

TOWN OF DOVER ZONING BOARD OF APPEALS SPECIAL MEETING HELD ON WEDNESDAY, August 20, 2008, AT 7:00 PM AT THE DOVER TOWN HALL:

PRESENT: Chair Marilyn VanMillon
Member George Wittman
Member Rosalind Cimino
Member Anthony Fusco

Also in attendance was Secretary to the Board, Maria O’Leary and Attorney Michael Liguori of Hogan and Rossi.

Chair VanMillon called the meeting to order at 7:05 pm and began with the Pledge of Allegiance.

Chair VanMillon read the first item on the Agenda as follows:

Possible Final Decision - **CAMP RAMAH** – Z 2008-02 – Applicant seeks two area variances to appeal Section 145-11 B. of the Town of Dover Zoning Law. The requested 9,576 sq ft area variance and the requested 25’ area variance would, if granted, allow the applicant to erect a gymnasium on the property without meeting the required 6,000 sq ft maximum and the required 40’ front yard setback from Ramah Road for the RU district. This property is located at 91 Ramah Road, Wingdale, NY, on tax grid #132600-7161-00-610450.

In attendance were the applicant, Joe Zarecki of Zarecki & Associates and Rabbi Resnick of Camp Ramah.

Chair VanMillon asked if there were any comments from the Board.

Member Wittman: I do have some concerns. I know we discussed a number of possible conditions to attach to the variances, which will include the vegetative screening and sound proofing; the ones that have a real concern to me are the ones involving noise. There is some sort of a presumption, I suppose, that if the variance is granted for this building, that the noise would be diminished, but I’m not sure that that can be guaranteed. Rabbi Resnick stated in public comment that he would *try* to do that, but apparently that hasn’t worked very well because we continue to get complaints about noise. Also, the fact that in spite of the noise regulations that are there, there is to be no excessive noise after 9:00 pm; it continues to go on into the wee hours. I don’t live near by, so I haven’t heard it myself, but we’ve had numerous complaints about it and we have also have had a number of people who have stated here at the public hearing that fact, and I know that the Rabbi was here and heard some of the complaints and said that he was surprised that, I don’t want to misquote him, but it was something that he did not realize that there were as many people who were concerned about it and that it was a problem; am I more or less correct at saying that, Rabbi, I didn’t say it exactly the same, it’s in the record. (Rabbi nodded, yes).

The point is that we have a very sizeable variance here and I would rather it be stated that it is a 6,000 square foot maximum that’s allowed in the RU district, the requested variance is for a building that’s going 15,576 square feet, which is a 9,576 square foot variance, 169.6% over what is permitted; now, that is an enormous variance by any stretch of the imagination. So, these are the things that have a big concern for me, particularly where it comes in with the noise

and also with the sheer size of this variance. The other variance for the 25' for the road, I really don't have a problem with, but I do have problems with the things I just talked about.

Member Cimino: My initial concerns were from the initial direct variance that we got, that we are outside the purview of what the Zoning Board can do, and I'm not really clear; I've had four years of Planning Board experience, and when I go to the Zoning Board, it's a little different, probably a lot different. I think that since the application is concurrently in front of the Planning Board also, that I think the more we keep to what we need to do on the Zoning Board and put the outside items or issues in a strongly worded letter to the Planning Board and to the Town Board, I would rather do that.

There's another concern I have that wasn't even brought up, and that's that on August 6, there was another complaint about flashing lights, and that wasn't even brought up during the public hearings. There's a lot of things, and like George said, it's a huge variance, and in theory, you would think that bringing them inside would mitigate some of those problems, but there's no guarantee that it's going to do that and I'm concerned that it could exacerbate the problem and I just want to make sure that what is on the variance is in our scope to grant.

Attorney Liguori: I took a look at the Town's Zoning Code and Section 145-59 expressly permits the imposition of conditions and that was something that was appropriate to take a look at.

Member Cimino: Any conditions that the Board feels reasonable?

Attorney Liguori: It says, "... impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of this chapter and shall be imposed for the purpose of minimizing any adverse impact that the variance may have on the neighborhood or community," and I would just say to the Board as a policy that whenever there is going to be the imposition of a condition, here we have, I don't want to say a unique situation, it's probably more the norm where you have an application before the Planning Board and the ZBA, so I understand the philosophical issue that you have is, is it Planning or is it Zoning.

Member Cimino: If we impose conditions on the variance that have to then be implemented into the site plan by law, I would assume at the Planning Board level, does that affect the enforcement of it, not that it doubles the enforcement of it.

Attorney Liguori: It guarantees the enforcement because it's something that's on the site plan.

Member Cimino: So, it's not just site plan enforcement, its ZBA variance enforcement.

Attorney Liguori: It's variance enforcement. You may want to consider what the Planning Board has recommended on the site plan, and that's something that the board may want to consider, which is similar to something that we do with the ARB where we said to the applicant, why don't you let the Planning Board complete SEQRA and make a determination as to all of the environmental impacts, one of which would be visibility.

Member Cimino: If we do that and then we decide not to give them the variance then they've just expended how much money to get a "no".

Attorney Liguori: Yes, and we're looking at a "chicken and the egg" thing and that's the difficulty about applying for a variance when there's a site plan approval that's connected to it.

Town of Dover ZBA Minutes – August 20, 2008

Member Cimino: And, also, we've closed the public hearing so we have a 62 day window, correct?

Attorney Liguori: I think it's not only appropriate, but it's imperative to the Board if they impose conditions.

Member Cimino: Would screening be an acceptable condition?

Attorney Liguori: The language of Subsection E is very broad, it says, "... such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property."

Member Cimino: So, then I would think that's reasonable because it was brought up with the site from the Appalachian Trail.

Member Wittman: It was, and also the applicant's engineer agreed to that.

Attorney Liguori: It's also a result of you making your determination as to whether the benefit to the applicant outweighs the detriment to the health, safety and welfare of the public. If a condition is something that you think you're going to impose it, it is going to offset the detriment to the public health, safety and welfare, then the argument is that it's reasonable.

Member Cimino: I know you haven't been here for the last few meetings on this, but the public is really upset with the Camp at this point, and I just want to make sure that we're not granting a variance that's going to make the problem so much worse and I'd really like if we could make this variance with the conditions that is as strongly worded as possible.

Attorney Liguori: I also recommend to the Board that you go through conditions that are set forth in Subsection D and elaborate on whether an undesirable change will be produced in the character of the neighborhood. Hypothetically, if you voted "no" to the variance, you would want to elaborate why you did that, so there is a basis for the record so that you can show that, not just for your own protection, but to show to everyone that you did not make an arbitrary, capricious decision and really examine the criteria. You weigh all the comments of the public against the benefit to the applicant by the granting of the variance and came to a rational conclusion.

Chair VanMillon: My biggest thing is the noise and if they're using amplification devices, do they have a special permit given by the Town Board to use these devices?

Attorney Liguori: They're in front of the Planning Board, in theory, in a perfect world, an amendment to the site plan would trigger a review of the entire plan for conformance with all of the sections of the Town Code.

Member Cimino: Which I think that's what they're doing in front of the Planning Board now, and I only know that because I tape the meetings.

Attorney Liguori: So, in connection with the approval of the amended site plan, I would think that the applicant use things that now require a permit, let's say that they did not before, but now they are required to, that they would have to obtain a permit for the continued use or, maybe you could make an argument about the continued use, but any new use, so if there is going to

Town of Dover ZBA Minutes – August 20, 2008

be any loud speaker system in connection with the gymnasium, and I don't want to say whether it's indoor or outdoor, but the variance is only for the excessive area. Your determination is really the conditions, provided you follow the Code, and should relate to, what is this extra area; it's very difficult to separate the use out.

Member Cimino: If we put conditions on the variance that reiterate what the Code says, is that helpful? I know it's in the Code and I know that we've said that for noncompliance of the Code, but if we reiterate some of them like we did here where it's noise ordinances, they're in affect already, but you must adhere to them, if we reiterate that and reinforce it in the variance, is that appropriate?

Attorney Liguori: Certainly. What it does do is provide the ability for the Zoning Enforcement Officer to go out there, investigate a complaint, and if they determine that a violation has occurred, then technically they could say, "We'll revoke your variance," you can't close the barn doors after the horses are out; if the building's built, it's built.

Member Cimino: Right. What if they have their variance and they're still in front of the Planning Board and they're still continuing not to comply with the Code in other areas, does that matter?

Attorney Liguori: Then they would be in violation.

Member Cimino: We're deliberating whether to grant a variance for a camp that complaints are still pouring in. On August 6, there was another complaint and there's also Sheriff's involved in it, so here we are now deliberating whether to grant a variance and there's complaints still happening, it's not like it stopped.

Attorney Liguori: What we need to do is determine if the complaints are over something that the Town has jurisdiction over.

Member Cimino: It's consistently noise and now it's flashing lights.

Attorney Liguori: I don't know if there are any laws against flashing lights so we need to consider that. The Board needs to temper the fact that this use is permitted, and since the use is permitted, it makes sense that overnight camps will create noise, but we have a noise ordinance.

Member Cimino: My initial thinking was, maybe with the inception of this big building, then the noise would be lessened because they'll bring it inside, but there's nothing to say that that has to happen. Can that be a condition that they bring everybody inside at 9:00?

Attorney Liguori: Are there activities that go on after 9:00?

Member Cimino: Yes, but there's not supposed to be.

Chair VanMillon: Supposedly, it's the counselors that are making the noise after 9:00, not the kids.

Attorney Liguori: I'm recalling the minutes from June that says that the camp counselors, that's when they get their free time. The noise ordinance does say that we shouldn't have excessive noise after 9:00 p.m. then I think there's a rational relationship between that condition and that ordinance, so you may consider that.

Town of Dover ZBA Minutes – August 20, 2008

Member Fusco: I was just concerned about the noise, also.

Chair VanMillon: My next question for the Board is do we feel comfortable at this meeting granting or denying the variance or would you prefer to dig deeper into the conditions and restrictions and make a decision at the next meeting.

Member Cimino: Rabbi, do you know how far along you are in the Planning Board process?

Rabbi Resnick: We're in front of the Board, but we're actually waiting for the variance to go further with the site plan.

Member Cimino: So, there are no new submissions and you're not on their Agenda until you get a variance?

Rabbi Resnick: We have to get a new submission to keep the process going, but this is an interval part of the process.

Member Cimino: I have two versions of a draft variance, and I just got comments tonight.

Chair VanMillon: Tom's (Jacobellis) comments are in the 2nd variance. What happened was, this correspondence went back-and-forth because the original variance was cut off, and then the comments went to Tom, Tom came back with this and then this was incorporated to the final variance.

Member Cimino: Is September within our 62 day time frame?

Chair VanMillon: Yes, it is.

Member Cimino: I don't want to drag this out, but I would also like to make sure that all the conditions that we want to place on here are appropriately placed and I have two draft versions and I have an e-mail that I just got, so I wouldn't feel comfortable putting it all together this evening, and as long as we're within the 62 days, I would feel better putting it off.

Chair VanMillon: We will hold off on our decision for Camp Ramah until the September 17th meeting.

Attorney Liguori: Also, if there is other information that you're looking for from the applicant, you can request it of Curt.

Member Cimino: It will all go away when the kids go back to school, so next month it will probably be a non-issue, but next year, they'll look at the variance that was granted or denied and we'll be right back here, maybe, I don't know, if we don't do our job correctly, so I just want to make sure we're "dotting all our I's and crossing our T's."

Chair VanMillon: I do know that the Town Board is aware of the problem that they are having with the noise there, and like Roz said, I want to make sure we "dot all our I's and cross our T's" before we grant a variance.

MOTION: Member Cimino motioned to hold off on making a decision on the Camp Ramah variance until September 17, 2008; seconded by Member Fusco.

Town of Dover ZBA Minutes – August 20, 2008

VOTE: Chair VanMillon – Aye Member Fusco – Aye
 Member Wittman – Aye Member Cimino – Aye

Chair VanMillon read the next item on the Agenda as follows:

Public Hearing - **ROBERT CHRISTIANSEN** – Z 2008-01 – Applicant seeks an area variance to appeal Section 145-25 A. of the Town of Dover Zoning Law. The requested 11 foot area variance would, if granted, allow the applicant to rebuild an existing house 10’5” higher than the existing home on the existing foundation on a nonconforming lot. This property is located at 12 Christiansen Lane, Dover Plains, NY, on tax grid #7063-11-683626 in the HM district.

In attendance was the applicant, Robert Christiansen.

MOTION: Member Wittman motioned to open the public hearing; seconded by Member Fusco.

VOTE: Chair VanMillon – Aye Member Fusco – Aye
 Member Wittman – Aye Member Cimino – Aye

Member Wittman: I don’t know about the rest of the Board, but I think I know what Mr. Christiansen wants and I really don’t have any questions other than what he submitted.

Mr. Christiansen: I think it’s a great idea!

Member Cimino: I would like to commend Mr. Christiansen for coming such a long way from the first meeting, you really did your homework the second time around and I was very impressed with the re-submission of the application, very much so.

Chair VanMillon: The area variance has been designated a Type II action under SEQRA; and therefore, no further environmental review is needed. Did we refer to Dutchess County? No.

MOTION: Member Wittman motioned to close the public hearing; seconded by Member Cimino.

VOTE: Chair VanMillon – Aye Member Fusco – Aye
 Member Wittman – Aye Member Cimino – Aye

Chair VanMillon: There are no other comments from the Board. Do we feel comfortable on making a decision?

Members Cimino, Fusco & Wittman: I do.

Chair VanMillon went over the five questions:

Code of the Town of Dover – Section 145-59 D. (2)

- a. Whether an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by the granting of the area variance? No.

- b. Whether the benefit sought by the applicant be achieved by some method, feasible for the applicant to pursue, other than an area variance? No.
- c. Whether the requested area variance substantial? No.
- d. Whether the proposed variance would have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? No.
- e. Whether the alleged difficulty was self-created, which shall be relevant to the decision of the Board, but which shall not necessarily preclude the granting of the area variance? Yes.

Mr. Christiansen: It is 10' 5 13/16ths inches.

Member Cimino: Well, let's make sure the record reflects that. It was in the initial application.

Chair VanMillon read the area variance as follows: Applicant seeks an area variance to appeal Section 145-25 A. of the Town of Dover Zoning Law. The requested 11' area variance would, if granted, allow the applicant to rebuild an existing house 10'5 13/16ths" higher than the existing home on the existing foundation on a nonconforming lot. This property is located at 12 Christiansen Lane, Dover Plains, NY on tax grid #7063-11-683626 in the HM district.

MOTION: Member Wittman motioned to grant the area variance; seconded by Member Fusco.

VOTE: Chair VanMillon – Aye	Member Fusco – Aye
Member Wittman – Aye	Member Cimino – Aye

Chair VanMillon read the next item on the Agenda as follows:

KEJEM PROPERTIES, LLC – Z 2008-04 - Applicant seeks to appeal Section 145-11 B. of the Town of Dover Zoning Law. The requested 1,000 square foot area variance would, if granted, allow the applicant to build a 7,000 square foot waste transfer station, which will exceed the 6,000 square foot maximum, in the same general location as the existing 2,500 square foot building on a nonconforming lot. This property is located at NY Route 22, Wingdale, NY, on tax grid #7060-00-7554036 in the RU district.

In attendance was the engineer, Joe Zarecki of Zarecki & Associates, and applicants, James Constantino and Marilyn Berson of Teahan & Constantino.

Mr. Zarecki: The applicant, as you know, is the Harlem Valley Transfer Station, has a facility existing in the middle of the lot you can see from NY Route 22, and there is roughly a 50' x 50' building and the loading area in front of that area and the trucks actually come in on this side (referring to a site plan) and do their transfer basically inside, and dump it to a container trailer which is outside the building which is covered. What the applicant would like to do is construct a building in that same area to enclose the entire area so that nothing would be seen from the road; the doors to the building would be to the rear of the building and the trailers would be backing up into the building from the rear. The footprint is basically the same impervious area

Town of Dover ZBA Minutes – August 20, 2008

that's there now, only they're going to enclose that same general area and the area is basically the structure size, so basically they're going to enclose the whole operation that's there now and it will greatly enhance the whole property. The whole thing will be indoors.

The front of the building will have a really nice skylight that you can see from the road, and the back will have the doors; it does actually enhance the property. In addition, they will renovate the front of the building and a small part of the building that's shown will be taken out and you'll have landscaping in front of the building and the entire sides will be dressed up. In addition to having everything enclosed back there, the front of the building will get a whole new facelift.

The fence that's there now will be replaced and brought around and have screening landscaped in the front entrance. In addition, we're going to bring the trucks through that gate, not the gate that's being used on the upside of the property, but right in front of the property, there's a gate and the trucks will be coming in that way and it will isolate that from the properties on the other side.

Member Wittman: There's currently a building down by the road.

Mr. Zarecki: This (pointing to the map) entry will be strictly for customers here, and the buildings in the back and the new truck entrance will be located in this location.

Member Wittman: Is any of that going to be paved?

Mr. Zarecki: No, it's going to be gravel there. In addition, there's an overhang on the side of the existing building, that's going to be coming down and that concrete masonry part will be coming down, there will be landscaping in front; it's really going to dress up the whole place.

Member Wittman: What's going to happen with that island? There has to be something done with that island.

Mr. Zarecki: We're working with the DOT. They've had a change of permit engineers lately, and Bruce Stalter, which was the engineer, they have a new fellow who's picking up his workload and he's a little backed up. We're going to get a new DOT entrance in here to conform with truck traffic, and trailers will be able to make right-hand turns. What will probably happen is the little piece that's out front will be brought in and narrowed up and be able to make a nice turning radius, so it will be an improved entrance to increase the radius.

What we're here before you now is not so much that part of it, which is more of a planning issue, we're just giving you an overview of the entire property, but it's to show that everything, the equipment, the loading, the trucks, everything, will be inside the building and all the containment that may be there now, there's already a facility there now, but everything will be inside the building; virtually, it will be a nice, clean operation and a big improvement. Everything is going to be identical, it's not going to be changed, and the permit will not be altered, hours of operation is the same, nothing will change, we just want to upgrade the facility to make it more streamlined.

Member Cimino: I just find it odd that I go from the Planning Board to the Zoning Board and the first three applications I get are simultaneously in front of both Boards, to even confuse me more about what our purview is as opposed to the Planning Board. Michael (Liguori), what are we considering here, we're not considering curb cuts, not considering traffic?

Town of Dover ZBA Minutes – August 20, 2008

Attorney Liguori: The Board is only considering the granting of a variance to permit an additional 1,000 square feet of building structure. The Board should analyze what that effect is.

Member Wittman: There was an agreement, and I have a copy of it here someplace, from 2002, an agreement with the Town Board.

Mr. Constantino: It was a stipulation.

Member Wittman: I read it over many weeks ago and I don't really recall, but the stipulation at that time was that there would be certain limits on certain things, and these are being followed with the exception of the fact that you're going to enclose the operation and you will need a 1,000 square foot variance.

Mr. Constantino: That's correct.

Mr. Zarecki: In addition, I believe the new DEC regulations are coming forth where they would like to see this enclosed.

Member Cimino: Do we have any attorney comments for initial comments on this application?

Chair VanMillon: No.

Mr. Zarecki: I reviewed the application as to the prior litigation and then I read the entire packet and lengthy submittals of comparable properties. From my view, it seems to me the intent of the litigation was to, I don't want to say clean up the site because that would sound negative to the current property owner, but the net result of what is going on here is going to effectuate something that's more aesthetic than what currently exists.

Member Cimino: I'd like to do a site walk.

Member Wittman: The only reason I brought up that other 2002 document is that any decision we make here certainly does not violate an already existing situation from this agreement, which I don't think it does.

Ms. Berson: There is coordinated review with the Planning Board and they designated themselves as lead agency.

Member Cimino: We had that circulation a couple of months ago.

Member Wittman: Yes, we voted on that.

MOTION: Member Wittman motioned to set escrow at \$3,000; seconded by Member Cimino.

VOTE: Chair VanMillon – Aye Member Fusco – Aye
 Member Wittman – Aye Member Cimino – Aye

Chair VanMillon: Is a referral to Dutchess County needed?

Attorney Liguori: I think the referrals have all come from the Planning Board; I think I would refer it just to play it safe. Make the motion to refer it and if we don't need it, I will make that recommendation to the Board.

Town of Dover ZBA Minutes – August 20, 2008

MOTION: Member Fusco motioned to refer this application to Dutchess County; seconded by Member Wittman.

VOTE: Chair VanMillon – Aye Member Fusco – Aye
 Member Wittman – Aye Member Cimino – Aye

Chair VanMillon: The Zoning Board would like to do a site walk.

Mr. Constantino: Just give me a call and we can meet any time either as a group or as individuals.

MOTION: Member Wittman motioned to set a public hearing for September 17, 2008; seconded by Member Fusco.

VOTE: Chair VanMillon – Aye Member Fusco – Aye
 Member Wittman – Aye Member Cimino – Aye

Member Cimino: Is this the same plan that went in front of the Planning Board?

Mr. Constantino: Yes.

Member Cimino: For the public hearing, I can just bring the plans from the Planning Board for the GIS.

Mr. Constantino: I think we may have made a slight modification to the plan.

Member Cimino: I'll just do the one for the ZBA.

Chair VanMillon: Has everybody read the minutes?

Members: Yes.

APPROVAL OF MINUTES - Approve July 16, 2008 minutes.

MOTION: Member Cimino motioned to approve the July 16, 2008 minutes as written; seconded by Member Wittman.

VOTE: Chair VanMillon – Aye Member Fusco – Aye
 Member Wittman – Aye Member Cimino – Aye

Member Wittman: Maria (O'Leary), when you looked it up on the computer, how many hours of training did everyone do this year?

Member Cimino: I completed all my training.

Secretary O'Leary: You (Member Wittman) had three hours; Roz will give me her papers so I can record them.

Member Cimino: Since the State now mandates four hours of training per Board member, when you go into training, they sign off on your training.

Town of Dover ZBA Minutes – August 20, 2008

Member Wittman: I mentioned this to Maria only because this allows us enough time to do some training this fall.

Member Cimino: The Planning Federation conference is in October.

Member Wittman: That would be one way to get a lot of hours in, but to restate what we have done in the past, you can do on-line training; you can do reading on your own, and then verify that with Maria or you can go to actual classes. This is all acceptable as long as you document it.

Chair VanMillon: Maria, are you signing up for the one at the end of the month?

Secretary O'Leary: That's not a training seminar, that's to look at a new software package.

Chair VanMillon: How many hours do I have?

Secretary O'Leary: You need your four hours.

Member Cimino: I wonder if the GIS staff training that I did would count, because that was all about the GIS layers that the Zoning Board looks at and how to interpret it and I provided a staff meeting for Board members, so if any of the Board members went, would that count?

Attorney Liguori: I really can't speak to that because I don't know about the individual requirements.

Member Wittman: It would be most appropriate if the ZBA members could concentrate on zoning issues.

Secretary O'Leary: The certification of the Land Use Training Program is only good for two years, so everyone has to take it again.

Member Cimino (speaking to Town Supervisor, Courtien): Did you know that NYMR gives a 10% discount if your entire board has taken the Land Use Training, and all it is, is a binder and a CD? Any Board with decision making powers, if you have 100% compliance, then you get a 10% off your insurance.

Chair VanMillon: Could we make a suggestion to the Town Board to possibly bring someone in to do training here?

Member Wittman: What we have suggested in the past is that we get someone in here and we start with the Comprehensive Plan, and go over the Comprehensive Plan by someone who wrote it, was involved in writing it, or knows it backwards and forwards, because everything we're doing here is based on the Comprehensive Plan.

Attorney Liguori: Knowing the Comprehensive Plan will certainly help and I agree that it is tremendously beneficial to be aware of what the Comprehensive Plan says, that is part of the basis for what the comparison is when you make those determinations; but at the same point, you're the escape valve for applicants within this Town and you're not "married" to the Comprehensive Plan, and as a matter of fact, your job is to examine things that are outside of it;

Town of Dover ZBA Minutes – August 20, 2008

but in order for you to make a reasonable collaboration, you need some basis for comparison, knowing that is very important.

Member Cimino: I did not know that you have to re-take the test every two years, so I'm not in compliance with that, so I think that maybe the first thing that we can all do is re-take that test and get certified and maybe the Town Board can put out a directive that everybody take that test, and if you've already complied with those hours, I've put in my four hours and they can certainly be carried over until next year. The Town Board is working on their budget and everyone is submitting their wish list for each department including the Zoning Board, and my suggestion is that it would be great if the Town Board could put out something that says you have until December to take this test so that we can take 10% off of our NYMR insurance and this would help you comply with your four hours of training for the year.

Secretary O'Leary: Would you like me to make copies of the test again, minus the answers?

Member Cimino: We can send the URL to everyone.

Secretary O'Leary: I'll make one copy for Member Wittman and the others will go on-line to take the test.

Member Cimino: I will make sure I submit mine by December 31; we should set an example for the rest of the Boards.

MOTION: Member Fusco motioned to go into executive session at 7:58 pm to discuss ZBA procedures; seconded by Member Wittman.

VOTE: Chair VanMillon – Aye	Member Fusco – Aye
Member Wittman – Aye	Member Cimino – Aye

MOTION: Member Wittman motioned to reconvene at 8:53 pm to discuss ZBA procedures; seconded by Member Fusco.

VOTE: Chair VanMillon – Aye	Member Fusco – Aye
Member Wittman – Aye	Member Cimino – Aye

MOTION: Member Wittman motioned to adjourn the meeting at 8:54 pm; seconded by Member Fusco.

VOTE: Chair VanMillon – Aye	Member Fusco – Aye
Member Wittman – Aye	Member Cimino – Aye

Meeting adjourned at 8:54 pm.

Respectfully submitted by:

Maria O'Leary
Secretary to the Zoning Board of Appeals