

ZONING BOARD OF APPEALS
TUESDAY—AUGUST 24, 2021
ZONING BOARD OF APPEALS
7:00 PM—TOWN HALL
1529 NYS RTE 12
BINGHAMTON, NY 13901

Present: James Brewster, Chairperson
Aleta Kinne, Vice Chairperson
Melanie Pandich, Board Member
Scott Smith, Board Member
Jon White, Board Member
Webb Sisson, Alternate Board Member

Also Present: Nick Cortese, Attorney
Gavin Stiles, Ordinance Officer
Kari Strabo, Zoning Secretary

James Brewster: It is 7 PM so therefore I will bring the Town of Chenango Zoning Board of Appeals regular August meeting to order. Kari, may we have the roll call attendance please?

Kari Strabo: Mr. Sisson; present, Mr. White; present, Mr. Smith; present, Mrs. Pandich; present, Mrs. Kinne; present, Mr. Brewster; present

James Brewster: All right. With that we have a quorum, plus, tonight and therefore we can commence our meeting and that starts off with the approval of a couple of sessions of minutes. The first one we'll take will be the minutes from the July 27th regular meeting. Are there any corrections or additions to those? And if not, I'll seek a motion for approval.

Aleta Kinne: I so move.

Jon White: I'll second it.

James Brewster: This was a voice vote so all in favor of approval of the minutes from July say 'aye.'

Board: Aye.

James Brewster: Any nays? Any abstentions? Minutes from July passed. Now we'll move onto the approval of the minutes from the August 10 Special Meeting. Again, any comments, corrections from that? Speak now or I'll seek a motion for those minutes to be approved.

Jon White: I'll motion.

Aleta Kinne: I'll second it.

James Brewster: Any further discussion? No, alrighty then. Now we'll have the voice vote. All in favor of approving the August 10 minutes.

Jon White: Aye.

Aleta Kinne: Aye.

James Brewster: Aye. Any nays? Any abstentions?

Melanie Pandich: Here.

Scott Smith: Technically I should be one too.

James Brewster: Do you want to change your vote?

Scott Smith: Yes, I do. Do I need to make a motion to change?

James Brewster: No. We've passed those August 10 Special Meeting minutes 4-0-2. Ok, moving on in the agenda we have no new applications to consider tonight for moving forward and so we have a public hearing. That public hearing is on application 2021-V08, and at this time I will open the public hearing for that and read the following into the record which is the notice, the official and legal notice:

**TOWN OF CHENANGO ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARING**

TAKE NOTICE that a public hearing will be held by the Zoning Board of Appeals of the Town of Chenango on August 24, 2021 at 7:00 p.m. at Chenango Town Hall, 1529 NY Rte. 12, Binghamton, NY upon the application of Eric Segal regarding property located at 221 Wilson Hill Road in the Town of Chenango, Tax Map No. 094.03-1-3, and located in an Agricultural Zone. The application is for two Area Variances: (1) to construct an accessory structure (detached garage) that exceeds the maximum size of 1,500 sq. ft. allowed for such structures; and (2) to allow for said accessory structure to be located in front of the principal residential structure on said property. The environmental significance of the requested permit, if any, will be reviewed by the Board at said hearing.

This Area Variance application is open to inspection at the Town of Chenango Ordinance Office, 1529 NY Rte. 12, Binghamton, NY. Persons wishing to appear at the hearing may do so in person or by other representation. Persons who require assistance in attending said public hearing, or in furnishing comments and suggestions, should contact the undersigned to request such assistance.

Dated: August 17, 2021

James Brewster, Chairman

Town of Chenango ZBA

James Brewster: So, with that, typically what we do is give the applicant up to five timed minutes to address the five factors that we need to consider as part of an area variance. I've provided the applicant with those five factors here tonight for him to look over. We'll allow the applicant to address those five factors up to five minutes and as soon as I get the clock rolling here you are free to have the floor. Mr. Segal, you have the floor.

Eric Segal: Ok. As far as the first one I don't see it changing the character of the neighborhood, we're pretty well hidden by the tree line all the way from the road around so you can't really see down there anyway. The old garage was pretty dilapidated so this is kind of an improvement, a nicer structure. It shouldn't have a detriment to any nearby properties because they're quite a ways away from the neighbors on all three sides. As far as the second, there was nowhere else to put this garage because it's actually in the exact spot where my old garage was. We have wetlands on each side of it and the rear is on a grade so you can't build anything on it. The variance I don't think is substantial because it's exactly where my old garage was, just a little bigger. No

adverse effect on the environmental conditions, we actually put drainage all the way around it which actually improved the drainage on my property. I'm not really sure about the last question, it is kind of self-created in that I took down the old garage but it was going to come down on its own anyway so rather than have a pile of rubble there I figured I'd upgrade. So, that's all I got really.

James Brewster: Ok. Board Members, we'll hold off on questions for now. We'll come back to everybody here after anybody wants to speak and after we go through Ordinance and so forth. Ok great, thank you for that input. Is there anyone here tonight from the public who would like to speak for or against this application? Ok. We do get letters from agencies that this application passes through their hands to make comments and I'll read the replies but first of all we're going to go over to the Ordinance Department and ask for their opinion on this application.

Gavin Stiles: Ok, so we're here as the result of an oversight by the Ordinance Department on how a house faces frontage and it met the sizes but how a home faces, this is an oversight on our department, that's why we're all here. Whatever the Board decides we will adhere to.

Nick Cortese: It's already built, right?

Gavin Stiles: It is built. We put a Stop Work Order on it when we realized the oversight so that we could move forward with the appropriate variance but it was an oversight on our department. We weren't knowledgeable on the legalities of how a home faces, out in the country houses face, but we did put a Stop Work Order and that's why we're here, to iron this out.

James Brewster: Ok. We'll probably address that later in the discussion as well. Let's see. Our engineer for the town has submitted his letter and his recommendations are to coordinate with the Building Department for code compliance review and a building permit and the engineer has no engineering objections with this project.

There's a submission for a county 239 review for the project here and the response from the Planning Department in Broome County states that this application is not subject to 239 review because the project site is not located within 500 feet of State or County interests covered under that law.

The Town of Chenango Planning Board reviewed the application and the Planning Board referred the application back to us here at the Zoning Board with a favorable advisory.

Town Drainage Coordinator has reviewed and determined that a drainage review is not applicable.

I believe that is all. Ok, yes, that's all the correspondence we received. We did not receive any correspondence from the public. So, Board Members, do you have any questions for the applicant on any of the five factors that you would like to have addressed? Anything beyond what he gave to us?

Melanie Pandich: I don't have anything on the five factors but I noticed question number five on the application wasn't filled out so I was wondering if you could just answer that? On the short EAF.

James Brewster: Ok. Sure, we can cover that now. Ok, so this is under the SEQR form, the environmental form that has to be filled out. Question number five, 'Is the proposed action (A) a permitted use under the zoning regulations and (B) consistent with the adopted Comprehensive Plan?'

Eric Segal: I'm not sure what the question is.

James Brewster: I understand. I'm not quite sure how to help you along with this either.

Aleta Kinne: It's permitted with a variance.

James Brewster: Correct. Logically, at the moment of application it's not permitted because he needs a variance to have it permitted so I believe that one would be a 'no.'

Nick Cortese: I mean, it's permitted with a variance so, yeah if you check 'yes' or you check 'no' on that you're kind of right either way. So, I don't know, just check one that you like and if we grant the variance then it's allowed and if we don't then it's not. I probably would start with 'no,' either that or 'N/A.' And being a person who loves paper and writing, I would probably just write a little paragraph explaining why I put 'N/A' but I can't believe that we're spending more than 30 seconds talking about this.

James Brewster: Understood. How do you feel, 'no' or 'yes?'

Eric Sega: No. Per his words.

James Brewster: Ok, good. We'll go with 'no' on that one. And then part B, 'consistent with the adopted Comprehensive Plan?'

Nick Cortese: Yeah.

James Brewster: I would say yes.

Nick Cortese: The only way it's not consistent with the Comprehensive Plan is if it's really not. And if the Comprehensive Plan is silent as to it, then it's consistent essentially.

James Brewster: Ok. Anything else? Any other questions pertaining to the five factors?

Aleta Kinne: I don't have a question, can I make a comment or save it for later?

James Brewster: Go ahead. Sure.

Aleta Kinne: It's well hidden by the trees so there's no undesirable notice to the neighborhood. It is beautiful but why so large?

Eric Sega: I've got to fit a camper inside there. Camper, truck, all the snow removal equipment. I have a big driveway too so it takes a lot

Aleta Kinne: And I realize that it can't be achieved by any other way because of the grade of the property there. Not that it really matters, just have a question. How do you get out of that driveway in the winter?

Eric Sega: Snow tires and four-wheel drive.

Aleta Kinne: Very steep. I have nothing else.

James Brewster: Ok. Anyone else because I do have a question. I would like a little more clarification on why we are here on the frontage and how we got tripped up or...I think I know the answer by looking at the plan but, either you or Nick can address that one.

Gavin Stiles: Frontage was a misuse, it was how it faces the road. We weren't clear on that and it just got by the office. We permitted it and it turned out we weren't knowledgeable about the legalities of what faces the road. Does that make sense, Nick? Can you help me in that regard?

Nick Cortese: Yeah.

Gavin Stiles: Like where you pull in and walk in with your groceries, that's not necessarily the front of your home.

Nick Cortese: Right. In the Agricultural District Schedule of Regulations all accessory structures have to be behind the primary use. So, when you're talking about a huge schedule of regulations that's not super specific. That could have a legal term of art or it could be as you would typically understand it. I don't think that there's a definition in our zoning code as to what the front of a building is. I think there is a definition as to what the front line of the building is. That being said, generally speaking, the front of the building is where the front door is.

Gavin Stiles: Where the mail gets delivered or what have you.

Nick Cortese: Yes, right. Depending on the way that your property is oriented, like if your house is sideways the front of your property is where your front door is.

Gavin Stiles: It could be the extreme end of your home but if that faces the road that delivers your mail—

Nick Cortese: The front of the house is the one that faces the driveway.

Gavin Stiles: That escaped us.

Nick Cortese: Yeah, and I mean it sounds like a simple thing to understand but if you think about it not hard enough or too hard, it becomes complicated either way. But, end of the day, we're here getting everything corrected, presumably, and we can kind of move on from it. But I know I certainly appreciate the mea culpa on the part of the Code Department because I think it's important for people to understand everybody makes mistakes from time to time and we're here to correct it so we're doing what we can.

Gavin Stiles: And it met setbacks, it was within the square footage, it was all good and we just missed that frontage thing. It was above our paygrade as it were.

James Brewster: Ok, I'm satisfied. At this time I will close the public hearing at 7:19 and we'll move onto doing the SEQR environmental review of this application for both?

Nick Cortese: I think we'll just do one for both variances because it's the exact same project.

James Brewster: But they both apply.

Nick Cortese: Yeah, the analysis is the same. I know that there's a question there about the SEQR. Is everybody currently satisfied with part one of the EAF with the discussion we had about Melanie's question. Is there anything else you want to talk about before we get into this or are you good?

James Brewster: I think we're good.

Nick Cortese: All right. So, we'll go through part two now. You guys know the drill with this, I'll ask you the questions. 'No' means no or small environmental impact, 'yes' means moderate to large environmental impact.

Number 1--Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

Board: No.

Nick Cortese: Number 2—Will the proposed action result in a change in the use or intensity of use of land?

Board: No.

Nick Cortese: Number 3—Will the proposed action impair the character or quality of the existing community?

Board: No.

Nick Cortese: Number 4—Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

Board: No.

Nick Cortese: Number 5 – Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkway?

Board: No.

Nick Cortese: Number 6 – Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?

Board: No.

Nick Cortese: Number 7 – Will the proposed action impact existing:

- a. public/private water supplies?
- b. public/private wastewater treatment utilities?

Board: No to both.

Nick Cortese: Number 8 – Will the proposed action impair the character or quality of important historic, archaeological, architectural, or aesthetic resources?

Board: No.

Nick Cortese: Number 9 – Will the proposed action result in an adverse change to natural resources (e.g. wetlands, waterbodies, groundwater, air quality, flora, and fauna)?

Board: No.

Nick Cortese: Number 10 – Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems?

Board: No.

Nick Cortese: Number 11 – Will the proposed action create a hazard to environmental resources or human health?

Board: No.

Nick Cortese: Ok, so you've answered no or small impact based on the part one and what we've heard so far this evening to all the questions that we've gone through here so my presumption is that you'd be making motion for a negative declaration under SEQR and if that is the case you can do that any time that you choose.

James Brewster: Ok, Members, if that is the case I'll seek that motion to establish this as a negative declaration under SEQR.

Melanie Pandich: So moved.
Aleta Kinne: Second.
James Brewster: Moved by Melanie, seconded by Aleta. This one is a roll call vote please.

Kari Strabo:	Jon White, Board Member	Voted: Aye
	Scott Smith, Board Member	Voted: Aye
	Melanie Pandich, Board Member	Voted: Aye
	Aleta Kinne, Vice Chairperson	Voted: Aye
	James Brewster, Chairperson	Voted: Aye

The motion was thereupon declared adopted by a roll call of:
Ayes – 5 Nays – 0

James Brewster: Negative declaration passed. So, onto the discussion about the Resolution for this application. Let's do the square footage first, because we do have two of them.

Nick Cortese: Ok. My presumption is that your fact-finding answers are going to be the same for both of these, right?

James Brewster: It appears so.

Nick Cortese: Ok.

Aleta Kinne: Can we combine them?

Nick Cortese: We have to do two separate resolutions but we can do all the fact-finding stuff for both right now. Do you want me to go through them or do you want to go through them?

James Brewster: I'll do it. Number one: The requested variance will or will not produce an undesirable change in the character of the neighborhood or cause a detriment to nearby properties?

Board: Will not.

James Brewster: The benefit sought by the Applicant can or cannot be achieved by another method, other than the grant of this variance?

Board: Cannot.

James Brewster: Three: The requested area variance is or is not substantial? This is the square footage by the way.

Scott Smith: It's not.

Nick Cortese: You guys can answer however you choose but the regs say 1500 square feet and this is a 2350 square foot garage.

Melanie Pandich: I'd say it is.

James Brewster: So, consensus would be 'is.' Number 4: The requested variance would or would not have an adverse effect or impact on the physical environmental conditions in the neighborhood or district?

Board: Would not.

James Brewster: Looks pretty tight, environmentally. Number 5: The hardship giving rise to the variance is or is not self-created?

Scott Smith: It is, by virtue of tearing down the old one.

Board: Is.

James Brewster: Number 6: The entire record of this proceeding supports the conclusion that the benefit to the applicant conferred by the granting of an area variance outweighs or does not outweigh any potential detriment to the health, safety, and welfare of the neighborhood or community posed by such grant?

Board: Outweighs.

James Brewster: Therefore, the Applicant's application #2021-V08 (square footage) for an area variance from the maximum square footage allowed for a detached garage in said District of 1500 square feet to 2350 square feet is granted or denied?

Board: Granted.

James Brewster: This resolution shall take effect immediately upon vote.

**ZONING BOARD OF APPEALS
Town of Chenango, Broome County, New York**

In the Matter of the Application #: 2021-V08 of Eric Segal
For an area variance from the maximum square footage allowed for a detached garage structure in the A – Agricultural District of 1,500 square feet to 2,350 square feet

RESOLUTION ON AREA VARIANCE APPLICATION #: 2021-V08 (Square Footage)

WHEREAS, on June 29, 2021, Eric Segal ("Applicant") duly filed an application for an area variance for property he owns within the Town, located at 221 Wilson Hill Road in the A – Agricultural District and designated as Tax Map No. 094.03-1-3, wherein Applicant requested a variance from the maximum square footage allowed for a detached garage in said District of 1,500 square feet to 2,350 square feet; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, the Town of Chenango ZBA determined on August 24, 2021 that the requested variance constitutes an Unlisted Action as defined under said regulations. The ZBA has considered the possible environmental impacts of the requested variance and has determined that it will not have a significant adverse impact on the environment, and the ZBA adopts a negative declaration with respect thereto; and

WHEREAS, after due notice by publication in the official newspaper of the Town of Chenango, the ZBA held a public hearing to consider said application on August 24, 2021, at which hearing all persons desiring to be heard in regard to said application were so heard; and

WHEREAS, the ZBA has duly reviewed and considered all documents submitted by the Applicant, as well as the reports and recommendations of the New York State Department of Transportation, Broome County Department of Planning and Economic Development, the Town of Chenango Planning Board, Engineer, Ordinance Officer and Drainage Coordinator, and has carefully considered all of the information presented and received at the public hearing on behalf of the Applicant and the public with respect to Applicant's application.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Appeals of the Town of Chenango, Broome County, New York, as follows:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or cause a detriment to nearby properties.
2. The benefit sought by the Applicant cannot be achieved by another method, other than the grant of an area variance.
3. The requested area variance is substantial.
4. The requested variance would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. The hardship giving rise to the variance request is self-created.
6. The entire record of this proceeding supports the conclusion that the benefit to the applicant conferred by the granting of an area variance outweighs any potential detriment to the health, safety and welfare of the neighborhood or community posed by such grant.
7. Therefore, the Applicant's application #: 2021-V08 (Square Footage) for an area variance from the maximum square footage allowed for a detached garage in said District of 1,500 square feet to 2,350 square feet is granted.
8. This Resolution shall take effect immediately.

At a regular meeting of the Zoning Board of Appeals of the Town of Chenango, held on August 24, 2021 at Chenango Town Hall, 1529 NYS Route 12, Binghamton, New York 13901, the foregoing motion was made by Scott Smith and seconded by Jon White. The ZBA members voted as follows:

James Brewster, Chair	Voted Aye
Aleta Kinne	Voted Aye
Melanie Pandich	Voted Aye
Scott Smith	Voted Aye
Jon White	Voted Aye

The motion was thereupon declared adopted by a roll-call vote of 5-0.

James Brewster: So the next one is on the location.

Nick Cortese: Yeah. So I'm guessing, then, will not produce an undesirable change in the character of the neighborhood, yeah?

Board: Correct.

Nick Cortese: And cannot be achieved by another method just because that's all the same?

Board: Correct.

Nick Cortese: Is or is not substantial could potentially be different if you desired it to be but it doesn't have to be. All accessory structures are supposed to be behind the primary use in the Agricultural District, this is not. I don't really know if we can quantify substantiality. It's really up to you guys.

James Brewster: What do you think?

Aleta Kinne: I think it's ok.

James Brewster: You think it's not substantial?

Aleta Kinne: No.

James Brewster: No, that was a question. Is that what you're saying? Because you said 'ok' and I didn't know.

Aleta Kinne: I think it's substantial.

James Brewster: Oh, you think it is substantial, ok.

Nick Cortese: Others?

Jon White: You'd almost have to say it's substantial

Melanie Pandich: Based on the drawing I would say that.

James Brewster: Yeah. I think it's a big move on the map. It's the same place.

Scott Smith: If he had a 50x165 lot it would be a lot different than a lot of his size, change the neighborhood and everything else. In his case, it's fine where it is.

James Brewster: So you're saying it's not substantial?

Scott Smith: Not substantial.

Nick Cortese: If there's a split, just do a little poll.

James Brewster: Ok. Substantial or not substantial?

Jon White: I see what Scott's saying, I would go with not.

Melanie Pandich: Substantial.

Aleta Kinne: Not.

James Brewster: Not. (himself)

Scott Smith: Not.

Nick Cortese: 3-2 not so we'll go with not. Would or wouldn't have an adverse effect on the environment? I think that that's probably the same as the first one, yes?

James Brewster: Would not?

Board: Would not.

Nick Cortese: Ok, and then is self-created, we'll go with that one again, yes?

Board: Yes.

James Brewster: Ok, the entire record of this proceeding supports the conclusion that the benefit to the applicant conferred by the granting of an area variance outweighs or does not outweigh any potential detriment to the health, safety and welfare of the neighborhood or community posed by such grant?

Board: Outweighs.

James Brewster: Therefore, the Applicant's application #: 2021-V08 (Garage Location) for an area variance to allow for a detached garage to be located in front, rather than behind the principal use in said District is granted.

Board: Yes.

James Brewster: This Resolution will take effect immediately upon vote.

**ZONING BOARD OF APPEALS
Town of Chenango, Broome County, New York**

In the Matter of the Application #: 2021-V08 of Eric Segal
For an area variance to allow a detached garage to be located
in front of the principal use in the A – Agricultural District

RESOLUTION ON AREA VARIANCE APPLICATION #: 2021-V08 (Garage Location)

WHEREAS, on June 29, 2021, Eric Segal ("Applicant") duly filed an application for an area variance for property he owns within the Town, located at 221 Wilson Hill Road in the A – Agricultural District and designated as Tax Map No. 094.03-1-3, wherein Applicant requested a variance to allow for a detached garage to be located in front, rather than behind the principal use in said District; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, the Town of Chenango ZBA determined on August 24, 2021 that the requested variance constitutes an Unlisted Action as defined under said regulations. The ZBA has considered the possible environmental impacts of the requested variance and has determined that it will not have a significant adverse impact on the environment, and the ZBA adopts a negative declaration with respect thereto; and

WHEREAS, after due notice by publication in the official newspaper of the Town of Chenango, the ZBA held a public hearing to consider said application on August 24, 2021, at which hearing all persons desiring to be heard in regard to said application were so heard; and

WHEREAS, the ZBA has duly reviewed and considered all documents submitted by the Applicant, as well as the reports and recommendations of the New York State Department of Transportation, Broome County Department of Planning and Economic Development, the Town of Chenango Planning Board, Engineer, Ordinance Officer and Drainage

Coordinator, and has carefully considered all of the information presented and received at the public hearing on behalf of the Applicant and the public with respect to Applicant's application.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Appeals of the Town of Chenango, Broome County, New York, as follows:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or cause a detriment to nearby properties.
2. The benefit sought by the Applicant cannot be achieved by another method, other than the grant of an area variance.
3. The requested area variance is not substantial.
4. The requested variance would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. The hardship giving rise to the variance request is self-created.
6. The entire record of this proceeding supports the conclusion that the benefit to the applicant conferred by the granting of an area variance outweighs any potential detriment to the health, safety and welfare of the neighborhood or community posed by such grant.
7. Therefore, the Applicant's application #: 2021-V08 (Garage Location) for an area variance to allow for a detached garage to be located in front, rather than behind the principal use in said District is granted.
8. This Resolution shall take effect immediately.

At a regular meeting of the Zoning Board of Appeals of the Town of Chenango, held on August 24, 2021 at Chenango Town Hall, 1529 NYS Route 12, Binghamton, New York 13901, the foregoing motion was made by Aleta Kinne and seconded by Scott Smith. The ZBA members voted as follows:

James Brewster, Chair	Voted Aye
Aleta Kinne	Voted Aye
Melanie Pandich	Voted Aye
Scott Smith	Voted Aye
Jon White	Voted Aye

The motion was thereupon declared adopted by a roll-call vote of 5-0.

James Brewster: Resolution is passed. And you have both your Resolutions. Carry on.

Aleta Kinne: It's beautiful.

Eric Segal: Do I need a piece of paper or anything?

James Brewster: That will happen.

Nick Cortese: Diane will send you a Notice of Decision within five days.

Eric Segal: Ok. But my Stop Work Order is ended then?

Nick Cortese: Just work with the Code Enforcement Officers and they'll fix you right up.

Aleta Kinne: I have a question. I'm not familiar with Stop Work Orders. Now, does he have to get another building permit or the same permit carries through?

Nick Cortese: So, Stop Work Orders temporarily stop the work until they fix whatever reason they stopped it for.

Aleta Kinne: But he doesn't have to get a second building permit?

Gavin Stiles: No. We'll back one off and give you the go.

Eric Segal: All set with me then? Thank you very much.

James Brewster: Yeah, that brings us to the official end of our business tonight. If anybody had anything else for the good of the order. Do you, Scott and Melanie, want to be brought up to speed on the application we tabled?

Melanie Pandich: Sure.

James Brewster: I guess there's some logistics there too. So, basically, the two of you weren't here so we opened the public hearing, had some commentary from the applicant and discussed some information and some points of order if you will that we needed more information and came up with a list and so we're waiting on information to come back from the list. So, the four of us, myself, Mrs. Kinne, Mr. White, and Mr. Sisson started that application so I believe that we won't bring anybody else on board for that, right? Or do we go back to...

Nick Cortese: That's a great question. I don't know the answer to that, I'm going to have to look that up to be quite honest with you because you started the application with Webb sitting in as a Board Member because we needed the alternate, right?

James Brewster: Correct.

Nick Cortese: So, I'm guessing that for voting purposes, the five ordinary Members of the Board would end up voting. But, I'm not completely sure so I want to take a look and get back to you on that.

James Brewster: Ok. Glad we brought that out.

Scott Smith: I did notice when reading the minutes that there's a lot of participation over here and my thought was that should continue since he had it started.

James Brewster: Right. It certainly can. And then Nick will find out the logistics of the vote.

Nick Cortese: Regardless of whether Webb ultimately ends up voting, he is free to participate in whatever way he chooses.

James Brewster: Yes. He can introduce information and ask questions and whatever needs to be done. As with all of us.

Scott Smith: And you'll keep us up as far as that goes, as time goes on before the next meeting?

James Brewster: Yup. Myself or Kari.

Jon White: I was going to say I would assume as Kari gets the information she would pass it along to us.

James Brewster: Yes.

Webb Sisson: A lot of history going back that relates to this application.

James Brewster: Yeah, let's leave that right there. We don't want to introduce anything new right now but those are very wise words. Ok, I will accept a motion for adjournment if we're ready.

Jon White: I'll motion.

Melanie Pandich: I'll second it.

James Brewster: All in favor?

Board: Aye.

James Brewster: Nays? Ok, see you in a month. (7:35 pm)

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kari Strabo". The signature is written in a cursive, flowing style.

Kari Strabo, Sr. Clerk