house run this way on one and it runs just totally...

Mr. McKneely stated yes. I have a...Here. This is a...The idea is to raise the roof of the house on the left, the white house, raise it up slightly and use that peak and bring that peak into the existing house here. So this is the red house, the house on the right. Oh, it's not red in your photo, sorry.

Chairman Buzzutto stated that's 74 [Lake Shore Drive].

Mr. McKneely stated this 74.

Chairman Buzzutto stated right.

Mr. McKneely stated okay. Right here is the existing house as in...and this peak is really like this here. That's what's existing right now; This part's existing [referring to plans]. What I'm asking is to raise the roof up and then take that peak up and then bring it into the side of the other house. And I'm only raising it by about 3' or 4'. You know, not like a full second floor. I'm not doing a full second floor.

Board Member Bodor stated it will remain single-story structure.

Mr. McKneely stated basically, yes.

Board Member Bodor stated what's basically. You're going to have storage upstairs.

Mr. McKneely stated I'll just have an attic storage upstairs, yes. That's what a staircase is on the floor plan.

Board Member Bodor stated the attic upstairs is going to be...

Mr. McKneely stated so the wall...So you'll only really be able to...Oh, and the other thing I should to...excuse me. The other hoop I had to jump through was with the Department of Health. So I got my letter of approval from them stating they've "received and reviewed the plans for the proposed addition to the above mentioned residence." And "the proposal for the addition has been approved as per plans bearing the approval stamp from the Department". And I will hand off copies to you for that.

Board Member Bodor stated the attic storage space, is that going to be so you can stand up in it or is it going to be...

Mr. McKneely stated yes. You'll only be able to stand in the middle part, the peak part I think.

Board Member Bodor stated what is this.

Mr. McKneely stated this is the approval of the potential bedrooms from the Health Department.

Board Member Bodor stated the bedroom count is currently, if you put the two houses together, what.

Mr. McKneely stated they're...Each house is a one bedroom...

Board Member Bodor stated okay.

Mr. McKneely stated at the moment. And I will maintain that as one bedrooms.

Board Member Bodor stated so you'll...to have a total of two when you're done.

Mr. McKneely stated a total of two bedrooms, absolutely.

Board Member Bodor stated okay.

Mr. McKneely stated and then since I'm moving the kitchen out of the...Let me get my floor plan.

Board Member Bodor stated do you have the approval that goes with the schematic that you presented.

Mr. McKneely stated yes, Ma'am. Yes, Ma'am. I didn't make copies of that letter, but I do have the actual...Oh. The stamp is the approval...the potential bedroom is the approval stamp, and that's the actual letter. I didn't know that I had to make copies for that because I thought that letter was only for the Building Department. I wasn't aware that the Zoning Board needed one.

Board Member Bodor stated yes. And we need copies of that agreement that you have with the PLCC...

Mr. McKneely stated yes, I have that one.

Board Member Bodor stated (inaudible – too many talking) too, please.

Mr. McKneely stated do you need one for each of you...

Board Member Bodor stated yes please.

Mr. McKneely stated or just one. Okay. Does anybody get extra copies.

Chairman Buzzutto stated Rich.

Rich Williams stated yes. Let's make sure we get copies for the files, too.

Mr. McKneely stated this is the PLLC. Here. Here you go. Thank you [handing Rich Williams what to make copies of].

Rich Williams stated (inaudible – too distant)

Mr. McKneely stated yes, everyone has...Oh. Yes I do. Yes, right here. Here you go. Here's another one. Oh, Sarah I'm sorry. Yes, that's a copy. I just have to save the original for the Building Department. So also, I've provided you with a little pictorial picture...photo shoot so you're able to see the property as they exist right now. As you can see on the first page from the driveway perspective, the space in between the two [referring to the picture package Mr. McKneely submitted]. And then...

Chairman Buzzutto stated it's basically inline.

Mr. McKneely stated well, they're slightly askewed, you know, so the house...My contractor would have to do a little facade on the front just...

Chairman Buzzutto stated okay.

Mr. McKneely stated even it out slightly. As you can see, you know, the roof would go up and go into that space, and that's the existing driveway which is...the two homes share. You'll see the perspective on the next page of the home that sits to the right hand side of me. And so, it's basically a pictorial around the entire property. You'll see in the...

Chairman Buzzutto stated page two.

Mr. McKneely stated yes. On page two you'll see the house on the one side, and that's the, I want to say, the northwest corner...I mean the southwest corner of the property. The next page, you'll see the distance between the house and the next property. That property there is very close to the property line.

Chairman Buzzutto stated right.

Mr. McKneely stated and I believe...

Chairman Buzzutto stated the one on the left.

Mr. McKneely stated the one on the left, yes.

Chairman Buzzutto stated that's not yours.

Mr. McKneely stated no, it's not mine.

Chairman Buzzutto stated that's the neighbor's.

Mr. McKneely stated yes. And so I'm good there. On the other side, you have the lake view of that same sort of distance. This is the backside of the property, the 70 [Lake Shore Drive].

Chairman Buzzutto stated you're on what page now, five.

Mr. McKneely stated I believe so, yes. You'll see the piece of the deck...the walkway of the deck, that goes along the house there. On the next page, you'll see that whole backside of 70 [Lake Shore Drive]. And there's a support...a stone, a support wall there. You would see the existing deck that we've been talking about. The cinderblock foundation there and the stone staircase. On the following page you'll see the...between the two properties, you'll see the red and the white. And that space, that would be joined in. One more. Page seven I believe that is. Yes. Page seven, right there. So that's from the lake view, from seeing it from the lake. And as you can see, you have both basements. You know, right there.

Chairman Buzzutto stated these decks will all be eliminated.

Mr. McKneely stated no. They would have to be...they need to be replaced.

Chairman Buzzutto stated they're going to be rebuilt.

Mr. McKneely stated yes.

Chairman Buzzutto stated I think I read that.

Mr. McKneely stated absolutely. Yes.

Chairman Buzzutto stated they're all rotted.

Mr. McKneely stated because they're...Yes. They're rotted out. And in between, my contractor will build a retaining wall for that...for the foundation for the addition in between. If you continue to page eight, that's just continuing along the waterline looking at the two homes. And the other deck, the same thing on page nine. That angle, you see how the deck extends out in the staircase. And then the following page is just a southeast corner of the property.

[Cell phone goes off].

Mr. McKneely stated also, you'll see the space...

Board Member Bodor stated it's in your pocket [referring to the cell phone].

Chairman Buzzutto stated is that mine.

[Laughter].

Chairman Buzzutto stated excuse me.

Mr. McKneely stated it happens all the time nowadays.

Board Member Herbst stated say Buzzy, didn't you read the sign coming in. No cell phones.

Chairman Buzzutto stated nobody told me to shut off the phones.

Mr. McKneely stated then you'll see the space in between the two homes. You can...

Chairman Buzzutto stated sorry about that.

Mr. McKneely stated yes. No worries. I think...what's that, page 11. You'll see how close the two homes sit next to each other there. And then the next page is the back view of that same angle. I should say the back angle of that same view. And you see how the elevation is slightly different. And then on the next page, that's page 13, is the deck that we've been talking about. And then you can see the cinderblock foundation there. The following page, this is standing on the deck and this is when you look at going...looking east into the next house. I'm basically standing on the property line with the camera. And that deck connects to...in...That's why I would love to see if I can get the deck to connect to the house so you can enter from the deck from the other side of the structure. And then the reverse view of that from the other side on page 15.

Chairman Buzzutto stated you've got it very well documented.

Mr. McKneely stated I've also got a video of it if you want to see that. On my computer, if you wanted to see a live moving image.

Board Member Olenius stated I'm looking at pictures 7, 8, and 12...

Mr. McKneely stated okay.

Board Member Olenius stated and it appears...The house on the right appears to have living space on the second story currently. And judging by the way the dormers...

Mr. McKneely stated well, that's just a dormer...You really can't...You can only stand up at the very, very peak of that, you know. That's something that, I guess, they use it as a kid's room or a storage room before.

Board Member Olenius stated okay.

Mr. McKneely stated you know what I mean. I don't want to add any dormers to the roof structure at all.

Chairman Buzzutto stated all these...all the other houses in that particular area, are they all bungalows.

Mr. McKneely stated no. They've been some new construction in the neighbor...My next door neighbor, if you can look at the very first page...I should say the second page, you'll see my next door neighbor actually has...I know his house is at least 2,000 square feet, and he's only on 3 lots. That's a new construction home.

Board Member Olenius stated is that the house at the point.

Mr. McKneely stated yes.

Board Member Olenius stated okay.

Mr. McKneely stated that's that big one. Then also up the...Yes. Also up the street on...there's another new construction home very similar to this. That's over...that's on the other side of the lake...on the other side of the street from the lake. And I think also up by the garden center, there's another big home there that has gone up recently, and those look pretty massive. That's why I don't want a second story. I don't want it to look like those things.

Board Member Olenius stated so these two properties have always shared a common drive.

Mr. McKneely stated they've always shared drive, yes. As far as I know. Yes. I've been in the area since '88. I lived across the street in another bungalow. And, as far as I remember from being there, that's exactly...all of this stuff was existing then in the '80's, too.

Chairman Buzzutto stated how large is your family.

Mr. McKneely stated just me at the moment.

Chairman Buzzutto stated just you.

Mr. McKneely stated but that's why I need a bigger house, because more room for people. Because I only have a one bedroom and a sofa bed at the moment. That's the main reason to put the two homes...houses together, is actually have a proper home where people don't have to walk through the kitchen, through a bedroom to use the only one bathroom. And so there's an extra room for guests or the availability to add a larger family than myself.

Chairman Buzzutto stated the total footage of the living space, do you know what that is off hand. After the fact that they're going to be...

Mr. McKneely stated I think if you remove the deck space, I believe you probably...the indoor living...

Chairman Buzzutto stated excluding the deck.

Mr. McKneely stated excluding the deck space, I would guess about 1,500...1,600 square feet, if you exclude the...

Chairman Buzzutto stated livable...

Mr. McKneely stated the decks. I believe so. If my calculations would be correct. Let me look for a second. I have an 18' x 10', That's 110'. 110. 300 [referring to the plans]. Roughly...Yes. I think the indoor living space would be roughly about 1,600 square feet. I'm sure I'm probably off a couple of feet.

Chairman Buzzutto stated two baths.

Mr. McKneely stated they would be two baths right now, and I'm thinking about putting in a half bath.

Chairman Buzzutto stated 2 ½ baths.

Mr. McKneely stated yes. That's what I'm shooting for.

Chairman Buzzutto stated where would that be.

Mr. McKneely stated there's an existing...If you look at your floor plan, on the right hand side, that middle existing bath, right there...

Chairman Buzzutto stated right, yes.

Mr. McKneely stated and then put the door in. But that would...that bath is for the existing bedroom right there. On the other side, the proposed master bath, that would be for the existing bedroom on the left hand side, because that would become the master bedroom. And I'm looking to try to carve out a half bath either eating up a little bit of the master bathroom, or going into the closet off of the existing study; there's a little space there. Because I'm having to move the existing study right now because of the Building Department and the updated plan, I have to move a wall back so it is under 7'. So I'll probably put a half bath in there.

Chairman Buzzutto stated okay.

Mr. McKneely stated so guests don't have to go through a bedroom or something. They'll be right off the living space.

Chairman Buzzutto stated well, I think that we're going to have to take a...

Mr. McKneely stated I know...

Chairman Buzzutto stated site walk.

Mr. McKneely stated yes. Well, do you want to see the video. Does that help you at all.

Chairman Buzzutto stated video's good. Where...

Mr. McKneely stated it's...I know, technology it's amazing, huh.

Chairman Buzzutto stated well, I don't want to refuse any input that you might have.

Mr. McKneely stated well, I don't know...just to give you a visual. I...Right. I was told that a site walk would probably be possible.

Chairman Buzzutto stated yes. Rich, you want to see these. Did you...

Rich Williams stated no.

Chairman Buzzutto stated see these. You don't want to see them.

Rich Williams stated I'm fine.

Chairman Buzzutto stated okay.

Mr. McKneely stated I know I have a very unique situation here with the two structures, you know, but I think you see them you'll...it kind of makes...You'll understand. Sorry. Can you see [referring to the computer screen that the video will be played on].

Chairman Buzzutto stated I just want to indicate in the minutes that the client is showing a video of his property here. That will observe the silence in the...

Mr. McKneely stated it's just a moving image of the pictorial that you've seen before.

[Mr. McKneely plays the video]

Mr. McKneely stated sorry about not having a soundtrack.

Chairman Buzzutto stated you just reside that...

Mr. McKneely stated the very front because I took out the old windows; the single pane. I just did that so it wouldn't look with tar paper.

[Video continues to play]

Board Member Bodor stated there is a bird in the video. I thought I heard it before.

[Laughter]

Mr. McKneely stated there's a lot of birds there.

Board Member Bodor stated there is some sound.

[Laughter]

Board Member Bodor stated on the coast somewhere.

[Video continues to play]

Mr. McKneely stated it's a little Blair Witchish.

[Video continues to play]

Board Member Olenius stated that chimney would remain.

Mr. McKneely stated yes. And that's pretty much it.

[Video ended]

Board Member Bodor stated thank you.

Mr. McKneely stated you're welcome. Thank you.

Chairman Buzzutto stated the landscaping will be done to... Well, let's see. To go with the property.

Mr. McKneely stated what do you mean by the landscape.

Chairman Buzzutto stated well, I mean will the landscape be changed to (inaudible – too distant).

Mr. McKneely stated no, not really. You know, except for maybe the driveway. I would not have the driveway go all the way to the house. I would cut it down so that, you know, it would look like one lawn right in front of the...

Chairman Buzzutto stated that will be blacktop.

Mr. McKneely stated right now the driveway would go...it goes all the way up. And what I would do is just remove that part of the blacktop so this becomes all lawn, and probably just have a blacktop go right here to the side, or just stay right here, depending on...Yes. Just so that...And the siding...the whole siding for the house would all be the same. You know, probably cement cedar...fiber cement cedar shingles all the way around, you know.

Chairman Buzzutto stated what about the structural of the buildings itself. Are they going to be sound and...

Mr. McKneely stated nothing will change in this property here because this roof is getting raised. He will be doing...redoing the walls around here. I think he's going to put them in to...Is it 2' x 6'. 2' x 6', yes. Because the walls now are 2' x 4's. So he's going to make it 2' x 6'...

Board Member Olenius stated bring it up to code.

Mr. McKneely stated bring it up to code, yes. So all the new structure in this house here...

Chairman Buzzutto stated the walls are 2' x 6'.

Board Member Olenius stated the new code is.

Mr. McKneely stated the new code, yes I think so.

Chairman Buzzutto stated I didn't know that.

Mr. McKneely stated and then he will build the foundation wall here and here, and then build up the foundation on this side. And so, the new structure will sit on new foundation, you know. And then they would also border the old foundation of this house, I think [referring to the plans]. You know, but nothing will be sitting on top of this house; the old house. Everything...The added weight of that new roof would be on the new structure and the new walls on this property.

Chairman Buzzutto stated so in other words, it will meet all the codes, the...

Mr. McKneely stated yes, absolutely. Absolutely, yes. And what the benefit of doing this for me also is since the properties have come together, I will be able to bring the electrical system to both houses up to code because they are from the past, and so there will be a new electrical. This house will be brought up to code...present code, and same thing with all the plumbing stuff, too, you know. And with the septic tanks, I have two septic tanks, so I'm able to split the bedrooms. I don't have to overuse any one area, you know.

Chairman Buzzutto stated you're going to use both septics, or...

Mr. McKneely stated yes, yes. You know, the Building Department...I have two brand new septic tanks. Also, I believe in your...included in there [referring to the packet of information], Putnam County replaced one of my septics for free because of the program they had a few years back. So they've replaced this one with 1,000 galloon...actually 1,050 galloon. And this one I had done on my own when that one failed. And that's a 750 [gallon] one. So probably what I'll be doing is treating one as a drywell and treating the other one as a septic tank since the other one is bigger, you know.

Chairman Buzzutto stated the wells are...Two wells you got there now.

Mr. McKneely stated yes. No, no, no. I have two, but I'm only using one.

Chairman Buzzutto stated you're only using one.

Mr. McKneely stated yes, because that pump was just recently replaced and I'd love not to...And this one I'm just not going to be using anymore because I would have to upgrade it, and I don't see a need to have two wells if I just have one. Because I'm sure I'm pulling from the same water.

Chairman Buzzutto stated okay, so I stand that we're going to have to take a site walk.

Mr. McKneely stated okay.

Chairman Buzzutto stated I'll want to look at it...

Mr. McKneely stated okay.

Chairman Buzzutto stated and get some general ideas...

Mr. McKneely stated okay.

Chairman Buzzutto stated from...So...

Mr. McKneely stated great. Well I hope I've giving you all the details that I have and I gave you...

Chairman Buzzutto stated does the Board have any more questions...

Mr. McKneely stated a clear picture of what my desires are, so...

Chairman Buzzutto stated alright.

Mr. McKneely stated so I just want to say thank you for your consideration.

Chairman Buzzutto stated thank you for your documentation. It was very nice. Well done. So we're just going to adjourn the meeting and...

Board Member Olenius stated would you be able to meet us if we did a site walk.

Mr. McKneely stated yes. Depending on the date, I would be more than happy. I just have to go out of the country next week. I'm back in...I leave the 24th, I'm back in on the 3rd. Let me just look at the date. I have two trips...business trips. I'll be back March the 3rd. So anytime between March the 3rd and...That week of the 8th will be ideal. And then on the 28th, I have to leave again. But ideally, you want to do a site walk before the next meeting, correct.

Board Member Bodor stated yes.

Board Member Olenius stated yes.

Mr. McKneely stated is that how it works.

Chairman Buzzutto stated we'll have to decide on when we can all get together.

Mr. McKneely stated of course. Of course.

Chairman Buzzutto stated because I don't know...

Mr. McKneely stated weekends are good.

Chairman Buzzutto stated it's dark in the evening yet, is it. What...How late does it get dark. 6:30 [p.m.] now.

Board Member Olenius stated now it's about 5:40[p.m.]. 5:30, 5:40.

Chairman Buzzutto stated it's still not enough time.

Board Member Burdick stated I could probably get out there quarter after 4, if that would help, if you didn't want to do it on the weekend.

Chairman Buzzutto stated well, that's alright with me. I don't know about the rest of the guys.

Board Member Herbst stated depends on what day it is.

Board Member Bodor stated depends on when it is.

Chairman Buzzutto stated yes. Well, yes. Well...

Board Member Herbst stated I mean, I could be there at any time. But it has to be...

Board Member Bodor stated the next meeting is the 17th, right.

Board Member Olenius stated yes.

Mr. McKneely stated do you want to shoot for the weekend of the 5th or 6th. Like that Friday or Saturday.

Chairman Buzzutto stated well...

Mr. McKneely stated so you get daylight. That's up to you guys, yes. Because I think you want to see it in the daylight. Definitely.

Chairman Buzzutto stated the meeting in March is the 17th.

Board Member Bodor stated it is.

Board Member Burdick stated and then we have one...a special meeting on the 15th as well.

Board Member Bodor stated is it the 15th or the 8th.

Rich Williams stated 8th.

The Secretary stated 8th.

Board Member Bodor stated why do I have the 8th.

Board Member Burdick stated oh, yes. Sorry.

Chairman Buzzutto stated so we have to decide on when we can...Because some work, you know.

Mr. McKneely stated of course. So will someone be in touch with me then, to let me know.

Chairman Buzzutto stated oh, yes.

Mr. McKneely stated okay, great. Well like I said, I'm back in the country on the 3rd and I don't leave until the 24th. So, I could do anytime from today forward until the 24th. I can make myself available to you. If you need me to be there.

Chairman Buzzutto stated well, I don't know if it will be in February or March.

Board Member Herbst stated there isn't much left of February.

Board Member Bodor stated there's not much left of February.

Chairman Buzzutto stated yes, there's not much left of February. (Inaudible) give us a little more.

Board Member Bodor stated it's got to be in the beginning of March.

Chairman Buzzutto stated yes. So it would be in March.

Mr. McKneely stated okay.

Chairman Buzzutto stated so, what is your time element in March.

Mr. McKneely stated like I said, I'm back in the country on March 3rd, so I can meet you anytime after that.

Chairman Buzzutto stated so it would be after March the 3rd.

Mr. McKneely stated yes.

Chairman Buzzutto stated alright. So when we decide then, Sarah will let you know...

Mr. McKneely stated okay.

Chairman Buzzutto stated when we'd be there.

Mr. McKneely stated okay.

Chairman Buzzutto stated okay. Is that...

Mr. McKneely stated excellent.

Board Member Bodor stated is late afternoon better for you or the weekends better for you.

Mr. McKneely stated whatever my...It's up to your schedule.

Board Member Bodor stated you'll make it...

Mr. McKneely stated yes. I'll make it happen.

Board Member Bodor stated okay.

[Laughter]

Mr. McKneely stated anymore...I'll jump through as many hoops as you need.

[Laughter]

Chairman Buzzutto stated well, is that alright with the rest of the Board on a weeknight.

Board Member Herbst stated yes, that's fine.

Chairman Buzzutto stated yes.

Board Member Herbst stated I don't have a problem.

Chairman Buzzutto stated rather than the weekend.

Board Member Olenius stated I just want to get a feel for the neighborhood.

Chairman Buzzutto stated okay, so we're going to have it on a weeknight, but we don't know exactly...

Mr. McKneely stated okay.

Chairman Buzzutto stated what...to the day. But it will be...When can you get there Marianne.

Board Member Burdick stated I could probably get over there by quarter after 4.

Chairman Buzzutto stated so it be in that time area, thereabout...

Mr. McKneely stated okay.

Chairman Buzzutto stated about quarter after 4, 4 o'clock. Somewhere in there.

Mr. McKneely stated sure.

Chairman Buzzutto stated so. Okay. Alright, fine. That's...

Mr. McKneely stated thanks.

Chairman Buzzutto stated so Sarah will be in touch with you.

Mr. McKneely stated okay. Excellent. Thank you for your time.

Chairman Buzzutto stated okay.

Mr. McKneely stated okay, thanks again.

Board Member Burdick stated have a good night.

Chairman Buzzutto stated thank you for your presentation.

2) OTHER BUSINESS

a) Wireless Edge Discussion – Monopole v. Stealth

Chairman Buzzutto stated do we have to discuss anything on Wireless Edge from the Planning Board on the stealth. They recommend stealth on that. Well, it's not discussing their problem, it's discussing what we would like, right. The stealth antennas, right.

Board Member Olenius stated it's what they would like.

Chairman Buzzutto stated what.

Board Member Olenius stated it's what the Planning Board recommended.

Chairman Buzzutto stated yes.

Board Member Bodor stated and the reality of it is, too, we have, you know, pushed for the monopole also, ourselves in the past.

Chairman Buzzutto stated that's right. Yes.

Board Member Olenius stated yes.

Board Member Bodor stated so this is not real their brain child.

Board Member Olenius stated curious what height that's going to come to.

Board Member Bodor stated yes. That's the only problem. With this particular one, we would have to, you know...it raises the height.

Board Member Olenius stated it's still probably going to be less visible without those arms off of it.

Board Member Bodor stated yes.

Board Member Olenius stated I don't know.

Board Member Bodor stated I don't know.

Board Member Olenius stated see what they come back with.

Chairman Buzzutto stated well, you know, how much above the tree line was that going to be. It could be quite a bit.

Board Member Olenius stated yes, it didn't look that much currently, but...

Chairman Buzzutto stated well, with the leaves and stuff on the trees.

Board Member Herbst stated but at the rate they keep us (inaudible) we'll know because the trees will be filling in and we'll see where it sits.

[Laughter]

Chairman Buzzutto stated can we recommend a stealth to Wireless Edge at this particular point. The stealth antenna rather than the...

Board Member Bodor stated the monopole.

Rich Williams stated you can discuss it with them.

Chairman Buzzutto stated right.

Rich Williams stated is that what you're asking.

Chairman Buzzutto stated yes.

Board Member Olenius stated are they aware of the Planning Board's memo. They're not.

Board Member Bodor stated so they would not even be ready to present anything regarding the monopole because we've talked about what they've presented to us in the past, and that was not a monopole.

Rich Williams stated unless you direct us to send it down there and tell them to be ready to...

Board Member Bodor stated yes.

Rich Williams stated talk about it if you're interested in pursuing that option.

Board Member Bodor stated it's as I said, you know, we have pushed for the monopole in the past. Not on this particular site, but we have. So, in all fairness to the Planning Board and their recommendation and our thoughts in the past, perhaps we are to alert Wireless Edge that, you know, we'd like to see some type of documentation regarding a monopole, and how high it would have to be. Because it's going to have to

be higher than what they're proposing, I believe. But I don't know what that's going to be. That's for them to figure out.

Rich Williams stated six carriers...40 feet. 50 Feet.

Board Member Bodor stated higher than what they've proposed. Another 50'. Up in the air like that, is 50 [feet] that much really, you know.

Rich Williams stated well...

Board Member Bodor stated maybe they can do some...

Rich Williams stated you know, they're currently at what, 145'. So now you're pushing almost 200'. And now you get into issues, structural issues, but in addition issues of lighting. If it's above 200' then there's lighting required.

Board Member Bodor stated that's right. That's the FAA, yes.

Rich Williams stated yes.

Chairman Buzzutto stated that's going to create a problem.

Board Member Bodor stated well, you know, maybe...Do you think we should alert them to the Planning Board's recommendation and ask them to come up with that...some type of a...

Chairman Buzzutto stated yes. That feasible to the...

Board Member Bodor stated since they're still presenting to us, and still figuring out, you know, responses to other questions apparently...

Board Member Olenius stated they would just request...

Board Member Bodor stated they might as well throw this in, too.

Board Member Olenius stated request estimations as to height.

Board Member Bodor stated yes.

Board Member Olenius stated you know, I wouldn't want them to go through...

Board Member Bodor stated yes.

Board Member Olenius stated full blown drawings or anything.

Board Member Bodor stated that's good. I like that.

Board Member Olenius stated but I'm sure they could figure out...

Board Member Bodor stated I like that word.

Board Member Olenius stated an estimate as to height...

Board Member Bodor stated yes.

Board Member Olenius stated on a monopole.

Board Member Bodor stated can you do that. Thank you.

Board Member Olenius stated there's got to be some standardized thing for dimension, I would imagine.

Rich Williams stated oh, yes.

Chairman Buzzutto stated so basically, the antenna that would be up there with the arrays on them, is pretty well secluded up there, you know, into the woods. But that's going to be above the tree line; 145'.

Board Member Bodor stated well, what they're proposing is above the tree line to begin with.

Chairman Buzzutto stated to begin with, yes.

Board Member Bodor stated and what they're proposing goes, you know, wide. Straight up, it's above the tree line that much further, but does not have the arms on it. So it's less bulky, but is it realistic.

Chairman Buzzutto stated yes. See if it's a problem for them to do it, and see what they say. Well, we'll let them know, and let them come back at the next meeting and say, you know, it's not going to work out. I don't know.

Board Member Bodor stated I do believe they allude to it in the past in their initial presentation. It escapes me exactly what the words were. But there was mention made of it. Am I right.

Rich Williams stated you are correct, yes.

Board Member Bodor stated thank you. Alright.

b) Minutes

Chairman Buzzutto stated is there anything else on the...

Board Member Bodor stated we have the minutes from January 20th to approve. I make a motion to approve them.

Board Member Burdick stated second.

Board Member Bodor stated all in favor. Motion carried by a vote of 5 to 0.

Chairman Buzzutto stated so be it.

c) Site Walk

Board Member Bodor stated any other business that needs to be done other than a site walk.

Chairman Buzzutto stated not that I know of.

Board Member Bodor stated okay. Let's establish a site walk.

Chairman Buzzutto stated any other business, Rich, that you want to discuss. Okay.

Board Member Bodor stated what's your pleasure. Afternoons better for everyone.

Board Member Olenius stated yes, I would think so.

Board Member Bodor stated yes. Okay.

Board Member Olenius stated well, it doesn't matter. I could do weekends, too.

Board Member Herbst stated what date are you looking at.

Board Member Bodor stated I'm not right now. If you give me some ideas.

Board Member Olenius stated what date is March 3rd when he returns. Or what day of the week actually.

Board Member Burdick stated that's Wednesday.

Board Member Bodor stated that's a Wednesday.

Board Member Olenius stated that's a Wednesday.

Board Member Bodor stated and I won't return until the 4th.

Board Member Olenius stated so the week of the 8th is better. If we did it at night.

Board Member Bodor stated yes. Yes, it's...

Board Member Burdick stated I can't do the 8th or the 9th.

Board Member Bodor stated okay.

Chairman Buzzutto stated 8th or the 9th.

Board Member Bodor stated and the 10th I am down at CAP until 4:30, and also the 12th.

Chairman Buzzutto stated alright, so, what days would they be, the 8th and the 9th.

Board Member Burdick stated that's a Monday and a Tuesday.

Chairman Buzzutto stated Monday and Tuesday.

Board Member Burdick stated so the 11th of...The 11th which is a Thursday is open. Or a Friday. If you wanted to do a Friday, right.

Board Member Bodor stated I'm tied up till 4:30.

Board Member Burdick stated on...

Board Member Bodor stated the 5th. On Friday, too.

Board Member Burdick stated okay.

Chairman Buzzutto stated those days are alright with me. I don't know about the rest of the Board.

Board Member Olenius stated so Thursday the 11th.

Board Member Bodor stated yes. It works for me.

Board Member Olenius stated I think it works. I don't know.

Board Member Herbst stated March the 11th on Thursday, right.

Board Member Bodor stated okay.

Board Member Herbst stated I think I'm clear till I get home...

Board Member Olenius stated I think so, too.

Board Member Herbst stated and check my board, but right now I think I'm clear.

Board Member Bodor stated and that would be 4:30ish.

Board Member Burdick stated I could probably get there by 4:15.

Board Member Bodor stated 4:15ish.

Board Member Burdick stated yes.

Board Member Bodor stated on site.

Board Member Burdick stated yes.

Board Member Bodor stated okay, where is this located on the Lake.

Board Member Olenius stated do you remember when that site walk we did recently on South Lake Shore where we went past the nursery and we looped around the corner. The property was on the right, and he backed up to another road. He was putting a driveway in, or a shed on the upper driveway. We walked on the lakeside and walked through the property and up to the back. I can't remember the person.

Board Member Burdick stated so we make the right down past the...Did we go straight past the nursery or...

Board Member Olenius stated yes.

Board Member Burdick stated we make the right down past it.

Board Member Olenius stated no.

Board Member Burdick stated no. Okay.

Board Member Olenius stated go...make the right by the old deli, what used to be the deli.

Rich Williams stated and meet at the nursery.

Board Member Olenius stated and meet at the nursery, yes. Or the deli.

Board Member Bodor stated is it down in the vicinity where we made the man move his house.

Board Member Olenius stated past it.

Board Member Bodor stated past that. Down...

Board Member Olenius stated yes.

Board Member Bodor stated I know where it is.

Board Member Olenius stated remember when we recently did a site walk, we drove past that, and it was on the right. It was for something; a garage. It was only...

Chairman Buzzutto stated yes.

Board Member Olenius stated it was just this past year.

Board Member Bodor stated I have a general idea then. I don't remember though.

[Laughter]

Board Member Olenius stated where the house...

Board Member Bodor stated I remember being at the dam.

Board Member Olenius stated when you pass the house that was moved that he alluded to...

Board Member Bodor stated yes.

Board Member Olenius stated that's why you were laughing, too...When you pass that, there's a brand new house that he was alluding to on the corner right on the lake. It's a beautiful home. It stands right out. He's right next to that.

Board Member Bodor stated okay.

Board Member Olenius stated so...

Board Member Bodor stated it's 74 [South Lake Drive]...

Board Member Olenius stated 70 and 74.

Board Member Bodor stated 70 and 74. There should be numbers out there.

Board Member Olenius stated it's going to be on the left.

Board Member Bodor stated on the lakeside, so...

Board Member Olenius stated yes.

Board Member Bodor stated okay.

Chairman Buzzutto stated so you want to meet there or at the...

Board Member Bodor stated no, I think I can find it knowing I have a general idea.

Chairman Buzzutto stated yes. Past the house that we had moved. Okay.

Board Member Bodor stated yes.

Board Member Olenius stated yes.

Board Member Bodor stated go down the hill.

Chairman Buzzutto stated that's March the 11th, Thursday. What time was it, 4 o'clock...4:30.

Board Member Bodor stated 4:15ish.

Board Member Herbst stated I have 4:30. It's 4...

Board Member Bodor stated ish.

Board Member Herbst fifteen.

Board Member Bodor stated 4:15ish.

Chairman Buzzutto stated that's close enough.

Board Member Bodor stated anything else.

Board Member Herbst stated alright. I just changed it to 4:15.

Board Member Bodor stated I make a motion to adjourn.

Board Member Herbst stated second.

Board Member Olenius stated do you want to...I'm sorry. Should we pick an alternate date.

Board Member Bodor stated in case there's a snowstorm.

Board Member Olenius stated yes. That's what I'm thinking.

[Laughter].

Board Member Bodor stated the snow is finished.

Board Member Olenius stated should we give him a backup day just in case.

Rich Williams stated you are talking about March, right.

Board Member Olenius stated yes.

Board Member Bodor stated beware of the Ides...

Board Member Olenius stated we need a backup day.

Rich Williams stated I wouldn't think of it.

Board Member Bodor stated don't even think about it. You mean it's all going to be green.

Rich Williams stated it better be.

Board Member Olenius stated I hope so.

Board Member Bodor stated well, do you want to throw in a snow date.

Board Member Olenius stated the meeting is the following Wednesday.

Board Member Bodor stated yes.

Board Member Herbst stated why don't we wait till we get closer to the weather reports, and then we can change it if we have to.

Board Member Bodor stated this is going to be here before we know it. February is short month. Alright, go with the 12th as a possibility as a second date; a backup. If it ends up there, I'll just have to leave early, that's all.

Chairman Buzzutto stated okay.

Board Member Herbst stated now are we meeting at the property or the...

Board Member Bodor stated at the property. You know where we had to move the house. Where that man built that house and he had to move it. It's down the hill, on the left from there. 70 and 74 [Lake Shore Drive].

Rich Williams stated Jerry was on the Town Board at that point.

Board Member Olenius stated just past it.

Board Member Bodor stated but everyone was aware of that situation.

Board Member Herbst stated I'll find it. Don't worry.

Board Member Bodor stated I make a motion to adjourn.

Board Member Olenius stated second.

Board Member Bodor stated all in favor. Motion carried by a vote of 5 to 0.

Meeting was adjourned at 7:57 p.m.