

**BOARD of APPEALS**  
**Public Hearing**  
**May 12, 2016**  
**7:30 p.m., Town Meeting Hall**

**MEMBERS PRESENT:** Richard O'Leary  
Cynthia McKean  
Emily Barrett  
Nzingha Milanes  
Brian Ivanhoe, Chairman

**OTHERS PRESENT:** Gerald Reilly, Counsellor  
Bruce Thompson, Building Inspector  
Janice Will, Recording Secretary  
Members of the Public

***Chairman Brian Ivanhoe called the May 12, 2016 Town of North Salem Zoning Board of Appeals meeting to order.***

The next meeting date was set for June 9, 2016.

The minutes of the April 14, 2016 meeting were unanimously approved.

**HEARINGS HELD OVER:**

**BA15-30** Joseph Bryson (2 Fields Lane) – **Use Variance** - For the re-establishment of a gas station with addition of an accessory convenience retail store, pumping of gasoline, and continued operation of an existing tow-repair business, per Article IV Section 250-11 and the Table of General Use Requirements for the R 1/2 zoning district.

**BA15-31** Joseph Bryson (2 Fields Lane) – **Area Variance** – For the operation of a gasoline station with convenience store and tow-repair business in an R-1/2 zoning district, per Article V Section 250-15, Article VI Section 250-20 and -22 (C), Article VIII Section 250-35 (B), and Article XIII Section 250-73 (B, C, and D), the following variances are requested:

- a. To allow application of Use Group "L" (retail gas/convenience store) lot area and bulk standards as permitted in the GB zoning district.
- b. Decrease the gas station access point distance from the intersection of the designated street line from 100 ft. required to 40 ft. proposed.
- c. Decrease the front yard setback from 35 ft. required to 13 ft. proposed for installation of 4 fuel pump islands with a canopy.
- d. Decrease the rear yard setback from 50 ft. required to 40 ft. proposed for installation of a diesel fuel pump island.
- e. Increase the maximum height of a fence in a side yard from 5 ft. permitted to 7 ft. for a fence and 11 ft. for a retaining wall.

- f. For areas where the required 10 ft.-wide landscaping cannot be provided, a variance of 10 ft. is requested.
- g. Decrease the side yard setback from 20 ft. required to 11 ft. proposed for a trash enclosure and to 1 ft. for an off-street loading berth.

*These two applications are still under SEQRA review by the Planning Board.*

**PUBLIC HEARINGS:**

**BA16-12 Lucia/Stephen Strutt (724 Titicus Road) – Area Variance** – To decrease the minimum side yard setback in an R-4 zoning district, per Article V Section 250-15. A setback variance of 50 ft. is requested (75 ft. required; 25 ft. proposed) for construction of an addition to a non-conforming church as part of its conversion to a single-family dwelling.

Stephen Strutt addressed the Board, saying that he and his wife are new to Town; they purchased the church and are hoping to be granted a variance to build an addition in order to convert the church into a residence. He explained that the main living area will be open; the addition is for a garage with a bedroom suite above it. Mr. Strutt said that the property is long and narrow, so there was really no way to do anything without applying for a variance.

Lucia Strutt stated that the lot is a sensitive site, including wetlands. She and her husband have hired Insite Engineering, an architect, and a local contractor. Mrs. Strutt remarked that the sanctuary needs a lot of repair, and the garage addition will also have a workshop area.

Chairman Ivanhoe wished the Strutts good luck and said the beautiful building seems to be in good hands.

Cynthia McKean said that when she visited the site, she found the curve in the road made it difficult to turn into the driveway and wondered if it is to be changed.

Tom Smith, architect, displayed a site plan. He explained that there are currently 2 drives; the one on the far right side is to be abandoned and only the one in the middle (which leads to where the garage addition is to be constructed) will be used in the future. He said the pavement of the right-side driveway and a rear parking area will be taken up and the areas planted, reducing the amount of impervious lot-coverage by 9600 sq. ft. Mr. Smith stated that stormwater from the roofs will go into a rain water system to irrigate plants.

The Chairman assumed the applicants will have to deal with the NYS Department of Transportation (because Titicus Road is a state road).

Mrs. Strutt said she has met with them already, and her engineer sent them information about the proposed apron to be graded to direct water into a culvert. She said the area at the front that dips will be evened with grading which should make it easier to turn in and also to avoid any traffic from Wallace Road.

Mr. Smith concurred, adding that the right-side driveway to be abandoned is much more difficult to navigate.

The Chairman said the elevation drawings look very nice/fit in with the character of the church.

Mr. Smith said he tried to keep the addition in line with the carpenter gothic style.

Chairman Ivanhoe asked if the Strutts intend to keep the shingle siding.

Mrs. Strutt said the shingles will be kept/rotting ones replaced, but they plan to return the structure to its original white.

Mr. Smith said the church is in remarkably good shape.

The Chairman noted there is no exterior lighting on the elevation drawings, saying there will be a condition in the resolution that any exterior lighting installed must not be visible at its source.

Mrs. Strutt said she and her husband really want to try to keep to the original look of the church, including the addition; even the front staircase will be restored to look just like the original one.

Mr. Strutt added that they have met with the Town Historian, Susie Thompson, who shared information and old pictures with them.

Mr. Smith said there is to be Code-compliant lighting at the 2 entrances and the rear deck.

The Chairman commented that are there are companies that are good sources for period-look lighting fixtures. He asked if the septic system will include a pump.

Mr. Smith responded that it will.

Mr. O'Leary asked if any comments had been received from any neighbors, and the secretary replied that she had not received any.

Mr. Smith said his clients had reached out to the neighbors.

The Chairman thought the neighbors were probably pleased with the proposed use of the former church.

The Building Inspector clarified that although the existing church is non-conforming in its location, the lot is conforming in size with the R-4 zoning district, although it is a long narrow-shaped lot.

The Chairman noted that there were no further questions or comments and closed the public hearing.

Mr. Reilly read a draft resolution, noting that impervious surfaces will be significantly reduced by removal of one of the driveways and a parking area to the rear of the church.

**Motion by:** *Emily Barrett*  
**Seconded by:** *Nzingha Milaines*

**Mr. O'Leary:** *Aye*  
**Ms. McKean:** *Aye*  
**Ms. Barrett:** *Aye*  
**Ms. Milanes:** *Aye*  
**Chairman:** *Aye*

**Area variance granted, as requested.**

*(The following application was taken out of order as it seemed likely that BA16-13 would take more time.)*

**BA16-14** Lee R. Einsidler (585 Grant Road) – **Special Permit** – For the keeping of up to 5 horses for personal use, per Article XIII Section 250-72.

Aimee Brisson was present for the applicant. She explained that no changes are proposed to be made to the subject property, and she wants a special permit to keep 5 horses for personal use.

Chairman Ivanhoe recalled that the Board granted both a special permit and an area variance to the current owners of the property just a few years ago. He commented that the Board recommended moving the barn to its current location which appears to have worked out well.

Ms. Barrett asked if there are horses on the property at present.

Ms. Brisson said there are 4 horses belonging to the Morses (current owners). Hers are kept elsewhere at present but will be moved to the subject property in June after the Morses' horses are moved.

The Chairman asked if the Morses use fly-predators, and Ms. Brisson replied that they do/she will also.

Chairman Ivanhoe said he thought the neighboring farm used fly-predators also.

Ms. McKean recalled the special permit and variance approvals for the Morses. She said a neighbor had had an issue with the barn which was why the ZBA suggested moving it to its current location; she thought it would also be a better place for the barn.

Ms. Brisson said it is a good location, tucked in front of a curved retaining wall.

There were no further questions, and the Chairman closed the public hearing.

Mr. Reilly read a draft resolution.

**Motion by:** *Cynthia McKean*  
**Seconded by:** *Richard O'Leary*

**Mr. O'Leary:** *Aye*  
**Ms. McKean:** *Aye*  
**Ms. Barrett:** *Aye*  
**Ms. Milanes:** *Aye*  
**Chairman:** *Aye*

***Special permit granted, as requested.***

**BA16-13** Susan/John Carty (22 Lakeside Drive) – **Area Variance** - For construction of a new 1.5-story single-family residence in an R-1 zoning district per Article V Section 250-15. The following variances are requested:

- Decrease front yard "A" from 50 ft. required to 20 ft. proposed (33.9 ft. existing), a variance of 30 ft.
- Decrease front yard "B" from 50 ft. required to 20 ft. proposed (22.1 ft. existing)
- Decrease the combined side yard setbacks from 20 ft./50 ft. required to 6 ft./16 ft. proposed (9 ft./25 ft. existing), a variance of 34 ft.
- Increase the maximum development coverage from 20% permitted to 48.7% proposed (22% existing), a variance of 28.7%.
- Increase the maximum building coverage from 10% permitted to 33.7% proposed (17.6% existing), a variance of 23.7%.
- Increase the F.A.R. from 0.20 permitted to 0.82 proposed (0.176 existing), a variance of 0.62.

Susan Carty stated that the existing cottage on the subject property is nearly 100 years old, and her children are the 5<sup>th</sup> generation to use it. The cottage is falling apart, and she would like a new, larger house for future generations of her family to use and enjoy. The proposed house will be consistent with other new and/or expanded houses in the Co-op/neither the largest nor the smallest. She stated that the Co-op Board had asked for changes in the plans and she had the changes made; the current plans were approved and stamped by the Co-op.

Mrs. Carty stated that residents of Bloomerside who have a garage underneath their house may build a house up to 25 ft. high on top of it. Her house is on cinder blocks but she was not permitted to build a 25 ft.-tall house plus a full basement; she was held to the current cinder block-height as a starting point.

Mrs. Carty explained that her daughter, Katie, is a physically and mentally-handicapped adult, requiring handicap amenities. She said her daughter's condition is very rare/she is the oldest living person with this condition; from where they currently live in Pennsylvania, it is a long trip to Philadelphia to see the doctor who oversees Katie's care. Mrs. Carty stated that there is a doctor who can manage her daughter's condition at Westchester

Medical Center. Mrs. Carty said she and her husband are in their 60's and looking forward to retiring; a house in Peach Lake will be suitable both because they can get the care their daughter needs and because they have family in the area.

Mrs. Carty stated that it had taken her 2 years to get through the Co-op approval process and on to the Board of Appeals, and she hopes they will permit her to go forward with her plan to build a new house.

Chairman Ivanhoe asked if Mrs. Carty had a letter from the Co-op, and she replied that she did/it was included in her variance application.

Nzingha Milanes asked if the entire existing house will be demolished, and Mrs. Carty said it will.

The Chairman asked Mrs. Carty to describe the new house.

Mrs. Carty explained that it is to be a 2-bedroom house with a tandem/one-car garage, finished partial basement, main level and unfinished attic, and also a wheelchair ramp leading to a deck.

Ms. McKean said the other houses in the same row are all small/one-story, and she asked how much taller the new house will be than the existing cottage.

Mrs. Carty was not sure; she said the neighboring houses have full basements and some also have lofts.

The Chairman read from the Site/Zoning Information chart on the site plan that the existing house is 15.8 ft. tall and the new house will be 23.66 ft. tall.

Ms. Barrett told the Chairman that the Co-op allows a maximum of 25 ft. in height.

Mr. O'Leary asked if Mrs. Carty knew the height of the neighboring houses.

Mrs. Carty did not know, but she said they look down onto her existing house.

Mr. O'Leary commented that the proposed increases in bulk are substantial, but people probably care less about horizontal bulk than height.

Ms. Carty said the roof plan was changed to an A-shape so her neighbors will have a sight line. She said one neighbor who complained about the height of the new house will actually benefit, because she has been asked to take down some trees and the new house will be 1 ft. more to one side, so that neighbor will actually have a better view than she does now.

The Chairman noted that the proposed height is just under the maximum permitted by the Co-op.

Mr. Thompson stated that the Co-op measures building height differently than the Zoning Ordinance; the Ordinance measures to the mid-point of the ridge in the eave, whereas the Co-op measures to the ridge.

Ms. Barrett said that as a member of the Co-op, she is aware that several other houses in Bloomerside have been approved with a height of 25 ft.

Mrs. Carty said the Buzzetto house has a full basement with a 25 ft.-high house on top.

Mr. O'Leary asked the Building Inspector if the space in the attic that is 8 ft. high counts toward the Floor Area Ratio.

Mr. Thompson answered that it does as long as it is over 6 ft. 3 in. high.

Mr. O'Leary felt this helped to explain the F.A.R. of .82 provided in the application, and he wondered if those for adjacent properties might also be high.

Mr. Thompson said it also helps to remember that the permitted F.A.R. is based on a lot-size of one acre; that is 8 times larger than the subject property.

Mr. O'Leary asked for the square footage of the new house.

Mr. Thompson read from the building permit that it will be 3823 sq. ft., including the basement, main floor and attic. He explained that the Building Code has a provision for what is called a story above grade; if a basement is more than 6 ft. high on average grade or more, it is a story above grade and considered a first floor. In that instance, if the owner wanted to convert the attic level to living space, it would be considered a third floor which would require that the house be sprinklered. Mr. Thompson said one way of managing this is to raise the grade at the area highest above-grade with a retaining wall so the basement is not a story above grade. He said the reason for the calculation of a story above grade is safety/emergency exiting. It has been determined that people jumping from a second-story survive; those jumping from a third floor typically do not. Mr. Thompson said he was concerned that if in the future the applicant wants to finish the attic space, putting in retaining walls so the basement will not be a story above-grade will be a change from the plans submitted with the variance application, requiring a return to the Board.

Mr. O'Leary asked if the lowest level of the proposed Carty house is considered a story.

Mr. Thompson said he thinks it is, but he has not done the calculation.

Ms. Barrett asked if Mrs. Carty plans to finish the attic.

Mrs. Carty replied that she does not intend to finish it, she simply wants easy access to storage space; future generations may wish to finish the space.

Mr. O'Leary noted that the plans describe the attic as having insulation and dry wall, which is basically finished space.

Ms. McKean said Mrs. Carty could omit the dry wall so the attic space won't be considered finished.

Mr. Reilly stated that the Board could include a condition in the resolution that the attic may not be used as living space.

The Chairman commented that calling the attic unfinished but including insulation and dry wall was confusing.

Ms. Carty said she believes her husband will go up the stairs every night to sit on the upper deck and look at the lake.

Mr. Reilly pointed out that the variance will run with the land/is not personal to the applicant.

Chairman Ivanhoe thought perhaps there should be a note added to the plans.

Mr. O'Leary said there would be no impact on the neighbors; the exterior/outline of the house will remain the same. He commented that a 15 ft. x 40 ft. room with insulation and dry wall and French doors to a balcony is going to be used.

Mr. Thompson said inclusion of heat and/or air-conditioning would certainly make the area finished living space; installation of insulation and dry wall is close.

Mr. O'Leary said that if the attic is part of the F.A.R. calculation already, it could be finished without another variance, and Mr. Thompson agreed.

Mr. Thompson asked Mrs. Carty to show him how close the house will be to the north side line.

She pointed out that the plan states it will be 9 ft. 9 5/8 in. away.

Mr. Thompson explained that the Building Code permits a wood-framed structure to be as close to a property line as 3 ft.; closer than that requires fire-resistant materials to be used. He stated that the Carty house will be Building Code-compliant.

Anita DeGregorio of 20 Lakeside Drive remarked that the house will be too close.

Mr. Thompson noted that the Carty house will be 6.5 ft. from the side line shared with the DeGregorio property.

Mrs. Carty stated that there will be no doors and no deck on that side.

The Chairman said he would open the discussion up to members of the public soon, but he wanted to settle the issue of the attic space first.

Mrs. Carty offered to remove the insulation and dry wall from the plan.

Chairman Ivanhoe agreed that would solve the problem or Mrs. Carty might want to keep the attic as submitted and either sprinker the house or build up a retaining wall, because the attic will be a very nice space with its own little deck/she might want to use it.

Mrs. Carty said she originally wanted a higher roof to have bedrooms on that floor, but the Co-op would not allow it. Her children may want to do something with the attic in the future, but at present she only needs 2 bedrooms.

Chairman Ivanhoe said that as long as it was agreeable to Mrs. Carty, he felt the Board would be more comfortable with the plan if the insulation and dry wall were removed.

The Board members and the Building Inspector agreed that it would be acceptable to have electrical outlets in the attic.

The Chairman called on Mrs. DeGregorio.

Mr. Reilly stated that the Board received 2 letters from Mrs. DeGregorio.

Mrs. DeGregorio asked if Mrs. Carty was seeking a variance so she may build closer to her (Mrs. Degregorio's) house. She said nearly all the other houses in Bloomerside are 1-story; if the Board allows the Cartys to put a 3-story house next to hers, it will be too close.

Chairman Ivanhoe said it will be a 2-story house, but Mrs. DeGregorio said there will be garages underneath.

The Chairman said there will be just one story of living space above that; the Board had just gotten Mrs. Carty's agreement to remove the insulation and dry wall from the attic, so it will not be finished space.

Mrs. Carty said she thought Mrs. DeGregorio had become confused because the Cartys plan to turn their house around/face it in the opposite direction from the way the existing house faces.

Mr. Reilly showed Mrs. DeGregorio on the site plan where the existing house is and where the new house would be, distance-wise, from the DeGregorio property.

Mrs. DeGregorio asked if it would be legal to build it there.

Mr. Reilly said that with the granting of a variance, it would be legal.

Mrs. DeGregorio wanted to know if the variance would be granted, and she asked if the Board members are familiar with Bloomerside. She said it is a country community, although she is aware that people are building larger houses. Mrs. DeGregorio asked that if the Cartys want a bigger house, they be made to keep to the rules about setbacks. She asked the Board not to grant the variance.

Ms. Barrett explained that the Cartys need a handicapped ramp for their daughter.

Mrs. DeGregorio said that will be on the other side of the property/away from hers. She commented that the Board will do what it wants to do.

When there were no other comments from members of the public, the Chairman stated that a sense of the Board would be given, but he thought they should arrange a group site visit to the subject property.

Mr. Reilly suggested that the Cartys stake out the perimeter of the proposed house without the deck and include a pole to indicate the height of the house.

Mrs. Carty said she would do this; it has already been done for members of the Co-op to see.

Mrs. Carty explained to Mrs. DeGregorio that the new house will be 1 ft. closer to her than the existing deck.

Mrs. DeGregorio thought Mrs. Carty should keep to the legal setback limits.

Frank DeGregorio (Mrs. DeGregorio's son) stated that he has never had any luck getting anything approved by the Bloomerside Board; he has been trying for 4 years to get approval to put an air-conditioner on the Carty side of his property. Mr. DeGregorio said he and his mother have also lived in Bloomerside for a long time, and he doesn't think that or whom a person knows should have any bearing on what they get permission to do.

Chairman Ivanhoe said the Board of Appeals would not be influenced that way.

Mr. DeGregorio said the ZBA meeting was very late for his elderly mother to attend, but the issue is important to her. He said the Bloomerside Board is very biased.

Mrs. DeGregorio said that if Mrs. Carty is allowed to do what she is proposing, all of Bloomerside will be able to do the same. If that happens, it will look like a community of attached houses.

The Chairman agreed that there will be less space, but there will still be space between the 2 houses. As for the air-conditioning issue, the Board cannot do anything for Mr. DeGregorio.

Ms. Barrett said there are other lake communities that were once summer colonies where new and larger houses have now been built, and they are rather close together.

Mrs. DeGregorio said the houses where she lives are already close together and she has no problem with that/everyone should enjoy their property, but she thinks it unfair to give someone permission to build even closer to another person's property.

Chairman Ivanhoe said the Board would not vote yet; they will re-visit the site to look at the staked perimeter and the height of the proposed house. The Chairman added that the public hearing will remain open.

Mr. Reilly agreed that the hearing should remain open, but he also noted that people have had a chance to address the Board already. He added that the neighboring property-owners should be informed of the date/time of the Board's side inspection.

It was agreed that the Carty's builder should do the staking.

Mr. O'Leary reminded Mrs. Carty to stake-out just the house and not the deck and described how to place a tall stake up to the ridge-height, adding that the Board will be able to see if from the row of houses behind/above the Carty property.

Motion to adjourn the public hearing at approximately 8:45 pm:

**Motion by:** *Emily Barrett*  
**Seconded by:** *Nzingha Milanés*  
**All in favor.**

## DISCUSSION

### Building Inspector's referral to the Board for Special Permits for keeping of only 1 or 2 horses when bulk requirements cannot otherwise be met.

Mr. Thompson stated that he wanted to explain for the benefit of the 2 newer Board members (Ms. Milanés and Ms. Barrett) the reason he sometimes refers residents to the ZBA for a special permit for the keeping of as few as 2 horses even though special permits are only required for the keeping of more than 2 horses (in R-2 and R-4 zoning districts). He said that, per Chapter 250-72, "dust-producing" structures and/or activities (barns, manure dumpsters, sand riding rings etc.) must have a setback of 150 ft. in the R-4 zoning district. The ability to keep 1 or 2 horses assumes that the property-owner can meet those requirements; if they cannot, it is better to apply for a special permit. Mr. Thompson said that the Board may reduce those requirements to the residential setbacks of 75 ft. in the front and side yards and 100 ft. in the rear as part of the approval of a special permit.

Mr. O'Leary asked why the applicant wouldn't just apply for an area variance if they cannot meet the double setback requirements.

Mr. Thompson said the reason is that an area variance would run with the land, whereas a special permit expires in 10 years or whenever the property is sold. He explained that the Morses at 585 Grant Road also required a variance for their barn and manure dumpster, but the setback reduction was from 75 ft. to 50 ft. and not from 150 ft. Mr. Thompson said he has explained this thinking to Paul Taft (Assistant Building Inspector likely to take the Building Inspector position when Mr. Thompson retires). He stated that even a fairly large property on which just 2 horses are to be kept might have trouble meeting the 150 ft. setback for a sand or dirt riding ring, adding that he has always felt it was up to the ZBA to decide what kind of surface is acceptable in a ring if it is not to be grass. He said it is important for the Board to see the site when the 150 ft.-setback requirement cannot be met.

The Chairman said he believes there is no longer a dumpster requirement for only 2 horses.

Mr. Thompson said discretion must still be used. He further stated that he believes this protocol has worked well, and the Board has done a good job of reminding applicants of their responsibilities.

Definition of "story above grade".

Mr. Thompson said he felt this topic had been pretty well covered during the hearing of the Carty application.

Mr. O'Leary remarked that there are ways to construct a 5-story house and still meet Code requirements/not need sprinklers; the Building Code permits a huge attic as long as there are no dormers, because it is not considered habitable space, although you may have large skylights. He said he would consider the proposed Carty house to be 1.5 stories.

Mr. Thompson said that is how it looks, but if there is living space, it is a story. He suggested that in the future the Board consider recommending that people change the grade to keep from having to consider a lower level/basement considered a story.

Chairman Ivanhoe felt the Board had done the right thing in requiring that the Cartys remove the insulation and drywall from the plans for the attic in the new house.

Ms. McKean commented that the new house is a great deal larger than the neighboring houses in the "middle row" which are all already close together.

Procedures re area variances for properties in the Peach Lake co-ops.

Mr. Thompson said he has tried for years to get the zoning for the Peach Lake communities changed; with the existing 1-acre zoning requirements (1/2-acre in the Hotel properties), variances are needed to do anything/ the zoning does not work. With the new sewer district operational, the ZBA is going to be under increasing pressure to make decisions from a non-existent platform. Mr. Thompson said he asked the Co-ops to establish their own rules and also to allow no deviation from those rules; Pietsch Gardens is now working on a sort of zoning ordinance for their co-op, with particular concentration on Floor-to-Area-Ratio which is proportional. He explained that this would mean that smaller lots may only have smaller houses built on them/larger houses would be permitted on larger lots.

Ms. McKean agreed that this is important; as things are now, building bigger houses is a matter of "first come, first served" until there is no room for others to expand.

Mr. Thompson said that currently, if property-owners keep to the existing non-conforming footprint, they may build upward without a variance. Formerly, a variance was required because the non-conforming bulk would be increased even though the footprint would not change. He said that property-owner now has an advantage. Mr. Thompson said he dislikes and works hard to avoid inconsistency.

Ms. Barrett asked if the Building Inspector was saying that if the co-ops create their own rules he would abide by them/people would not have to apply for variances.

Mr. Thompson answered that they will still need variances, but presumably lesser ones. The co-op properties are all proprietary leases, but the Town Code recognizes them as lots like fee-simple lots. He said this is why he pushed the co-ops to get all their lots surveyed, which they have done.

The Chairman said that going forward, he thought the Board should require staking and definitely make site inspections for all applications like the Cartys'.

Ms. Barrett said they should try to coordinate it with the co-op review of expansion plans/have people leave stakes in place; in the case of the Cartys, the staking has already been done and taken out/they have been trying to get approval to build for 2 years.

Mr. O'Leary remarked that the bulk of the Cartys' new house will be considerable compared to what is on their property now.

Chairman Ivanhoe thought perhaps the ZBA should send a letter to the co-ops asking them to tell people to leave stakes and height-indicators in place when they know they will need to apply to the ZBA for variances. He said the Board could even make a site inspection before the variance is applied for so that the markers will not be up for too long.

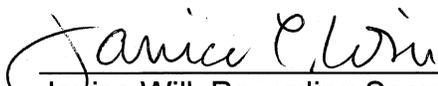
Mr. Thompson thought it would be valuable to see the sites; photographs are not a good substitute for site inspections.

Mr. O'Leary suggested that if the co-ops have a 25-ft. height restriction, they should get 25-ft.-long sticks painted red, figure out where the measurement is to be taken from and put the marker in place for everyone to see.

Ms. Barrett said that currently the measurement point in Bloomerside is always from the existing sill, whether that is the top of a full basement or just a block.

The discussion ended at approximately 9:10 pm.

Respectfully submitted,

  
Janice Will, Recording Secretary