

**TOWN OF SKANEATELES
ZONING BOARD OF APPEALS
MEETING MINUTES OF**

April 5, 2016

Present:

Denise Rhoads
Jim Condon
Sherill Ketchum
David Palen
Scott Molnar, Attorney
Michele Norstad, ZBA Secretary
Karen Barkdull, P&Z Clerk

The meeting commenced at 7:00 p.m. at Town Hall. The next Zoning Board of Appeals meeting will be held on Tuesday, May 3, 2016. Previous distribution to the Board of the regular meeting minutes of March 1, 2016 was executed and all members present acknowledged receipt of those minutes.

WHEREFORE a motion was made by Member Ketchum and seconded by Vice Chair Condon to accept the March 1, 2016 minutes with corrections. The Board having been polled resulted in unanimous affirmation of said motion.

<u>Record of Vote</u>			
Chair	Denise Rhoads	Present	[Yes]
Vice Chair	Jim Condon	Present	[Yes]
Member	Sherill Ketchum	Present	[Yes]
Member	David Palen	Present	[Yes]
Member	Curt Coville	Absent	

Member hours for the members present were turned in for the month of March, 2016.

Public Hearing

Applicant: Mark Congel / 5 Fires LLC
3395 East Lake Road
Skaneateles, NY 13152
Tax Map #041.-01-21.0

Present: Mark Congel, Meaghan Congel, Wayne LaFrance

Chair Rhoads asked Counsel Molnar if the discussion could begin prior to 7:10p.m. due to a basically new proposal that had been received. Counsel Molnar said that the Board may begin discussing the application and changes to date so long as the public hearing is opened at the advertised 7:10p.m. start time in order for compliance to be met. Chair Rhoads described the

proposal as the removal of an existing garage and relocation of a new attached two story garage and driveway. Wayne LaFrance, architect, was asked to take the board through the new revised plan. Any reference given to "The Lane" refers to "Fire Lane I." Mr. LaFrance thanked the board for their site visit and stated that the adopted strategy has become to remove as many items as possible that contribute to open space and also square footages of the property. Some concrete coverage on the property that had been removed was pointed out on the projection of the site plan. Some structures at the lake were also included as part of the idea to remove impermeable structure items. An old concrete ramp totaling 57.6SF at the lake front and concrete pad totaling 15.35SF will or have been removed which aid in the total count, per Mr. LaFrance. Mr. LaFrance went on to say that the 13.6% was the previously proposed variance request for impermeable surface coverage which now has been reduced to 13.5% which means no increase at this point per this revision and an elimination of one previous variance request. The existing west side driveway at the lake front side of the property will be re-located away from the lake to the east side of the property. The proposed driveway will be 20FT as required from the east side yard property line as per the current proposal. The proposed garage construction is in code violation of the required rear yard setback. It would sit 12FT 9IN from the north property line per Mr. LaFrance. Mr. LaFrance also stated that the existing garage location is currently closer to the north property line at 0.3IN, making the new garage location a significant improvement to the property overall. The garage is to include a master suite above and the prior driveway entrance and curb cuts have been retained to allow for parking spaces on the south side. A portion of the south side gravel driveway is being removed between the old entrance and the new entrance at the south side. Additional parking spaces are available at the new driveway entrance. The new driveway runs the full width of the property furthest to the east. The home faces south and the lake yard is due west. One of the advantages of the current proposal is removing vehicles and vehicle traffic from the lake yard and this is a positive step. Getting rid of gross amounts of impermeable surface coverage such as the old tarvia driveway and discouraging parking off The Lane are positive for the community, per Mr. LaFrance. The current position of the upper corner of the property is not in compliance and can't be because of the position of the home and that is where relief is being sought, per Mr. LaFrance. Also, a portion of the driveway is up against the property line and relief is also being sought for this reason per Mr. LaFrance. Everything else, Mr. LaFrance believes, has been accounted for and numbers have been brought into compliance more so, such as bringing the impermeable surface coverage back to the existing 13.5%. There is also a very minor improvement of .01% to the open area, per Mr. LaFrance. Vice Chair Condon asked if the Town Engineer had been contacted regarding covering the concrete ramp pad at the far west properly. Mr. LaFrance stated that he had contacted the Town Engineer and a plan has been established. Chair Rhoads asked about the dry wells and if they were the two concrete pads referred to on the plan. Mr. LaFrance confirmed that the two pads which have already been removed and filled were in fact over the dry wells. Member Palen asked what the existing driveway material was. Mr. LaFrance stated that the existing driveway was paved asphalt. A portion of the front driveway at the half moon shape is gravel and then becomes paved asphalt. Member Ketchum confirmed that the new driveway would all be paved asphalt tarvia. Mr. LaFrance pointed out that the existing garage is in need of repair as seen at the site visit. Vice Chair Condon commented that the current plan has been improved upon in some areas. Member Palen missed the site visit and was not present at the previous meeting. Mr. LaFrance conveyed that the struggle has been over the driveway and the parking situation of the property and when originally submitted, they were not suggesting removing the original driveway out of the lake yard. Upon re-consideration, the current proposal solves more issues than the original plan did. When Mr. Congel became open

to the concept and after the site visit, Mr. LaFrance felt that this is the best traffic plan, visually attractive plan and environmentally friendly plan for the site.

Chair Rhoads asked Clerk Barkdull if this plan triggers re-development with the Planning Board in any way since the impermeable surface coverage is not being changed. Clerk Barkdull referred the answer to Counsel Molnar. Counsel Molnar stated that he thinks it does trigger re-development in that the impermeable surface coverage remains greater than the 10% minimum requirement causing a difference, so renovation of the home and adjustment of the structures such as the new driveway etc., will trigger re-development and the Planning Board will have to consider that. The ZBA is being requested to approve a plan which includes space greater than the Impermeable Surface requirements as one element, but, overall the plan is that in suggesting adjustment it is re-development and the Planning Board will have to consider it. If the ZBA approves the plan at the existing 13.5%, that will lock the impermeable surface coverage in for that site for future consideration. Counsel Molnar stated that this is true, however, at the same time the Planning board will still be considering that at time of presentation, nonetheless that triggers redevelopment. The Planning Board may not request a reduction in impermeable surface coverage once a variance is granted and locks in the percentage. Member Ketchum asked who the request for a reduction in impermeable surface coverage comes from because the variance grants the relief requested so that the impermeable surface coverage would be confirmed at 13.5%. That number is what the Planning Board will have to consider in terms of its review of the application because re-development is triggered in their minds and they will have to deal with that, per Counsel Molnar. Mr. LaFrance had a question on the impermeable surface coverage. Mr. LaFrance asked if the impermeable surface coverage was maintained from historical, does the driveway change trigger re-development by the new definition. The answer was yes, per Counsel Molnar. Any change to any structure on the property can trigger re-development. Mr. LaFrance made a point to say that what has been there historically is what is being sought as what was to go with the property and no increase is being sought. If the house was ever torn down and rebuilt, the impermeable surface coverage is locked in for re-development. Although the impermeable surface coverage is not a variance for the Zoning Board of Appeals, it does go with the property for any future tear downs.

At this time, Chair Rhoads asked if there was anyone in the audience who would like to have the notice of public hearing read. A member of the audience responded, "yes". Secretary Norstad read the notice of public hearing as follows:

PLEASE TAKE NOTICE that pursuant to Section 148-45 of the Zoning Law of the Town of Skaneateles of 2005 and Section 267-b Town Law of the State of New York, the Zoning Board of the Town of Skaneateles will hold a Public Hearing on the Application of **Mark Congel/5 Fires LLC**.

Area variances are requested to construct a two-story attached garage located less than 25FT 10INCHES from the rear yard setback, to increase the nonconforming impermeable surface coverage on the lot and for supplementary dimensional regulations – driveways. The site plan shows a proposed relocated driveway located on the rear property line where 20 feet setback is required and at less than the required 20 feet from the east property line.

The involved Sections of the Skaneateles Town Code are 148-12G(1)(a)[5], 148-12G(1)(a)[7] and 148-11(4)(b).

The property in question is located at 3395 East Lake Road in the Town of Skaneateles, New York and bears Tax Map ID #041.-01-21.0.

A Copy of the application is available for inspection at the Town Hall, 24 Jordan Street, Skaneateles, New York.

Said Hearing will be held on *Tuesday, April 5, 2016 at 7:10 p.m.* at the Town Offices, 24 Jordan Street, Skaneateles, New York. At that time all persons will be heard.

Denise Rhoads, Chair
Zoning Board of Appeals
Town of Skaneateles

Dated: March 23, 2016

Chair Rhoads explained that the board did make a site visit to the property on March 19th with both Mr. Congel and Mr. LaFrance present. All board members attended with the exception of Member Palen who will be making an independent site visit on his own. Counsel Molnar recommends that area variance requests for all single-family residences are automatically Type II under the New York State regulations.

WHEREFORE a motion was made by Chair Rhoads and seconded by Member Ketchum to declare this application to be a Type II action not subject to SEQR review. The Board having been polled resulted in the unanimous affirmation of said motion.

At this time, Chair Rhoads asked if anyone in the audience wished to speak in favor of the application. No one spoke. Chair Rhoads asked if anyone wished to speak in opposition or had any other comments regarding the application at this time.

Gail VanderLinde of 3415C East Lake Road, Skaneateles, NY 13152 wished to speak. Mrs. VanderLinde is a 35 year resident who lives on The Lane, north of The Lane where the Congels live. Mrs. VanderLinde's property is not directly adjacent to the Congels, however, where it would be built with the second story would greatly hinder Mrs. VanderLinde's view. Determination of an underground waterline and concern for disturbance were conveyed in relation to a shared waterline. Mrs. VanderLinde requested a postponement due to the direct neighbor being away in Florida at this time and until such a time as Mr. and Mrs. Len Rice returns, it would not be fair to proceed. Although it seems positive to relocate an existing driveway away from the lakefront, the relocation would immediately impact the east neighbor who would be gaining a driveway in their front yard, per Mrs. VanderLinde. Vice Chair Condon asked how Mrs. VanderLinde knew where the waterline was. Mr. Congel responded that the waterline has been replaced at the east where the pine trees are located so that this project does not interfere with it at all. Mr. Congel's work included a partial replacement and to connect to the older existing waterline on the east side. Mr. Congel pointed out a manhole and cover per the aerial view of the properties showing what was tapped into (the existing line) and what was

added to as a new water line to his property. The existing line comes on the east side of the pine trees planted by Mr. Congel, per Mr. Congel. Knowing where the old water line exactly is could not be determined. Mr. Congel said that the water line is in and part of an easement going up to the interchange.

Sheila Wheldon of 3415D East Lake Road, Skaneateles, NY 13152 wished to speak. Mrs. Wheldon lives adjacent to the north side where the north driveway connecting to the property line would affect her. Although mailed, the public hearing notice was not received by the Wheldons for some unknown reason. Mrs. Wheldon also stated that Mr. Len and Mrs. Marianne Rice did not receive a public hearing notice; however, Mr. Bersani (north neighbor currently in Honduras) did receive the public hearing notice. Mrs. Wheldon requested a postponement of the public hearing so that her husband, the Rices and the Bersanis have a chance to be heard. Mrs. Wheldon was concerned about an eight foot northern easement which may be a verbal agreement between the Rices and the Congels which may or may not be on Mrs. Wheldon's property. The area in question had previously been impassable until Mr. Congel owned the property and cleaned up some brush. It was determined that the Rices must speak on their own behalf to clarify this possible verbal easement. Mrs. Wheldon went on to describe a drainage pipe tied into by the Bersani property where a stream exists underneath the properties. Other direct neighbors were mentioned by Mrs. Wheldon who, according to Mrs. Wheldon, had experienced floods in their basement as a result of the stream and drainage issues. Mrs. Wheldon questioned who is required to be notified of public hearings. Contiguous properties are the only neighbors required to be notified by mail per Town Code. The notice was also posted on-line and in the newspaper as required, however, Mrs. Wheldon did not receive her notice by mail for some unknown reason. The correct mailing address had been previously verified by Secretary Norstad. Vice Chair Condon asked Mr. Congel to verify the existence of easements per his title policy and Mr. Congel said that according to schedule B of the policy, no easements exist. On Fire Lane I, there is a south easement that is not on Mr. Congel's property, per Mr. Congel. Attorney Molnar requested that Mr. Congel forward his title policy and survey from the time of acquisition to the board. Attorney Molnar also requested that other concerned parties provide documentation to the board regarding easements and reminded that this is important to the Zoning Board of Appeals decision making process. The board does not want to permit construction of improvements upon an area that is subject to an easement because it has an impact on that easement holder's rights. Mrs. Wheldon again asked for a postponement because neighbors such as Mr. Bersani, the Rice's and Mr. Wheldon are not present. Mrs. Wheldon went on to say that her view would be significantly impacted and diminished by this project. Vice Chair Condon suggested submitting photos.

At this time, Secretary Norstad read aloud the e-mailed letter received from Len and Marianne Rice of 3391 East Lake Road, Skaneateles, NY 13152. It read as follows:

E-Mail to Michele Norstad, Zoning Board of Appeals, Skaneateles, NY, April 4, 2016

mnorstad@townofskaneateles.com

Dear Michele,

Thank you for talking with me this morning regarding our neighbor, Mark Congel's, request for a zoning variance that is to be heard at your next meeting, Tuesday, April 5, 2016 @ 7:10pm.

As mentioned, my wife and I have not received a written notification of this hearing but were alerted to it by one of our neighbors yesterday, Sunday April 4th, whose property is not contiguous to the Congel property and had concerns about the proposal. They thought we had more information regarding the variance request since our property at 3391 East Lake Road is contiguous to the Congel property. I immediately spoke with our neighbor, Sheila Weldon whose property also is contiguous to the Congel property, yesterday, Sunday April 4th, and she also had not received written notification of this hearing.

Needless to say, we are very much concerned as to how this project will affect our property and the neighborhood. We would want to be present at the hearing to offer our thoughts and/or concerns in person. At this late date it is not possible for us to attend the scheduled meeting on Tuesday, April 5th. We sincerely request that the Zoning Board of Appeals give us the time to review this project with the two (2) variances requested and to allow us to voice our questions and comments in person.

It is my understanding that neighbors who own property not contiguous have concerns regarding water lines, drainage, etc. that may also be affected by this project. Perhaps, they should also receive written notification of the Congel proposal.

Please note you should be receiving an e-mail from other contiguous property owners who have comments regarding this project.

Again, thank you for your time and would greatly appreciate it if the Zoning Board of Appeals would honor our request. We plan to return to Skaneateles the week of April 18th.

Sincerely,
Len and Marianne Rice

Chair Rhoads asked if there were any other comments at this time. An audience member, John Rooney of 2415A East Lake Road, Skaneateles, NY 13152 inquired as to how photography of views impacts the review process by the board. It was stated that the pictures will help with concerns, although there are no rules regarding view pictures submitted to the board.

Gail VanderLinde questioned if two waterlines exist or if the original waterline is shared. It was determined that Mr. Congel: hired Mr. Brillo to change out the existing waterline in part, receives his water from the same single pump station and source that all of the neighbors do, pays Mr. Brown monthly, knows the location of the waterline and is confident that he will not disrupt water service upon excavation of the proposed project. Vice Chair Condon requested documentation showing the location of the waterline.

Mrs. Wheldon inquired as to the depth placement of the new garage. Mr. LaFrance stated that the garage is located below the first level of the dwelling by a few feet. The profile view was shared from the drawings. There will be no retaining walls. Mr. Congel said that the dirt disturbance will be minimal in removing the blacktop to the west. The new garage (with no room underneath) will be approximately three to four feet beneath ground level and will take advantage of the existing slopes and grade per Mr. Congel and Mr. LaFrance. The garage's northeast side corner will be level with the ground. Mrs. Wheldon was trying to determine the actual height of the garage and chimney once erected and was concerned about site disturbance. No grade drawings were presented to the board. A current plans and elevation plan was

requested showing a view from the garage side of the property. Mr. LaFrance will prepare and present a view from all four sides for the proposal and to show grading of the property.

Gail VanderLinde asked how the current Comprehensive Plan protects obstructed views of the lake by a new construction. The Town of Skaneateles Code allows and enforces 35FT from grade as the standard height restriction. The 35FT is measured beginning at grade and 4FT up at the lake if there is a shoreline structure. Vice Chair Condon pointed out that tree foliage also obstructs views. Counsel Molnar stated that the existing Comprehensive Plan in place since 2006 which identified various view sheds. The Zoning Code was reconciled to this 2006 Plan to permit and/or restrict the taking away or eroding of the view shed and was done in terms of the code. Property owners who believe their rights against another property owner are violated should consult independent counsel. The Zoning Board of Appeals may not counsel property owners on their individual rights. The Zoning Board of Appeals and The Planning Board administer the code. The zoning code permits building height up to 35FT average grade on any given lot and if a property owner wants to exceed that, a variance is necessary. For the Planning Board and looking at rural siting principals and the determination of where a house goes on an unimproved lot in terms of a subdivision, the rural siting principals are used to try and protect the best view shed overall. The Planning Board and the Zoning Board of Appeals have both recognized over time that no individual party in the town or collectively owns a view shed by right of an easement for which there is no such thing. Parties objecting that their rights to a view shed are being violated must demonstrate that they have such an easement and right of record first in order for that to become part of the information used in the decision making process. Generally speaking, there is no "right of view." The Comprehensive Plan encourages view shed protection priorities in any future development and where that development is either encouraged or discouraged; however, it is the zoning code that is enforced and used by the boards. The newly adopted Comprehensive Plan is currently on hold.

Mrs. Wheldon asked if a property is not at the same height as the neighboring property, what measurement is used to determine the 35FT. Member Ketchum answered that it is average grade of the area that is used.

Mr. Congel stated that he believes that he is a responsible neighbor and what he is trying to do in re-development and is keeping the history of the house and bettering the property and neighborhood. Mr. Congel stated that "I'm fine with the re-development piece of it; I think that what we're doing is betterment." Mr. Congel went on to say that height is not a variance sought and previous to his purchase of the property the views to the water through our property line were non-existent. Before and after pictures prove this, per Mr. Congel. A 30FT hedgerow pre-existed. Mr. Congel stated that he has done nothing but improve the property and asked that the board at least approve the 13.5% impermeable surface coverage so that the process may be started and the re-development process may be entered. The advantage of moving the driveway to the east may be commented on if Mr. Congel has to go into the re-development process; however, Mr. Congel stated that he is fine with the driveway location ending up on either side of his house. The 13.5% is an existing number and at least it will get the process started, per Mr. Congel. Member Ketchum pointed out that the Zoning Board of Appeals votes on the current variance requests only.

Chair Rhoads and Vice Chair Condon stated that based on the comments of the audience, the e-mail letter of the neighbor, the late submission of the April 1, 2016 revised drawings,

applicant supplied water line location documentation and easement concerns, that the public hearing be continued until next month's meeting. Member Ketchum stated that the board also has one member not in attendance tonight and another member who has not yet visited the property. Member Palen plans to make a site visit before the next meeting.

WHEREFORE, a motion was made by Chair Rhoads and seconded by Vice Chair Condon to continue the public hearing on *Tuesday, May 3, 2016 at 7:10 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Public Hearing Continuance

Applicant: Kerrin Hopkins
1813 Russells Landing
Skaneateles, NY 13152
Tax Map #063.-03-13.0

Present: None

Chair Rhoads described the proposal to construct a new dwelling on nonconforming lot exceeding lake yard setback, setback to a watercourse or wetland and exceeding lot slope regulations. The Board made a site visit on January 16, 2016; the public hearing was opened on February 1, 2016 and continued to the March 1, 2016 meeting. Information on the site regarding the existing watercourse, its drainage and the easement area were requested by the Board. Ms. Hopkins is still working on obtaining the requested information and has requested a continuance until the May 3, 2016 meeting. She has communicated this to the Secretary Norstad via email.

WHEREFORE, a motion was made by Member Ketchum and seconded by Member Palen to continue the public hearing on *Tuesday, May 3, 2016 at 7:20 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Other Board Business:

- In regards to the possibility of changing the date of the May meeting; it was determined that May 3, 2016 has the highest attendance projection and that the meeting date will remain unchanged.
- A high school student, Alex Cormack, attended the meeting for her government class and had Chair Rhoads sign the attendance sheet.
- Chair Rhoads gave review of the John Tiexeira, 2763 East Lake Road application for variance which was approved at the March 1, 2016 Zoning Board of Appeals Meeting. A variance for a 174SF addition to the second floor of a seasonal cottage on a non-confirming lot was approved; as well as a side yard (driveway) setback for reconfiguring and removing a portion of the driveway. The board suggested at site visit, relocation of the driveway to avoid the existing septic system and leach field (which was recently installed and approved by Onondaga County Department of Health); At the recent Planning Board meeting and review of the application, it was noted that the change in

driveway triggered re-development. Re-development requires the applicant to pay into the Development Rights Acquisition Fund and resets the sites impermeable surface coverage at the current approved percentage. It was not brought to the board's attention prior to approval of the variances that the reduction in driveway area would be considered re-development, as per the current code and that a driveway is considered a structure. As a matter of public record, the Board's concern and intent was to remove the driveway from its current location near the septic and leach field. The width of the lot and septic/leach field location provides very little options for the driveway and parking area, thus the board granted a sideyard setback to provide a turnaround area for the driveway, which resulted in a reduction in driveway area and impermeable surface coverage. The Board was not aware that it was re-development when the application was approved. Considering the leach field and septic were important factors in the Board's decision.

Vice Chair Condon explained that at the joint Planning Board and Zoning Board of Appeals site visit, the new septic, leach field and new water line next to the driveway location with the leach field possibly leaching to the lake raised environmental concern. The Zoning Board of Appeals addressed these issues with the Town Engineer who was there. The Zoning Board of Appeals asked the applicant if renting the property was a possibility, and the applicant was honest saying that this property is a potential rental which gave more cause for concern to protect the septic from being driven over by tenants, thus the request for driveway re-location and removable barricade or landscaping were made. The applicant was very happy that these concerns were brought up and was unaware that the issues may possibly happen. Impermeability was not the focus, yet, protecting the property, environment, lake and community while thinking of the easement concerns to the driveway were all factors contributing to the ultimate decision. Lowering impermeability was not the intent of the Board, but a by-product of the driveway re-configuration.

Attorney Advice Session

8:04 p.m.

WHEREFORE a motion was made by Vice Chair Condon and seconded by Member Ketchum to enter an Attorney Advice Session. The Board having been polled resulted in favor of said motion.

WHEREFORE a motion was made by Vice Chair Condon and seconded by Member Palen to return from Attorney Advice Session. The Board having been polled resulted in favor of said motion.

The Board returned at 8:17 p.m.

Other Board Business (cont.)

- Clerk Barkdull presented to the Board some ideas regarding sign usage in the Town to notify a passerby that something is going on with a property and that a listed number may be called to inquire about the nature of projects. The phone calls would then require

explanation by Clerk Barkdull to interested parties about the details of the projects. New York City displays building permit indicator signs as well for the continuation of notifications after a project is approved. Clerk Barkdull is not necessarily in favor or opposed to this idea, yet trying to gain the informal (feelers) input of the Zoning Board of Appeals to deliver back to The Planning Board. Chair Rhoads felt that from her attendance at the recent Planning Symposium meeting where this topic was discussed, the concept is good but the logistics of it working are not. Time and cost are the two major factors and municipalities can't afford this. Government and Federal Grant funding are available as long as strict criteria and documentation are met. Perhaps major projects only would be a consideration, however, questions such as who erects/takes down the signs, pays for the signs, and decides where to place the signs and how many signs were some of the unanswered logistic questions discussed. The signs would be in addition to written contiguous property owner notifications. Chair Rhoads asked if this input should come by way of consideration and of a formal list by the Zoning Board. Clerk Barkdull said no and that the intent was only a tentative inquiry.

- On the issue of contiguous neighbor notification letter for public hearings, Member Ketchum asked if applicant funded certified return receipt letters were potentially a good idea so that all involved parties are certainly notified. Counsel Molnar stated that as part of the \$200.00 application fee, the advertisement in the Skaneateles Press as well as the payroll to manage is included.
- The 2016 Skaneateles Lake Watershed Stakeholders Meeting will take place on Wednesday, April 13 at The Skaneateles United Methodist Church from 5:30p.m. to 8:00p.m. Lake foam is the subject and dinner is included. Please let Secretary Norstad know by April 11 for reservations.
- The Solarize Central New York Opportunities for Participation In a Community Solar Initiative meeting will be held Wednesday, April 6 at the Skaneateles Fire Department at 7:00 p.m.
- Chair Rhoads requested the Board to begin recording ideas for Joel Russell such as code issues regularly dealt with.
- Local Law #1 of 2016 was passed and filed with the Secretary of State March 29, 2016 regarding Abandonment. The law is designed to define when an application before the Planning Board and Zoning Board of Appeals will be deemed to be abandoned.

Attorney Advice Session

8:25 p.m.

WHEREFORE a motion was made by Member Ketchum and seconded by Chair Rhoads to enter an Attorney Advice Session. The Board having been polled resulted in favor of said motion.

WHEREFORE a motion was made by Chair Rhoads and seconded by Member Ketchum to return from Attorney Advice Session. The Board having been polled resulted in favor of said motion.

The Board returned at 8:27 p.m.

There being no further business, a motion was made by Vice Chair Condon and seconded by Member Palen to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:29 p.m.

Respectfully Submitted,

Michele Norstad

Michele Norstad