

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**ZONING BOARD OF APPEALS**  
**REGULAR MEETING & PUBLIC HEARING**  
**APRIL 25, 2019**

A Regular Meeting and Public Hearing was held by the Zoning Board of Appeals on Thursday, April 25, 2019 at 8:00 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Chairman Matthew Collins, Boardmember Ray Dovell, Boardmember Joanna Berritt, Boardmember Jeremiah Quinlan, Alternate Boardmember Sashi Nivarthi, Village Attorney Linda Whitehead, and Building Inspector Charles Minozzi, Jr.

**Chairman Collins:** We'll kick this off. Welcome to the April 25, 2019 meeting of the Zoning Board of Appeals. We have two cases to hear tonight, which we will get to here in a moment. We're actually going to go out of order relative to the agenda, and when we do begin we'll begin with 356 Warburton Avenue.

But before we do, a couple of administrative things. First of all, we have two microphones that we make available for applicants and for any member of the public, to be heard. There's a standing microphone here on the floor, there's also a portable mic which our building inspector has up here on the dais. We just ask that if you are speaking have a microphone in front of you because we have a remote transcriptionist that's capturing everything for the record and, obviously, we want to make sure that your comments are captured with those two.

Second thing, every case that we hear – since we have members of the public that are here – the way that it will go is that the applicant will present their case, the board will ask questions and deliberate. We'll get to a point where prior to making any decision we'll invite members of the public who wish to be heard on the matter to step forward and make themselves heard. We just ask that the first that anyone's speaking into a microphone please just make sure that you say your name and where you live. That will help to place you.

The last thing I'll say – and I'm sure my colleague, Ray here, will bring it up – I will be recusing myself from the 45 High Street case because of where I live in proximity to the property and because of my relationship with the property owner. That will leave us with four of the Zoning Board here up to hear that case. What that means is, there's a possibility of a two-two tie. Though we have a quorum and are able to proceed, there's also the possibility of it being deadlocked. Therefore, as with any applicant, they can exercise the right, if they choose, to withdraw and defer their case 'til another meeting if they're either liking where the vote is going or if they get the feeling that they better go back and make revisions to their project.

I think that's all I have to say, procedurally, Buddy, before we do the ... how are we on the mailings question?

**Bldg. Inspector Minozzi:** I have been informed by my staff that all the mailings are in order.

**Chairman Collins:** Okay, very good. We are going to begin – and I said this at the start – out of order relative to the agenda: case 07-19 for Constance and Christopher Hall.

## **I. AGENDA**

**Case No. 07-19  
Constance & Christopher Hall  
356 Warburton Avenue**

**For relief from the strict application of the Village Code Sections 295-69.F.1.c and 295-55.A for the construction of a one-story kitchen addition on their two-family dwelling located at 356 Warburton Ave. Said property is in R-7.5 Zoning District and is also known as SBL: 4.100-94-20 on the Village Tax Maps.**

**Variance is sought for side yard combined setbacks with the extension of an existing nonconformity in relation to the total side setbacks of the existing dwelling.**

**Extension of nonconformity in relation to the total combined side yard setbacks:**

**Existing – 15.71 feet; Proposed – 15.71 feet; Required Minimum – 20 feet {295-69. F.1.c & 295-55. A}; Variance Required – 4.29 feet**

**Chairman Collins:** I think I've extended this prologue as long as I can go, so I'm hoping you can ... are you ready to begin?

**Constance Hall, applicant:** I think we're ready. This is my husband, Chris. Some of you might know him because he grew up here in Hastings. We live in Chappaqua, but we have bought the house, a two-family house, at 354-356 Warburton. The house was actually built in the '20s and was in the same family through several generations. They have finally decided to pass it on.

The house has not really been kept up to date, pretty much at all. So our efforts have been to bring the house up into modern standards – you know, green standards, et cetera. If you look on the survey, you can see the house is basically a rectangle, except the back corner – right-side corner – of the south side of the house. The whole back of the house was two kitchens. The kitchen on the north side is a much larger kitchen than the kitchen on the south side. What we're looking to do – we already have a preexisting nonconforming situation – is square off that corner of the house to make the two kitchens equal in size.

Currently, we'll show you in a photo – I don't know if you can show the photo – there's a cover; and outdoor – I don't even know really what you call it – is a covered porch that's going to be removed. So the two sides will just be equal. Most of the houses on the street were built in this fashion, and some people already have extended them.

**Chairman Collins:** While you're pulling up your next file, I'll just mention that some may wonder, or be thinking about, view preservation issues because of it's location. That did come up, however Buddy recommended – our building inspector, Buddy, recommended and I agreed and the head of the Planning Board agreed – that it deserved the waiver because the project in question has zero impact on the view of the river or Palisades. Both the head of the Planning Board and I confirmed that. I think at one point that looked like it was headed for the agenda, but it does not need to be there.

**Bldg. Inspector Minozzi:** That is correct.

**Ms. Hall:** We printed the photos, but that's currently ...

**Village Attorney Whitehead:** Is that the computer's problems?

[laughter]

**Ms. Hall:** Yeah. We also ... where's that file?

**Male Voice:** Where do you want to go to?

**Ms. Hall:** If you could go to the 3-D. We also, after we sent the letters out to all the neighbors, received a very nice e-mail from one of the neighbors encouraging our renovation.

**Chairman Collins:** If you'd like to enter that into the record we can take it.

**Ms. Hall:** Yes, I would love to.

*"Dear Constance Hall,*

*"I am very much in favor of your addition to your kitchens. It's always nice to see someone wanting to make improvements to their homes, especially keeping old ones.*

*Enjoy our river views."*

*Wendy Galayda  
364 Warburton Avenue  
Hastings-on-Hudson*

So she lives two houses down.

**Chairman Collins:** Okay, we'll take that if you're okay to part with it.

**Ms. Hall:** Yeah.

So this is what the proposed rear elevation is going to look like: two equal-sized kitchens, moving the doors side-by-side. You know, we had to lose the one window that was on the former back wall, putting two windows on the backside of each kitchen.

**Chairman Collins:** Can I ask a question here?

**Ms. Hall:** Sure.

**Chairman Collins:** I can't muster any doubt about the aesthetic appeal or the sensibility of filling out this corner. I'm wondering if you have the total square footage that's being built into this existing nonconforming lot. Like how much encroachment are we talking about?

**Ms. Hall:** Well, I think the total square footage of the addition is about 40 square feet; I think it's about 4 by 10.

**Boardmember Dovell:** The drawing says 8 foot 6 by 8.

**Ms. Hall:** Okay, so 64. Thank you.

**Chairman Collins:** Still, that's a very, very modest encroachment into a nonconforming yard for the sake of being able to make a substantial improvement to the property and to create, visually, a symmetry that I think can't be questioned for its upgrade for what the current condition looks like.

**Ms. Hall:** Yes.

**Chairman Collins:** I don't want to cut you short, so if there's more that you'd like to say ...

**Ms. Hall:** No, there isn't.

**Chairman Collins:** Okay. This feels like a fairly straightforward project to me because the encroachment is so minimal. And already the existing nonconformity was, quite frankly, not quite that severe anyway.

**Ms. Hall:** Right.

**Chairman Collins:** I do not have any issues whatsoever with this project, but I want to make sure that everyone else on the board has had a chance to question or probe further if they would like. Sashi?

**Boardmember Nivarthi:** None.

**Chairman Collins:** Okay.

**Boardmember Nivarthi:** I have no concerns about this.

**Chairman Collins:** Jo, how about you?

**Boardmember Berritt:** No, I feel the same way. I took a peek the other day and don't have any concerns about this.

**Chairman Collins:** Okay. Ray, how are you doing?

**Boardmember Dovell:** Likewise, I think it's quite nice and minimal.

**Chairman Collins:** Yes, I agree. Jerry?

**Boardmember Quinlan:** I have nothing to add except I did come and poke around – I hoped you didn't mind – and it's definitely an improvement to the back of the house.

**Chairman Collins:** I agree. Okay, does anyone in the public wish to be heard on the matter? All right, hearing none then may I have a motion, please?

On MOTION of Boardmember Dovell, SECONDED by Boardmember Nivarthi with a voice vote of all in favor, the Board resolved to approve Case 07-19 for 354-356 Warburton Avenue for extension of side yard variance, existing condition 15.71 feet, proposed condition 15.71 feet.

**Chairman Collins:** The vote's unanimous. Congratulations, good luck with your project.

**Ms. Hall:** Thank you.

**Chairman Collins:** Okay, then I am going to recuse myself and let Ray take over the chair position. I'll be back after we're through with this case for our approval of minutes and final discussion, I guess.

*[ Chairman Collins recused – Boardmember Dovell, acting chairman ]*

**Case No. 10-18  
Samar Tannous  
45 High Street**

**For relief from the strict application of the Village Code Sections 295-70E.3(a)[2], 295-70E.1.a,b,c and 295-20E.1 for reconstruction of a new dwelling to replace a current dwelling at their property located at 45 High Street. Said property is in 2-R Zoning District and is also known as SBL: 4.140-151-32 on the Village Tax Maps.**

**Nonconformity details of the proposed new dwelling are as follows:**

**Front Yard: Proposed – 9 feet; Required Minimum – 25 feet**

**{295-70E.1.a}; Variance Required – 16 feet**

**Rear Yard: Proposed – 11.67 feet; Required Minimum – 25 feet**

**{295-70E.1.b}; Variance Required – 13.33 feet**

**Total Two sides: Proposed – 19.83 feet; Required Minimum – 33 feet**

**{295-70E.1.c}**

**(Side yard number one calculated as a front yard); Variance Required – two sides: 13.17 feet**

**Obstruction at an Intersection: Proposed – 45 feet each direction; Required Minimum – 50 feet each direction {295-20E.1}; Variance Required – 5 feet each direction.**

**Bldg. Inspector Minozzi:** Steve, just grab my laptop off there, please.

**Deputy Building Inspector Steve Stanislawczyk:** Shut it down?

**Bldg. Inspector Minozzi:** Yes, you can unplug it, shut 'er down. Tom's going to set up his laptop.

**Tom Abillama, project architect:** Good evening.

**Bldg. Inspector Minozzi:** It's doing the same thing again. There it goes.

**Mr. Abillama:** I hope you're not tired of me coming back over and over, but this application here is through its fourth version. At the last meeting, we presented the house with the proposed structure to have nonconformity as far as the setbacks: the front yard setback, the rear yard setback and one of the side yard setbacks which is the front yard, the secondary front yard. But it's in compliance with the building coverage, with the developmental coverage, with the building height. We are also asking for a slight variance on the obstruction, the corner obstruction.

At the last meeting the board requested to provide some data about the neighborhood – how the rest of the neighborhood, the vicinity – fares with the zoning code. We embarked on developing a nice map. We went through the GIS map, the paper maps that we have in the office, and so on. Finally, we got a lot of help from Charles Minozzi in regards to a lot of surveys that belonged to that street. We put everything together and we found out that almost maybe 8 percent of the properties are fully compliant. The other 92 percent are noncompliant with one item or the other.

In my letter I represented all the non-compliances. If you'd like me to recite them before this board I can go ahead and do it if you like.

**Acting Chairman Dovell:** Why don't you keep going, and what I'd like to do after you've finished with your presentation is to go through drawing A-8, building-by-building. I want to go through the variances that you represent exist, and clarify what they are and the extent.

**Village Attorney Whitehead:** Nonconformities, not variances. They're not all variances.

**Acting Chairman Dovell:** Nonconformities.

**Mr. Abillama:** The existing structure, the way it is on the property, has a very low second floor ceiling height. If we decided to raise that second floor height we would end up with the same variances that we are requesting right now with this new structure. Whatever we're asking as far as side yard, front yard, rear yard setback would end up being subject to raising of the second floor of the existing structure. Therefore, we believe that a new structure, with those same variances, would be more valuable to the neighborhood.

Once we see that a lot of properties around us – around 52 percent of the properties around us in the neighborhood – are undersized in area, then we have 57 percent of the properties have a nonconformity in lot width. And 90 percent of the lots are noncompliant in front yard setbacks. Eighty-six percent of the lots are noncompliant in side yard setbacks, and 67 percent of the lots are noncompliant in rear yard setbacks. Twenty-four percent of those properties are nonconforming in building coverage, although we're not proposing a variance on the building coverage.

Three, we believe that three structures may be encroaching on building height even though we are not proposing any structure that goes beyond the height requirement. And 12 properties have visibility problems on the corner.

With that, I'd like to listen to your questions, Mr. Chairman.

**Acting Chairman Dovell:** Okay, I'd like to start at the intersection of High Street and Prince, with 13 high. Can you blow that up on your screen there? You're stating that the nonconformities include lot area, which is clearly correct; lot width, which is clearly correct; front yard setback, which is clearly correct. Side yard, I don't understand how you come up with 8.8 provided and 33 required. Can you explain that?

**Mr. Abillama:** The 33 required is because it's a corner lot. You need 25, plus the 8, and I think it has maybe less than 8 – 8.8 feet.

**Acting Chairman Dovell:** Is that your understanding, Buddy?

**Bldg. Inspector Minozzi:** It's correct.

**Acting Chairman Dovell:** Okay, that's correct. The next one is building coverage, which I think is incorrect just based on what we're graphically looking at here. It looks like it

complies.

**Mr. Abillama:** The building, the structure itself, complies with the building coverage. But the building coverage includes porch and structures that go beyond the roof structure, too. So once you count these, then you end up ...

**Acting Chairman Dovell:** But that's not represented on your drawing. I don't see that in the diagram here.

**Mr. Abillama:** Well, we show just the structures. But if you look, I can show you the survey, or the site plan, that was provided to us, and it shows some patios.

**Acting Chairman Dovell:** Is that correct, Buddy?

**Mr. Abillama:** I have ...

**Bldg. Inspector Minozzi:** Are we speaking about the structure that he's looking to build now? I'm a little bit confused, I'm sorry.

**Village Attorney Whitehead:** He's going item by item.

**Bldg. Inspector Minozzi:** Okay, gotcha. Where I think the mistake here is that you have 30 percent for a lot, for number 15, and 33 percent for number 13. Clearly, on the drawing – this drawing shown here – there's much more than a 3 percent difference. So there may have been a mistake on that calculation, I think, is what the acting chair is trying to say. Is that correct, Ray?

**Acting Chairman Dovell:** Yes, I think there's a mistake there. Because if you go to 15 High Street you're saying that it does not comply for building coverage, when we know for a fact that it does because we approved it at 28 percent, something like that.

**Bldg. Inspector Minozzi:** It was something to that effect.

**Acting Chairman Dovell:** And also, on 15 High, you're indicating that there's a 1.85-foot front yard when, in fact, it complies.

**Mr. Abillama:** As far as the ... I have to really get back to you on these numbers. We went through them over and over, and ...

**Acting Chairman Dovell:** Well, 15 High is clearly incorrect because this was before us and the front yard setback and building coverage was not a requested variance. So that's incorrect, that needs to be changed.

**Mr. Abillama:** Let me go back and ...

**Acting Chairman Dovell:** 41 Prince – then go to 41 Prince, which is across the street from 13 High – this looks ... you have no noncompliance for lot size, but you're saying a lot width is 50 feet, where 75 is provided. That clearly can't be the case, given what I'm looking at there.

**Mr. Abillama:** (Off-mic).

**Acting Chairman Dovell:** Okay, so that needs to be corrected.

Then you have a rear yard of 4 feet provided, 25 feet required – and I don't understand that – for that same property.

**Mr. Abillama:** On Prince Street, if you look back towards the rear, the rear has a 4-foot rear yard.

**Acting Chairman Dovell:** Is that correct, Buddy?

**Village Attorney Whitehead:** Depends what you call the front, because it's a corner lot.

**Bldg. Inspector Minozzi:** Not from what I was looking at. I agree with you on this one, Ray, 100 percent of the problems with this.

**Acting Chairman Dovell:** It's right at the corner of Prince and High.

**Bldg. Inspector Minozzi:** Oh, here it is. I mean ...

**Village Attorney Whitehead:** Depends what you call the front.

**Acting Chairman Dovell:** This could be a complying, or it could be a side yard noncompliance.

**Bldg. Inspector Minozzi:** It could be a side yard, depending on the way you look at it. The front door is facing Prince Street, but we don't know which way you want to call it.

**Village Attorney Whitehead:** Right. There is a noncomplying ...

**Mr. Abillama:** Either the rear ...

**Acting Chairman Dovell:** So I think that needs to be clarified.

**Mr. Abillama:** As far as the coverage, that's an oversight.

**Bldg. Inspector Minozzi:** This lot is certainly more than 50 feet wide.

**Acting Chairman Dovell:** Yes, it would have to be.

**Mr. Abillama:** As far as 15 Prince, I have to get back to you. At the end of the meeting I can look up the site plan that was proposed.

**Acting Chairman Dovell:** Well, the big one is the lot size and the lot width. 15 High Street we already talked about.

**Village Attorney Whitehead:** Well, 15 High Street, in your chart you say that it's got a complying front yard, but yet you highlight it as not having a complying front yard. And it clearly doesn't.

**Mr. Abillama:** That's what it is.

**Village Attorney Whitehead:** You say 25 feet. Down at the bottom you say it's a 25-foot front yard and it's clearly not.

**Mr. Abillama:** That configuration should have been updated because that was the previous house.

**Bldg. Inspector Minozzi:** The house that you're showing is the previous house.

**Village Attorney Whitehead:** Yes, that shouldn't be there.

**Acting Chairman Dovell:** Then going up the street, 17 High Street: it's lot area, lot width, and side yards I bet all looked okay. Then 27 High Street, there's combined front yards of 11.25 with 25-foot required. So there's a noncompliance there. Side yards of 30 feet where 40 required, and that looks correct.

Then we go to 28 High Street. Front yard 12.5, where 25 is required. This is, again, rear yard 6 feet, where 25 is required. I don't understand that.

**Bldg. Inspector Minozzi:** I agree with you.

**Village Attorney Whitehead:** They're not opposite. To be a front and a rear it's got to be opposite, even with a corner lot.

**Acting Chairman Dovell:** So this, the rear yard, complies is what you're saying, Buddy.

**Village Attorney Whitehead:** Either way.

**Bldg. Inspector Minozzi:** This rear yard, I don't have the survey with me but this rear yard does appear to comply.

**Village Attorney Whitehead:** Whichever one is the rear.

**Acting Chairman Dovell:** Okay, so this is not correct.

**Bldg. Inspector Minozzi:** Either direction. I mean, even though the front door does face Rose Street on this house – excuse me, this one.

**Mr. Abillama:** So what it is, instead of the rear yard it should be a side yard? One side yard and one front yard.

**Bldg. Inspector Minozzi:** That's correct.

**Village Attorney Whitehead:** I think the point is that there's a lot of errors.

**Acting Chairman Dovell:** Yes. Well, let's just finish. I'm getting there. 34 High Street, again it's the same. It says a side yard 8.5 and 30, but I guess that's just a function of the corner lot, Buddy?

**Bldg. Inspector Minozzi:** You're talking about 34 High Street?

**Acting Chairman Dovell:** Yes, 34 High Street.

**Bldg. Inspector Minozzi:** Yes. That, I think, is correct. I think I have that one written down as ... yes, I have that one down as I thought it was correct.

**Acting Chairman Dovell:** Okay. And 35 High Street is the same issue. No, wait a minute. 35 High, hold on. 35 High Street, 22 feet provided, 25 required rear yard. Yes, rear yard.

**Bldg. Inspector Minozzi:** I think that could be correct.

**Village Attorney Whitehead:** If the front is Rose.

**Bldg. Inspector Minozzi:** Yes, that could be correct.

**Village Attorney Whitehead:** If the front is Rose, that could be ...

**Bldg. Inspector Minozzi:** And again, this front door does face Rose Street on this particular house.

**Acting Chairman Dovell:** Then to 41 High Street, that looks correct. The only nonconformance is the 6-foot front yard, where 25 is required. 44 High Street, which is on the corner of High and James ...

**Village Attorney Whitehead:** No, 44.

**Acting Chairman Dovell:** 44, sorry.

**Bldg. Inspector Minozzi:** In the middle of the block.

**Acting Chairman Dovell:** Middle of the block, sorry. It's lot area, lot width – front yard and side yards. I didn't see any issues with that. Did you, Buddy?

**Bldg. Inspector Minozzi:** No, that one looks right.

**Acting Chairman Dovell:** 45 High Street, we understand what all the existing non-compliances are. Then 46 High Street, which is at the corner of James and High, it's lot area, it's lot width, it's front yard, it's rear yard, it's side yard, and it's building coverage. So this is a big, fairly substantial, house that doesn't ...

**Bldg. Inspector Minozzi:** We're pretty certain that this particular house is as it says because this one just got a variance not that long ago.

**Acting Chairman Dovell:** Right.

**Bldg. Inspector Minozzi:** And I gave him the current survey. So I think that house was correct.

**Acting Chairman Dovell:** Okay. Then 60 High Street, which is the opposite corner, it's front yard 15, rear yard 11; side yards 15; and building coverage 35, where 30 is ...

**Village Attorney Whitehead:** But again, something's wrong with the corner lot.

**Bldg. Inspector Minozzi:** Yes.

**Village Attorney Whitehead:** It's not the rear; I think it's the front and the side.

**Bldg. Inspector Minozzi:** Yes, this particular house faces ... the front door faces High Street.

**Village Attorney Whitehead:** The side and rear.

**Mr. Abillama:** Well, it's because it's showed as rear, too.

**Village Attorney Whitehead:** If the front yard is considered High Street, then the side and the rear are nonconforming, the total sides and the rear. If the front is considered James Street, the front and the side are not conforming.

**Bldg. Inspector Minozzi:** I think what the chair is trying to say is that whatever side you're choosing as the front you *have* to use the opposite ...

**Village Attorney Whitehead:** The rear is the opposite.

**Bldg. Inspector Minozzi:** ... as the rear. And we have a lot of mix and match here.

**Mr. Abillama:** But regardless, you have three nonconformities.

**Village Attorney Whitehead:** It's just we're trying to have accurate information in the record.

**Mr. Abillama:** Well, I understand. The object for this is to indicate how many nonconformities do exist. It's not a matter of trying to ...

**Acting Chairman Dovell:** Okay, well, we've ...

**Mr. Abillama:** I apologize for some of the mistakes we created, Mr. Chairman.

**Acting Chairman Dovell:** But we've already eliminated a bunch of them is the point.

**Mr. Abillama:** No, no, just one – just 15.

**Acting Chairman Dovell:** Let's proceed.

**Village Attorney Whitehead:** The front yard on 15.

**Acting Chairman Dovell:** So far. And 115 James, lot width 74.7 where 75 is required; front yard 10, which looks right; rear yard, I don't understand this at all. How could this be 16 feet versus 25? Is that not the same issue?

**Village Attorney Whitehead:** Mm-hmm.

**Bldg. Inspector Minozzi:** I don't see which one it is.

**Village Attorney Whitehead:** Which house, I'm sorry?

**Acting Chairman Dovell:** It's the corner of ...

**Mr. Abillama:** James and High.

**Village Attorney Whitehead:** 115.

**Bldg. Inspector Minozzi:** Oh, 115, sorry. Okay.

**Village Attorney Whitehead:** Again, it's either a side and the rear, or a front and a side, is the corner lot.

**Bldg. Inspector Minozzi:** The front's 10 feet.

**Village Attorney Whitehead:** Yes, the rear is conforming. If James Street is the front, the rear conforms and it's the total sides that are nonconforming.

**Mr. Abillama:** The side on High Street is not compliant, which is a front yard, and the front yard on James Street.

**Village Attorney Whitehead:** And the total of both sides.

**Mr. Abillama:** And total of both sides, and the other side.

**Bldg. Inspector Minozzi:** Which is 33, which is the same as the one we're working on. And another 33 is correct, but the rear complies.

**Mr. Abillama:** If we decided to use the front from High Street, then this works.

**Bldg. Inspector Minozzi:** Well, you did use the front from James Street, so the rear would be compliant in this particular case. According to your chart, your purple is 10 feet, which is the James Street side.

**Acting Chairman Dovell:** And then building coverage, I don't understand how we're at 38 percent. It just doesn't look right.

**Village Attorney Whitehead:** Deck's on the back.

**Bldg. Inspector Minozzi:** No, there's not on this house. This has two regular, natural patios in the back.

**Acting Chairman Dovell:** And are those included in building coverage now?

**Bldg. Inspector Minozzi:** No, because they're natural. They're not manmade.

**Acting Chairman Dovell:** Yes, they're not included.

**Bldg. Inspector Minozzi:** They're just gravel.

**Acting Chairman Dovell:** So I can't imagine that's correct.

**Bldg. Inspector Minozzi:** He's saying it's 38 percent building coverage, almost 40 percent. It could be close. No, not really.

**Acting Chairman Dovell:** Is the diagonal line going through that part of the lot, or not?

**Mr. Abillama:** I don't know. That, I can't tell.

**Bldg. Inspector Minozzi:** *That* is a really good question that I don't know the answer to, sir. I truly believe that that diagonal line is Mrs. Drewes' old house on the corner. I think that's her property.

**Mr. Abillama:** Which is not 115, or ...

**Bldg. Inspector Minozzi:** No, it's around the corner, up and behind. I don't believe that that corner belongs to this house.

**Acting Chairman Dovell:** So just based on the gray block there that is the representation of the house, it looks like it's certainly less than 38 percent. Then 103 James, this is not a corner lot. You're representing the rear yard at 5.6, which I don't understand.

**Bldg. Inspector Minozzi:** Yes, I have to completely agree.

**Village Attorney Whitehead:** If the rear yard's conforming.

**Bldg. Inspector Minozzi:** It's conforming.

**Acting Chairman Dovell:** And the side yards, it's 13.5. That's the total number? Just graphically it doesn't quite look right but, you know, maybe that's ...

**Bldg. Inspector Minozzi:** You're showing 103 James as having ...

**Village Attorney Whitehead:** As being a corner lot, so that's wrong.

**Bldg. Inspector Minozzi:** ... a corner lot, and that's wrong.

**Village Attorney Whitehead:** It's 33 isn't the required.

**Bldg. Inspector Minozzi:** No.

**Village Attorney Whitehead:** Because it's not a corner lot.

**Bldg. Inspector Minozzi:** In this zone it would be your 30 feet, not your 33.

**Acting Chairman Dovell:** Okay, so it's a nonconformance in any event.

**Village Attorney Whitehead:** Yes.

**Acting Chairman Dovell:** Okay, but for the rear yard it's not a rear yard.

**Village Attorney Whitehead:** The rear yard complies.

**Bldg. Inspector Minozzi:** Your rear yard definitely complies here.

**Acting Chairman Dovell:** Then 105 James, the issue I had here is that you have a rear yard of 5.6 feet, which can't be right.

**Bldg. Inspector Minozzi:** That can't be right.

**Village Attorney Whitehead:** Again, the rear yard complies.

**Acting Chairman Dovell:** Then to 114 James, which is adjacent to 41 High, you have a rear yard of 1 foot where 25 is required? That just doesn't look right. I'm not saying there isn't a ...

**Mr. Abillama:** There's a shed in the back there.

**Village Attorney Whitehead:** But a shed is an accessory structure. It's different.

**Acting Chairman Dovell:** And you have a side yard of 1 foot where 8's required, and I don't think that's correct at all.

**Boardmember Quinlan:** That can't be.

**Mr. Abillama:** That's the shed, again.

**Acting Chairman Dovell:** I don't see a shed on the drawing.

**Village Attorney Whitehead:** So it shouldn't be for the shed because the shed has different setbacks and it's not the main structure.

**Bldg. Inspector Minozzi:** It's an accessory structure.

**Village Attorney Whitehead:** Which should be listed in the main structure.

**Acting Chairman Dovell:** Then 110 James, down the street. Again, you've got a rear yard of 5.6 where 25 is required. That must be the same issue.

**Village Attorney Whitehead:** That's for the garage.

**Bldg. Inspector Minozzi:** For the garage.

**Mr. Abillama:** That's the garage. I don't know if that's accessory.

**Bldg. Inspector Minozzi:** Again, it's the accessory structure where it's causing our problem.

**Mr. Abillama:** Okay.

**Village Attorney Whitehead:** Yes, I think you need to be focused on the main structure.

**Acting Chairman Dovell:** It's the main structure we're interested in.

**Village Attorney Whitehead:** The rear yard complies. The side and the front don't, but the rear does.

**Acting Chairman Dovell:** Then the rear. For 104 James you've got the rear yard at 5.6. I don't see anything in the back there, right?

**Bldg. Inspector Minozzi:** That's correct, sir.

**Mr. Abillama:** I'm sorry, 104?

**Bldg. Inspector Minozzi:** 104 James, yes.

**Acting Chairman Dovell:** Then on 100 James, the front yard says 5.6 where 25 is required. It's just hard to see what's going on there. But looking at the picture of the house ...

**Mr. Abillama:** It's less than 25.

**Acting Chairman Dovell:** It's more than 5.6.

**Village Attorney Whitehead:** Anything that's measured to an accessory structure should be changed to be to the primary.

**Acting Chairman Dovell:** Then side yards 6 feet – I guess that's correct – where 8's required.

**Bldg. Inspector Minozzi:** If 104 is 25, then 110 can't be 20. Not the way it's shown here.

**Mr. Abillama:** I have to go back to the surveys.

**Acting Chairman Dovell:** Okay. But the variances that you're asking for – and it especially is troubling when we're trying to balance the benefit to the applicant versus the neighborhood – we have good information to rely on both to make our decision and for the record. This absolutely needs to be corrected so we have a clear representation of exactly what it is.

**Mr. Abillama:** We'll do the correction. But my point is that in general, when you look at the whole neighborhood, you have the totality of the neighborhood.

**Acting Chairman Dovell:** I understand that, but I want to keep ...

**Mr. Abillama:** We're not trying to do a scientific study.

**Acting Chairman Dovell:** No, I disagree with you. We need accurate information. Every applicant that comes before us for a significant variance such as this one provides us with accurate information. And we rely on that information. We don't go plus or minus, and we don't go, "Well, maybe that doesn't apply, maybe this does." It has to be accurate information.

So I think we should keep going through the submission. But what is lacking, on top of the issues with that – with drawing A-8 – I would like to focus for a minute on your drawing. And this is a request that we made for a streetscape elevation, which is drawing A-10. This is a hand sketch; this is not a drafted elevation. And it's lacking information on it comparing one house to the other. This, to me, is not sufficient for making a decision on something as important as this.

Furthermore, you've done one street; you've done High Street looking back at the house. Before we can even begin to talk about neighborhood character – and this is entirely to help you to try to make your case for neighborhood character – it's the other street elevations. I think that you need one looking the opposite direction on High Street, and I think you need a streetscape elevation on James Street looking both at 45 High and opposite 45 High.

The reason I'm asking for this is because these houses, some of these houses, are significant. This is, in a way, to help gauge neighborhood character. We simply don't have enough to do that right now. There is not enough information to compare house-to-house on these two streets. So it's just not ... I mean, you did provide some information on an unlabeled drawing here, but it's not complete. It doesn't show us the whole picture. It doesn't quantify what it is we're looking at.

I think, at minimum, you have to take this request seriously and you have to prepare streetscape drawings which are going to give us accurate information upon which we can

then evaluate. There's simply too much at stake here to begin to make a decision on something as important as this without this information.

**Mr. Abillama:** Mr. Chairman, when we first brought in this proposal you mentioned something about liking to see the coverage complied with and the height complied with, and you gave us an idea how to come up with a maximum floor area – self-imposed maximum floor area. You said if you do that ...

**Village Attorney Whitehead:** No.

**Acting Chairman Dovell:** No, I didn't say that. I didn't say that. To me, that is the maximum floor area that's permitted on any lot. It's determined by coverage and by height. You cannot exceed that. There's no rationalization for you to take more than that. That's the price of admission to this discussion.

**Village Attorney Whitehead:** No one ever said you were fine if you did that. It was a suggestion.

**Mr. Abillama:** What I said is that the chairman asked us to do something, come back with something, and we came back with that.

**Village Attorney Whitehead:** But still, now they have to look at that revised plan in the context of what the law requires them to look at, and the balancing, and the context of the neighborhood. They wanted that plan as a start. They were basically telling you we're definitely not going to approve anything that exceeds that, come back to us with that and we'll look at it.

**Mr. Abillama:** But is that all there is? I mean, that's my request is to ask me for everything that you like.

**Acting Chairman Dovell:** We requested ...

**Village Attorney Whitehead:** You've been asked for this several times.

**Acting Chairman Dovell:** We requested from you streetscape elevations drawn to scale. Photomontages, that's not a streetscape. That is one portion of a streetscape of the surrounding areas. You need to take this request seriously. You need to provide the information.

**Mr. Abillama:** Okay. But if you look at High Street ... please, Mr. Chairman.

**Acting Chairman Dovell:** You have a portion of High Street there. You haven't ...

**Mr. Abillama:** But the other house is covered with trees.

**Acting Chairman Dovell:** Give me the information, let us determine whether it's relevant or not, okay? We have asked for some simple things, you have not delivered them. This drawing had to go through ... you asked why it's taken us so long? This went through two or three iterations before we even got to this point.

**Mr. Abillama:** I believe that the general nature of that drawing indicates that there are several ... most of the houses have non-compliances.

**Acting Chairman Dovell:** We understand that, but what we need to do is understand the degree of them in comparison to one another to make a determination, to make a balance on the appropriateness of this fitting in to the neighborhood context. And you have not given us that information.

**Mr. Abillama:** Okay. I'm not arguing with you, Mr. Chairman, but my point of view is that we are brought to become surveyors and street analysts of the whole neighborhood. When we deal with one house, one variance, then we have to deal with the neighboring properties – two on each side or one each side – but not providing elevations for the other side of the street. And then for the other side, so three elevations.

**Acting Chairman Dovell:** Other applicants asking for this degree of variance have provided this information to us.

**Mr. Abillama:** Has there been something like ...

**Village Attorney Whitehead:** It's about the character of the neighborhood, and the neighborhood is both sides of the street and all of the ... it's the neighborhood, it's the area.

**Mr. Abillama:** See, I've seen applications ...

**Village Attorney Whitehead:** It's not just the immediately adjacent homes.

**Mr. Abillama:** I've seen applications with photographs of the street and the building in context with it.

**Village Attorney Whitehead:** You could do that. *That* hasn't been provided.

**Acting Chairman Dovell:** No, that hasn't ... we asked for that, as well – a photomontage.

**Mr. Abillama:** So do you need photomontage or do you want a real study of everything?

**Acting Chairman Dovell:** You could create a photomontage that scales out, that is to scale, which you can do. That's suitable. But please take this seriously.

**Mr. Abillama:** I'm taking it very seriously, and every time I come back there's something else.

**Acting Chairman Dovell:** Well, I beg to differ because the hand sketch that you gave us does not indicate taking us extremely seriously.

**Mr. Abillama:** It describes everything that's happening on that street.

**Acting Chairman Dovell:** Well, it's a hand sketch, there's some issues with scale that Joanna has brought up. Anyway, we're trying to get you to the finish line. Nothing would make us happier than having this case settled, but you have to help us.

**Mr. Abillama:** Yeah, okay. Then I'll come back with a photomontage. Would that be ...

**Acting Chairman Dovell:** We need to see this corrected and accurate, so Buddy can say it's accurate, so we understand what actually is happening here. You need to hear what other members of the board are going to say. I'm not the only member here; everyone here has a vote. But for the photomontages, we'd like you to indicate what the variances are on them just so it's easier for us and we don't have to go back and forth. I think it's a simple request on what the non-conformances (ph) are.

I think with that, I think you've heard enough from everyone.

**Mr. Abillama:** A rendering? Can we create a rendering of the ...

**Village Attorney Whitehead:** If it's to scale.

**Mr. Abillama:** To scale, of course.

**Acting Chairman Dovell:** That's fine, but take it far enough down so it does show the whole context of the street. You can look at this drawing that I have here. It shows what I think is needed.

**Mr. Abillama:** High Street both sides, James Street both sides.

**Acting Chairman Dovell:** Correct. Across the intersection.

And with that, I think we should hear from other members of the board. Jerry, do you want to ...

**Boardmember Quinlan:** I have no comment at this time.

**Acting Chairman Dovell:** Do you want to talk about what you see are the issues here that would get in the way of an approval? What are your thoughts about the application in its current form?

**Boardmember Quinlan:** Well, I think the difficulties were self-created. It's a small lot that the buyer was aware of, and this is relevant to our decision but not dispositive. But it's certainly relevant. To me, so far, the information I have creates a detriment to the nearby properties. The next door neighbor, who's here every meeting – at 115 is that, 114? – and across the street at 44 High, and many other people have appeared in opposition to the size of the project. You know, who would know better than the neighbors? Do we substitute judgment for the neighbors about whether it's a detriment to the neighborhood?

And most of all, again there is case law that just because everyone's complaining about it doesn't mean it's a detriment to the neighborhood. But I haven't seen any proof that it's not a detriment to the neighborhood. I just want to point out that it's interesting about all these statistics about nonconformity – nonconformity here, nonconformity there – when you have to understand that most of these properties were built before the zoning law.

When they were built they were okay. Now all of a sudden they're nonconforming, but that's not the owner's problem. They're nonconforming, they're grandfathered in. I mean, there are nonconforming lots all over Hastings because this village was created long ago. The houses were built, and you're dealing with variances and you're coming when there *are* zoning laws and there are laws and there are rules. So that's not a big argument to me that a lot of these houses were built before there was zoning.

Last but not least, at least in my opinion the requested area variances are substantial. The front yard is 64 percent, the rear yard is 53 percent, the lot area is 62 percent, and both side yards are 42 percent. I think that sets a definite problem with a precedent. If we're going to approve those – the number and the percentage of the variances – the next person's going to come in and say, "Well, on 45 High you approved four variances that were extremely high,

three of them over 50. I'm now doing that, so are you going to follow what your precedents are or not?" And we're going to be stuck on that. So I'm worried about that.

That's it.

**Acting Chairman Dovell:** Joanna?

**Boardmember Berritt:** Yes. At the last meeting we decided now that we had a building that started to reach some of the guidelines that Ray had given you in terms of size, and that the next thing was to consider neighborhood character. As I started looking at this diagram, and realizing that a lot of things were inaccurate, I also started looking at the drawings – the representations that you put together – and spent some time in the area. Right now, I don't know what I'm looking at. I don't have enough accurate information to be able to assess the situation. The representations that you have of the house I think are misleading.

**Mr. Abillama:** Of the house?

**Boardmember Berritt:** Of the property that you're proposing.

**Mr. Abillama:** Misleading in what sense?

**Boardmember Berritt:** I think they have to be to scale. I think they have to be – as Ray suggests – the layouts that he suggested so that we can see. I think there's a lot of artistic license. We keep looking at these renderings. They're very compelling, they look great, but when you actually get to the site they bear no relationship to what's actually there.

So they need to be to scale, they need to be accurate to what we're actually trying to make a decision on because otherwise we don't have information. We're not trying to make it difficult, we're trying to have accurate information so that we can make an accurate decision. And right now, if anything I've gone backwards from where I was last time because I really start to question a number of things.

So the scale. You know, these are not wide streets, they're very narrow streets. They're not boulevards with estate houses set back in leafy ...you know, that's not the nature of what we're looking at here. It's a very small, tight community, for the most part fairly low properties. And I want to be able to accurately assess the impacts on the neighborhood character and the detriment to the people around.

**Boardmember Nivarthi:** According to other boardmembers' comments, we have seen so many iterations and presentations of what you're proposing to do that it's very difficult for us

to actually make any judgment because there are just so many versions of this. One version, this is what we are intending: we're starting from the plan, elevation, everything. What has been done in the past, we don't need to see all four variations every time. It just confuses everything. *This* is what we are proposing in this lot, this is the final thing of what we're asking, and accurate information to scale.

**Village Attorney Whitehead:** I just want to address one comment that you made earlier about the existing house and if you raise the second floor. Just so you understand, that would require a variance.

**Mr. Abillama:** Right.

**Village Attorney Whitehead:** Okay. You know, it's not like you could do that as-of-right. It would still be here for variance because you're putting more bulk into that setback. I think that's the concern this board needs to be comfortable with. That the bulk of this house, which puts more bulk in the setback, is consistent with the character of the neighborhood. I think that's sort of what they're trying to be able to understand. That's why they want accurate representations of that bulk in the context.

**Boardmember Quinlan:** I agree.

**Mr. Abillama:** So if I may, when I mentioned the raising of the second floor I understand that it requires variances. The commissioner, Commissioner Quinlan, mentioned the last time that he might be able to approve some variances on additions and what have you. But that's what would have entailed if we had to raise the second floor on this house. The same variances, if not more, would be requested.

**Village Attorney Whitehead:** But I don't think anybody's asking you to do that.

**Mr. Abillama:** But what I'm saying is to keep things in context with everything else. If we're not proposing this house, and we're keeping our eyes closed on how the house looks like, and if you're just raising that second floor, we would be with excessive.

**Village Attorney Whitehead:** And they might have the same issues with doing that.

**Mr. Abillama:** I know. But then what happens to all these houses that are nonconforming that require additions and raisings?

**Village Attorney Whitehead:** No one's saying you're not going to get any variances. We recognize that because of how undersized this lot is I don't think anybody would question the

fact that you can't build anything without a variance. What they want to make sure is that it's the right house that fits and isn't going to have an impact on the character of the neighborhood.

**Bldg. Inspector Minozzi:** A negative impact.

**Village Attorney Whitehead:** A negative impact on the character of the neighborhood. Which is what the law says they're supposed to analyze.

**Boardmember Quinlan:** I mean, it's not even a building lot. So it's smaller, but you're permitted to build something there because something was built there before. It doesn't have to be as small as the house that's there now. I think everybody would like to see something better than a rundown house. I certainly would and I don't even live in the neighborhood, but I'm sure everybody would.

The question is what is the size – what is a reasonable size – for that lot, on that spot, in relation to the neighborhood, in relation to the lot. And you're going to get variances, you have to get variances. Believe me, if you sat here long enough you'd see that most applications are granted; 90 percent probably, maybe higher. So think about that.

Ray, do you have anything to say except ...

**Acting Chairman Dovell:** No, I think everything has been said that we need to say. You know, I would encourage you just to do the analysis and to take to heart what everyone has said about neighborhood character and about impact on the corner.

**Village Attorney Whitehead:** Let's take public comments. They're here.

**Acting Chairman Dovell:** Does anyone from the public wish to be heard? If it's going to be a repeat of last time we have notes on it from last time, but if you have something new to add we would most welcome it.

**Male Voice:** Will there be a vote today, or is that to be determined later?

**Acting Chairman Dovell:** We could bring it to a vote.

**Mr. Abillama:** I'd like to adjourn 'til next month.

**Acting Chairman Dovell:** Okay.

**Male Voice:** No comment. I think you can adjourn.

**Acting Chairman Dovell:** Anyone else wish to be heard? Okay, with that we'll adjourn.

**Mr. Abillama:** Thank you very much.

**Acting Chairman Dovell:** Thank you.

*[ Chairman Collins resumes chairmanship ]*

## **II. APPROVAL OF MINUTES**

**Regular Meeting of February 28, 2019**

**Regular Meeting of March 28, 2019**

**Chairman Collins:** All right, before we adjourn we have the matter of the minutes for both the February and the March meetings.

**Bldg. Inspector Minozzi:** Yes, sir.

**Chairman Collins:** I found a couple of corrections with, I believe, the February meeting minutes. I forwarded both of those to the building inspector.

**Bldg. Inspector Minozzi:** Mary Ellen received them.

**Chairman Collins:** Does anyone else have any amendments or corrections to the meeting minutes that they wish to submit?

**Boardmember Quinlan:** I wasn't at the February meeting.

**Boardmember Berritt:** I wasn't either, and March as well.

**Chairman Collins:** I mean, they were both the shortest minutes. I think March is the shortest, and February was the second-shortest I've seen.

**Boardmember Dovell:** I was here in February, but not in March.

**Chairman Collins:** Well, the minutes would show that you didn't miss much. They were really short. All right, so can I get a motion to approve the minutes, as amended? Can we do that all in one, or do we need to vote on the minutes ...

**Village Attorney Whitehead:** Well, the problem is Jerry wasn't here for February.

**Boardmember Quinlan:** Oh, so I can't vote.

**Boardmember Berritt:** Which one wasn't I here for? I don't know.

**Chairman Collins:** I don't think you were here for March. So we'll do them in order then.

**Boardmember Berritt:** Sorry.

**Chairman Collins:** No, that's okay. So can I get a motion to approve the February minutes, as amended?

On MOTION of Boardmember Berritt, SECONDED by Boardmember Dovell, with a voice vote of 4 to 0 [Boardmember Quinlan abstaining] the Minutes of the Regular Meeting and Public Hearing of February 28, 2019 were approved as amended.

On MOTION of Boardmember Quinlan, SECONDED by Boardmember Nivarthi, with a voice vote of 3 to 0 [Boardmembers Berritt and Dovell abstaining] the Minutes of the Regular Meeting and Public Hearing of March 28, 2019 were approved as presented.

### **III. ANNOUNCEMENTS**

**Next Meeting Date – May 23, 2019**

**Boardmember Berritt:** Sorry, just to say I'm here at the next meeting.

**Chairman Collins:** You will not be here for May.

**Boardmember Berritt:** I'm away for May.

**Boardmember Dovell:** Lucky you.

**Boardmember Berritt:** I don't know where I am.

**Chairman Collins:** That's the 23rd. For the May meeting – well, we may want to rethink this now – I had asked Buddy to collect the issues that we discussed in February regarding cleanup of the zoning code. We covered four, I think, different topics in February. And I had asked Buddy to find an agenda that wasn't too already overloaded for us to have that conversation, but with the full complement of the board here. Jo, with you not being here I would be inclined to perhaps look to June.

**Bldg. Inspector Minozzi:** Okay, go to June on that? Because you do have a couple of cases coming in next month.

**Chairman Collins:** I'm sure.

**Boardmember Quinlan:** When's the meeting in June?

**Village Attorney Whitehead:** June is the 27th.

**Boardmember Quinlan:** I may not be here.

**Chairman Collins:** Well, we can take stock of this again in May.

**Village Attorney Whitehead:** And just so you know, the Board of Trustees – the new mayor – has made, again, cleaning up some of the zoning things a priority. We have a list, which does include both Ray's recommendations on the MR-2.5 ...

**Chairman Collins:** Floor area ratio and MR-2.5.

**Village Attorney Whitehead:** The floor area ratio for all residential districts.

**Chairman Collins:** That's the big one.

**Village Attorney Whitehead:** That is on the list already because Ray has spoken to me about it. And we are also going to be working with the Village's new planning consultant on some of that. Ray, I'll probably put him in touch with you to look at some of these.

**Boardmember Dovell:** That'd be great. Well, we'll find the right time when we can get everybody here to cover some of the additional ones.

**Bldg. Inspector Minozzi:** I made a note for Mary Ellen to take it off next month's agenda.

**Chairman Collins:** All right, very good.

**Boardmember Quinlan:** So I can just bring up one thing? If Joanna is not going to be here in May, and you have to recuse yourself, that would leave four, I guess.

**Chairman Collins:** Presuming there are no other absences though.

**Bldg. Inspector Minozzi:** Right.

**Chairman Collins:** Which can happen. We don't know what Carolyn's availability is.

**Village Attorney Whitehead:** Well, let's see if they even get in the proper ...

**Boardmember Quinlan:** I'm just saying I don't know. You're the chairman, but do we want a full board, or four. What do they want? I don't know.

**Village Attorney Whitehead:** We haven't had a full board in a long time.

**Chairman Collins:** But does the chair ... I mean, I would be recusing myself so whoever is second would have to make this decision. But does the chair of the Zoning Board have the flexibility to say that we must have five to proceed?

**Bldg. Inspector Minozzi:** No.

**Village Attorney Whitehead:** No, it's up to the applicant.

**Boardmember Quinlan:** It's up to the applicant.

**Village Attorney Whitehead:** I know in the past when we were going to be short people Buddy has asked the applicant.

**Chairman Collins:** Something to keep in mind. That's fair.

**Boardmember Quinlan:** And it's nice to know before.

**Village Attorney Whitehead:** I think that's what we did with February. You asked the applicant.

**Boardmember Quinlan:** It's nice to know before because people don't come out, you know.

**Chairman Collins:** I led with that in the meeting, too.

**Village Attorney Whitehead:** Yes. In February, when we knew we were short, Buddy asked the applicant and they adjourned. So I think that's the right way to do it when you know you're going to be short people.

**Chairman Collins:** Well, that's the next meeting, right?

**Bldg. Inspector Minozzi:** As we get closer to the meeting we'll see what happens.

**Village Attorney Whitehead:** I mean, I would definitely offer that if you only have three. When you have four ... they can always adjourn.

**Boardmember Quinlan:** And always a contested and non-contested.

**Village Attorney Whitehead:** The problem is, sometimes – and it is really up to the applicant – if you wait to have five you'll be waiting a long time. We thought we were going to have five tonight. Carolyn had an emergency. But it's up to them.

**Chairman Collins:** Well, we know right now there'll be four. So that's information you can get to them even before we find out, or you find out, how far they get in their second crack at this analysis.

**Village Attorney Whitehead:** And then there may only be four also in June. Jerry, you said you don't think ...

**Boardmember Quinlan:** I don't know. I might be going down to Texas, but I'll have to see.

**Chairman Collins:** All right. Does anyone else have anything else they'd like to talk about?

**Boardmember Quinlan:** I don't think they'd mind if I was not here.

**Village Attorney Whitehead:** I wasn't going to say that.

[laughter]

**Chairman Collins:** Anything else?

#### **IV. ADJOURNMENT**

**Chairman Collins:** All right, we're adjourned.

**Boardmember Quinlan:** Good.