

THE REGULAR MEETING of the ZONING BOARD OF APPEALS of the Town of Cortlandt was conducted via Zoom on *Wednesday, June 17<sup>th</sup>, 2020*. The meeting was called to order, and began with the Pledge of Allegiance.

David S. Douglas, Chairman presided and other members of the Board were in attendance as follows:

Wai Man Chin, Vice Chairman  
Adrian C. Hunte  
Eileen Henry  
Thomas Walsh  
Frank Franco  
Cristin Jacoby

Absent: Chris Beloff, Alternate Member

Also Present Chris Kehoe, Deputy Director for Planning  
Joshua Subin, Assistant Town attorney

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Mr. David Douglas stated before we commence with our meeting, we're going to have a moment of silence in recognition of George Floyd and the events in the country that have recently occurred.

Ms. Adrian Hunte stated thank you David. For George Floyd and for all others who have suffered and have lost their lives because of the color of their skin and against systemic racism and injustice, and to strive for equal justice for all. For those who can, I would ask you to now just hold your breath for 10 seconds, starting now. Thank you.

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**ADOPTION OF MEETING MINUTES FOR MAY 20, 2020**

Mr. David Douglas asked the first item is the adoption of the meeting minutes for the May 20<sup>th</sup> meeting.

So moved, seconded with all in favor saying "aye".

Mr. David Douglas stated the meeting minutes for May 20<sup>th</sup> are adopted.

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**ADJOURNED PUBLIC HEARINGS:**

- A. Case No. 2019 – 13 Application of Elizabeth Holloway of Station Glo of New England,** for the property of Ibrahim Jamil, for an area variance for additional signage at the existing Mobil Gas Station located at 2225 Crompond Road (Route 202).

Mr. David Douglas asked Mr. Kehoe, have we heard anything from the applicant?

Mr. Chris Kehoe responded no. Similar to the last time, I have sent the agenda, sent several – not several, but I emailed, and then emailed a reminder and there's been no contact.

Mr. David Douglas stated I'd suggest we do what we generally do in situations like this, is that Mr. Kehoe if you could send a notice to the applicant telling them that if we don't hear from them or they don't appear at next month's meeting, we'll deem it abandoned at next month's meeting.

Mr. Chris Kehoe stated okay.

Mr. David Douglas asked does somebody want to make a motion to that effect?

Mr. Wai Man Chin stated second that.

Mr. David Douglas asked did somebody make a motion?

Mr. Wai Man Chin stated I second what you just said.

Mr. Thomas Walsh asked should I make a motion to adjourn the case and send the letter, David?

Mr. David Douglas responded yes.

Mr. Thomas Walsh stated on case No. 2019-13, the case for 2225 Crompond Road I make a motion that we adjourn the case until the July 15<sup>th</sup> meeting and Chris Kehoe will send a letter to the applicant to respond to the next meeting or the case will be abandoned and closed.

Seconded with all in favor saying "aye".

Mr. David Douglas stated that motion is adopted. Mr. Kehoe, if you could please send that directive. That would be great.

Mr. Chris Kehoe responded I'll take care of it.

**B. Case No. 2019-14 Application of Elizabeth Holloway of Station Glo of New England, for the property of GTY NY Leasing, Inc.** for an area variance for additional signage at the existing Mobil Gas Station located at 2072 E. Main St. (Route 6).

Mr. Frank Franco asked do we need to make a motion for 2019-14 also?

Mr. David Douglas responded we do and that's what I'm going to do right now. This situation is the same for this so I'd ask that Ms. Hunte – sorry, it's Ms. Henry. This is your case, so if you could make that motion, that would be great.

Mr. Chris Kehoe stated you need to un-mute.

Ms. Eileen Henry stated similarly to the prior case I'm going to move on case No. 2019-14 that it's adjourned to the July meeting and also that Mr. Kehoe send a letter to them that if they do not show up or communicate prior to that time that the case will be deemed abandoned.

Seconded with all in favor saying "aye".

Mr. David Douglas stated case No. 2019-14 is adjourned and Mr. Kehoe will send that notice to the applicant.

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**NEW PUBLIC HEARINGS:**

**A. Case No. 2020 – 3 Application of Dean Koutsoumbis, for the property of Acadia Cortlandt Crossing, LLC,** for an area variance for a wall signage to be located on the existing Chipotle Restaurant located at 3144 East Main Street.

Mr. David Douglas stated I apologize if I mispronounced the name.

Ms. Adrian Hunte stated good evening. This is my case; Adrian Hunte here. Mr. Koutsoumbis are you there? I see your name. Are you muted?

Mr. Dean Koutsoumbis stated I'm un-muted.

Ms. Adrian Hunte stated good evening.

Mr. Dean Koutsoumbis stated good evening members of the board. I am here on behalf of Chipotle. I'm a permit expediter. We're seeking a variance to replace the existing wall sign that's

in the front of the building and add a second wall sign on the side of the building. Both signs will be over the allowable square footage by code.

Ms. Adrian Hunte stated just tell us why you think you should have a larger sign in the front. I've seen the property. The sign is visible. You're right there on 6. Although it says the amount, the percentage of the variance requested for the front is 69.66% and the side 78.34%. Of course we are allowed to go up to 100% but – and the amount of the square footage, the increase would be what? Because it's like...

Mr. Dean Koutsoumbis responded the increase would be 74% over what the code is required. If we're allowed to have – we have 32.6 feet of frontage of our store so we're allowed to have a 32.6 square foot sign.

Ms. Adrian Hunte asked and that's what's there now?

Mr. Dean Koutsoumbis responded which is what was there now. The purpose of that was just to get the store opened. It was always the intention of the Chipotle to have a larger sign. The sign is in character with the other signs of other buildings in that area and with the size of the building and with the size of the sign band that was designed for that building. From looking at it, the sign band – the sign that's there now is rather small compared to the sign band that was part of the building. It's also comparable to the size of – I was there. I looked at the Verizon building. They also have a rather large sign facing the front. They have a large one facing the side. We want to do something comparable proportionate to what they did and also based on the size of the building. What you see, what was put there today – what you see there today is really just, that was the largest sign allowable by code and just to get the store up and running. And that also considers the square footage of the decals which are upwards to the glass; there's two decals on the front and one on the side. Those do count towards the percentage that we're asking for.

Ms. Adrian Hunte asked what about the side, the sign on the side. How is that going to be visible from the – there's an entrance there to the mall...

Mr. Dean Koutsoumbis responded if I can share my screen I did take some photos from approximately 300 feet up the road. Right now there is no sign on the side of the building but it will be visible to the northbound traffic. May I share my screen?

Ms. Adrian Hunte asked I'm sorry, to the northbound or eastbound traffic?

Mr. Dean Koutsoumbis responded eastbound traffic from approximately 300 feet away or so. Once you clear the line of the trees then you'll have full visibility of the Chipotle building and where the proposed sign would be. A larger sign would be more visible to the traffic heading in that direction.

Mr. Chris Kehoe stated I'm not sure as an attendee, and I apologize, I'm not an expert with the Zoom. I'm not sure as an attendee if you could share your screen.

Mr. Dean Koutsoumbis stated let's see. Let me see if there's a way. Hold on. I don't see that option here. It's probably in one of the settings that the host created.

Ms. Cristin Jacoby stated Chris, I believe whoever has host controls can make him a panelist and in doing so he would be allowed that functionality, I think.

Mr. Chris Kehoe stated Mike Preziosi is texting me and without him becoming a panelist, he cannot share his screen. Since Mike is texting me I'm assuming that he's listening so I don't know if that's something that we would do, would be to promote him to a panelist so he can share his screen.

Mr. Michael Preziosi stated we typically have not been doing that but if the board would like to I can make him a panelist.

Mr. David Douglas stated yes, I think that might be useful if you could do that Mike.

Mr. Michael Preziosi stated I have promoted him so just give him a second to log back on.

Ms. Cristin Jacoby stated thanks Mike.

Mr. Dean Koutsoumbis stated hello?

Mr. Chris Kehoe stated yes Dean we can hear you. I think you should be able to share your screen now.

Mr. Dean Koutsoumbis stated it says: "Host disabled participant's screen sharing".

Ms. Adrian Hunte stated enable that Mike.

Mr. David Douglas stated I'm not seeing your video at all Mr. Koutsoumbis.

Mr. Michael Preziosi stated I'm not going to be able to make him share his screen. It's only a host capability. It would only be Chris and I that would be able to share.

Mr. Chris Kehoe stated if you could email us something.

Mr. Dean Koutsoumbis stated I'll email you the picture.

Mr. Thomas Walsh stated there's also an exit right on that side of the building too? Right Chris? I think that would be considered an extra street frontage too if I'm not mistaken I think that's what we've done for AT&T, in the new plaza.

Mr. Chris Kehoe responded yes, they're able to get sign on that side of the building, the western elevation and that's what they're requesting. They can't get a sign on the eastern side because that's Aspen Dental. I suppose they could try to get something on the northern side as well but they are permitted – they're not asking for that, but yes, your point is that we consider that loop road another roadway.

Mr. Joshua Subin stated we've considered that in the past.

Mr. Dean Koutsoumbis stated please give me a moment. I'm emailing – please bear with me. I'm sorry.

Ms. Adrian Hunte asked, and Mr. Koutsoumbis when you have an opportunity, apparently there was some sort of discrepancy between the sign size square footage and what was in the application and what was in the drawings.

Mr. Dean Koutsoumbis responded I looked through the drawings. I looked through the zoning sheet, those numbers that we're requesting match up. I don't know, maybe there was something – I did not have the application. I don't know what the difference was but I'll gladly address it.

Mr. Chris Kehoe stated Dean, what I asked you in a previous email and you may have quickly answered it today, but in the denial letter from the Code Enforcement office, they say your total sign is 56.87 square feet and that's what's on the denial letter and I think that's what's in your application. However, the drawing shows the sign as 55.31 so I asked if that included or didn't include the decals.

Mr. Dean Koutsoumbis responded yes, that includes the decals. If you see the zoning sheet, the one that – the latest revised zoning sheet does include, it includes two decals at 1.56 square feet. That's where we have a total of 56.87 where the sign itself is 55.31.

Mr. Chris Kehoe stated so that means then that the request for the front façade change would be 24.27 square feet.

Mr. Dean Koutsoumbis responded correct.

Mr. Chris Kehoe stated including the decals and then the request for the side façade would be 13.55 with the decals.

Mr. Dean Koutsoumbis responded correct.

Ms. Adrian Hunte stated I'd just like to go over the numbers. In other words, we have 32.6 square feet and with the sign itself still be rectangular but just a bit larger all around because we're talking less than two feet in terms of actual -- between 55 square feet and 32.6 square feet. In other words, the square root of 55 is like 7.43 and then you've got 5.7. So in actual footage you would be talking about less than two feet, 1.7 feet. Is that right?

Mr. Dean Koutsoumbis responded wait I don't understand. What's the question? Rephrase the question.

Ms. Adrian Hunte stated you're permitted – that sign you have on the front of the building is 32.6 square feet and it's somewhat of a rectangle.

Mr. Dean Koutsoumbis responded yes.

Ms. Adrian Hunte stated so you're asking to increase the size to 55.31 square feet.

Mr. Dean Koutsoumbis responded yes.

Ms. Adrian Hunte stated but in actual linear feet, you're really not talking that much. You're talking like 7 feet.

Mr. Dean Koutsoumbis stated the plan calls for the new sign is going to be 18 feet long by about 3 feet and 7/8; essentially 18 by 3.

Ms. Adrian Hunte stated that would be the new one. So right now...

Mr. Dean Koutsoumbis stated that would be the new one. Right now, I do not have the plan right now. Let me see if I can get the plan. I did email some photos so if Chris see if he could share those photos.

Mr. David Douglas asked Chris did you receive what he sent you? Okay, I guess you did.

Ms. Adrian Hunte stated okay, so that is that other entrance to the mall. You would see the side sign from – not necessarily from 6 but as you enter the mall. I guess you can see it from 6.

Mr. Walsh stated [it's not an entrance] that's an egress right there.

Mr. Dean Koutsoumbis stated I sent several photos.

Ms. Adrian Hunte stated actually it's an egress. It says "do not enter" but you can see it once you're in there. This is the photos you're saying that you took from 300 feet away. So you're on the other side of 6?

Mr. Dean Koutsoumbis responded that's the closest one. I took up the road as well. If you want to scroll through the photos, there's all the ones – that's the closest one, almost standing right at the exit from the parking lot but I did take up the road as well at the point where it would be visible to the traffic heading in the direction, heading easterly.

Mr. Wai Man Chin stated I don't think that's necessary. From what I see you're at the side – it's the side of the building where the Chipotle sign is visible but it's small compared to the façade right now.

Mr. Dean Koutsoumbis responded yes.

Ms. Adrian Hunte stated this is in a shopping center or mall and I don't see that there's any real detriment to the neighborhood and compared to – although obviously ShopRite is a lot larger premises, the sign is quite a bit larger for ShopRite which is recessed. Home Sense appears to have a sign that may be just slightly larger. Verizon has one that's a little larger. I don't see a real problem with it. Although the percentage seems to be high, the actual linear footage or square footage is not that great. Anyone else?

Mr. Wai Man Chin responded no I agree. I think the sign on the existing sign right now is kind of small for that façade. I think a little larger sign for that front face because you're right on Route 6, would be a little bit nicer and the one on the side would be smaller. I think that would be fine. When you're coming down the road over there you can see it also from further up the road. I have no problem with either one of the variances.

Mr. Thomas Walsh stated I'm in agreement too. I know there's a precedent for approving these signs we're allowed up to a hundred percent variance so I have no issues as it's presented.

Mr. Frank Franco stated I agree as well. I don't see a detriment to putting that sign up, either one.

Mr. David Douglas asked anybody else have any comments? I'm going to be in the minority on this as I often am. I'll just state briefly. My view is that the town has set what's has a formula for the size of signs that if the Town Board in its wisdom decides that they want to increase those then of course they're free to do so but they haven't so to me that seems to be something that we should respect. The sign that's there now seems perfectly legible to me and I don't see any reason why it should be increased above what's allowed under our code. I know people have sometimes said to treat the Cortlandt Town Center differently. This is not in the Town Center. I'm going to vote no but it's been years now that since I've had somebody agree with me on the board, since James Seirmarco is no longer on the board, I'm going to be the sole dissenter. That's my position.

Ms. Adrian Hunte asked anyone else?

Mr. Frank Franco responded I guess the one thing that goes through my head is the other signs on the other buildings. I don't have all the data in front of me but if none of them have been granted a variance for their signs and proportionally they are what they are. Some of them may be bigger than the Chipotle building so I guess at some level going along with the Chairman said. If everybody has a proportional sign that's a hundred percent, then maybe we should stick with that.



Mr. Chris Kehoe stated I can address that briefly is that the stores in the Cortlandt Crossing shopping center; ShopRite has a variance, Aspen Dental hasn't put their signs up but they applied for a variance and then if you go across the street, which once again may be a concern with the current writing of our sign ordinance but almost every tenant across the street has received a variance.

Mr. Frank Franco stated I'm looking at it from a precedence standpoint. If we've granted these other signs to be a bit bigger, I don't see this as, like we've said, it's not over a hundred percent but if everybody was in compliance I'd say, the precedent is that we're not giving these variances and we should stick to the main code. But if others have received it then I'm more willing to grant it based on the fact that others have received variances for their signs.

Mr. Joshua Subin stated the one thing I would encourage everybody to do is to try and keep your arguments for and against in the framework of the five factors and how we approach variances. I agree with the conversation is perfectly appropriate to have in saying that we have a formula for applying the sign.

Mr. David Douglas stated I don't think that anybody has anything that was...

Mr. Joshua Subin stated it applies. It's just loosely.

Ms. Adrian Hunte asked anyone else? Anyone in the audience? Hearing none, then on case No. 2020-3 applicant Dean Koutsoumbis, the owner Acadia Cortlandt Crossing at 3144 East Main Street for a variance I make a motion to close the public hearing.

Seconded with all in favor saying "aye".

Mr. David Douglas stated the public hearing is closed.

Ms. Adrian Hunte stated on case No. 2020-3 for a variance proposed 55.31 square feet from a permitted 32.6 square feet, variance 22.71 square feet; a 69.66% variance for the front signage I make a motion that we grant the variance.

Mr. Chris Kehoe stated Adrian, I apologize but the fact sheet has numbers that don't reflect what Mr. Koutsoumbis sent tonight. I can read the numbers off of the denial letter which are the correct numbers.

Ms. Adrian Hunte stated we'll have them subject to the correction on those numbers as long as they're...

Mr. Chris Kehoe stated he included the decal signs and I did not include the decal signs so that I have the correct numbers and they're just not on the fact sheet.

Ms. Adrian Hunte stated I was making a motion to grant subject to that correction.

Mr. Joshua Subin asked did we lose the participant?

Mr. Thomas Walsh stated we might have.

Ms. Adrian Hunte stated I don't see him.

Mr. Michael Preziosi stated he's moved back as an attendee.

Seconded.

Mr. David Douglas asked Mr. Kehoe, could you poll the board?

Mr. Chris Kehoe stated Mr. Chin; yes, Ms. Hunte; yes, Mr. Franco; yes, Ms. Jacoby; yes, Mr. Douglas; opposed, Mr. Walsh; yes, Ms. Henry; yes. Motion passes 6 to 1.

Ms. Adrian Hunte stated and once again on case No. 2020-3 for a variance on a permitted 16.3 square foot signage on the side of the Chipotle premises; the proposed signage of 29.07 square feet that once again subject to any correction, Chris, variance of 12.77 square feet, percentage 78.34%, once again subject to those corrections, Chris. I make a motion that we approve or grant the variance for the side signage as well.

Mr. David Douglas stated I thought we just voted on that.

Ms. Adrian Hunte stated no we voted on the front. This is the side building.

Mr. David Douglas stated I didn't realize you had separated them.

Mr. Wai Man Chin stated it should be as one.

Ms. Adrian Hunte stated it should be as one. It's the same case but it's just Chris said stop to say that the numbers were different and then I just didn't get to say the second part there. And this is a SEQRA type II no further compliance required. Our vote is...

Seconded.

Mr. David Douglas stated Chris if you could poll the board again?

Mr. Chris Kehoe asked Mr. Chin; yes, Ms. Hunte; yes, Mr. Franco; yes, Ms. Jacoby; yes, Mr. Douglas; opposed, Ms. Henry; yes, Mr. Walsh; yes. Six to one.

Mr. David Douglas stated your variance is granted and Mr. Koutsoumbis I guess you should speak with Mr. Kehoe about what the next steps should be. I want to thank Mr. Franco for at least considering my point-of-view even while he wasn't all [inaudible].

Ms. Adrian Hunte stated we all considered it David. We take each case on its own merits. We don't prejudge anything.

Mr. Thomas Walsh stated went through the five factors. I'm looking at them right here.

Mr. David Douglas stated I'm not prejudging anything. I'm just thanking Frank for considering what I was saying.

**B. Case No. 2020 – 4 Application of Roberto Cosentino** for area variances for an accessory structure, a shed, located in the front yard (to the Bear Mountain Parkway) and for accessory structures totaling over 50% of the size of the principle structure for property located at 6 Toddville Lane.

Mr. Thomas Walsh stated this is my case. This is Mr. Walsh. Is Mr. Cosentino here? You're on the call and could you explain what you're doing? Did we lose him?

Mr. David Douglas asked is the applicant there?

Mr. Thomas Walsh stated I saw him up before.

Mr. David Douglas asked is he muted by any chance?

Mr. Frank Franco stated I think I only see us on the call.

Mr. Roberto Cosentino responded do you see me now?

Mr. Chris Kehoe responded yes.

Mr. Roberto Cosentino asked do you hear me?

Ms. Adrian Hunte responded I see your name.

Mr. Frank Franco stated I hear a voice.

Mr. Chris Kehoe stated and we hear you.

Ms. Adrian Hunte stated we hear you.

Mr. Roberto Cosentino stated I see the photo I sent over to Mr. Kehoe. I don't know how to place myself in the camera.

Mr. Chris Kehoe stated I think what happened the last time is we promoted that other person to a panelist. You're an attendee still so there won't be a video of you but we can hear you so you can go ahead and explain your case.

Mr. Roberto Cosentino stated okay. Thank you. My request is for permission to place an 8' x 15' lifetime shed in the location specified on the final survey in order to place a lawnmower and some garden equipment in it. I applied for a permit for the shed that the code office reviewed and determined that I have two or three front yards because they abut up to the Bear Mountain which is actually my backyard. Also, I have too much accessory building coverage and I believe it was in the proposed request for a variance of about 90 feet in order to add that shed.

Mr. Thomas Walsh stated I drove by your house today and the shed is in the back of [inaudible] your cul-de-sac, the dead end. You're in one of those lots that abuts another roadway and people don't realize that you have two front yards. In a lot of cases since I've been on the board, we see this where people apply for a permit and then realize they have a front yard – your backyard is actually a front yard case that you're falling under here also. I'm looking at your survey and it looks like a concrete pad in the back. What is that in the back where it almost abuts to the Bear Mountain Extension there?

Mr. Roberto Cosentino responded that is a basketball court.

Mr. Thomas Walsh asked Chris, is that counted as an accessory – I know you have, it looks like you have a pool. I was just trying to figure out what is all counted in the proposed, your 1,040 square feet of accessory structure. I was trying to figure out – your shed is only 120 square feet. I was just trying to figure out what the other 920 square feet are.

Mr. Roberto Cosentino responded I don't know if you're in possession of a memo, actually, Mr. Rogers was kind enough to assist me with the numbers and what was on there because we had an architect had submitted these numbers for the pool in the middle of last year. I don't know if you have that shed application with the memo. It actually has everything listed: the impervious lot coverage and the accessory structures. They're all on there.

Mr. Thomas Walsh stated I don't.

Mr. Chris Kehoe stated I'm just making sure you can hear me.

Mr. Roberto Cosentino responded yes.

Mr. Chris Kehoe stated Martin, the Code Enforcement office does all of the math and they included: asphalt driveway, play surface, walks, patio, pool, pool coping equipment pad and then when he added the proposed shed, and then they applied the mathematical formula it comes up to be 90 feet over what's permitted. All of those things were covered in Martin's memo.

Mr. David Douglas asked before we continue, can I ask that whoever's got the background noise, could they mute themselves? Thank you.

Mr. Thomas Walsh stated I just wanted to make sure that we're covering all the accessory structures that are on there that we could grant, if it's approved, grant one variance for Mr. Cosentino. As I'm going through our factors, it is the proposed shed location is not visible from the street. I doubt it's visible, I didn't drive down the Bear Mountain Extension, but I doubt it's visible from the backside of the Bear Mountain Extension. Is it? Did anybody drive down to see if they could see it from the backside?

Mr. Frank Franco responded I didn't try to but I've driven up that road though before and I can't imagine that it would be a predominant visibility thing from the Bear Mountain Parkway but I don't know for sure.

Mr. Thomas Walsh stated I've driven it a thousand times and I've never notice a basketball court there, if that's what was actually there. Maybe I'm going too fast but I don't feel it would be an undesirable change what they're asking for is 9.7% variance on the request. Benefit achieved: yes, they probably could. They do have a garage to the house just for benefit of storage but the other factors; it is not a substantial variance. It does not have an adverse effect on the neighborhood so based on that I have no problem approving this variance from my side.

Mr. Frank Franco asked I was wondering, have the neighbors been asked if – because it does look like it's pretty close to the yard on the other side of the property line. I was wondering if any neighbors were consulted and had any objections to the shed being there.

Mr. Roberto Cosentino stated they're here now actually. They're actually in the backyard if you want to ask them. They know about it. They know exactly what's going up and where it's going up.

Mr. Chris Kehoe stated also, the required public notices were sent out and the yellow public hearing sign did go up in the yard. I did receive a phone call from a neighbor but when I explained the proposal to that neighbor they had no issue.

Mr. Frank Franco stated I see. Good.

Mr. Thomas Walsh stated and it will require a building permit. It is over 80 square feet. That's what brought us to this hearing today. So they will have to require a building permit and required setbacks, requirements from the property line as part of their building permit.

Mr. Frank Franco asked I just wanted to ask Chris, on the variance and on the sheet it just says the 90 square feet, we're also talking about the front yard...

Mr. Thomas Walsh stated I'm going to read that into the approval when...

Mr. Frank Franco stated okay.

Mr. Thomas Walsh asked anybody else? Anybody from the public? Wai you're on mute.

Mr. David Douglas stated Mr. Chin you're talking – you've got to un-mute yourself.

Mr. Thomas Walsh stated Wai, you're still on mute.

Mr. David Douglas stated Wai, you're on mute.

Mr. Chris Kehoe stated try to scroll – there you go.

Mr. Wai Man Chin stated I don't know what happened. All I'm saying is that we've had given variances many years ago on the Bear Mountain Parkway before. It's something that nobody can really see from the parkway and it's a parkway. It's not like it was a next door neighbor. Again, I would not have a problem with that variance that's required there.

Mr. David Douglas asked anybody else have any other comments?

Ms. Adrian Hunte stated I agree.

Ms. Cristin Jacoby stated I agree.

Mr. Thomas Walsh stated in case No. 2020-4 for Roberto Cosentino at 6 Toddville Lane I make a motion that we close the public hearing.

Seconded with all in favor saying "aye".

Mr. David Douglas stated public hearing is closed.

Mr. Thomas Walsh stated in case No. 2020-4 for Roberto Cosentino at 6 Toddville Lane I make a motion that we approve for accessory structure a required 950 square feet of accessory structures, they're proposing 1,040 feet of accessory structures for a 90 square foot variance which is 9.7%, and also for accessory structures that are located actually in the front yard that abuts Bear Mountain Parkway. This is also subject to a building permit issued by Code Enforcement. This is a SEQRA type II, no further compliance required.

Seconded with all in favor saying "aye".

Mr. David Douglas stated the variance is granted.

Mr. Roberto Cosentino stated thank you members. I think I can sign off now. Is that correct?

Mr. Chris Kehoe responded yes. Just one minute though. You'll be receiving what we call a Decision & Order in the mail which explains and codifies the procedures for tonight. Martin Rogers will also get a copy of that in the Code Enforcement office and he needs that in his files before he'll be able to issue you the building permit. You should have that in the next day or two.

Mr. Roberto Cosentino stated okay. Thank you very much. I just want to thank you for your time and be safe and be healthy.

Members stated you too. Thanks.

Mr. Roberto Cosentino stated have a good evening.

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### **ADJOURNMENT**

Mr. David Douglas stated that concludes our agenda. We're going to go into executive session so we can discuss a legal matter with our attorney and we will not be returning to anything public after that. If anybody is watching after this, there will be no more proceedings.

Mr. Chris Kehoe stated my understanding is we all leave the meeting and then resign in.

Mr. David Douglas stated that's right. But I guess officially we have to make a motion to go into executive session right?

Mr. Joshua Subin responded I think you should also make the motion joint so that it's going into executive session and closing the meeting.

Mr. David Douglas stated you're right. That's a good idea. If somebody could make a motion that has both of those aspects.

Ms. Adrian Hunte stated I make a motion that we close the meeting and that we go into executive session as well.

Seconded with all in favor saying "aye".

Mr. David Douglas stated that's what we'll do. Thank you.

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**NEXT REGULAR MEETING WEDNESDAY, JULY 15, 2020**