

**VILLAGE OF BREWSTER
ZONING BOARD OF APPEALS
WORK SESSION
SEPTEMBER 26, 2011**

MINUTES

Board Members Present: Chairman Richard Ruchala, Board Member Claire Degnan Kropkowski, Esq., Board Member Keith Greene and Board Member Todd Gianguzzi

Board Member Not Present: Board Member Dory Burdick

Others Present: Mayor Jim Schoenig, Village Attorney Gregory Folchetti, Esq., Rick Stockburger, Michael Liguori, Esq. of the Law Firm Hogan & Rossi (Counsel for S&L Management) and Stuart Matel

The Pledge of Allegiance was recited.

Chairman Ruchala-This meeting has been called for Monday September 26, 2011. I would make a motion to open the meeting.

Ms. Kropkowski-Seconded.

Chairman Ruchala-Seconded by Mr. Greene. All in favor.

Mr. Gianguzzi-Aye.

Mr. Greene-Aye.

Ms. Kropkowski-Aye.

Chairman Ruchala-Aye. The vote is 4-0 to open the meeting.

[Whereupon the Meeting was called to order at 7:03 p.m.]

Chairman Ruchala-Mr. Liguori, you have an Application for an area variance regarding 571 North Main Street in the Village of Brewster. It is related to parking. Would you like to present your position to us Mr. Liguori.

Mr. Liguori-Sure. I represent S&L Management of Putnam. They own the building located at 571 North Main Street. The structure is roughly 8,800 square feet. It is in an LMW Zone which is light manufacturing and warehouse. The current occupants of the building are the Church, an Irish step dancing school, a private lesson ballroom dancing school and a karate studio. We started at the Village Board of Trustees to legitimize the Church use. We had some issues with the Church use.

Mr. Gianguzzi-What do you mean by legitimize?

Mr. Liguori-It is in operation presently but it is not a permitted use in the district. When we were before the Board of Trustees trying to legitimize the use I was digging through the Village records and I came upon a use variance that had been granted in 1989 to permit the use of the property as a private community center. I took the Minutes from that Meeting and I sat down with the Village attorney, Anthony Mole, and the building inspector to ask him for his opinion as to whether or not the Church would fit in under a private community center use. The building inspector's interpretation was that community center use, if you look at the State Building Code-the State Building Code does not relate to zoning, it relates to building construction- was that the building is being used for what the State Building Code refers to as assembly uses and that all of the uses would be permitted under the assembly designation. That doesn't give us a free pass to go use the building. We still have to get Site Plan Approval from the Planning Board for the uses that are in the building. The interesting thing is that there was no violation for the dance studio uses. So when the building inspector issued a violation for the use for the Church the other uses were permitted to continue without violations as prior assembly uses. So the recent determination that the Church would qualify as an assembly use-I believe the prior building inspector did not have any knowledge that a use variance had been granted. There is nothing in the Building Department record to indicate that whatever happened at the Zoning Board of Appeals actually made it over to the Building Department to be part of

the record. What I do know is that following the grant of the use variance there was a site plan approval that was issued by the Planning Board. What I don't have are the Minutes from that Meeting. I've gone through the Board of Trustees Minutes and the Planning Board Minutes and the Zoning Board Minutes-when you open up the Planning Board Minutes there is a list of Minutes that are missing. Included in that is 571 North Main Street. There is some import to that. At one point in 1995 the building was used as a teen center, kind of like a dance club, and site plan approval was granted for that.

Mr. Gianguzzi-That was in 1995?

Mr. Liguori-Yes, 1995. Because of the lack of any further interaction with the Zoning Board it appears that the parking was okay at that time even though that would have been an assembly use back in 1995. So here we are-fast forward a number of years and we are revisiting this issue with a different iteration of an assembly use. The current Code has a pretty significant parking requirement for assembly. That parking requirement is one parking space for every 75 square feet of the building. We have a fairly large building. This building is about 8,850 square feet-if you divide that up by the 75 square feet you get a requirement for 118 parking spaces. I would argue to the Board that there are very few parcels in the Village of Brewster that can support 118 parking spaces. Brewster Honda may have more than 118 cars that are out there but the use is different-it's more of a storage thing than parking. The landlord actually has a shop here in Brewster at 155 Main Street-he has S&L Plumbing, that's the Body Beautiful building-and even that building doesn't have 118 parking spaces even though it has a lot of parking and the lot is fairly decent sized-if you go behind that building there is a lot of parking. On the site we have room for 35 parking spaces. What is important is that when you look at the amount of people who occupy the building at any given time compared to the requirement of the 118 spaces it is our opinion and the opinion of our engineer that that the uses can be used harmoniously. So what we have done is that I have presented a copy of the Site Plan that we proposed to the Planning Board to the Zoning Board of Appeals-it has our use and occupancy data listed on it. If you look at the paper that is 8½ inches by 11 you will see a Table that has a listing of the bulk requirements and the use and occupancy and that is what we are relying on.

Chairman Ruchala-The 8½ by 11?

Mr. Liguori-Yes. That one you are holding is the survey. It should be a smaller one. I want to make sure you all have a copy of what we have shown to the Planning Board. We know we have a maximum number of patrons at this time at the Church and that is a total of 75 people. There is the Irish step dance studio and that is a total of 15 people. The ballroom dance –we don't have a maximum use but it is fairly minimal because it is private lessons. The karate studio, which is on the second floor of the building towards the front portion, has 20 people in there at any given time. Based thereon our request to the Planning Board is for a Site Plan for those four uses in the building for those amounts of people. So for instance if we receive a Site Plan approval that says 75 people at the Church and there are 100 or 150 patrons we would be in violation of the Site Plan. I want to present this to the Zoning Board in connection with our request for a parking variance. If you guys want to tie the two together we don't have an issue with doing so because that is the nature of our request and it would be a little tough for us to come in here and say to reduce the parking requirement from 118 to 35, because of the amount of the variance if it wasn't tied to anything in particular it would be a fairly significant request.

Mr. Folchetti-You're capping the occupancy?

Mr. Liguori-Yes. We're okay with that as a condition.

Ms. Kropkowski-What is the maximum permissible number of people in the Church itself?

Mr. Liguori-For the building?

Ms. Kropkowski-For that section of the building. Do they have a maximum occupancy?

Mr. Liguori-We don't have that figure right now but I would say to you that it is significant, probably over 200.

Mr. Greene-I believe that the Building Code would permit over 200 because there are a lot of exits.

Chairman Ruchala-I thought it was over 500.

Mr. Liguori-We haven't had the engineer go out there and do the maximum occupancy data yet but we're willing to limit the amount of people for use as a condition for the purposes of the Zoning Board. I'd be happy to have the engineer go out there and figure out what the maximum occupancy is.

Mr. Gianguzzi-What about traffic? Have you done a study?

Mr. Liguori-We haven't had any traffic studies done.

Mr. Gianguzzi-It should be a concern, the amount of cars. There is Kobacker's and the diner across the street.

Chairman Ruchala-Are there any agreements between the restaurant, Kobacker's and 571 North Main Street?

Mr. Liguori-There is a handshake agreement between my client, Steve Alonge, and Frank Milano, who owns Kobacker's where his clients park on our property sometimes but there is no formal agreement between us and the diner. We're actually curious how the diner, which has five parking spaces, maybe six, got through.

Chairman Ruchala-I've actually never counter them. The diner never came before this Board. Mr. Mayor.

Mayor Schoenig-You are basing the parking spots based on the occupancy. What if for example the occupancy changed, for example if the karate school went out of business and somebody else took over?

Mr. Liguori-The use variance is tied to the Site Plan Approval. If the use of the second floor was going to be different they would have to go back to the Planning Board.

Mr. Folchetti-Yes.

Mr. Liguori-If there were going to be more than 20 occupants they would have to go back to the Zoning Board.

Mr. Folchetti-If there is a change in tenancy under the Code you almost have to come back and get a new Site Plan Approval.

Mr. Liguori-I think you do.

Chairman Ruchala-Are you saying the lease is actually connected to our decision?

Mr. Folchetti-I'm not saying that. What I am saying is that if there is a permitted use and that particular business decides to fold up its doors or move and somebody else comes in there to run a business that is a conforming use in that zone they're still going to have to come back to the Planning Board.

Mayor Schoenig-What if the karate school decided to change its hours to the same time as when the Church is going on? You say it's maximum occupancy but suppose everybody had the same hours of operation. How would you do it?

Mr. Liguori-Here's what would happen. Some people park on North Main Street, I'm sure some people park across the street by Kobacker's or wherever there is a spot. The reality is that some people walk to the Church because it is walkable. Most of the families are already in the Village. I am sure there are people who go to the Church who are not from the Village or do not live in the Village. I can practically guarantee that. We do know there are people who frequent the Church who do live in the Village. It is walkable. It's not something that's impossible. You can get from one end to the other.

Mr. Folchetti-The Planning Board could also restrict the hours of operation for the businesses. I think that creates a practical difficulties in enforcement but you can make it part of the Site Plan approval that whatever the businesses that occupy certain portions of the building are only permitted to operate to operate at certain hours. It would be a conditional Site Plan approval and if they ran afoul of it they would be in violation of the Site Plan.

Chairman Ruchala-I recognize Rick Stockburger.

Mr. Stockburger-Rick Stockburger, 50 Oak Street, a member of the public. Mike, would you consider making it an average attendance say of 75 or something just so somebody doesn't come in on Christmas Eve service when there are 150 and say, aha, you're nailed? Make it like an average attendance.

Mr. Greene-I think anyone who comes in on Christmas Eve and slaps the Church with anything should lose his job.

Mr. Stockburger-Okay.

Mr. Liguori-Maybe there could be an exception for high holy days.

Chairman Ruchala-I think that's all subjective.

Mr. Gianguzzi-What about handicapped parking?

Mr. Liguori-I know we have the location for handicapped parking. The question is whether or not the building is handicapped accessible. I believe that right now there is a step up to the front door. I don't think someone in a wheelchair could get in. It's something we'll have to go over with the building inspector. But as far as having the parking on site and having the proximate distance we have that.

Mr. Gianguzzi-How many spots are allocated for handicapped parking?

Mr. Liguori-We actually don't have it shown on the Site Plan. I can ask our engineer to delineate that.

Mr. Greene-The Code requires there be two spots. The Code Enforcement Officer will have to handle the entry of the building.

Mr. Liguori-We also have to obtain an occupancy permit from the Building Department. That's something that is tied in to the Site Plan Approval. The other one was the number of occupants for the Church use. The occupancy permit is triggered if you have any occupancy where more than 50 people gathered at one time. There are a lot of methods here to deal with the occupancy of the building and for purposes of laying the foundation for enforcement.

Chairman Ruchala-Forgetting the Christmas Eve example, if it were just a regular church day, what stops this Church from becoming for the purpose of assembly 300 people? Then what happens?

Mr. Liguori-We would be in violation of our Site Plan.

Chairman Ruchala-What does the Site Plan allow?

Mr. Liguori-Right now we're showing a proposal of 75 people for the Church use.

Mr. Greene-What if there were 100 and 80 of them walked?

Mr. Liguori-The parking is what the real issue is, not the occupancy. Let's say our occupancy of the building is 500-there's a possibility, because of the size of the building, that as long as there wasn't an overcrowding issue with regard to cars there really wouldn't be an issue under the Code other than our occupancy permit, the essence of which is really to flesh out how many people you can get into the building.

Ms. Kropkowski-I have more concerns about the number of people in this particular scenario about the Church which is not the whole building.

Mr. Liguori-That's right. You're talking about square footage in the Church area?

Ms. Kropkowski-Correct.

Mr. Liguori-We're fairly confident that the size of the Church area is significant enough-as a matter of fact we know from the number of seats that are in there that there is plenty of room for the amount of people who occupy that space-that no matter the amount of people who are going to be in there that there is plenty of room. The Village engineer has asked us to provide the maximum number to the Planning Board so that we have that number.

Mr. Greene-Is Bibo or some other engineer doing that occupancy study?

Mr. Liguori-Yes. What has happened is that when we approached Bibo it started as we need to examine the parking which then turned into we need you to put together a Site Plan and then when the Village engineer comes in that we need you to do that too.

Chairman Ruchala-Say there are 75 people and 37 of them come with cars-the overflow situation would be rather large-from outside the area as part of a Church group. I'm having trouble with the area as far as where they do park?

Mr. Liguori-North Main Street usually. We haven't documented the instances with Kobacker's but we have talked to Frank about trying to put an actual agreement in place. Frank didn't raise any issues about anyone from our place parking on his property. Actually his customers use our parking lot more than our customers use

his. That first row when you go up North Main Street is probably used by his clients more than ours.

Chairman Ruchala-One of my areas of interest would be could you get something going with Frank, that he would agree to share parking with you at some level?

Mr. Liguori-We can try but I can't guarantee it. I will remain noncommittal about that.

Chairman Ruchala-You don't know.

Mr. Liguori-I don't know. The way it's gone in the past, since he took over the ownership in 2001, has really just been a handshake. He knows Frank from being around in the Village.

Mr. Greene-Has anybody ever not shopped at Kobacker's because they couldn't find a spot or turned around and gone back home because they couldn't find a spot? I work in a community where it happens all the time.

Mr. Gianguzzi-Rye.

Mr. Greene-Yes, Rye. They go round and around. I think the shared resource parking is working to the extent that Kobacker's functions and nobody has probably ever had to turn around and not go to church either.

Mr. Liguori-Right. And the big benefit-I've talked to Frank about it-is that people from the Church shop at Kobacker's. It's a boon for Frank, which is a reason to give us a written agreement but I've reached out to him twice and he hasn't returned my phone call. So that's why I'm still a little noncommittal about having a written agreement in place, especially when things seem to be working without one.

Chairman Ruchala-My problem comes here-let's say the Church stays at 75 people-that's what you're saying the Planning Board is going to require, correct?

Mr. Liguori-That's what we've presented to the Planning Board based on the people in the Church. Right now we don't have a congregation of 75 people. If everybody came, everybody, there would be 75 people. That's where we get the 75 number.

Chairman Ruchala-But if it becomes 200, just to throw a number out there, then what happens? What is our position as a community? What if the overflow into Kobacker's does become an issue?

Mr. Liguori-If the Site Plan Approval is in place then it's very clear that there is a method of enforcement.

Mr. Greene-If there is an issue we'll all know because most of us probably use that street and it will be as obvious as it is at Williams that something is going on, that there's an issue.

Chairman Ruchala-What is our ability?

Mr. Greene-They would be in violation of the Site Plan. But until such time as it becomes an issue, and whatever we approve here doesn't work and there are bottlenecks there and people can't park and they have to turn around, I don't think there's any reason to go and do a random check of how many people there are in the building unless there's a problem. I would think we're trying to empower, or at least enable, the use of the Village buildings.

Chairman Ruchala-I agree but we want to ensure there is a stopgap where if something happens we can do something.

Mr. Greene-The Applicant is offering to allow us to limit the occupancy of his building.

Chairman Ruchala-Okay.

Mr. Greene-I don't know that we have to go much further than that.

Mr. Liguori-The other two stopgaps are the Site Plan Approval and the Operating Permit.

Mr. Greene-This Application is also relying on nonsimultaneous use of the building and the parking. If the Church wasn't there the most that would ever be used is 20 spots.

Mr. Gianguzzi-Are there 20 spots for the Church? Are the spots measured?

Mr. Greene-Five people for every car.

Chairman Ruchala-They're saying that 20 spots are for the other Applicants to use for nonsimultaneous use.

Mr. Folchetti-There are 35 spots for nonsimultaneous use.

Mr. Greene-That's for simultaneous use.

Mr. Liguori-The report is for simultaneous use.

Mr. Greene-So they get 20 and you get 15. So it's one for every five seats.

Mr. Liguori-Correct.

Mr. Greene-So that's for simultaneous use then. The building is full. I misunderstood the point of the study then. There are 20 spots for everybody else and 15 for the Church.

Mr. Liguori-Right. And that's if everything was going on at the same time.

Mr. Greene-So then it's not based on nonsimultaneous use. The building can be fully occupied.

Mr. Liguori-And used.

Mr. Greene-And used. And still have all the parking that the Code requires.

Mr. Liguori-And that's why we put on our Site Plan our hours of operation. The other uses use the building more than the Church does. The karate studio and the Irish step dance have more frequent use of the building than the Church which has infrequent use, which is Sunday mass and one night per week. They have some part time hours in the morning and meetings two evenings per week-we're not talking full occupancy for the meetings, and then services on Saturday evening and Sunday morning. For the karate school it is used Monday through Friday, 6:00-9:00 p.m. and Saturday mornings. So we don't have an issue with the karate use on Sunday mornings. The ballroom hours vary during the week but the use is so small that it doesn't have an impact on the use of the site. The step dance is an

afternoon use during the week and then a Saturday morning use. So the Church is able to function cohesively with all of the tenants in the building.

Mr. Greene-It shouldn't matter though. Those hours of operation are moot if you're talking about simultaneous operation.

Mr. Liguori-We wanted to be able to say to the Planning Board that there is adequate information to obtain an approval.

Chairman Ruchala-Are you restricting your hours? Will you be able to change your hours to Monday, Tuesday and Wednesday evenings for study groups, not that they would be large groups? We can't tell you when to open.

Mr. Liguori-Not on a request for a variance for parking. But establishing those hours of occupancy for the Planning Board is a different story. That's something we are discussing with the Planning Board. What I am saying to the Zoning Board is that we are willing to limit the use of the building and the amount of people that occupy the building. That I think will get us from "A" to "B" as far as the various concerns the Zoning Board may have. With regard to simultaneous use of the building we have presented enough information to the Planning Board to show when our tenants actually do occupy the building. So if there really are issues there is the ability to hold the owner's feet to the fire. So let's say things are totally out of hand-it's Sunday morning and karate is going full bore and the Irish step dance is going full bore, my engineering report says we can function. Even if you agree that that's okay and our engineering report says that's okay but you don't agree with that, we've presented you with our hours of operation so that you can see when we actually do use this building, how everybody uses the building.

Mr. Greene-I have to state something for the record. The Site Plan Application says something very different than what the engineering report says. The engineer's report says the congregation consists of at most 80 individuals-they could grow up to 100 in which case 33 spaces would be required. It goes on to say that none of the other occupants are active and therefore the available onsite parking is sufficient for Church services. That's nonsimultaneous occupancy. That's why I read the report and I was confused. The engineer's report wants to say that the Church uses the building alone which excludes the other occupants which is why this engineer tailored it to nonsimultaneous occupancy. But what you're telling us is that you want to occupy it all at once. I think this all has to be changed in order for us to make any kind of a determination because you're saying

that if you grow to 100 it takes 33 spaces and since nobody else is in the building at the same time we'll be okay. So there's a real disconnect I think between the Application and the engineer's report.

Chairman Ruchala-My question is are you looking for an area variance for 15 parking spaces?

Mr. Liguori-My Application to the Zoning Board is to go from 118 to 35 based on this Site Plan with these occupants and those uses.

Chairman Ruchala-And those hours of operation?

Mr. Liguori-And those hours of operation. We're okay with that.

Mr. Greene-Which is nonsimultaneous occupancy.

Mr. Liguori-No.

Mr. Greene-It is because you said there is nobody in there on Sunday morning. That's nonsimultaneous.

Chairman Ruchala-The karate school is working on Sunday mornings, and so is the step dance school.

Mr. Liguori-They use it three evenings per week for meetings.

Mr. Greene-It's not an assembly use if it's just the office. It's not.

Mr. Liguori-No it isn't.

Mr. Greene-For an office the egress plan would be one exit for every 200 square feet, for assembly it's one for every seven square feet. So if the office is not going to hold services they're not part of the assembly.

Mr. Liguori-I have to have an assembly-I have to treat it for assembly because that's the permitted use. I'm in the LMW District without any preexisting right to office use. That use is all under the umbrella of assembly. As far as services go I don't have a conflict. When the Church is having its mass we're in good shape as far as the other tenants.

Mr. Greene-I agree.

Chairman Ruchala-Any other questions from the public? It would seem to me that you have to put everything in order with the engineer's report so that it does match. Are you looking for all the parking spaces in the place simultaneously or nonsimultaneously?

Mr. Liguori-What I'm looking for the Board to say is.

Chairman Ruchala-That you can park where you want.

Mr. Liguori-No. That's not what I'm saying. What I'm saying to the Board is kindly grant us a variance and condition it on the use and occupancy that has been presented here. By doing so, whatever the discrepancy is in the engineer's report, if any at this point, we can ignore it.

Mr. Gianguzzi-So you're saying the occupancy is 75. But that's if the karate studio and the Irish dance are not in session, correct?

Mr. Liguori-Correct.

Ms. Kropkowski-What happens if there is a tournament or a feche or something like that on a Sunday morning?

Mr. Liguori-We asked every single tenant to come to us with their hours of operation and their maximum occupancy so we could come to the Board and get an approval. These are the hours that they brought to us. They're on the Site Plan.

Chairman Ruchala-So you're tying your hours of operation with your Application at the Planning Board?

Mr. Liguori-That's right.

Mr. Folchetti-That's what I was going to say-as presented now and as may be modified by the final Site Plan approval. Is that your proposal and conditions?

Mr. Liguori- That's fine.

Mr. Folchetti-That would make sense. The Site Plan can be modified one way or the other by the Planning Board.

Mayor Schoenig-What if the karate school looking to do something on a Sunday morning and it's the first time and they don't tell anyone?

Ms. Kropkowski-What if they're not talking to the landlord because they're running it themselves?

Mr. Liguori-It's in writing to the Planning Board.

Ms. Kropkowski-What's in writing to the Planning Board if they're running a school like that and they may not care. That's the bottom line-later on for enforcement purposes.

Mr. Liguori-You have what you need for enforcement purposes because it's on the Site Plan. It doesn't matter if they can't communicate at all. They're not going to be happy but if they don't communicate and something goes on in violation of the Site Plan and they receive a violation they are risking ending up in court.

Mr. Folchetti-The Village also has the right to commence in State Supreme Court first for injunctive relief.

Mr. Liguori-Exactly.

Mr. Folchetti-It can go in local court by virtue of an enforcement proceeding by your zoning enforcement officers or the Village, if it's sufficiently enflamed by what it perceives to be a violation, can commence an action in Supreme Court seeking to enjoin certain uses or the entire use of the property.

Mr. Liguori-I did the very same thing this past Friday. I represent the Town of Dover over an issue of O&G bulk storing and selling of road salt on one of their properties which they have never done in the past. They have hundreds of thousands of yards of road salt in-between two residential subdivisions and the Swamp River. We didn't send a Building Inspector out there. We went to Supreme Court for a restraining order. You have that option. You don't always have to issue an appearance ticket.

Ms. Kropkowski-Except that you're still talking about once in a while. You're not talking about a continuing violation, you're talking about the potential for aggravation on any particular Sunday.

Mr. Liguori-This is the way the whole process is set up. There's no other way to go about it. It's just the way that it is.

Mr. Greene-And if it becomes a problem you wind up at the Town Board or the Village Board where somebody says it's really bad here on Sunday mornings, we need some relief. But it's not there yet.

Mr. Liguori-There is no other method though. The other alternative is to have no occupancy in the Village of Brewster or anywhere else for that matter. The Planning Board wants enforcement mechanisms, then it has them but then you complain about having to enforce them. That I understand, no question about that. But the reality is that the best that we can do is to give you all the fodder for enforcement that's possible and then if it doesn't work out it's there in writing that you can go out and do something about it. We'll do our best, that's for sure. I think Steve has been in court enough to know that there's no gain-whatever ill-gotten gain he may have gotten believe me he spent it. He just spent \$7,000.00 before the Board of Trustees trying to go from a preexisting nonconforming use to another preexisting nonconforming use. Had I found the use variance earlier he could have saved the \$7,000.00.

Chairman Ruchala-What if it becomes a problem? Say it's nonsimultaneous use where the Church is getting 15 spots out of the 35 and they start using 33 spots and then all of a sudden we have the ability to make them show cause on some level. Nobody is going to make an issue of it but on the other hand if something were to occur we would have a way of doing something that would be easier for us.

Mr. Greene-It doesn't even say that on the Application. It doesn't even address a division of the parking spaces on the Site Plan. The engineer's report says one space for three people. I think the engineer's report should be thrown out because it's confusing. It talks about expanding to 100 people you would need 33 spaces which is not true under the Code.

Mr. Liguori-I didn't realize we had such an issue with the engineer's report.

Mr. Greene-And nowhere on the Application does it say that you want 15 spaces for the Church.

Mr. Liguori-I'm not using that number. I've only come to the Board with the request to go from 118 to 35 and present you with the restriction to make it possible.

Chairman Ruchala-With simultaneous use it would be about 15 because 20 was going to everybody else.

Mr. Liguori-The short of it is that in order to get from 118 to 35 we believe that it's possible based upon this use and this occupancy and these hours, that if you would grant a variance with those conditions I can then work it out with the Planning Board if we have to designate parking spots. However, we prefer not to have to designate parking spots because we don't really think it matters. A parking spot is a parking spot.

Mr. Folchetti-Can I interject something. I am appreciative of everything the Board is asking about the engineer's report. But this is an area variance, and the area variance sought is in bulk for 83 parking spaces, from 118 required under the strictures of the Code to 35 presented. What the Board should be doing is weighing that Application against the five factors you are supposed to consider for an area variance:

- Is there a substantial change in the character of the neighborhood;
- Is there an adverse environmental impact to surrounding properties;
- Is the variance substantial;
- Can the benefit sought be achieved by any other means than that proposed by the applicant; and
- Is the hardship self-created.

And once you go through that and determine that some relief is required then you can get to what you want to condition it on.

Chairman Ruchala-Okay

Mr. Folchetti-You have to get through those factors first. If you're not prepared to do that then you should hold it over because maybe you want to do more research or you can act on it. But I would implore you to look at those five factors in making a determination, not necessarily what the use is going to be with respect to the operations plan because that can be done in Planning. You can condition it on

whatever you feel is appropriate subject to what Planning does if and when they get a Site Plan approval. This is only a small piece of the puzzle. They still have to get through the Planning Board to get a Site Plan approval with whatever hours the Planning Board thinks are appropriate.

Mr. Stockburger-I have a question.

Chairman Ruchala-The Board recognizes Rick Stockburger.

Mr. Stockburger-Rick Stockburger. The Applicant is asking for a variance for parking but that he's willing to live with the 35 spots he has so he doesn't need a variance. How does this work? The Planning Board looks at it and says he needs 118 spots. Somehow somebody has to tell the Planning board that he doesn't need 118 spots, that the 35 will suffice. Where is the variance?

Mr. Folchetti-The variance is waiving 83 spaces, conditioned on whatever the Board, if it grants that variance, thinks is appropriate.

Mr. Stockburger-Is there another way of getting around the requesting of the variance-the chart down there and the hours of operation?

Mr. Liguori-There's no way. I did the math. I can't get out of here without a variance.

Mr. Stockburger-Can the variance be this chart?

Mr. Folchetti-It can be tied to it in some regard.

Mr. Stockburger-If he can get through the five criteria could the Board say the variance is granted in accordance with the conditions of this chart?

Mr. Folchetti-Yes. It can be subject to any further modifications of the terms and conditions of the chart that the Planning Board may impose. But I don't think you can walk away right now with that being the final say so because you're still in the middle of the Site Plan approval.

Mr. Stockburger-But if it came to the Planning Board is that proof of the parking?

Mr. Folchetti-Parking is one issue before the Planning Board with respect to quantity.

Mr. Stockburger-Quantity, yes.

Mr. Folchetti-The layout and configuration may change.

Mr. Stockburger-Yes.

Mr. Folchetti-It would be addressed for purposes of bulk parking if this Board grants him the relief or some form of it.

Mr. Stockburger-So there are the five criteria to go over, right?

Mr. Folchetti-We're in them but you want to try to apply the discussion that has been had to the five factors-what's the change in the character of the neighborhood, what's the adverse environmental impact to the neighbors, is the variance substantial, what other means are there for this particular property to achieve the relief and is the hardship self-created. Those are the five things that you go over. You don't have to do them one by one but the discussion should center around how those things apply to this particular Application for a bulk reduction of parking.

Chairman Ruchala-I don't know right now whether or not I want to continue this or have a vote on it tonight. They have parking and it's not a problem right now but as this thing grows-all churches want to grow like everybody else-if that occurs than there can be a negative impact on the neighborhood especially if the businesses inside grow. I'm pro-growth but I'm just trying to weigh this thing through.

Mr. Liguori-I think knowing that we have to conclude with the Planning Board would alleviate those concerns.

Chairman Ruchala-Keith.

Mr. Greene-I think the five criterion are fine. I think that they are within all of the criterion to get a variance of some sort.

Chairman Ruchala-Can you jump 83 spaces is that something that should be negotiated?

Mr. Greene-In the Village of Brewster I can because I know of other situations where it's just fine. If we're talking about a tenancy chart and hours of operation-a chart like he's got here-and we can assign language that ties any approval from this Board to the Site Plan with some kind of allowances for any changes the Planning Board might make that Rick talked about then I'm comfortable with this to tell you the truth.

Chairman Ruchala-With this piece of paper by itself?

Mr. Greene-I haven't focused on that sheet of paper but I think it could be something like this. It would be enough.

Chairman Ruchala-There are no hours of operation.

Mr. Greene-There are.

Chairman Ruchala-Okay. The question to me is whether we want to take a vote on this tonight or do we want to hold it over for more thought.

Ms. Kropkowski-I would like some more time to think about it-not much longer, just a little longer.

Chairman Ruchala-Do you mean by that another meeting or tonight?

Ms. Kropkowski-I would hate to bring them back for if it's just going to be a yes once I'm done.

Mr. Greene-What I was trying to get to, and we've done this in the past, is that counsel gives us the framework of a motion or a resolution and he shows it to us before it goes on the record and we all voted on it before looking at the final draft. That makes the most sense because we don't necessarily have the means to say it right now.

Mr. Gianguzzi-I would agree with that.

Mr. Folchetti-I've done it either way-the Board has made a motion to grant certain relief and I've written the decision for the Chairman's signature behind it and I've also prepared, based on the deliberations, a draft resolution or decision and order for you to consider. If a particular project or application is held over for another meeting than you can look at it and read it into the record or make whatever modifications and then offer it to be voted on. It is entirely up to the Board-either way is acceptable.

Chairman Ruchala-I think I would prefer to hold it over and have it written and look at it and discuss it. That's my feelings at the moment. Very rarely do I slow anything down but I would like to see what the written word is and the effects of it and ponder this one a little more. That would be my feelings.

Mr. Gianguzzi-I agree with that.

Ms. Kropkowski-I'm going to throw a grenade into this.

Chairman Ruchala-Go ahead. What grenade?

Ms. Kropkowski-This use variance or use for assembly purposes was granted on August 30, 1989. How long was it before anything else came in that was an assembly use? Did it lapse. It's a completely different question that what we've been discussing but I feel I have to ask it.

Chairman Ruchala-A variance does not lapse-it stays with the property.

Ms. Kropkowski-Okay.

Mr. Gianguzzi-So I think we all agree we want to hold it over Mr. Chairman.

Chairman Ruchala-I would make a motion to hold this matter over until some other date. What is the quickest we can get you back here?

Mr. Liguori-You tell me.

Chairman Ruchala-It goes out on Friday. You need five days. However, if we are continuing the hearing don't need publication.

Mr. Stockburger-As long as you set the time, date and place.

Mr. Folchetti-You don't need it. The motion is to hold it over to the next regularly held Meeting of the Zoning Board.

Mr. Stockburger-The only issue is if you don't announce the date and place then you have to renote it in the newspapers.

Chairman Ruchala-I do not want to have to renote it. Let's see if we can all agree on a date. I think October 10th is Columbus Day so that would not be good. Can everyone do October 17th?

Mr. Gianguzzi-I can do the 17th.

Chairman Ruchala-Can everyone else do the 17th?

Ms. Kropkowski-I will make myself available.

Mr. Greene-It is acceptable for me.

Chairman Ruchala-I will make a motion for a continuation of this matter to October 17, 2011, 7:00 p.m., 50 Main Street, Brewster, New York 10509.

Ms. Kropkowski-I will second that motion.

Chairman Ruchala-All in favor.

Mr. Gianguzzi-Aye.

Ms. Kropkowski-Aye.

Mr. Greene-Aye.

Chairman Ruchala-Aye. The motion to continue this matter to October 17, 2011, 50 Main Street, Brewster, New York 10509 is passed by a vote of 4-0. I would now move that we open the regular Meeting.

Ms. Kropkowski-I second that motion.

Chairman Ruchala-All in favor.

Ms. Kropkowski-Aye.

Mr. Greene-Aye.

Mr. Gianguzzi-Aye.

Chairman Ruchala-The motion passes 4-0. I would ask Stuart Matel from Westchester Sign to address the Board.

Mr. Matel-I'm Stuart from Westchester Sign. I've spoken to somebody before this.

Chairman Ruchala-You've spoken to me. This is an informal hearing just to hear what you have to talk about. It's an informal hearing for the purpose that he may be submitting an application and he would like the Board to give him our ideas about what he is planning on. Please explain to the Board Mr. Matel why you are here.

Mr. Matel-We had originally filled out an Application that was turned down. We were told that no lighted signs are allowed. After going through the Code with both Joes from the Building Department it turns out a lighted sign is allowed but it must be turned off by 11:00 p.m. The Code also says that there are two background colors that are allowed-burgundy/maroon and dark green. Boost Mobile has a black background. That is their trademark's national copyrighted logo. In certain circumstances-we just did one in Mahopac-they let us go from this to a white background with black letters on its logo. Everybody I've spoken to in the Village of Brewster said I should go to this Board.

Mr. Gianguzzi-What are the standards for signs?

Mr. Greene-We haven't had to look at any signs yet at Zoning. This is the first time before this Board.

Mr. Folchetti-The new sign law is at zoning. The sign has to have a solid background color and there can be two additional colors. Anybody who wants a sign different from that is entitled to come to the Zoning Board for relief from those provisions.

Chairman Ruchala-Solid background color with two additional colors?

Mr. Folchetti-Correct. Two additional colors from the palette. The palette is in the Clerk's office.

Mr. Greene-Two additional colors from the palette. The Applicant is saying those two colors are burgundy and green. Do we know if that's true?

Mr. Matel-When I spoke to one of the women here I asked her if McDonald's came in would they be asked to change their golden arches to dark green or maroon? It is a copyrighted logo and Boost has asked me to see what I can get done here because if Boost puts up a burgundy sign it is not going to be recognized as a Boost store.

Ms. Kropkowski-You can't replace the black for a dark green?

Mr. Matel-Not really, no. These are the two that are done nationwide and they frown upon a white background even though in this circumstance the Boost store is right across the street from here and it would light up the step area without hurting anyone else. Just the orange will light up and the white will light up. As I drive around the Village these colors have not been used anywhere.

Chairman Ruchala-That's because they have so many years to replace the signs. New signs must abide by the Code.

Mr. Matel-This was originally put into the wrong place, the Town of Southeast. This has been going on since February or March.

Ms. Kropkowski-It doesn't look that way from the pictures.

Mr. Matel-It has been. I'm just trying to get some sort of feel on what the Board would like to see or what we can do. Ford has its blue background sign. I don't think that anyone would ask them to change their sign from blue to green. It just wouldn't be Ford with a green background or burgundy for that matter.

Mr. Greene-Ford is in the Town of Southeast.

Chairman Ruchala-Honda is in the Village.

Mr. Matel-It used to be Ford up there, wasn't it?

Ms. Kropkowski-That's the Town.

Chairman Ruchala-That's the Town. Once you go under that trestle on your way out you're in the Town. Before that you're in the Village.

Mr. Matel-I have a question that has nothing to do with this. The sign on the wall says "Harlem Valley." I never heard of the Harlem Valley before. Isn't that the train?

Mr. Greene-We are in the Harlem Valley.

Ms. Kropkowski-I don't have a good answer for you concerning the matter at hand. I would have to read the Code.

Mr. Greene-All signs must consist of colors from the Village approved color palette which is available in the office of the Village Clerk and which may be changed from time to time by resolution of the Board of Trustees.

Mr. Gianguzzi-I would be sympathetic though. It's a branding issue so it's a valid concern about changing the brand to conform to Village Code.

Ms. Kropkowski-What do they do in other in other historic areas?

Mr. Matel-There are 300-350 Boost or Sprint stores. In Mahopac they said the sign would look too Halloween and they asked us to change to a white background but that was it. I'm just not sure what to do because Boost is not green and it's not burgundy and I know the Village has its concerns. Friendly's has burgundy letters-would the Board ask them to change that?

Mr. Gianguzzi-I've actually seen where McDonald's has conformed where they might not have the sign but it would be a wooden plaque or if you go to Nantucket there are certain restrictions. They make their accommodations. But as stated we can look at the Code closely and I would be sympathetic.

Chairman Ruchala-Do you have an Application to put in?

Mr. Matel-I have the Application and a check.

Chairman Ruchala-Do you have a check for \$400.00?

Mr. Matel-I have a check for \$1,000.00 if need be.

Chairman Ruchala-I will take it for the time being because I haven't gone over the issue-I will take the checks for the \$1,000.00 and the \$400.00.

Mr. Matel-Okay.

Chairman Ruchala-I will add you to the October 17th calendar. Do you have a copy of the stop work order?

Mr. Matel-There was no stop work order. The nighttime Joe called me up and said it was turned down because lighted signs are not allowed. He and I went through the Code together and lighted signs are allowed until 11:00 p.m.

Mr. Greene-But not backlit.

Mr. Matel-Backlighting is fine. Then we came to the issue of palette and I spoke with Chairman Ruchala and I spoke with Mr. Hansen.

Chairman Ruchala-Okay. Give me the check for the \$1,000.00 and I need something from the Building Inspector saying he declined it. Can the notices be done on time? The Secretary has indicated that he can do the needed notice so it will be right here on October 17th.

Mr. Matel-Okay.

Chairman Ruchala-Give me the check for the \$1,000.00 and I will need something from the Building Inspector saying that he declined it.

Mr. Gianguzzi-I would like to see something about the lighted signs too. Is it in there?

Mr. Greene-Signs may be illuminated. The lighting must be indirect.

Mr. Folchetti-The lighting can be direct if the Board says it can. The Code says he can't. If you say he can he can. I'm not trying to convince you either way but that's why we're here. The Village was trying to prevent things that were out of

character, the whole point being that they had to come here so nobody could just go and put something up whenever they wanted.

Mr. Greene-This one here says signs permitted by special exemption use permit-it looks like you have to go to the Board of Trustees.

Mr. Folchetti-You can do it also because it's zoning. If there was a separate section just called signs and it wasn't in the Zoning Code then this Board wouldn't have any jurisdiction over it.

Mr. Matel-What we came up with is that the Zoning Board can approve colors other than the palette colors if the Board sees fit. I don't see any other way around it for copyrighted and trademarked logo that's recognized worldwide.

Mr. Greene-You have at least one clause in here but other clauses are going to fight you. That clause talks about permitted by special exception use permit and it says that "The sign must be so closely associated with and common to the business operated on the premises upon which the sign is to be located that it may be considered necessary for the operation of the business." I guess you can hang your hat on that. They won't recognize otherwise is what you have to say.

Mr. Gianguzzi-You can't have an internally lit sign. It says you can't.

Mr. Folchetti-If this Board says you can you can.

Mr. Greene-He can ask for a variance from this.

Mr. Folchetti-Correct. Your job is to give variances when you see fit so if he wants to have an application that adheres to none of the renditions of the Code in theory it is doable. I don't want the record to say he can't have it.

Mr. Greene-"Sign lighting. Illuminated signs may be directly or indirectly lighted in accordance with this Chapter provided they comply with the following standards: illumination of directly illuminated signs should be of the diffused lighting type."

Mr. Matel-So a directly illuminated sign may be diffused by a plastic facing over the front so the lighting is going through the plastic which is being covered up by vinyl so that it's clearly diffused. The Building Inspectors and myself came up

with that. If there's something going over a light it's diffused. This, the parabolic, is a diffused light. So by putting a sheet of plastic over it it's even more diffused I would think.

Mr. Greene-"Illumination of directly illuminated signs shall be of the diffused lighting type. Indirectly illuminated signs with external spot or flood lighting must be arranged" yada, yada, yada. So we would have to make a determination here. If the Applicant is saying he interprets the illumination of a directly illuminated sign being diffused that's internal. If it has illumination of I would say that's external.

Mr. Folchetti-You can interpret too. It doesn't necessarily have to be a variance from the provisions. You can interpret the Code. That's an application that can be made.

Mr. Greene-I would also like to look at some of the Minutes from the Meetings when they put the language about the signs together. Maybe we can infer it from that.

Mr. Matel-I'm sure you all know where the building is. It's directly across the street. He moved here from another location in the Town. If something doesn't happen soon he'll be moving one more time out. It's a hardship because nobody knows he is there.

Chairman Ruchala-You still have to get anyone within 500 feet. For a variance you have to notify everyone within 500 feet.

Mr. Folchetti-You usually do it be certified mail with return receipt.

Chairman Ruchala-Get the list and go by certified mail. It has to be done pretty soon. Type up a letter and have everybody within 500 feet sign it.

Mr. Matel-Have everybody within 500 feet sign it.

Chairman Ruchala-The law reads exactly "certified letters" and if they're not accepted then you have to bring the envelopes.

Mr. Folchetti-You're probably not going to have all of the return receipts back but you will have the receipts from when you mail the letters.

Mr. Greene-Go to Town Hall on Route 22 and they will print you out a list.

Chairman Ruchala-You need that. It's one thing that has to be done. And we'll get you on for the 17th.

Mr. Matel-Is it here on the 17th?

Chairman Ruchala-Yes, it is here at 7:00 p.m. I will add you on to the calendar for Monday the 17th.

Chairman Ruchala-Will they send him the list? He has to go down there, doesn't he Greg?

Mr. Folchetti-You mean the actual generation of the list of the properties and the radius?

Chairman Ruchala-Yes.

Mr. Folchetti-Since the time is short he should go there.

Mr. Matel-To Route 22?

Chairman Ruchala-Yes, to the Town of Southeast Town Hall, located at 1360 Route 22.

Mr. Stockburger-For an extra cost they will generate the mailing labels to put on the envelopes.

Chairman Ruchala-The certified letter is going to be the Notice of Public Hearing that the Board's Secretary shall be preparing. That letter will indicate what you are trying to do, which is to obtain a variance. The Secretary has advised us that if you, Mr. Matel, give him your e-mail address he will e-mail you a copy of the Public Notice, which he has said he will do tomorrow.

Mr. Folchetti-The Notice will be for a sign variance from Section 263-19 of the Village of Brewster Code entitled Signs. Chapter 263 relates to zoning.

Ms. Kropkowski-The address of the property is 31 Main Street.

Mr. Folchetti-I have rechecked the law and it is not Chapter 263 but in actuality is Chapter 199.

Mr. Matel-I went through this with both Joes from the Building Department and they think we're okay. Everybody else who is on board believes it's okay too except for the black background color. I can change that to white.

Mr. Greene-For the information of the Board, directly illuminated signs do include internal lighting.

Mr. Gianguzzi-What is that you said about it being diffused?

Mr. Greene-Well, it's going to be diffused lighting but it can still be from inside. It says from behind.

Mr. Matel-It's kind of confusing but an internally lit box is diffused lighting. The only thing that has been a problem with everybody from this Department is just the color. They're okay with the illumination and with everything else there. At 11:00 at night the lighting must be shut off. If we can change the background color from burgundy or green to black or white we're done.

Mr. Folchetti-Let me slam the brakes on this discussion for a minute. This is not a zoning issue. Chapter 199 is taken out of zoning. I thought Chapter 199 was substituted in for Chapter 263. But look at the latest Code-it just says "reserved."

Mr. Greene-Chapter 263 was repealed by Local Law Number 40.

Mr. Folchetti-And chapter 199-11 provides that a special exception use permit for a sign can be granted if the colors that are proposed are different from otherwise permitted are designed or approved by the Board of Trustees. It is out of the Zoning Code. I don't know if that was the intent or not but it's out of zoning.

Chairman Ruchala-So signs are not in zoning, is that correct? Variances on signs are not in zoning?

Mr. Folchetti-This is just signs. And the issue of color changes looks like it is provided for specifically under Section 199-11, that the Board of Trustees can approve it. That's how it reads to me.

Mr. Greene-Are you reading the history at the beginning?

Mr. Folchetti-I'm looking at 199-11, signs that may require a special exception use permit issued by the Board of Trustees of the Village of Brewster subject to the criteria set forth herein, subject to the special exemption use in Section 263-20.

Mr. Greene-In the April 1, 2010 edition, underneath the summary of Chapter 199 it says "[History]: Adopted by the Board of Trustees of the Village of Brewster 11/18/2009 by local law number 3 2009 and amendments as noted where applicable. Editor's note: This Local Law also superceded former Chapter 199-Signs and Advertising comprised of article 1political signs and posters adopted 1/15/86 as amended. Yard, Rummage and Tag Sales adopted 1994, local law number 3/94." So it looks like they stripped it from us.

Mr. Folchetti-I want to tell you something. It appears to me that it's questionable that the Zoning Board has jurisdiction over it because of the way the new law was passed. There's no doubt about it that the Board of Trustees does have jurisdiction to hear the Application that the Applicant has. It specifically says so in 199-11 about the colors that vary from other than the ones permitted. Once you pull that section out of zoning the question becomes who will have the power to grant variances or waivers from these provisions.

Mr. Matel-It makes it sound like that it's very nonchalant about the colors.

Mr. Greene-This whole law is written because they want to see it.

Mr. Folchetti-It's a good thing for you because it actually contemplates that the Board of Trustees can grant a variance for the colors that vary from the permitted ones. Whether or not a particular application applies is something they'll have to do on a case by case basis.

Mr. Matel-Have there been copyrights and trademarks before in the Village?

Mr. Folchetti-Yes.

Chairman Ruchala-I have signs all over with Federal Express, UPS and DHL.

Mr. Matel-So what do you do in a Village like this?

Mr. Folchetti-What you can do is go to the Board of Trustees and make the application for a special exception. That's clear. That's the way that's written. And it specifically pertains to many things including colors.

Mr. Greene-It says "Allowed locations by zoning district." And that's the only reason it refers to zoning at all is that it uses the districts as places where it can.

Chairman Ruchala-I always remember it going into zoning and that was actually the discussions that we did have.

Mr. Stockburger-The Planning Board always addressed signs and their locations and all the rest pertaining to signs.

Chairman Ruchala-This is the first time at the Zoning Board of Appeals.

Mr. Greene-Look at Section 199-6. "If the Code Enforcement Officer determines that a variance is required for a particular sign then the Applicant may submit an application to the Zoning Board of Appeals to apply for a variance. If a special exception use permit is required the Applicant may then submit an application to the Board of Trustees" to apply for a special exception use permit.

Mr. Stockburger-The first part of the variance is pretty much on size, location and the rest of those things.

Mr. Greene-"If the Code Enforcement Officer determines that a variance is required for a particular sign."

Mr. Matel-Is that one of the two Joes?

Mr. Greene-Yes.

Ms. Kropkowski-Presumably yes.

Mr. Folchetti-The question is is color a special exception use permit, a variance or both?

Chairman Ruchala-Okay.

Mr. Folchetti-That's the question that has to be answered. What's clear is that he can go to the Board of Trustees. It's contemplated right in Section 11-color is under the Trustees' jurisdiction.

Mr. Matel-How do I get to the Board of Trustees?

Mr. Stockburger-They have a Meeting next Wednesday.

Mayor Schoenig-Call Peter Hansen, the Village Clerk tomorrow and ask him to put it on for the next Meeting.

Mr. Stockburger-A special exception would only apply to that sign. The next guy comes in, he doesn't have a variance for a white background or anything else.

Mr. Folchetti-It's a permit, not a variance. They're very very different.

Mr. Stockburger-My interpretation of that is that if you wanted a 10 by 10 sign you would have to come in for a variance.

Mr. Greene-So the operative word is permit versus variance.

Mr. Folchetti-They are two different things.

Chairman Ruchala-To go before the Board of Trustees what does he have to do? Does he have to file anything?

Mayor Schoenig-He should call Pete Hansen.

Chairman Ruchala-There's no money.

Mr. Folchetti-Going to the Board of Trustees is simpler for him.

Mr. Greene-It sounded like he had to go through the ZBA but then the Code says "If a proposed sign requires, in the judgment of the Code Enforcement official, a special exception use permit or a variance" then it directs where it goes until the applicant has obtained a special permit use exception or a variance.

Mr. Matel-Where will the Meeting next Wednesday be?

Chairman Ruchala-Here at 7:30 p.m.

Mr. Matel-Is that this Wednesday or next Wednesday?

Mr. Stockburger-Not this Wednesday but rather October 5th. It's the first Wednesday in October.

Chairman Ruchala-I will give you back the checks that you gave me. You don't have to spend that \$1,400.00 and you don't have to pay for all those certified letters.

Mr. Greene-So if it's a variance we see it and if it's a permit we don't.

Mr. Folchetti-Correct.

Chairman Ruchala-So it sounds like in ten days you will be before the Board of Trustees.

Mr. Matel-I want to thank everyone for his and her time and attention, and for the help you gave me.

Chairman Ruchala-You're welcome. We will do the outstanding Draft Minutes on October 17th. Anybody have anything else he or she would care to discuss.

Ms. Kropkowski-No.

Mr. Gianguzzi-No.

Mr. Greene-No.

Chairman Ruchala-Then I would make a motion to close the Meeting.

Mr. Gianguzzi-Second.

Chairman Ruchala-All in favor.

Mr. Gianguzzi-Aye.

Mr. Greene-Aye.

Ms. Kropkowski-Aye.

[Whereupon the Meeting was closed at 8:28 p.m.]

