

APPROVED: 2/16/10

**MINUTES OF THE
CONSOLIDATED ZONING BOARD OF APPEALS
OF THE
TOWN OF HIGHLANDS AND VILLAGE OF HIGHLAND FALLS
JANUARY 19, 2010**

A regular meeting of the Zoning Board of Appeals was held in the Highland Falls Library, Highland Falls, New York, on Tuesday, January 19, 2010, at 7:00 P. M.

THERE WERE PRESENT:

Board Members:

David Weyant, Chairman
Tim Donnery
Jack Jannarone
Tim Doherty
Tony Galu
Ray Devereaux

One (1) Vacancy

Alyse Terhune, Attorney, (Jacobowitz & Gubits, LLP)

ALSO PRESENT:

John Hager, Building Inspector, Tina and Daniel Norton, Cecelia Lillard, Robert Munderville, John Giordano, Brian Krzeminski, and Ralph Montellese.

The meeting was called to order by the Chairman, at 7:00 P. M., with the Pledge to the Flag. It was noted that a quorum was present.

MR. WEYANT: Before we approved the Minutes of November 16, 2009, I am going to go into our Reorganization, as we do every January. I will open the meeting and note that all members are present, with one (1) vacancy.

A motion was made to nominate David Weyant as Chairman of this Board.

Motion: Mr. Donnery Seconded: Mr. Doherty Approved

A motion was made to nominate Jack Jannarone as Deputy Chairman of this Board.

Motion: Mr. Weyant Seconded: Mr. Doherty Approved

A motion was made to set the meeting dates of this Board to be the third Monday of every month in 2010, with the exception of January and February because of holidays.

Motion: Mr. Weyant Seconded: Mr. Doherty Approved

A motion was made to use the News of the Highlands in Highland Falls, and the Times Herald Record in Middletown as the official publications for this Board.

Motion: Mr. Weyant Seconded: Mr. Donnery Approved

A motion was made to continue the use of the law firm of Jacobowitz & Gubits, LLP to represent this Board.

Motion: Mr. Weyant Seconded: Mr. Donnery Approved

A motion was made to appoint Fran DeWitt as Secretary for this Board.

Motion: Mr. Weyant Seconded: Mr. Doherty Approved

A motion was made to approve the November 16, 2009 Minutes, as amended.

Motion: Mr. Weyant Seconded: Mr. Jannarone Approved

MR. WEYANT: Our first application tonight is from our November meeting when we adjourned our Public Hearing for Mr. and Mrs. Norton. Please come forward. As I recall from our previous meeting, you are asking for a variance of your front yard and side yard on your property on 97 Mine Road, Fort Montgomery. The Board had questions of where the location for your garage would be. We talked about the concerns of the Board of the placement. I have seen since that you have a new drawing.

MR. NORTON: Yes, that is correct.

MR. WEYANT: I will also remind you that you are under oath. It carries over from our November meeting.

At 7:05 P. M. the Public Hearing was re-opened.

MR. WEYANT: Please explain your new drawing for us.

MR. NORTON: What we have done is put the corner of the proposed garage about six (6) inches from the property line by moving it over to the other side of the parking area. It moves slightly back because of the angle of the property. It is about three (3) feet from the property line which puts it about seven (7) feet from the road. Also, by being further from that blind spot we are hoping that it will be clearer in getting in and out of the property. We are still willing to put a mirror and/or a Blind Driveway sign if necessary.

MR. WEYANT: Did you review this with Mr. Hager?

MR. NORTON: We just dropped it off.

MR. WEYANT: How much of a variance now, with the new drawings, are we looking to review?

MR. NORTON: 42 feet in the front and 7 feet on the side.

MS. TERHUNE: Yes.

MR. JANNARONE: There were three (3) last time.

MR. NORTON: There is an overall one of not having the unit in the front within that 45. There is an overall variance.

MR. WEYANT: Any other discussion Gentlemen? It seems to me it is in a better position than it was before.

MR. JANNARONE: I still see it as three (3) feet from the property line and four (4) feet to the road. That is seven (7) feet. The back of the car could be on the road and you could still be in the garage, and that is the concern. If you are in the garage, you can't see the car coming down the hill and you can continue to back out. That to me is a fatal problem, a safety problem. It is better, but I still think it is a problem.

MR. NORTON: My understanding was that part of the concern was the fact that the road has a curve. The neighbor's garage is closer than this to the road, they have the same problem, but they don't have the curve.

MR. JANNARONE: By moving over seven (7) feet which is from me to Fran, more or less, but you could still be in the garage and be sticking out at the same time in the road so you can't see the car coming down the hill. They could see you a little bit sooner, but not a whole lot sooner. I am opposed to this, and the three variances to do something that I think is unsafe.

MR. NORTON: We don't really have much of another option as this rock face is practically behind the garage at this point and there is nothing else we can do. We thought about turning it, but it would not really work. There is no way of fitting it in the turn without making a huge tear out of the land in the front. It would not be worth it to us.

MR. DEVEREAUX: We just approved the minutes wherein Jack very eloquently stated his case. I was back up there again today looking at it. I am inclined to agree with Jack. I think it is dangerous. I have been on that road and almost gotten run over just trying to pull off to the side of the road. People drive pretty fast going down. My take is similar to Jack's.

MR. DONNERY: Since the other garage was put up, there is a lot more traffic there. There is new development up there.

MR. DEVEREAUX: Most of the other houses have sort of a driveway, not a great driveway, going up hill to their respective properties. The one that has a two-car garage goes around to the left side and around back. Anyone leaving their property

MR. DONNERY: You have no option up top, on the upper part of your property?

MR. NORTON: The problem with the top is that it would be closer to the property line, and we would have to rely on using our neighbor's driveway to get to the top, which they allow us to do now, but if I build a garage up there and someone else buys the house or alters the use, it could be a garage that you could not get to. This is the only space that is feasible to put anything without tearing out basically a mountain side. This is the only place we have to park.

MR. DOHERTY: That use of the driveway is not a deeded easement?

MR. NORTON: No.

MR. DEVEREAUX: That could be changed.

MS. TERHUNE: Well, yes, the property owners could grant an easement, or they could refuse to grant an easement. An easement would run with the land. If they granted the easement, that would be there for anyone else.

MR. NORTON: That would require us to have the neighbors do that.

MS. TERHUNE: Yes, it would require a specific easement.

MR. WEYANT: And the neighbors would have to agree to it. What do you think of that possibility?

MR. NORTON: There is also not really enough space for a garage. It would be almost right against our house. It would not be worth it. It is important to us, but we only have a small amount of land up there. We would be walking out of our house and there would be a garage right in front of us and no other land. We are trying to make some kind of a structure to protect our car. We could maybe dig back a foot or two feet. It does not seem that it would matter at all no matter how much we moved back. Unless we moved it back 10 feet, which is impossible. We are stuck here.

MR. DOHERTY: Let me ask you this. In consideration of Jack's concerns, which are valid, would you be open to designing it as a carport where the sides are open so you would have more of a line of sight as opposed to an enclosed garage?

MR. JANNARONE: Do you follow that?

MR. NORTON: I would be open to that. If that was our only option, it still wouldn't be perfect. It is better than not getting anything granted.

MR. WEYANT: The carport would give you more visual.

MR. NORTON: That is true.

MR. DOHERTY: You would not have those blind sides. Jack makes a very valid point with the car backing out or pulling out. It is a tough road.

MR. NORTON: I understand the point. We would have that point whether there is a garage or not. I don't really believe that, if you look at the property, that there is any difference between being in the garage or not, because there is literally a rock wall on the left hand side. There is no difference to me visualizing. I drove my car in and out of there many times. I have to drive slowly and I always try to back in. I understand the point. If someone was driving fast, you wouldn't see them. But I wouldn't if there was an open side or not. I don't feel that it would make a difference. You would be just as blind sided with the garage or not. We talked about this last time. Because it has to go into the future, it doesn't matter what we are going to use it for. We want to store a classic car that I am restoring. I wonder if it is worth spending the money for a carport. I could just put a cover over it. What I really wanted is storage.

MR. WEYANT: Since we are in a Public Hearing, is there anyone in the audience that wishes to speak towards this application? Hearing none, I would like to close the Public Hearing.

At 7:14 P. M., the Public Hearing was closed.

Motion: Mr. Weyant Seconded: Mr. Donnery Approved

MR. WEYANT: I would like to ask Counsel if this Board can ask the Applicant to make a major change like that.

MS. TERHUNE: The Board can ask that. The Applicant obviously does not have to do that. The decision the Board would make is to grant the variance or not for a garage. If the variance is not granted, then the Applicant might want to consider a carport. Then a variance for a carport could be granted. The Board does have time. It does not have to make a decision this evening. The Applicant might want more time to consider, he could ask for that.

MR. WEYANT: I understand that. We are not trying to hold you up. You were here in November and now it is January.

MR. NORTON: We were not planning to build until spring. We are not really that concerned about time. If views are not going to be swayed, I don't want to keep coming back.

MR. WEYANT: I get the sense from this Board that the variances for the garage are not going to be granted. We can hold this over, if you want to consider a carport. Come back to us in February. We do not have to vote on this officially tonight.

MR. DOHERTY: John, would he have to apply for another permit or just amend the existing permit if he chose to make it a carport?

MR. HAGER: We could amend the existing permit for a carport. Another suggestion would be that if you place windows in it in the locations that might make this line sight available for this side of the garage.

MR. NORTON: We could make the whole side of the garage window. I would rather do that than make it a carport.

MR. WEYANT: Because you want something that is not exposed to the elements.

MR. NORTON: I want it to be enclosed. Because it is a long-term thing is why we are considering a garage. Really even just a shed - something that could store it, is what I want. I do understand that I can't say that nobody else is ever going to drive a car in or out of this, which is the concern. It is not going to be used on a regular basis. If that was something that could be considered, we could consider revamping our plan to a garage with glass or plexiglass walls, if that is possible.

MS. TERHUNE: You could make that a condition of the approval. That is up to this Board.

MR. WEYANT: A condition of the approval of the variance?

MS. TERHUNE: Yes.

MR. NORTON: So much of it has glass for visibility?

MS. TERHUNE: Yes. That one side is opened up for visibility.

MR. NORTON: One side of the curve.

MS. TERHUNE: Again, it is up to this Board. You can think about it. You don't have to make a decision tonight. The Applicant can think about it.

MR. WEYANT: I would like to hold this over.

MR. DONNERY: I would too. John, I know you talked with Mr. Squicciarini about it. I would also like you to ask the Police Department to have them look at it and give us an official comment.

MR. HAGER: I have not asked for comment from the Police. The Highway Department's only concern is that the snow plows throwing snow could damage the building. The Applicant is willing to sign a document that they would not hold the Town responsible for that. We could make that a condition of the permit.

MR. WEYANT: I can refer you to a letter from the Town.

MR. DONNERY: Yes, I know we have that, but we did not get anything from the Police Department. Being that close to the road it would not hurt. It would definitely help us in our decision making. It is borderline. It is a large variance of 42 feet compared to some of the other ones that we have given out.

MR. JANNARONE: You also show a railroad tie retaining wall in this new location. Would that be dug out in that corner?

MR. NORTON: We would have to dig that out. There is about two (2) feet to the actual rock. There is some space needed behind the car. That would have to be dug out.

MR. WEYANT: Our Public Hearing is closed. Why don't we hold this over. What is the proper language, Alyse?

MS. TERHUNE: That you have closed the Public Hearing, and you are not going to take action on this tonight. The Board will consider the application further and get additional information.

MR. WEYANT: Perhaps you can get us more information on the garage.

MR. NORTON: On a different way we can do it.

MR. WEYANT: Or even a picture or rendering with the windows.

MR. NORTON: Okay.

MR. DEVEREAUX: I would suggest, too, that the alternative spot up above where the house, is be explored to the Board to see whether it is an impossible situation, if he wishes to do that.

MR. WEYANT: That is up to the Applicant, if he wishes to explore that. We will meet on February 16, 2010, in Town Hall.

MR. NORTON. Okay.

MR. WEYANT: I do not see Mr. Andreichuk here.

MR. KRZEMINSKI: I am here to represent him.

MR. WEYANT: Have a seat. At our November meeting, we also adjourned a Public Hearing for Brian Andreichuk's addition to his home. Mr. Krzeminski, you were here once before with Brian.

MR. KRZEMINSKI: Yes.

MR. WEYANT: We will continue the Public Hearing tonight. Before we do, this I will need your proof of mailings and your affidavit of posting of signage and affidavit of mailings. I do have an affidavit of publication in The News of the Highlands. We have what we need on those.

MR. WEYANT: Mr. Krzeminski, please hold up your right hand. Do you solemnly swear that the information provided herein to be accurate and true to the best of your ability?

MR. KRZEMINSKI: Yes, sir.

MR. WEYANT: I am going to re-open the Public Hearing and have you review for the Board again why you seek these variances and just review the addition, please.
At 7:21 P. M. the Public Hearing was re-opened.

MR. KRZEMINSKI: I am here representing Mr. Andreichuk for the property located at 4 Bridge Terrace in Fort Montgomery. We are seeking a variance of approximately 3 1/2 to 4 feet on the north side of the property line to accommodate for a garage addition. With the setbacks we meet on that side but with the total setback from both sides we fall about 4 feet short of the requirement which brought us to the Zoning Board for appeal.

MR. WEYANT: You are also dealing with the Planning Board?

MR. KRZEMINSKI: Yes.

MR. WEYANT: For what?

MR. KRZEMINSKI: They require Planning Board approval in that district for site plan approval.

MR. JANNARONE: Do you have approval from the Planning Board?

MR. KRZEMINSKI: We are waiting on this Board.

MR. WEYANT: This is finger pointing time; they are waiting on us to act on this. They will meet this Thursday.

MR. WEYANT: Does anyone in the audience wish to speak on Mr. Andreichuk's application? Hearing none, I am going to read into the record a letter received from George and Barbara Miller, dated November 5, 2009, to the Town of Highlands Consolidated Zoning Board of Appeals, referencing an application of Brian Andreichuk of 4 Bridge Terrace of Fort Montgomery, NY 10922, for a four foot side yard variance.

"We will be out of town on November 16, 2009. However, we are in favor of this variance and hope the board will approve the same as this construction will be a nice improvement to the area and is very minor in nature. Sincerely, George and Barbara Miller."

MR. JANNARONE: And their address.

MR. WEYANT: Their Address: 21 Wayne Avenue, Fort Montgomery, NY 10922.

MR. JANNARONE: Where is that in relation to the property?

MR. KRZEMINSKI: Wayne Avenue comes in and turns into Bridge Terrace. He is right on the turn.

MR. WEYANT: Having no more discussion from the public from this, I would ask for a motion to close the Public Hearing.

At 7:25 P. M., the Public Hearing was closed.

Motion: Mr. Doherty Seconded: Mr. Devereaux Approved

MR. WEYANT: Any discussion, Gentlemen?

MR. DOHERTY: My understanding that the total variance so when you put this garage in you will still have the setback needed.

MR. KRZEMINSKI: On that side. We have, I believe, a 25-30 foot setback to the line. Minimum is 20 and the total is 40. There is a pre-existing on the south side because of the house location.

MR. DOHERTY: So you are shy on the south side.

MR. GALU: The addition is on the north side?

MR. DOHERTY: Yes, but he is a little shy on the south end.

MR. GALU: That is pre-existing.

MR. DEVEREAUX: David, do you want a motion?

MR. WEYANT: I would.

MR. DEVEREAUX: I would like to see this approved. I think it is a minor variance.

A motion was made to approve the variance of approximately four feet.

**Motion: Mr. Devereaux Seconded: Mr. Doherty Approved
With the following Roll Call vote:**

Mr. Devereaux	Aye
Mr. Galu	Aye
Mr. Doherty	Aye
Mr. Jannarone	Aye
Mr. Donnery	Aye
Mr. Weyant	Abstain
One vacancy	

MR. WEYANT: For the Record Mr. Weyant is going to abstain since the employer of Mr. Weyant holds the first mortgage on this property that is involved with the addition.

MR. WEYANT: Your variance has been approved.

MR. KRZEMINSKI: Thank you. May I ask if it is possible to get notification to the Planning Board prior to Thursday's meeting?

MR. WEYANT: Does the Planning Board need a formal notice?

MR. HAGER: No they don't. All they need is something in writing that acknowledges the decision.

MS. TERHUNE: I can certainly get it done. I will email it to you.

MR. DOHERTY: I have a question: can we send a copy of the minutes?

MR. WEYANT: That would be a little too quick for the completion of the minutes.

MR. WEYANT: John Giordano. This is a new application that the Board received tonight. This is a request for a variance for replacement of an existing sign at 142-144 Main Street, Highland Falls. There is an existing sign there now. They want to change the size and increase the size. Please review for the Board.

MR. GIORDANO: You have a picture of the existing sign on the last page of the package. I want to enlarge the base. It will be concrete and line it with culture stone. On the third page there is a concept of what we are looking at. We are enlarging that existing stone foundation by about 6-8 inches all the way around, roughly the lines that we drew. The top, that round part that is holding the pipe above will be taken out. The height is going to be three (3) feet from the existing.

MR. WEYANT: Where the sign sits now is pre-existing code?

MR. GIORDANO: Yes.

MR. WEYANT: Our 20-foot setback was not a requirement when it was first put up.

MR. GIORDANO: Correct.

MR. WEYANT: Now, since it is non-conforming, you need that. Then you also need a variance for the space at the base. There are two variances involved.

MS. TERHUNE: You also need a general variance from Section 240-56C which says that you can't increase a non-conformity. So you need that also.

MR. DONNERY: A total of three (3).

MR. WEYANT: Yes. Any further questions, Gentlemen? It is basically enlarging the sign.

MR. GALU: You are approving a new sign.

MR. WEYANT: It is non-conforming, so he has to go through this procedure with us.

MR. JANNARONE: Does he have to publish?

MR. WEYANT: Yes. That is our next step, to set a Public Hearing for February 16, 2010. He will go through the mailings and signage and affidavits. We will discuss it then. I will put it in the newspaper.

MR. HAGER: I will help you with the addresses.

MR. WEYANT: Alyse will prepare the notice and give it to Mr. Hager, and Mr. Giordano will send it out.

MR. DONNERY: Any improvement down there is welcome. I wish the dip could be addressed.

MR. GIORDANO: Yes, I would love to take that out. I don't know how to do that. The Town or the State would have to be involved, I believe. I would like to put a sidewalk there with curb cuts.

MR. JANNARONE: Can you fill it in your part of the parking lot?

MR. GIORDANO: I don't know if it is part of my road. I believe it is a State road.

MR. WEYANT: We are set.

MR. GIORDANO: See you next month.

MR. WEYANT: This is Mr. Robert Munderville from 24 Roe Park, Highland Falls by Roe Park, who wants to put an addition to his home. You will need variances.

MS. LILLARD: I think it is just a side yard variance.

MR. WEYANT: You are going to need a side yard variance. You require a minimum side yard set back of 10 feet.

MR. MUNDERVILLE: There is a table on the drawing.

MR. WEYANT: You all have a map. Please review for us what you intend to do.

MR. MUNDERVILLE: We plan to build a garage. The hatched area is new – proposed. The map shows an existing porch with a roof that comes over. We are going to pull out the house and continue it with an attached garage.

MS. LILLARD: Our constraint was the chimney in the garage. It limits the width. There is barely parking space.

MR. DONNERY: It looks nice, good luck.

MR. WEYANT: I commend you for the architectural drawings.

MR. MUNDERVILLE: Commend her, it is her work.

MR. WEYANT: We will set you for a Public Hearing on February 16, 2010. You can get the information from Mr. Hager for the mailings and posting requirements and notify your neighbors and bring it back with you in February.

MR. MUNDERVILLE: Thank you.

MR. JANNARONE: This shows Oak Avenue and the sign says Berry Hill.

MR. MUNDERVILLE: There are three streets around it. The survey shows Oak. We will verify that, and it can be changed on the drawings.

MR. GALU: It will be put on hold until next month. It is pretty close. Three feet away from his property, that is not a lot of land.

MR. WEYANT: The next item on the agenda which I sent to you with your minutes is the decision of the Hidalgo case against this Board, the Town of Highlands, and Bryant. It is a favorable decision. I will ask Alyse to summarize it for us.

MS. TERHUNE: A decision has been reached by the Court in the Hidalgo matter. The Court dismissed the proceeding and barred petitioners from further litigation related to the issuance of the building permit. The petitioners have the right to appeal the decision to the Appellate Court within 30 days of its notice of entry.

MR. WEYANT: I wanted to bring you all up to date.

MR. DEVEREAUX: I would say congratulations to Alyse for all she has done.

MR. DOHERTY: Fine job.

MS. TERHUNE: Thank you. I had a lot of help from John with all the facts. The only concern we had was the retroactivity, not making it retroactive. That was an interesting legal argument. In fact, I am going to write an article on this. I only found one case that really spoke to the equitable discretion of a Zoning Board of Appeals to make a decision like that. That was purely an equitable decision. The quasi judicial ability of this Board to make a decision like that and then not apply it, only apply it prospectively. We made a real argument - a factual argument - that that was the only thing that you could do that was fair. The Court came back and said that it was fair, and it was within their discretion to do that, and they were not going to overturn it.

MR. DONNERY: We will go down in history.

MR. WEYANT: Item Number 9 on the agenda we will not have to discuss tonight. This involved correspondence that I received from the Town Attorney saying that a Public Hearing was going to be held in January about proposed zoning changes in Fort Montgomery. The previous town Board set up a Public Hearing. Since the new Town Board has come in, this Public Hearing has been postponed and it not going to

happen in January. We may get to this at a future meeting but it does not need to be discussed tonight. Basically, the Town Board is looking for input from us if we have any objections or any comments regarding these changes.

MR. DOHERTY: Do we know what these changes are yet?

MR. WEYANT: Yes.

MR. DEVEREAUX: Can we get copies, David?

MR. WEYANT: I think it is premature because I don't think the Town Board is on board with this with the new members. John, I know that you can fill us in a little bit.

MR. DOHERTY: It could be a while yet.

MR. HAGER: There are two properties in Fort Montgomery that are in the business district. Both of them are on Route 9W and both in the Business District since zoning was created. Both have languished for years without any tenants or any interest by potential tenants. One is in front of Corbin Hill that is owned by the same developer. It is land with not much depth. They have come before the Board to consider letting them to change the zoning there to Residential so they can put more units in similar to what they have built.

The other property is on the opposite side of Route 9W north of the Holiday Inn property. There are no structures there now. They have asked the Board to consider changing to Residential to build something similar to Villa Parkway.

That is the two proposals in front of the Board. They need to consider changing the zoning there or do anything to accommodate these projects. Two of the Board Members, the Supervisor, and one Councilperson are brand new and need to be brought up to speed. They did not hear any preliminary information. The rest of the Board would like to see public comment before they consider how they will vote. There are three Board members who are ready to hear public comment and the two new Board members that would want to explore the project more before even seeking public comment.

MR. DOHERTY: That is understood.

MR. WEYANT: We will keep that on the back burner pending when this Public Hearing will be held and then we will discuss it further. I have no other items on the agenda.

MR. DEVEREAUX: What about the seventh member?

MR. WEYANT: There is a person who has applied for the position before the Town Board. His name is Ralph Montellese a Fort Montgomery resident, whom I am familiar with through the Board of Assessment Review that I sit on. Ralph has applied for the opening and we are waiting on the Town Board to act on it. He was here tonight but has since left.

MR. DONNERY: I would like to discuss the article in the newspaper that the Board gives out too many variances. I did take offense to that.

MR. WEYANT: I hope you don't take that seriously.

MR. DEVEREAUX: I was at that meeting. It was one person's comment. I did not address that. But what I did address is to remind people that we are an independent Board not subject to control by either the Town or Village Boards. That was a statement that I made essentially.

MR. DONNERY: You see people upgrading their homes and doing more of that, and that is why we are giving out the variances.

MR. DEVEREAUX: Most of what we give out is very perfunctory, I think.

MR. DOHERTY: Being in regular attendance at the Village Board meetings, and knowing who this person is, you have to take that with a grain of salt, the comment that was made. Don't hold that to heart at all, trust me.

MR. DONNERY: Very good. That's all.

MR. HAGER: I believe it is more of a reflection of the community you are dealing with. You see it all the time. People come in to apply for whatever they want to do. It is rare that there are areas involved that don't need a variance. Most houses were built before zoning was in effect. In most cases the variances are very sensible. It is the nature of Highland Falls.

MR. DOHERTY: Most people file for a building permit and try not to do it on the sly and do things properly.

MR. HAGER: For many people by the time you get through the Building Department fees and various payments for a surveyor, architect, consulting fees, the expense is extremely high at that point before even purchasing construction materials. There are people who can't go through this who choose to not invest in their property. That is a part of doing business these days.

At 7:59 P. M., a motion was made to adjourn the meeting.

Motion: Mr. Devereaux Seconded: Mr. Donnery Approved

Respectfully submitted,

Fran DeWitt
Recording Secretary

**The next Consolidated Zoning Board of Appeals meeting is
Tuesday, February 16, 2010**

