

**MINUTES  
VILLAGE of ARDSLEY  
ZONING BOARD of APPEALS  
REGULAR MEETING  
WEDNESDAY, MARCH 22, 2017**

**PRESENT:** Patricia Hoffman, Esq., Chair  
Jacob Amir, Esq.  
Mort David  
Maureen Gorman-Phelan  
Michael Wiskind

1) **Call to Order**

The Chair called the regular meeting to order at 8:03 pm.

2) **Announcements and Approval of Minutes**

**Announcements**

The Chair welcomed new board member Maureen Gorman-Phelan, who had been serving on the Board of Architectural Review, to the Zoning Board of Appeals.

The Chair announced that the next meeting of the Zoning Board of Appeals is scheduled for Wednesday, April 26, 2017 at 8:00 pm.

**Approval of Minutes**

Mr. Wiskind moved, and Mr. David seconded, that the minutes of the meeting of January 25, 2017 be approved, as amended to correct a name.

**Vote:** Four in favor, none opposed, one abstaining, as follows: Chair – aye; Mr. Amir – aye; Mr. David – aye; Mr. Wiskind – aye; Ms. Gorman-Phelan – abstain.

### 3) **Public Hearing**

#### **Application for Variance from Village Code Requirements**

**Karen Primack and Joan Segall**

**7 Abington Avenue, Ardsley, New York.**

**Section 6.90, Block 89, Lot 21, in an R-3 One-Family Residential District.**

**For proposed two-story and second story additions to existing non-conforming building, with existing and proposed North side yard setbacks of less than 15 feet (Village Code §200-26B).**

**Present:** Patricia Hoffman, Esq., Chair  
Jacob Amir, Esq.  
Mort David  
Maureen Gorman-Phelan  
Michael Wiskind

**Attendees:** Karen Primack  
Joan Segall  
Howard Albert, architect, 11 Taft Lane, Ardsley

The Chair read the Legal Notice.

Mr. Albert provided the green cards, all but four of which had been returned. Mr. Albert noted that he had a letter from one of those from whom a green card had not been returned, that being the neighbor to the North who is predominantly affected by the proposed variance.

Mr. Albert provided a zoning map, an aerial photograph, and some new photos of the house and the homes to the left and right of the subject home, some of which he believes had been provided with the application.

Mr. Albert stated that the existing house is a two-story house that has a garage on the North side of house which is within the setback limit. Mr. Albert noted that the existing front lot line is a non-conforming 60-feet, instead of the required 75 feet, because the house was built quite some time ago. Mr. Albert pointed out that the house is also non-conforming as to setback requirements on both sides, as well as a touch to the front setback due to the stone veneer.

Mr. Albert stated that applicant proposes adding a second story over the existing garage and moving the garage toward the front. Mr. Albert contended that the proposal does not increase the non-conforming condition.

Mr. Albert stated that the existing house consists of a basement floor with garage, front porch and basement area; a first floor with entryway, living room, dining room, kitchen,

family room and garage; and a second floor with two bedrooms, one bath, and a smaller bedroom that is not a full height bedroom because it is under a sloped roof and is only five feet high in one area.

Mr. David asked if the existing garage is a one-car garage. Mr. Albert replied that it is. Mr. David asked if the garage remains a one-car garage under the proposal. Mr. Albert replied that it is, and added that it moves forward on the lot a bit.

Mr. Albert showed the board the various elevations, including one that showed that the existing door on the side does not connect to the garage. Mr. Albert outlined that the proposal moves the garage forward, extends the family room and adds an office space, noting that both homeowners do work from home sometimes. Mr. Albert stated that the rest of the house basically remains as is except for reworking the entry hallway and powder room. Mr. Albert explained that the front stays the same except for pulling out the garage to the same depth as the front entry. Mr. Albert added that the homeowners have two daughters, and that the proposal, which adds a new master suite, will allow the daughter whose bedroom is under the eave to move into one of the full height bedrooms, leaving the sloped bedroom to become a sitting room or guest bedroom.

Mr. Albert stated that in creating the proposed plan, they tried to put the addition into the area that already has hard surface, which is the driveway. Mr. Albert explained that moving the garage forward avoids having to extend the family room and add the master bedroom toward the rear of the house, and therefore the addition would not take up more green space.

Mr. Albert produced drawings to demonstrate that under the proposal, a staircase goes up to the landing area, where breaking through a wall will create a hallway without cannibalizing one of the existing bedrooms, noting that this approach requires less money and less work. Mr. Albert added that from the landing are three risers up to the master bedroom suite.

Mr. Albert showed that on the proposed front elevation, they tried to mimic the existing dormer, and created a laundry room in that space to match the height of the smaller sloped bedroom. Mr. Albert explained that this just extrudes house and puts in another bay on the other side. Mr. Albert added his opinion that the proposal was a good solution because using the five feet up to the zoning line would have meant that the new portion of the house would come to the middle of the garage, which he believes would have been aesthetically unsatisfying.

Mr. Albert showed the various elevations of the house as proposed, including the rear elevation showing that the master bedroom is cantilevered three feet over the existing family room, which Mr. Albert stated was done in such a way as to take the scale down the addition.

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Mr. David asked if the chimney will stay in place. Mr. Albert replied that it will, that they will not be doing any work on that side of the house.

Mr. David asked if, as there are four occupants in the house, there would be four cars. Ms. Segall and Ms. Primack advised that there will not be four cars and that they have two cars. Mr. David asked the homeowners if they plan on using the garage in the future, because he wonders if that would be difficult if the driveway has two cars parked there, as the walkway goes into the driveway. Ms. Segall and Ms. Primack stated that they will try to use the garage. Mr. Albert added that the garage will be deeper now, so they will be able to put a car in the garage and still have room for storage.

Mr. David noted that the existing and proposed roof seems steep, and asked where the leaders go. Mr. Albert advised that the leaders will come down, and that he imagines that they would put a storm water management system while they are doing an addition. Mr. David asked if Mr. Albert intended a drywell. Mr. Albert replied that he did, and that he imagines they will use coltech rechargers, which, he explained, are not the concrete drums that we used to put in the ground, but are corrugated pipes that are cut so they can be shallower. Mr. Albert noted that they would have an excavator there, and that the excavator would do that installation. Mr. David asked how many gallons capacity the system would have. Mr. Albert replied that that depends on the recharger. Mr. David asked if the storm water collected would discharge onto the property. Mr. Albert advised that the systems are designed to hold a certain capacity of water, based upon a 100-year storm, and added that all of that would need to be submitted to Mr. Tomasso.

Mr. Albert referred to the letter he had mentioned earlier, from Lucretia Parker Basco of 9 Abington Avenue, the neighbor to the North of the subject property. Mr. Howard read from the letter: *"I have reviewed the design for the addition proposed at 7 Abington Avenue in the Village of Ardsley. I am in favor of the proposed design and recommend that the Board approve the design submitted."*

Mr. Albert then referred to the site plan, a copy of which he had provided with the application. Mr. Albert showed that the garage addition would be at the same distance from the property line as the existing garage. Mr. Albert pointed out that the subject lot is smaller than usual. Mr. Albert then referred to the GIS aerial photo, showing that the distance of the house to the North of the subject house is twenty feet from the property line. Mr. Albert contended that the twenty feet from the neighbor's house to the property line and the nine feet six inches from subject house to the property line is roughly equivalent to what the space between the two houses would be if they each had the standard fifteen-foot setback, and demonstrated this on elevations of applicants' and neighbor's house.

Mr. David asked if the shed will remain, and Mr. Albert replied that it will. Mr. Albert acknowledged that the shed is non-conforming because it closer to the property line than the fifteen or twenty feet required, but Mr. Albert reported that Mr. Tomasso allows non-

conforming sheds to remain if they have been in their non-conforming location for a certain duration. Mr. Wiskind asked if it will be less visible from street. Mr. Albert replied that he believes it will.

The Chair asked if the family room was on the original structure or an addition. Mr. Albert replied that it was an addition. Ms. Segall added that the family room was there before they moved in.

The Chair advised that typically applicants with small lots seek to continue an existing non-conformity by going straight up, whereas this proposal adds to the non-conformity by moving the garage forward seventeen feet and then going up. The Chair pointed out that although the proposed addition does not protrude wider into the setback, it extends the setback encroachment by an additional seventeen feet along the same degree of encroachment, which the Chair opined is a significant addition to the non-conformity.

Mr. Amir asked if there was an alternative way to do an addition just going up. Mr. Albert replied that they probably could do an addition that way, but that that would not provide a connection from the garage to the house. Mr. Amir asked if there was no door from the garage into the house. Mr. Albert stated that there is not, and added that the addition as proposed allows a door from the garage to be added at a more desirable location. Mr. Albert added that another issue addressed by the addition as proposed is that it allows one to come into the area that is the addition from the top of the stairs, which is over the door that opens to the outside, so building forward is needed to connect over the door. Mr. Wiskind commented that the location of the current garage relative to the house looks weird, and opined that it would look more out of place with a two-story addition. Mr. Wiskind noted that the current proposal squares off the front of the house, which he believes is aesthetically desirable from the outside, aside from any interior benefit. Mr. Wiskind acknowledged that the Zoning Board is more comfortable with a vertical continuation of an existing non-conformity, and recognized that the seventeen feet forward times the approximately five feet into the side setback results in an additional eighty-five or ninety square feet of non-conformity.

Mr. Amir asked if there will be room to park one car on the driveway in front of the relocated garage. Mr. Albert stated that the homeowners plan to keep one car in the garage and one on the driveway. Mr. Amir added that he had asked about the driveway parking to see if the garage relocation would cause a problem with street parking, as there is none.

Ms. Gorman-Phelan asked what is planned for the basement. Mr. Albert replied that nothing will happen with the basement, that there will be a new foundation where the garage will move forward. Mr. Albert added that they thought that this a better way to achieve the desired square footage, because building toward the back would take up more grass while building forward would be on existing impervious surface and is more environmentally friendly.

The Chair asked the age of the children. The applicants replied that the children are 10 and 15.

The Chair asked if the laundry room currently is in the basement, and Mr. Albert replied that it is. The Chair asked if the laundry room could remain in the basement and thus require going forward less. Mr. Albert replied that the proposed laundry room is under the eave, and that they thought that mimicking the dormer made the house look whole and not like an addition but like how the house could have looked.

Mr. Amir asked when homeowners purchased the property, and they replied 1998.

Mr. David pointed out that the air conditioning unit further diminishes the setback, and that he has not before seen an air conditioning unit intruding on a setback. The Chair asked if the air conditioning unit is already there, and if it is new. Mr. Albert replied that it is already there and is not new. Mr. Albert added that his air conditioning unit is in his setback, as is his next-door neighbor's. Mr. Wiskind pointed out that when houses are build up to the edge of the setback, the air conditioning of necessity must be in the setback. Mr. Albert added that most of these houses were built before setbacks became wider, and that if the subject house were on a lot where 75-foot frontage is required, the side setbacks would not an issue. The Chair pointed out that most lots on that block are fifty feet by one hundred feet.

The Chair asked to see the second-floor layout again. The Chair asked where the current garage ends. Mr. Albert showed where the garage ends relative to the top of the stairs, and showed how this allows one to enter the house other than through the family room.

The Chair stated that the proposal significantly extends the existing non-conformity, and wondered if homeowner's goals be achieved another way. The Chair suggested that bringing the garage forward only to before the entrance door, you could circle up the stairs, make a left into the master bedroom, and lose an upstairs laundry room. Mr. Albert stated that in addition to losing the upstairs laundry, that scenario would also result in a smaller family room.

Mr. Wiskind added that this would look very odd from the outside. The Chair stated that it might look no odder than it does now. Mr. Wiskind opined that it would look odder, as instead of one story it would be two stories with a roof. Mr. Albert suggested that doing the addition that way would result in a roof would come to a certain point and then another part of the roof coming down, and there probably would be two-story elevation with 2 windows and the side of the house being a straight plane. Mr. Wiskind asked if this would result in increasing the setback by fifteen feet, and Mr. Albert replied that it probably would extent the setback approximately twelve feet. Mr. Albert opined that the proposal sought is aesthetically more pleasing, fits in better with the existing house, and would increase not only the worth of this house but also of the houses around it.

The Chair asked if the objective was to get a side door into the garage or to add a master bedroom suite. Mr. Albert stated that those are among the objectives, and that there is also the objective of making the house look whole and the objective of moving the laundry room upstairs to avoid two flights of stairs, and that the sum of the objectives have been represented by the drawings.

The Chair asked Mr. Albert if he understood that the Zoning Board has the responsibilities of asking all appropriate questions and creating a record, and Mr. Albert replied that he understood. The Chair added that Zoning Board has to ensure that a variance meets all the tests. The Chair also complimented Mr. Albert on his usual beautiful work.

Mr. David asked how about the width of the laundry room and about how much would be saved by not having it on the second floor. Ms. Primack and Ms. Segall advised that it is a big deal to them. Mr. Albert added that an upstairs laundry room could be made a bit smaller, but that the idea was to mimic the existing roof and the other dormer to make the house look whole. Mr. Albert added that the extension in the front is a sloped roof that comes down to five feet at that point, so it made sense to pull out the room to that same point. Mr. David asked if leaving the laundry in the basement would reduce the need for a variance. Mr. Albert replied that they still would want to pull the garage forward to increase the size of the small family room and add an office.

The Chair stated that her only issue with the laundry room is that it is above the space about which she does have concerns. Mr. Amir concurred, and asked what the difference would be between bringing the garage to the proposed location versus bringing it only as far as the side door. Mr. Albert replied that it is probably a five-foot difference. The Chair pointed out that it would need to come forward five feet, resulting in an approximately twelve-foot difference.

Mr. Albert pointed out that the house is presently 177 square feet below the basic permitted lot coverage, and that if the desired square footage cannot be gained going forward, they would build back, which would increase the impervious surface. The Chair stated an addition that extended back from the house could be done as of right with no variance needed. Mr. Wiskind stated that extending back would create another bump-out that would not line up with anything else. Mr. Amir agreed and stated that it would make an odd-shaped house odder. The Chair pointed out that the family room already bumps out into the back. Mr. Albert stated that extending toward the back would require more excavation, more construction, and more restoration.

The Chair stated that the Zoning Board must ascertain that there is a legitimate need that cannot be met other ways, and that even then, the Zoning Board may only grant a variance for the minimum amount needed to accomplish the goals. The Chair stated that moving the laundry room may be desirable, but may not be a vital need for applicants, as there is a laundry room in the basement, which is where it is in most homes in that neighborhood.

The Chair reiterated that seventeen feet into the setback is a large variance. Mr. Wiskind stated that it was a little different, as applicant would not be protruding further into the setback but extending the line of an existing encroachment. Mr. Wiskind also stated that he does not see the purpose of the proposed design as creating a laundry room, but rather creating more usable space in the garage, a better entrance to the house and larger bedrooms, to add a second bathroom upstairs and to have better flow, and that the laundry room is an added benefit that is coming along but it is not what is driving this plan. Mr. Albert remarked that the current proposal seems a sensible solution to his clients' needs of adding an office, enlarging the family room, creating easier access to the garage, limiting the site disturbance to existing hard surface. Mr. Albert reiterated that in this case the distance between this house and the neighbor is the same as it would be if there were two fifteen-foot setbacks. Mr. David stated that he perceives the conflict being between sensibility and law. Ms. Primack asked Mr. Albert to tell the Board that an upstairs laundry room is very important to applicants.

The Chair expressed concern that should the Zoning Board to grant this variance, a huge precedent would be created, and that seventeen feet is especially significant on a lot that is only sixty feet. Mr. Albert stated that the visual impact on the house is not that much, and that from the front, it makes the house look whole. Mr. Albert added that the lot is non-conforming and they are trying to work with what we have, and to do so while preserving green space and respecting the lot coverage.

Mr. Amir opined that whether the addition is to the back or to the front, there is still a setback issue, and that going back seems less efficient and less appropriate so that in this situation, circumstances lend to extending toward the front of the house, adding that it is a difference of twelve feet.

The Chair stated that if this variance is granted, laws will not mean anything. The Chair stated that the basis for granting a variance is if the application meets the five tests of the code, and not if the proposal is visually more pleasing, which this proposal certainly is. The Chair explained that the Board's job is to maintain the integrity of the Zoning Code, which requires applicants to show that they meet the five tests, including: why the variance is needed; will the result be a detriment to neighboring properties, which here it will not be; whether the benefits sought or most of the benefits sought can be achieved by some other method, which is what we have been asking about; and is the requested variance substantial, and here, as the length of the existing garage is twenty feet and applicant seeks an additional seventeen, the request is nearly double the existing encroachment, which probably is substantial. Mr. Wiskind pointed out that the further encroachment is only one percent of the lot size, and the Chair replied that half of that is not buildable anyway.

The Chair continued that another one of the five tests is would granting the variance adversely impact the physical or environmental condition in the neighborhood. The Chair referred to a picture of 9 Abington, which is set up the same way as 7 Abington, as is the



house across the street, and expressed stated her belief that granting this variance would have an adverse impact in that all the other houses similarly situated would seek variances, which the Board would then be unable to deny as it would not want to be arbitrary or capricious.

Mr. Albert asked if this application is not distinguishable due to the circumstances of: a substantial part of the building already being in the side setback; the lot being smaller than usual; and the house next door being farther from the side setback. The Chair replied that the neighbor's setback does not change applicants' setback. The Chair addressed the smaller lot size by asking Mr. Albert about the size of the lots on his block. Mr. Albert stated that his lot and all his neighbors' lots are that size, but added that: side setbacks have been increased and that he believes that the setbacks were increased to discourage teardowns, and he pointed out that many new houses have been getting variances. The Chair asked if that property has come before this zoning board, because if it is within the setback requirement, they do not have to come before the Zoning Board. Mr. Albert noted that he extended his house nine feet into the setback, which was granted by the Zoning Board. Mr. Wiskind stated that the house already protrudes five feet into the setback, and that the proposal is to continue the line of the protrusion. Mr. Howard commented that this is a discussion about eighty square feet on two levels.

Mr. Amir stated that if you look at this proposal on its own, there is merit to the proposal, but he also agreed that there is serious concern that if the Board allows applicant to extend the non-conformity, then every single person similarly situated will want it, which waters down the code, so if there might be an alternative that would be acceptable to the applicant, that might be worth pursuing. Mr. Albert stated that his clients would like to see this built as designed, and he transmitted that his clients feel that if the addition were to be built back, it would take away pervious surface and it would not be as aesthetically pleasing.

Mr. Amir asked how the other houses on the street look. Mr. Albert replied that the house to the left is the same as this house, and that the one to the right is a different style on a corner, and that there is a mix of different houses including ranches and capes, and a house down the block that has had a large addition in the back but we were hoping not to lose green space.

Applicant Karen Primack addressed the Board, saying that "our property is unique for our block and our block is not like many blocks in Ardsley where all the homes are the same. Some of our neighbors across street have double lots. In setting precedents, you have to compare apples to apples, but you can't on our block as they're all different." The Chair stated that the house next to applicant's is a little house; that on the end is Mrs. Green who has a cape with a garage that goes underneath and if she wanted to build she would have to come out over that garage; that next to that is the white cape with the two-car garage at 15 Abington and if they wanted to go up they would have the same problem as they have

only about eight feet on one side; that on the next side you have a cape; and that across the street are two capes.

Mr. Albert commented that at 15 Taft Lane, where the house protruded into a side setback, they pulled out the front of the house out ten or eleven feet to the front setback along the same line and put in a second story, so we did exactly what we are asking for here, albeit ten or eleven feet, and not seventeen feet. The Chair noted that there are individual circumstances that affect the need to grant a variance, such as needing an awning over the front door for an individual who was going to be permanently disabled. Mr. Wiskind added that precedent is a guideline, but does not obligate the Board.

Mr. David asked if the homes on Abington from Mountainview Southward were built as two-story homes, and Mr. Albert stated that he thinks they were.

Ms. Primack suggested that the houses after Short Hill would be subject to the same criterion in that they too would have to contact their neighbors and might not enjoy the result. In our case, everyone sent back cards. The Chair remarked that she has quoted Marie many times, who would say “neighbors don’t tell you that they don’t like your plan because they’re your neighbors.” The Chair reiterated that applicants must meet these five tests, and that the burden to do so falls on the applicant.

Mr. Amir asked if the house adjacent to applicants’ has access from their garage to house. Ms. Segall thinks it does. Mr. Amir asked if the garage were pushed forward, would there be a door to the back. Mr. Albert asked if the existing garage were at the front setback, would it be easier to grant a variance toward the back to square off the house in the back. Mr. Wiskind answered that that might be more intrusive to the neighbor, as that section of the applicants’ house is right next to their house. Mr. Amir stated that what makes this application different is the side door, and added that this may be precedentially significant whether the garage is moved up five feet or seventeen feet.

Mr. David asked if applicant planned to use the garage as the foundation of the second story and if expanding to the back would increase the cost of construction. Mr. Albert replied that expanding toward the back would require heavy machinery, and additional foundation.

The Chair noted that the house frontage would be forty feet across with about ten feet on either side, which is a substantial presence on that block. Mr. Albert replied that one might argue that that is not a bad thing, as the proposed presence is better than the existing presence, with even the rear elevations improved by the project.

The Chair asked if any member of the public wished to speak in favor of or against the application. No member of the public was present.

The Chair advised applicants that she will poll the Board before closing the Public Hearing. The Chair explained that this would allow her to adjourn the Public Hearing if the application would not receive approval, which would allow applicants to revise the plan, because a denial means that applicant' could not reapply for one year.

### **Close Public Hearing**

Mr. Amir moved, and Mr. Wiskind seconded, that the Public Hearing be closed.

**Vote:** 5 in favor, none opposed, none abstaining, as follows: Chair – aye; Mr. Amir – aye; Mr. David – aye; Ms. Gorman-Phelan – aye; and Mr. Wiskind – aye.

Mr. Amir proposed, and Mr. Wiskind seconded, the following Resolution:

WHEREAS, Karen Primack and Joan Segall, of 7 Abington Avenue, Ardsley, New York, 10502, have applied to this Board for a variance from strict application of the requirements of Section 200-26 Subdivision B of the Zoning Ordinance of the Village of Ardsley, which requires a minimum side yard setback of Fifteen Feet; and

WHEREAS, this application is made under the authority of Section 200-97 Subdivision B of the Zoning Ordinance of the Village of Ardsley, affecting premises known as 7 Abington Avenue, Ardsley, New York, and designated on local tax maps as Section 6.90, Block 89, Lot 21, in an R-3 One-Family Residential District; and

WHEREAS, a Public Hearing on this application was held by the Zoning Board of Appeals at the Municipal Building, 507 Ashford Avenue, Ardsley, New York, on March 22, 2017, after due notice by publication; and

WHEREAS, at the Hearing, applicants Karen Primack and Joan Segall and architect Howard Albert appeared in support of this application, and a letter in support of this application from neighbor at 9 Abington Avenue was read into the record, and no one appeared in opposition to this application; and

WHEREAS, this Board, after carefully considering all testimony and the application, finds the following:

WHEREAS, this Board, in weighing both the potential benefit to the applicant and the potential detriment to the health, safety and welfare of the neighborhood if the variance is granted, has determined that:

- (1) neither an undesirable change in the character of the neighborhood nor a detriment to nearby properties will be created by the granting of the variance,

as the proposed addition will create a flush unified front to the house and will continue the dormered second story, and as the neighbor whose property is directly impacted provided written testimony that she considers the proposal addition not detrimental but desirable;

- (2) the benefits sought by the applicant cannot be feasibly achieved other than by variances, as there is no door from the garage to the existing dwelling and applicants require additional interior space for their family and work needs, and to provide the needed access and space by extending the house elsewhere would require more structural work at significantly greater cost, and would yield a less visually pleasing result;
- (3) the requested variance to add a first and second story extension appears to be not insubstantial, as it does extend the roughly five-and-a-half-foot encroachment into the side yard setback for an additional seventeen feet along the same line as the existing encroachment, but it is not substantial relative to the layout of the entire property, and it is not substantial in that the location of the proposed addition is where it will least impact its neighbors;
- (4) the proposed variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district in that by replacing part of the existing driveway with the proposed addition, the proposed addition will not add to the impervious surface, and in that the proposed addition will create a flush front to the house, making it look less ungainly and more attractive to its neighbors; and
- (5) the circumstance requiring the variances was not self-created in that the house was purchased in its current configuration.

NOW THEREFORE, be it resolved that the application of Karen Primack and Joan Segall is granted, and that applicants be advised that they will need to apply for a Special Permit from the Planning Board.

PROPOSED BY: Mr. Jacob Amir

SECONDED BY: Mr. Michael Wiskind

**VOTE:**

3 in favor, 2 opposed, 0 abstentions, as follows:  
Patricia Hoffman, Chair – NAY,  
Jacob Amir – AYE  
Mort David – NAY  
Maureen Gorman-Phelan – AYE  
Michael Wiskind – AYE

The Chair informed applicants that they will receive the official Resolution and that they will have to go to the Planning Board.

4) **Adjournment**

There being no other business before the Zoning Board of Appeals, on motion of the Chair, seconded by Mr. Amir, which motion passed unanimously, the meeting was adjourned at 9:40 PM.

Respectfully submitted,  
Judith Calder  
Recording Secretary