

# ZONING BOARD OF APPEALS

January 11, 2010

## MINUTES

The Zoning Board of Appeals for the Town of Philipstown held a work session on Monday, January 11, 2010, at the Philipstown Town Hall, 238 Main Street, Cold Spring, New York. The work session was opened by Vincent Cestone, Chairman, at 7:30 p.m.

<b>PRESENT:</b>	Vincent Cestone	-	Chairman
	Lenny Lim	-	Member
	Bill Flaherty	-	Member
	Robert Dee	-	Member
	Paula Clair	-	Member
	Adam Rodd	-	Counsel

### ABSENT:

representative please come forward.

**Lawrence Paggi** - I guess over here would be the best spot.

**Vincent Cestone** - So, I have the information, please explain what the issue is and

**Lawrence Paggi** - Sure absolutely. Lady Blue Devils Lane

**Vincent Cestone** - Could you speak up a little please

**Lawrence Paggi** - Lady Blue Devils Lane is an existing 5 lot commercial subdivision. Currently three of the five lots are occupied. On lot 3 the Scanga Woodworking business currently exists. And the proposal is to construct a building addition of equal size, equal footprint to the existing building as an attachment to the existing building. And in order to do that Scanga Woodworking owns both of these lots, they would combine lot 3 to lot 4 to accommodate that. Both lots are approximately equal in size. Roughly 2 acres. In order to facilitate this configuration which we believe makes the most sense for several reasons, the applicant would require a front yard variance because of the irregularity of the front lot line that results from the cul-de-sac in this area. It is relatively a short length of the building that would require the variance, but the alternative to requesting a variance would be to create a U in that building that would require

us to extend our building further to the west to accomplish the same goal with square footage and it is a much less efficient building layout. So that actually outlines the first need for a variance. The second need for a variance is for the coverage, the building coverage of the site. Current code will only allow 25 percent of the lot to be covered by building. It allows 50 percent of the lot to be covered by a combination of building and impervious. The business that occupies the site is not parking intensive. It is more building intensive. Large open areas are required for this manufacturing process so we believe that we are still really meeting the intent of the code because we are still providing the required green area. We are not exceeding the 50 percent lot coverage. I believe that the Town agreed with this philosophy back when the first building was constructed because the 3.7 percent variance was granted to create that existing facility. We are looking for a 3.6 percent area to accomplish the proposed addition. Basically the building \_\_\_\_\_ the same size. I think we have a hundredth of an acre more property on one of the lots. So there is a slight difference in percentage. So, I think that is a pretty good overview of what we are doing and why we are asking for two variances and why we believe that we really are meeting the intent of the code and are requesting a consideration for this application.

**Vincent Cestone** - So all that space on the back is parking

**Lawrence Paggi** - This gray area is parking and driveway yes

**Vincent Cestone** - What would happen if you jog the new building back to stay out of the variance and put parking in the front? Is that do-able?

**Lawrence Paggi** - You know what, we honestly didn't look at that because that, I don't think we can do that. I think you have a requirement for parking in the front yard as well. I think we have to stay a certain distance out of the front yard for parking. I can tell you that. We ran into that on another lot. I don't have that information in front of me.

**Vincent Cestone** - Even if that were so, is that workable

**Lawrence Paggi** - It may be but then you are going to be looking at parking area as you drive down Lady Blue Devils Lane where as in the back it will all be screened and concealed by the building. So I mean the tenancy is generally to move towards trying to put the parking in the rear of the building, I mean, the building we can make look pretty. The building we can landscape nicely. When you have parking out there, you have parking. And you are looking at cars. I have to say that I don't think it is a possibility to do it without requesting a different variance and I am not so sure that it is going to give you as clean and attractive appearance as this would.

**Vincent Cestone** - Tell me about the other lots around you. What is there?

**Lawrence Paggi** - Up in this area here there is a day care center that is set high on the hill. They have a play area off to the back in the rear that's I believe is fenced. The large green area over here this appears to be where the septic system is so there is quite a bit of lawn area between the property and where we would be proposing the new development. And actually in front of that location is going to remain wooded. That is the actual, one of the reasons why we would like to avoid trying to do a U shape because it would extend out this way and actually have to disturb more of the existing vegetation. So you've got a day care area here. I think you have an insurance company here.

**Vincent Cestone** - All that commercial

**Lawrence Paggi** – yes. Oh yes, absolutely. This is also owned by Scanga Realty and this is subject of a current site plan application and then these two lots. So actually Scanga Realty owns three of the five lots. The other two are a day care and an insurance company. And again, they are relatively set back from the road and there is significant lawn area between them and us.

**Bill Flaherty** - There is no parking in front of any of those buildings

**Lawrence Paggi** - I don't believe there is

**Bill Flaherty** - There isn't. It is either in the rear or on the side. And I think if the parking were in front of the building that you propose that it would detract significantly from the \_\_\_\_\_.

**Lawrence Paggi** - I would agree

**Bill Flaherty** - I am \_\_\_\_\_ parking where you can't see the cars. In the back or on the side.

**Lawrence Paggi** - I think there is many planning officials that would agree with you because many of the Codes are moving to requiring parking in the rear for just that reason.

**Bill Flaherty** - What is the variance that you are requesting

**Lawrence Paggi** - 3.6 percent on the coverage and we are looking for a 20' foot variance where a 30' foot is required. But only for a small portion of the building not for the entire frontage of the building. Only where the cul-de-sac bumps out. At this point here, we need front yard and obviously over here we more than meet front yard.

**Bill Flaherty** – As a result of your expansion, how many people are currently working there?

**Lawrence Paggi** - What's our current level of employment? 40, 45.

**John Scanga** - 35

**Bill Flaherty** - How many additional employees do you anticipate

**John Scanga** - We do not

**Bill Flaherty** - You do not?

**Lawrence Paggi** - Well what we are going to end up doing is moving, what we currently happening is we are storing material outside, and that material is going to come inside. And it is just going to facilitate their operations.

**Bill Flaherty** - Warehousing?

**John Scanga** - We are just going to basically spread everything out that we have currently

**Bill Flaherty** - So it is not going to afford any additional traffic to and from the facility itself? There is no plan

**John Scanga** - There is no plan right now.

**Bill Flaherty** - How many people do you think you will be employing during the construction of the building

**John Scanga** - Construction I am sure there will be several different contractors employed.

**Lawrence Paggi** - I think we estimate anywhere from 20 to 30 people being employed temporarily.

**Vincent Cestone** - How long

**Lawrence Paggi** - I bet it would take a good six months to build this thing

**Vincent Cestone** - At least

**Lawrence Paggi** - At least

**Robert Dee** - And looking at these plans, what I don't see is, I don't see the measurements of the building itself. How long is the building, how wide is the building? Maybe I'm missing it?

**Lawrence Paggi** - Nah you're probably not. Those are architectural plans and I am giving you

**Robert Dee** - I don't see how we can approve something when we don't know how big it is.

**Lawrence Paggi** - Yeah, I don't know if I have any on me

**Robert Dee** - I mean if we look at that and we say it's 60 feet and then it turns out to be 100 feet

**John Scanga** - It's 250 feet. It is 100 by 250

**Lawrence Paggi** - 100 by 250. 100 wide by 250 long

**Robert Dee** - That's the

**John Scanga** - Existing building is 100 by 250. The addition will be 100 by 250.

**Robert Dee** - So it will be 500 feet long?

**Lawrence Paggi** – yes

**Lenny Lim** - Well we've got to get some dimensions

**Robert Dee** - I'll be honest with you, I could never vote on this without dimensions.

**Lenny Lim** - I like the idea what you are doing, but I need some dimensions

**Robert Dee** - You are giving us a big box. And you are telling me 500 feet and it turns out to be 700 feet, because we don't have any measurements to go by

**John Scanga** - I think we are calculating the percentage of the variance that we need. Measurement wise it is 100 by 250

**Robert Dee** - I understand that

**John Scanga** - In total the building will be 500 feet long

**Robert Dee** - But our documents don't say that

**Lawrence Paggi** - The building is drawn to scale. We can certainly add the dimensions but what we would ask you to do is consider if you are inclined to consider the variance, grant it conditional upon us noting that that is 100 feet by 250 feet on the plan that we actually present to the Chairman for signature. That

way we can give you the height as well. The height I believe is listed on the plans.

**Vincent Cestone** - Okay. What is the board's feelings on doing that? Do we wish to vote or wait for the dimensions?

**Paula Clair** - I think we should wait

**Lenny Lim** - I would like to see the dimensions before I vote

**Robert Dee** - I would like to see the whole thing because I don't vote on anything that didn't have the dimensions on it.

**Vincent Cestone** - And I agree

**Robert Dee** - I'm uncomfortable with it.

**Vincent Cestone** - Generally, if I am speaking out of turn correct me, we are maybe supportive of it. We have to hear what the residents have to say, but I need to have dimensions. We've been, not with you, but we've been burnt.

**Lawrence Paggi** - Okay

**Vincent Cestone** - Any questions from the board? Comments from the audience? Anyone wish to speak on this? Sir?

**Angelo DeStefano** - My name is

**Vincent Cestone** - Just introduce yourself

**Angelo DeStefano** - I'm sorry

**Vincent Cestone** - Introduce yourself

**Angelo DeStefano** - Yeah. I'm Angelo DeStefano. I live on Knollwood Lane which is the street running parallel or actually above where the project is. I have several questions with regard to the project as a whole that I would like to address. Let me say that initially you have as you look at the diagram there, you will have a 500 foot structure which originally was placed on a, the original structure was placed on a 2 acre, 250 foot structure. In reality, it allowed a variance and with that variance it kind of maxed out the total allowable square footage. So you have a structure on 2 acres that seems kind of pleasant. And it fit into the process of an industrial development and would not as intrusive to the residential property next door. As viewing now the large building, you have a variance, a nice building. But what is being proposed right now, what they are doing is they are taking two lots bringing them together and creating a mini-Gap

in Fishkill. It is taking two acres, which at this particular point if you ask can you go ahead and get a variance to build on it as it stands right now it's no. It is maxed out. Even with a \_\_\_\_\_ 3.8. And now what they are asking you to do is build more on that in order to satisfy the other two acres. In one project that is going to stretch out 500 feet. And look a little like a mini-Gap of Fishkill. Now most certainly this is going to affect, it is not in harmony with the make-up of the industrial layout there. It is no longer in harmony with the viewing from the residential area up there. So much so it just looks like, it is going to look like a big block. It is going to affect home values. Not only in the residential area but also in the industrial area. It is also going dig into this concept of open space. We are into this need for open space and the planning accordingly. It is going to put a little notch into this kind of theory of open space in relationship to that. More so fine, that's subjective. I mean you can say okay fine how is it going to affect the land value, the fact that it impedes and is not harmonious to the neighborhood is brought out in the initial application where they say listen what we are going to do, they know this. They say we are going to put pillars to satisfy how big and massive this is, we will lay out pillars. And the present structure and the new structure so that it doesn't look that big. All right. You had asked a question as to what other facilities are in that particular industrial area. One of the facilities there is a nursing home, I'm sorry a nursery school. Well certainly when you have a setback, one of the main reasons for setbacks are for safety reasons. I am sure the board knows. Safety in relationship to fire, explosions or unknown. That's why you have these setbacks. That's why they are there. So let me say this if the board decides to go along with the application for a variance what they are saying is this we are going to put an additional risk in relationship to the children in the nursery as a balance with the footage. If we give 20 feet, we increase the risk of 20 feet for the kids. It is an increase of risk in relationship to a safety factor. You have to take that into consideration. Basically the board is on notice that by approving the present plan application, they are increasing the risk of children at that particular location on that road, increasing the risk of the safety factor. Based on what I've said I think the board should take a look at the project as a whole. Are we going to permit the building of this 500 foot structure which is not harmonious to the neighborhood, it is going to affect land values, and affects the concept of open space and then also the way it is presented at this particular point increases the risk for children presently at that particular location. I pose that to you in dealing with this

**Paula Clair** - I just want to ask how close are you to the structure

**Angelo DeStefano** - I'm sorry

**Angelo DeStefano** - How close is the structure, the proposed structure to the nursery

**Lawrence Paggi** - Hundreds of feet. If I may respond. First of all as far as being harmonious to the neighborhood, we have to remember this is an industrial zone.

vegetation is deciduous

**Vincent Cestone** - I'll call you in a second. Are you finished? Sir

**Angelo DeStefano** - Yes in relationship to this I think two buildings should be placed there. Not one long 500 foot monstrosity that does not fit. I don't think that is reasonable expansion or use of property. It is intrusive to neighbors and it is intrusive to the concept of open space. It is not. What would be is a structure on the other two acres of another building that would be acceptable by the board that doesn't create the problems which I have just stated. The viewing of that particular location is residential property behind it. My house sits up and I look out and I can actually see those buildings. You can actually look down, there are four houses that look down. Or four houses or five houses that would have a view of this monstrosity. That is just over, at least my opinion, over zealous attempt to build on properties against the town zone law and the rights of the people.

**Bill Flaherty** - Can you see the current building

**Angelo DeStefano** - Yes I can. And if they build attached to that, which they presently cannot add anything to that particular lot. It is saturated. As a matter of fact there is another question I have in dealing with the variance of 3.8 over. At least in my calculation of this, if you do not combine the two lots, then the first lot that this building is on that this structure is on, they cannot build anything further because the only thing that would be allowed initially would be 21,900 square feet. They got a variance to put up to 25,000. Now if you combine it you will have 4 acres that would be 174,241 square feet. 25 percent of that would be 43,560 square feet minus the 25,000 square feet which would only leave them the right to expand on 18,510 square feet on a 4 acre project. Now I don't know what their variance is but what they are trying to do is say we got 25,000 and we were looking for 25,000 over here, they are looking for an increase of 7 or 8 percent. According to these figures.

**Robert Dee** - Let me ask you a question

**Angelo DeStefano** - Yes

**Robert Dee** - In looking at this diagram, if he were to put two separate buildings. The other building would be closer to the residential houses. Is that correct?

**Angelo DeStefano** - Perhaps but within the law, perhaps within the Town zoning law. It might be a little closer protected by the woods. But it wouldn't present a problem with a 500 foot structure which is, you've been up to Fishkill. You've seen the Gap. This is a mini-Gap.

**Robert Dee** - But wouldn't you rather have a bigger buffer zone there between

the residential

**Angelo DeStefano** - I would like to see some open air, some uniformity in relationship to the industrial property being developed accordingly. I don't, you know if you take a look at the other projects there, the nursing home and the insurance company, they have within their two acres a nice building, landscaped and it looks good. If you take a look at this, you can see it right here.

**Robert Dee** - I am looking at the design they have here, the architectural design and if we hold them to it, it does well architecturally and landscaping. We can do that. We can say the variance has to be landscaped and so on and so forth. But we are allowed to do that. But in looking at in architecturally it is not just a square design. There are arches and windows

**Angelo DeStefano** - I am not saying that. I am not saying that Scanga Realty and there application of what they have done so far is not responsible and they are professional in the way they handle it. No question about it. They respect the people, they do well and I have the utmost respect for them in dealing with them. No question about that. What I am concerned about is the 500 foot structure as you look out, that's what you see. A 500 foot structure. I would rather see two structures developed on two lots which conform and have an open space concept. Okay. An open space concept.

**Vincent Cestone** - You've made your point. Does anyone else wish to speak on that? Madam

**Mary Ellen Finger** - Yes. My name is Mary Ellen Finger and I'm a resident of Horseman's Trail. I have 20 acres of industrially zoned land and 1,000 lineal feet along Mr. Scanga's north border there. And I have a few comments to make. The Scanga's have been decent neighbors. I have no complaints. Trash blows over the fence a little bit, but that is not abnormal. I had problems with the odors before, but they switched to a different kind of contact cement. They are going into, they are trying to utilize materials that are more environmentally friendly. I am so pleased that they changed the lighting. I don't know if it was mandated or if you did it voluntarily but I had commented before about the blinding lights. These things are an evolving process. You don't know if something like this on paper, two dimensional, what it is going to be like three dimensionally. And now you bring in smells and noise and stuff, but it is an evolving process. And they have been responsive. So I have to say that they have been good neighbors. They are bringing in business in a depressed period of time. I'm, for the record I am doing a five lot subdivision next door. I am trying to keep it as green as possible. I love open space, I love my farm. I am doing it for financial reasons. I cannot say in this neighborhood with my taxes and they are going to

**Vincent Cestone** - Unfortunately we all know that

**Mary Ellen Finger** - Okay. That is why I am developing. Sometimes you get looked at as a greedy capitalist. Irregardless, I am somewhat disturbed. I never met Mr. DeStefano and I do really respectfully disagree with his attitude about open space. I bought my industrial land because I wanted industrial land. I know who I am going to be living next to. And so I cannot object if they're doing industrial development. And naturally if they waited a little longer, once this new proposed zoning change has passed, they can build up to 200,000 square foot on a two acre lot. I don't know quite how you can do that and meet all the setback requirements but that is what it says here in the dimensional table in the draft zoning. It may get changed. But they are only asking to increase by 25,000 foot property, building on that lot. So actually it will become more lenient with the new zoning. So quibbling about 3 percent versus 8 percent seems kind of irrelevant at this point because we are all kind of caught in this catch 22 about making an application under the old zoning but now we are going to have to follow the rules of the new zoning and sometimes it puts you into a non-conforming state. Okay so, I am very concerned about people telling me what I can do with my open space. I have the book, I didn't bring it along with me because it is awfully heavy, the zoning book. I bought it in 1987 and I try to follow that so I know when I make plans for my property or when I do things, I am not breaking major rules.

**Vincent Cestone** - You're the one

**Mary Ellen Finger** - What?

**Vincent Cestone** - You're the one. That follows the rules.

**Mary Ellen Finger** - Oh

**Vincent Cestone** - I'm joking

**Mary Ellen Finger** - It is confusing because which rules are we following now? It is a little bit difficult I have to say. So, I am very concerned that people who don't pay my taxes are going to determine what I can do with my property. This is an industrial development. To try and develop open space on an industrial development is not compatible I would say. And that's why you've got these major, you know, coverage of impervious surfaces now going to be 60 percent when the new zoning changes. That's why it is allowed. Because they understand they are not going to look for a beautiful park land in an industrial location. So I think that is a little unconstitutional or maybe bridging on people's property rights for people to be able to influence the board with emotional statements about monstrosities. That troubles me. Before the planning board at one point one of the members was very concerned about sand plants and cement plants. I have no intention of doing anything like that but you know in a market like this perhaps that could happen. But I hate to hear that kind of language being used that influences the board. It doesn't keep it at a civil

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**Vincent Cestone** - It's being civil. We've had people who have not been civil.

**Mary Ellen Finger** - Okay

**Vincent Cestone** - And this is a democracy. Anybody can say, as long as they are being civil, can say pretty much anything

**Mary Ellen Finger** - I am just sensitive to the fact that, you know, what I might consider a beautiful shed could be considered a monstrosity.

**Vincent Cestone** - And that's the way he perceives it. He has that right. Anyone else wish, I'm sorry, are you finished?

**Mary Ellen Finger** - I think, I don't know if I agree that this is not harmonious to the neighborhood. I think that the building that they've built looks nice. The way it's been set back. The way the planning board didn't, the various boards had determined how to do landscaping. That's accomplishing something. That's a nice sub-development.

**Vincent Cestone** - Am I correct in assuming that by your statements that you are in support of the project?

**Mary Ellen Finger** - I am in support of the project

**Vincent Cestone** - Okay

**Mary Ellen Finger** - Thank you

**Vincent Cestone** - Anyone else wish to speak on this?

**Lawrence Paggi** - If I can just reply to one point based on the percentages. I mean, I can calculate percentages. The 3.6 percent is accurate. 3.6 of eight acres is obviously equivalent to a little bit more than \_\_\_\_\_ (**Cannot hear applicant**) So I think there was a little bit of confusion there. 3.6 percent variance is what we are looking for for the total coverage of the building on 4 acres. Okay? And the second point is that while we might provide some separation between the two buildings if we were to separate them, what you would see between them, if you could see between them, would be another driveway. So it is not going to be open space it is going to be additional paved area. So again, I think, I am hoping that the board sees that what we really did try to do was preserve as much open space as we could. That was really the intent of the plan.

**Vincent Cestone** - Okay. Any more comments from the board? If not,

**Bill Flaherty** - I have a question, Kim, you wrote a letter to John Lynch back in December

**Kim Shewmaker** - Yes

**Bill Flaherty** - Did we ever get an answer from him?

**Lawrence Paggi** - I have something from him for you. Here. The request from your attorney was that you would like a copy of the referral that was made by the Planning Board to Putnam County. We actually have a response from the County that says that as a matter of clarification please be advised that all parcel site plans are approved for the Scanga parcel. There appears to be no adverse impact on the County.

**Bill Flaherty** - This is dated January 7<sup>th</sup>

**Lawrence Paggi** - We just got that.

**Adam Rodd** - Do you have an extra copy?

**Lawrence Paggi** - Keep that. Please keep that.

**Bill Flaherty** - We will probably get a similar response.

**Vincent Cestone** - With that, I am going to continue this on to our next meeting.

**John Scanga** - I'm sorry...we are before the Planning Board on Thursday. I would ask that if the dimensions are the only thing that is holding you from deciding on this, that we would confirm those dimensions of 100 by 250 and we will hold to that. If the board could vote on that in any way, I would appreciate it. Those are the dimensions. 100 by 250. That's the only thing we would be coming back for and again we are before the Planning Board Thursday.

**Vincent Cestone** - Unless I get overruled, I think the members made it clear that they need to see dimensions. Am I correct in that? Mr. Merante, when is your next meeting after Thursday.

**Ande Merante** - Well it is a week from Thursday. And we meet the third Thursday of every month.

**Vincent Cestone** - Okay. I'm sorry. I wish I could. With that you are continued on to February 8<sup>th</sup>. The only thing we are looking for are the dimensions including the height.

**Lawrence Paggi** - Okay

**Vincent Cestone** - Next item on the agenda is Review of Minutes of November 23<sup>rd</sup>. Any corrections? I'll make a motion to accept the minutes as submitted

**Bill Flaherty** - I'll second

**Vincent Cestone** - All those in favor

**All Board Members** - Aye

**Vincent Cestone** - We have a Resolution for Mary Dawn. This is the one where they asked for an extension. I don't think we need to, unless I am overruled, I don't think we need to have the resolution read into the record. With that, I make a motion to accept the resolution.

**Bill Flaherty** - I'll second

**Vincent Cestone** - Roll call vote. Bob?

**Robert Dee** - Yes

**Lenny Lim** - I'll vote in favor

**Paula Clair** - I vote in favor

**Bill Flaherty** - I vote in favor

**Vincent Cestone** - And so do I. Next item on the agenda is Eric and Brittney Trenczer. Review for completeness. I looked at it and rule it complete. Adam, your feelings?

**Adam Rodd** - Yeah. I didn't, it looks generally complete. One thing I didn't see, I assume on file with the Building Department is a current C of O for the structure

**Eric Trenczer** - Yes. I think the Building Department has that. I don't have that with me

**Adam Rodd** - Okay. I am sure it is there, so I would just recommend that when this is scheduled either on or before the scheduled date for your hearing that you supply the board with a copy of the C of O.

**Eric Trenczer** - Okay

**Bill Flaherty** - It's not hard to get

**Adam Rodd** - I didn't see it. I'm sure it is on file at the Building Department but

we would need to have that.

**Vincent Cestone** - If you could bring it with you. One other thing, Ms. Clair has a request.

**Paula Clair** - Oh, normally we have architectural drawings of what it is going to look when it is completed.

**Eric Trenczer** - You don't have that? I'm sorry. I didn't bring the file with me. Don't you have the blueprints? I thought you did. Essentially it is a cement slab. It already exists there. It is already set. Essentially we are just going to enclose it in to make like a porch. So we are not going to change the outline of the house, we are just going to take, it already has an overhang and existing roof, and we are just going to put windows and doors. We only need like 2 ½ feet.

**Paula Clair** - Is that coming out further than the existing porch

**Eric Trenczer** - No. It has a roof. So I am not even changing the overhang

**Robert Dee** - You are going to have \_\_\_\_\_, we don't have the height

**Eric Trenczer** - Its 6 feet something

**Robert Dee** - The whole structure is only 6 feet high

**Eric Trenczer** - Well there is already an existing roof,

**Robert Dee** - This doesn't show me that

**Eric Trenczer** - Okay. We didn't do the roof, it's already there now

**Robert Dee** - Well it is hard for us to guess. So we have to go by measurements. Because we could say okay this is fine, and you go ahead and do this. We don't know if that roof line is another 10 feet higher than what it is. All you are showing me is a square box.

**Eric Trenczer** - Okay. I'm sorry. We are not doing anything with the roof. It is already there now.

**Robert Dee** - How high is it?

**Eric Trenczer** - I can guess

**Robert Dee** - I know. We need something. And where is it going to attach to? Is it attaching to an inside room? The living room? The kitchen? Your bedroom? What is it attaching to

**Eric Trenczer** - Well it is connect to I believe to a kind of like a living room, entry way

**Robert Dee** - I would like to see that. All we are looking at here is a shed

**Eric Trenczer** - I mean it is kind of simple.

**Robert Dee** - It may be simple to you because you live there. It is not simple to us to look at. We need some diagram or something

**Vincent Cestone** - The reason we are so thorough like this is because there have been situations where people, I am not saying you, take advantage of things and that is why we are very very thorough when it comes to that.

**Eric Trenczer** - Okay. What would be

**Vincent Cestone** - If you could expand this and give us a total height of the room and basically showing us what it is attached to.

**Eric Trenczer** – okay. So you want the height of the room and what it is attached to.

**Robert Dee** - Make a floor plan.

**Paula Clair** - Usually people give us a picture of the existing structure and then what the new structure will look like

**Vincent Cestone** - Take a digital picture

**Eric Trenczer** - Would a picture be okay? Because it is expensive to do like blueprints.

**Paula Clair** - Yes.

**Vincent Cestone** - And give us the dimensions as well and take digital pictures and print them out. And say this is where we are going and make sure that it is clear. So for the public hearing we have clean records.

**Paula Clair** - Speaking for myself, looking at that, I don't really know what you're doing.

**Robert Dee** - From looking at this it looks like a shed. Okay? You know what I am saying? I don't know what it is. I understand what you are saying existing roof, but we say okay and then we turn around and we find out the roof went 10 feet higher. Do you know what we are trying to say? We can't just approve

things that aren't

**Vincent Cestone** - What you are also saying is that part of your overhang is already in violation unless

**Eric Treczer** - Oh okay, I don't know. Maybe it was grandfathered in, I don't know. But essentially this is the blue print. It is actually in compliance on this corner 10 feet 8 inches but I guess from this corner here, even though the hedge line is here, it does kind of go over, it is only 7 ½ so it is like 2 ½ feet.

**Vincent Cestone** - So what I am saying is unless you've got a variance for this corner of your roof, right here, that is currently in violation. And not that we are going to make a big deal of it, that was caught. And if you should decide to sell the house at a future date, that is going to get caught. So it is a good thing that you are doing this now because it will be in compliance and should you decide to sell, then you are not going to have an issue when you go to sell.

**Eric Treczer** - It wouldn't be grandfathered in

**Vincent Cestone** - Unless it was built prior to 1957. So we are going to put you on for our next meeting which is February 8<sup>th</sup>

**Eric Treczer** - So I am going to show you the height of the roof

**Vincent Cestone** - Right

**Eric Treczer** - Take some digital pictures of the house to show you what it looks like

**Robert Dee** - And do a rough floor plan

**Eric Treczer** - Okay. And when is the next meeting

**Vincent Cestone** - February 8<sup>th</sup>.

**Eric Treczer** - Okay. Thank you

**(Turning tape over...may have lost some dialogue)**

**Vincent Cestone** - don't take my pen

**Eric Treczer** - let me just right that down, February 8<sup>th</sup> at 7 o'clock

**Vincent Cestone** - 7:30

**Eric Treczer** - All right. Thank you