

TOWN OF NEW WINDSOR

ZONING BOARD

OCTOBER 22, 2012

MEMBERS PRESENT: MICHAEL KANE, CHAIRMAN
 FRANCIS BEDETTI
 HENRY SCHEIBLE
 PATRICK TORPEY
 RICHARD HAMEL

ALSO PRESENT: GEOFFREY CHANIN, ESQ.
 ZONING BOARD ATTORNEY

 NICOLE PELESHUCK
 ZONING BOARD SECRETARY

MEETING AGENDA:

1. Burger King
2. Discount Dollar Market
3. Better Homes & Gardens Rand Realty
4. Kelvin & Annmarie McRae
5. Thomas & Dena Beth Riley
6. Xcel Development
7. Saxton Sign Corp for First Niagara Bank

REGULAR ITEMS:

MR. KANE: I'd like to call the Town of New Windsor Zoning Board of Appeals October 22, 2012 meeting to order please.

APPROVAL OF MINUTES DATED 6/11, 6/25, 7/9, 7/23, 8/13, 8/27, 9/10 AND 9/24/12

MR. KANE: Motion to accept the minutes of June 11, June 25, July 9, July 23, August 13, August 27, September 10 and September 24 as written?

MR. BEDETTI: So moved.

MR. TORPEY: Second it.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

PRELIMINARY HEARING

BURGER KING (PAUL LENOWICZ) (12-36)

MR. KANE: Tonight's first preliminary meeting Burger King Paul Lenowicz. Proposed Burger King facade signs, they already have a variance for four facade signs however the replacement facade signs are larger. The first facade sign 1'2" x 23'10" which needs a variance of 13'10" in width. The second and third facade signs are both the same size and sign. They are 5' in a circle diameter, which requires a variance of 2.5' in height located at 366 Windsor Highway in a C zone. We hold a preliminary so we can get a general idea of what you want to do and that you have enough information for us to make a decision. All our decisions are made in a public meeting. Other towns hold one meeting, you don't come in prepared you lose. That's why we do two. Burger King is not here so we'll move on to the next one.

DISCOUNT DOLLAR MARKET (12-37)

MR. KANE: Discount Dollar Market. Three existing facade signs are not permitted. A variance for two additional facade signs is required. The first sign is Discount 1.5' x 10' The second facade sign is Dollar 1.5' x 8' and the third is Market which is 1.5' x 7.5' all located at 176 Windsor Highway in an R-4 PUD zone. They're not present either.

BETTER HOMES & GARDENS RAND REALTY (12-38)

MR. KANE: better Homes and Gardens, Brian O'Connor. A proposed freestanding sign will exceed the maximum number of permitted freestanding signs. Property already has a freestanding sign, however, Better Homes and Gardens would like their own four by four sign located at 819 Little Britain Road. Come on up, just state your name, address speak loud enough for this young lady over there to hear you and tell us exactly what you want to do

MR. O'CONNOR: Brian O'Connor, Frohling Sign Company, 419 Route 59, Nanuet, New York. We're requesting a variance to allow an additional freestanding sign, actually a sign that's there now, this is visible as you're heading eastbound on Little Britain Road. Basically there was a sign there for Prudential. Better Homes and Gardens Rand Realty purchased Prudential and would like to reface the existing sign that's there. The Rand office is on the east side of the building and is not visible at all as you're coming down Little Britain Road heading eastbound. This sign at least will give some identification so that you can turn to make the entrance to the parking lot to the office.

MR. KANE: This is located on the little island building right there?

MR. O'CONNOR: That's correct. And this photo's a little sunny but you can see it there.

MR. KANE: Where the existing freestanding sign is?

MR. O'CONNOR: The existing freestanding sign is here as you go up Temple Hill Road, it's a single face sign, it's on the brick enclosure that's for the dumpster that's there that hides the dumpster so there's a sign there, that freestanding sign. So again, you see that as you're heading north on Temple Hill but because of the location of the office and the building, you don't see it as you're heading eastbound. The real estate office gets quite a bit of traffic, the real estate agents ask the perspective customers to come to the office before they go out to visit the various homes, the people are typically from out of town and they're not familiar with the building so this just helps to identify the office.

MR. KANE: For the public hearing, could you provide a picture of the view of that freestanding sign coming both ways?

MR. O'CONNOR: The existing sign?

MR. KANE: Yes, not from where there's a perfect view but from the street coming up.

MR. O'CONNOR: Sure.

MR. KANE: The sign itself is it going to be illuminated in any way?

MR. O'CONNOR: No, non-illuminated sign.

MR. KANE: The sign itself is going to be four by four, how high off the ground is the total with the posts?

MR. O'CONNOR: With the posts it's six and a half feet overall to the top of the sign.

MR. KANE: Further questions from the board?

MR. BEDETTI: Can we see the photo?

MR. O'CONNOR: That's where the existing sign area is. Now this is the sign that you see as you're heading northbound on Temple Hill.

MR. BEDETTI: You want to put this new sign where?

MRS. PELESHUCK: It's right there.

MR. O'CONNOR: Right, it's, actually it's right here now, it's re-facing an existing sign. This one is right down here.

MR. BEDETTI: This is Little Britain Road?

MR. O'CONNOR: Right.

MR. KANE: On the existing sign there's no permit on that existing sign?

MRS. PELESHUCK: No.

MR. O'CONNOR: No.

MR. BEDETTI: Just re-face an existing sign.

MR. KANE: But there's no permit.

MR. O'CONNOR: But there's no permit on that sign.

MR. KANE: That's why they're here.

MR. HAMEL: So what size is the existing?

MR. O'CONNOR: Existing is four foot by four foot so it's the same and making it legal.

MR. HAMEL: Okay.

MR. BEDETTI: Where are you going to be putting that sign that's the side of the building that your offices are located?

MR. O'CONNOR: No, the offices are on the opposite side as you're heading westbound on Little Britain Road heading towards the airport.

MR. CHANIN: May I ask who owns the building?

MR. O'CONNOR: The building is owned, I'm sorry?

MR. CHANIN: Is it some private person or company?

MRS. PELESHUCK: John Pizzo.

MR. CHANIN: And you're a tenant?

MR. O'CONNOR: Correct.

MR. CHANIN: Are you there under a lease?

MR. O'CONNOR: Yes.

MR. CHANIN: Just for my information, what's the term of the lease?

MR. O'CONNOR: I don't know, I can get that information.

MR. CHANIN: Obviously, the landlord knows what you want to do?

MR. O'CONNOR: Yes, he signed the owner's authorization.

MR. CHANIN: That's all I wanted to know. Thank you.

MR. KANE: Further questions from the board at this time?

MR. BEDETTI: Isn't it correct that he's entitled to a freestanding sign?

MRS. PELESHUCK: They have one.

MR. KANE: One.

MR. BEDETTI: But isn't each--

MR. KANE: They're allowed a different wall sign for lack of a better word, each one has a facade sign, they're allowed a separate facade sign but only one freestanding sign.

MR. BEDETTI: So this is, we really prefer this?

MR. KANE: Exactly, unless there's unusual circumstances.

MR. BEDETTI: Okay, thank you very much.

MR. SCHEIBLE: The sign's not going to intervene with the view of traffic?

MR. O'CONNOR: No, I live in the area as well, that sign's been up there since the building's been built.

MR. SCHEIBLE: Okay.

MR. KANE: Any further questions? If not, I'll accept a motion.

MR. HAMEL: I'll make a motion that we schedule a public hearing for Better Homes and Gardens Rand Realtor for the sign variance as requested.

MR. TORPEY: I'll second that.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

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MRS. PELESHUCK: Here are the next steps.

MR. O'CONNOR: Thank you very much.

KELVIN & ANNMARIE MCRAE (12-39)

MR. KANE: Tonight's next preliminary meeting Kelvin and Annmarie McRae. A variance is required for proposed connection of the rear deck to the pool deck. The pool deck will require a 25 foot side yard variance and a variance is needed for the total side yards which are proposed to be 80 feet total. A variance of 27 feet for a total side yards is required at 21 Old Hemlock Drive. Hi, come up on, state your name, address and speak loud enough for that young lady to hear you.

MRS. MCRAE: Annmarie McRae, 21 Old Hemlock Drive, New Windsor, New York 12553. My husband was supposed to be here but there's a death in the family so he needs me to answer these questions.

MR. KANE: Just tell us exactly what you want to do.

MRS. MCRAE: What I know he wants to do is put a deck to attach from the kitchen leading outside to the back yard.

MR. KANE: So you have a deck already off of your kitchen?

MRS. MCRAE: Correct.

MR. KANE: What you want to do is attach that deck that's existing to an existing deck that's on the pool?

MRS. MCRAE: Correct, in a nutshell.

MR. KANE: And you understand that if we do pass this you still need to meet all the requirements?

MRS. MCRAE: Absolutely.

MR. KANE: That will require a self-closing self-latching gate?

MRS. MCRAE: Yes.

MR. CHANIN: People with back yard pools are also required to comply with the list of rules and regulations as the rest of us do that are enforced by the County Health Department under a mandate of the State Health Department as Mr. Kane correctly said. Those rules include that you have to have a

self-locking gate. If it's a pool of a larger size you have to have equipped by the sides of the pool a first aid kit. So there are rules and regulations and if you want them you can get a free copy of them from the County Health Department in Goshen.

MRS. MCRAE: I have them, thank you.

MR. KANE: Some basic questions, even though we have the photo, cutting down trees, substantial vegetation?

MRS. MCRAE: No.

MR. KANE: Creating any water hazards with the building of it?

MRS. MCRAE: No.

MR. KANE: Any easements running through where you propose to connect the deck?

MRS. MCRAE: Not at all.

MR. KANE: How long has the pool deck been in existence?

MRS. MCRAE: Probably five, I think, maybe.

MR. KANE: About five years?

MRS. MCRAE: Five years.

MR. KANE: Has there been any complaints formally or informally regarding the pool deck?

MRS. MCRAE: No.

MR. SCHEIBLE: Just curious, I'm trying to locate in my mind where is Hemlock Drive?

MRS. MCRAE: Off Riley Road, Red Maple, you would take Riley Road through Red Maple.

MR. TORPEY: By The Reserves?

MRS. MCRAE: Yes, before The Reserves, like Lisa Lane, Red Maple, you would turn into Red Maple and the first left.

MR. SCHEIBLE: Thank you.

MR. KANE: Let the record show that the lot is an unusual shaped lot, triangular in nature, getting narrow as it goes back and the home is catty cornered on it, see, no matter where the other deck was it would be requiring a variance.

MRS. MCRAE: Okay.

MR. HAMEL: What's behind you, looks like just woods?

MRS. MCRAE: Just woods, wooded area.

MR. HAMEL: There's no house back here?

MRS. MCRAE: No.

MR. SCHEIBLE: Are those woods part of the development that's there now? Will there be future housing in those woods? I'm just curious.

MRS. MCRAE: I don't know.

MRS. PELESHUCK: I have no idea, there's nothing planned right now.

MRS. MCRAE: As far as we know, there's nothing, I don't know, developers would come in, you know, purchase something, I have no idea.

MR. BEDETTI: Is that land behind there is that flat land or it's a rise?

MRS. MCRAE: It's flat, we're elevated but once you get up to where we're at, its flat.

MR. BEDETTI: Then it goes flat?

MRS. MCRAE: Yes.

MR. KANE: Do you know the size of your pool?

MRS. MCRAE: Oval.

MR. KANE: Is it 16 by 24?

MRS. MCRAE: I would say 32.

MR. KANE: So 16 by 32?

MRS. MCRAE: Yes.

MR. KANE: So it's not an overly large above-ground pool?

MRS. MCRAE: No.

MR. KANE: Okay, further questions from the board at this time? I'll accept a motion.

MR. BEDETTI: I'll make a motion we schedule a public hearing for Kelvin and Annmarie McRae for a proposed deck at 21 Old Hemlock Drive in an R-3 zone.

MR. HAMEL: Second it.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MRS. PELESHUCK: These are your next steps so you guys could get on the November meeting.

MR. KANE: We're pretty booked, we only have one meeting each month, okay?

MR. CHANIN: Because of the holidays.

MR. KANE: Take care.

PUBLIC HEARINGS:

THOMAS AND DENA BETH RILEY (12-33)

MR. KANE: Tonight's first public hearing Thomas and Dena Beth Riley. A request for a variance for an existing shed with an attached deck will not meet the 10 foot side and rear yard property line setbacks. A variance of six feet for the side yard and 5' for the rear yard is required for 9 Broad Street in an R-4 zone. Good evening. Tell us your name, address and speak loud enough for that young lady to hear you.

MR. RILEY: Tom Riley, 9 Broad Street, New Windsor, New York.

MR. KANE: Tell us exactly what you want to do.

MR. TORPEY: I have a shed that's too close to my property lines that I want to get a variance for.

MR. CHANIN: Just speak up a little louder so she can hear you and the people behind you.

MR. RILEY: I have a shed that's too close to my property line that I want to get a variance for.

MR. KANE: How long has the shed been in existence?

MR. RILEY: Say probably around maybe eight years.

MR. KANE: Has there been any complaints formally or informally about the shed?

MR. RILEY: No.

MR. KANE: In the building of the shed, did you cut down any trees or substantial vegetation?

MR. RILEY: No.

MR. KANE: Create any water hazards or runoffs?

MR. RILEY: No.

MR. KANE: Any easements running through that area?

MR. RILEY: No.

MR. KANE: Shed's similar in size to other sheds in

your neighborhood?

MR. RILEY: Might be a little bigger.

MRS. PELESHUCK: He does need a foot, he needs a foot on the one side, a variance of six foot for the side yard and five for the rear so the rear is no longer--

MR. BEDETTI: Cause of the new code?

MRS. PELESHUCK: But the application was before us prior to.

MR. BEDETTI: But it changes the, you know, the magnitude of his variance, that's all.

MRS. PELESHUCK: Right, the new Town Code is now five feet to the property lines and that was just passed two weeks ago.

MR. TORPEY: Used to be 10?

MRS. PELESHUCK: Used to be 10.

MR. CHANIN: So the side yard he only needs one foot?

MRS. PELESHUCK: And the rear is nothing.

MR. CHANIN: So he doesn't need a rear yard variance at all?

MRS. PELESHUCK: No.

MR. CHANIN: So the only variance before the board is the one foot?

MRS. PELESHUCK: Yes.

MR. KANE: At this point, I'll ask if there's anybody here for this particular hearing? Seeing as there's not, we'll open and close the public portion of the meeting and ask Nicole how many mailings we had.

MRS. PELESHUCK: On the 11th day of September 2012, I mailed out 54 addressed envelopes and received no response.

MR. KANE: Further questions from the board at this time? I'll accept a motion then.

MR. BEDETTI: I'll make a motion that we grant a variance to Thomas and Dena Beth Riley for a side yard, let's see which one is in violation now, side yard one foot variance as requested at 9 Broad Street in an R-4 zone.

MR. TORPEY: I'll second that.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MRS. PELESHUCK: I'll call you in a couple days with your permit.

MR. KANE: Tonight's next public hearing Excel Development, Chris Kirwan. Request for a variance for an existing front porch landing will be 30 feet from the front property line. A variance of five foot is required at 47 Briarwood Lane in an R-3 zone.

MR. KIRWAN: Good evening.

MR. KANE: Name, address?

MR. KIRWAN: Chris Kirwan, P.O. Box 295, Cornwall, New York 12518. Good to see you all here this evening.

MR. CHANIN: Rare privilege.

MR. KIRWAN: I was looking to get a variance on the front stairs. I was trying to design them a little artistically and they're five feet over from what the setback is. So you can see a blue house is the one under construction and brown house is what I'm attempting to do, if anybody needs to see. So rather than have a huge set of stairs coming out, straight out of the house, I wanted to turn it, make it easier to do. So that's what I'm trying to do, give a little turn and make it safer.

MR. CHANIN: Mr. Kirwan, has anything changed in your intended design from your last appearance before this board?

MR. KIRWAN: No, sir.

MR. CHANIN: So everything you said last time is still the same?

MR. KIRWAN: Yes, sir.

MR. KANE: With the additional five feet on the landing for the front porch will that extend the view of the home closer to the road than other homes that are on the road?

MR. KIRWAN: It's gonna be close, they're all right at about 40 foot setback so this would be 35.

MR. KANE: Would it be a noticeable view going through?

MR. KIRWAN: Not at all, I may even have a straight shot for you, yeah, if you need to see that actually the adjacent house is a little closer on the street

shot, the near house is the one we're talking about.

MR. KANE: Yes, I can see that.

MR. BEDETTI: How high is the height of the new steps at the highest point?

MR. KIRWAN: Basically--

MR. BEDETTI: Four or five feet?

MR. KIRWAN: It's a large bi-level design.

MR. BEDETTI: The porch.

MR. KIRWAN: The landing's four feet.

MR. SCHEIBLE: What frontage does that leave you after this is built?

MR. KIRWAN: Thirty-five feet.

MR. CHANIN: Nothing in the new code changes the dimensions that apply to this?

MRS. PELESHUCK: No.

MR. SCHEIBLE: Is there an intention of closing this in?

MR. KIRWAN: No, it's already enclosed when you get up near the door, this is just a landing to get down. I was trying to make it safer coming out of the house rather than having one ski slope set of stairs I'm turning them and breaking them up with a landing.

MR. KANE: Are you going to have railings on the landing all the way around or similar to the next picture?

MR. KIRWAN: Exactly like the other picture, this one, the other one has a little softer grade, this one had a little higher grade so I have to put railing all the way around on this one, exactly.

MR. KANE: Cutting down any trees, substantial vegetation in the building of this?

MR. KIRWAN: No.

MR. KANE: Creating water hazards or runoffs?

MR. KIRWAN: No, sir.

MR. KANE: Any easements going through that particular area?

MR. KIRWAN: No.

MR. KANE: And the base, forgetting that it's five feet closer to the road, it's similar in size except for the height to the brown house that you're showing us the neighbor?

MR. KIRWAN: Correct, it's actually the same house with a different elevation.

MR. SCHEIBLE: Is this house under contract right now?

MR. KIRWAN: Yes, it is, they want to be in by Thanksgiving.

MR. KANE: At this point, I'm going to ask if there's anybody here from the public for this public hearing? Seeing as there's not, we'll open and close the public hearing of the meeting and ask Nicole how many mailings we had.

MRS. PELESHUCK: On the 11th day of September 2012, I mailed out 18 addressed envelopes and received no written response.

MR. KANE: Any further questions from the board? I'll accept a motion.

MR. HAMEL: I'll make a motion that we grant Excel Development Chris Kirwan the variance as requested for the five feet.

MR. TORPEY: I'll second that.

ROLL CALL

MR. SCHEIBLE AYE

MR. BEDETTI AYE

MR. HAMEL AYE

MR. TORPEY AYE

MR. KANE AYE

MRS. PELESHUCK: Here are your next steps.

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MR. KIRWAN: Thank you.

MR. KANE: Tonight's last public hearing is Saxton Sign Corporation for First Niagara Bank. The proposed First Niagara Bank wall signs will exceed the maximum number of wall signs by two additional signs. The property will have a total of three wall signs on the building located at 115 Temple Hill Road in a C zone.

MR. MIZNER: Terry Mizner, 39 Town Garage Road in East Nassau, New York. First Niagara is looking to have two additional signs of 15 square feet, the 12 inch letter and 18 inch logo on the north side and the south side.

MRS. PELESHUCK: They're asking for two additional facade signs.

MR. KANE: Right, and they're going to go on either end, the southern and northern, I believe?

MR. CHANIN: Just make sure that she can hear what you're saying.

MR. MIZNER: Yes, I've got some pictures here and just as you're driving, going up and if you go through it as you get closer to it.

MR. KANE: Right, yes, in here's some pictures from the road too.

MR. BEDETTI: These are different than what's in the packet.

MR. MIZNER: They're pictures as you're going down the road getting closer to it indicating that it's difficult to see the building.

MRS. PELESHUCK: That packet you're looking at I wrote on it, yup, that they're just other signs, it has nothing to do with the variance, I included them but--

MR. BEDETTI: You're talking about directional signs?

MRS. PELESHUCK: They have nothing to do with the variance. Look at the other packet you have, the one underneath it right there.

MR. KANE: Are the signs illuminated in any way?

MR. MIZNER: Yup, they're internally illuminated.

MR. KANE: Non-flashing?

MR. MIZNER: Non-flashing.

MR. KANE: Just requesting the additional signs, there's no increase in size on those signs?

MR. MIZNER: No increase in size, no.

MR. KANE: Anybody in the audience for this particular hearing? Seeing as there's not, we'll open and close the public portion of the meeting and ask Nicole how many mailings we had.

MRS. PELESHUCK: On the 11th day of September 2012, I mailed out 44 addressed envelopes and received no response.

MR. KANE: We'll bring it back to the board for further questions.

MR. SCHEIBLE: Other than what's there from the old HSBC, I'm looking through all these pictures, what's the changes that used to be there for the HSBC Bank?

MR. MIZNER: The old HSBC.

MR. SCHEIBLE: I'm trying to compare notes.

MRS. PELESHUCK: I'll tell you they took down all of their signs and what they're asking for is just the facade signs, two additional for the sides of the building. They have one on the front already, two additional on the sides.

MR. BEDETTI: Did HSBC have those signs on the side of the building?

MRS. PELESHUCK: I have no idea.

MR. BEDETTI: I don't think they did.

MRS. PELESHUCK: I don't think they requested it.

MR. BEDETTI: I don't know if they had a variance for that.

MR. KANE: No, no existing.

MR. CHANIN: I have a question if I may?

MR. BEDETTI: I'll tell you I can see the one coming down, the one coming down 300, the one on the opposite side of the building you're saying far away from 94, I don't see the need for one on that side.

MR. MIZNER: Headed on Price Chopper side headed that direction, yeah, that one's hidden by a row of trees and the pylon from Price Chopper so it's very difficult to see the pylon if you're heading north, that's what I think. You have the pictures of it heading south, that's heading south, so you can see the pylon there and as you get, if you look closer, you'll see as you get closer if you go through the pictures I snapped you can still see the pylon.

MR. BEDETTI: This is coming the same direction only you're closer to it?

MR. MIZNER: Yes, and that's as you get into the parking lot.

MR. BEDETTI: Yeah, this one I can see, I can see this one now, this is on the same thing going in this direction?

MR. MIZNER: This is the other direction.

MR. KANE: You had a question?

MR. CHANIN: I do. The preliminary hearing, the first appearance in this matter took place at this board meeting on July 23rd and the applicant was represented by Mr. Terry Leibner, that would be you?

MR. MIZNER: That would be me but--

MR. CHANIN: I got the name wrong, I apologize. My question is this, has anything changed from three months ago to today in how you presented this proposal to the board at that time?

MR. MIZNER: At that time, the bank was in need of getting the bank open, the bank changeover was happening right away and they needed to get any signage they could get up at that time.

MRS. PELESHUCK: But no, nothing has changed in the proposal.

MR. CHANIN: So other than the urgency of it as far as the actual dimensions and placement and design and lighting and all the rest of the things that apply to the signs in the physical environment has anything changed from three months ago to today?

MR. MIZNER: No.

MR. CHANIN: Thank you. That's what I wanted to know.

MR. BEDETTI: Now, is the name of your bank also going to be on the directory there?

MR. MIZNER: No.

MR. SCHEIBLE: Just out of curiosity, where is the closest branch after this one?

MR. MIZNER: After this one?

MR. SCHEIBLE: Where is the closest branch?

MR. MIZNER: Where is the next one?

MR. TORPEY: I got one up in Middleburg.

MRS. PELESHUCK: Want me to help you? He's with the sign company.

MR. SCHEIBLE: I know he's with the sign company but what I'm getting at he may have been doing the signage on that one also.

MR. MIZNER: There's sign companies all over, they're spotted all over but--

MR. SCHEIBLE: Right, but I'm just curious where the closest, you know, First Niagara is?

MR. MIZNER: Geographical area?

MR. KANE: Tell you the truth, I don't see one.

MR. TORPEY: They're just starting to come into the area.

MR. BEDETTI: They just took over HSBC.

MR. KANE: There's another one maybe out towards 300 Town of Newburgh, if you go out passed the mall I seem

to remember an HSBC out there but I don't know if they took them over or not.

MR. TORPEY: That's a lot of signs, you're not going to create any water hazards, right, runoffs?

MR. MIZNER: No, maybe coming off the roof.

MR. KANE: Further questions, gentlemen? I'll accept a motion.

MR. HAMEL: I'll make a motion that we grant Saxon Sign Corporation for First Niagara Bank the variance for the two additional signs.

MR. TORPEY: I'll second it.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MRS. PELESHUCK: There's the next steps, I'll give you a call when the permit's ready.

1. JOHNNY D'S
2. WICHER
3. STACKLUM
4. LUPINACCI
5. XCEL DEVELOPMENT
6. TRADE AUTOMOTIVE
7. RUTA
8. DOCUWARE

MR. KANE: We have eight formal decisions.

MR. BEDETTI: We can take them all as one.

MR. CHANIN: You can move to vote collectively. The parliamentary rules which apply state that any member, any one member, you don't need a majority, can demand that any item in a collective resolution be separated out and voted on separately. But if there are no objections, you can move to vote collectively on as many combined in one as you want.

MR. KANE: Just make that part of your motion.

MR. CHANIN: If anybody would like to move to vote on these decisions they can be made collectively, they may do so.

MR. BEDETTI: I'll make a motion that we accept the formal decisions for collectively for Johnny D's, Wicher, Stacklum, Lupinacci, Xcel Development, Trade Automotive, Ruta and Docuware as listed and they were placed on e-mail for viewing for the members.

MR. TORPEY: Second it.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MR. KANE: Motion to adjourn?

MR. BEDETTI: So moved.

MR. SCHEIBLE: Second it.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. TORPEY	AYE
MR. KANE	AYE

Respectfully Submitted By:

Frances Roth
Stenographer