

ZBA MEETING – JUNE 28, 2012

(Time Noted – 8:04 PM)

GAS DEVELOPMENT LEASE LLC

1413 ROUTE 300, NBGH
(60-3-40.2) I B ZONE

Applicant is seeking area variances for a gasoline station to be constructed within 1000-feet of another existing gasoline station and the 200-foot required separation to a place of public assembly and the maximum amount of allowed signage to build a gasoline station, tire service business and a bank.

Chairperson Cardone: Our next applicant Gas Development Lease LLC. this is held open from the May 24th meeting.

Mr. Onderko: Good evening, for the record Tim Onderko, professional engineer with Langan Engineering & Environmental Services. A... we were here last month to talk about the redevelopment of 1413 Union Avenue and left the Hearing open because we wanted to take all the things that we talked about with regard to traffic and the analysis that we had done, put it on paper and let you have a copy of that. So two weeks ago or so we submitted the...the written summary of the traffic findings as well as the back to kind of close up the topic of traffic that we discussed last time. We have no changes to the plan, no new developments, no modifications to signage a...and we're hoping to just close out any traffic questions you may have.

Chairperson Cardone: Okay, do we have anything from the Board?

Mr. Hughes: There was one note that was struck and there was a question rather than a statement about eligibility for that two hundred foot offset you are supposed to be away from a place of public assembly and the answer I got really didn't add up to those numbers. The lot next door is the oil change place and then there's Wendy's further north on that same highway from there.

Mr. Onderko: Valvoline, Wendy's, yes.

Mr. Hughes: After I received, I forgot who it was said that the gas pumps were more than two hundred feet away but it is my understanding its parcel to parcel not where the actual...

Ms. Gennarelli: Ron, Ron, could you just pull that mic in further?

Mr. Hughes: I'm sorry.

Mr. Hughes: For some reason I think it was Mr. Wolinsky I was speaking with with that.

Mr. Cappello: Larry was here last month.

Mr. Hughes: Okay, you threw me sitting there because it didn't add up.

Mr. Cappello: And he's a lot better looking than me too.

Mr. Hughes: And lost a lot of weight too how did he do that?

Mr. Donovan: Do you want to get to the microphone John for that so you can get it in the record?

Mr. Hughes: And then there was a discussion about a fifty foot right of way in the back which became a moot point when we realized the complications to it.

Mr. Onderko: The fifty foot right of way is still in play. It is still something we are pursuing. A...there are Army Corp regulated wetlands that we would have to cross.

Mr. Hughes: That whole thing is a swamp.

Mr. Onderko: Yes, so we're...we're working with the soil scientists who did the delineation and the Army Corp to see if that is something we can secure and I believe we also talked about last if that doesn't work do we have another place for the easement and at this point trying to...to make that work because of the complications associated with all the tenancies and leases of the mall. The fact that we have one today is what we want to pursue and continue to pursue a... the facts of the two hundred foot question.

Mr. Hughes: The Valvoline lot is only a hundred and forty-five feet wide.

Mr. Onderko: Yes.

Mr. Hughes: So as a place of public assembly is it more than two hundred feet from your project so my question was more than direction and I don't know. Counsel, can you tell me what the...?

Mr. Donovan: Well I think what we talked about last time a...and the referral from the Planning Board was two hundred feet from a public assembly if required. And the applicant when they were asked last month, do you need that variance, their answer was no. So I instructed this Board to rule on the application in front of you. I understand you want to make sure you are ruling on a complete application but I think that they've evaluated that and they've determined that, at least in their view, they don't need it. So we have an application seeking only two variances, the thousand foot restriction relative to gas stations and the sign variance. That's...that's what they've applied. How they reached the determination I don't recall. I recall their answer that they believe didn't need the variance and that's why they didn't ask for it.

Mr. Hughes: Okay.

Mr. Onderko: I believe our interpretation was that it was not lot line to lot line. It was actually from the pumps them self to the place of public assembly.

Mr. Hughes: I recall that's what you told us.

Mr. Onderko: Yes, that...that was our...

Mr. Hughes: I don't know if that's what the law says.

Mr. Onderko: ...interpretation.

(Mr. Cappello Inaudible)

Ms. Drake: You need the microphone.

Ms. Gennarelli: Excuse me.

Mr. Cappello: ...on the five hundred foot it is lot to lot that's why we're here but I believe the place of public assembly and I'll look it up right now I believe that was from...

Mr. Donovan: Yes, if I...I have it. So if you look at 185-28-F and that reads as follows: No building permit shall be issued for any such establishment within a distance of two hundred feet of any school of general education, church, hospital or other place of public assembly designed for occupancy of more than fifty persons, said distance to be measured in a straight between the nearest point of the fuel pump island or storage tank and the public assembly structure, regardless of the district where either facility is located. And I should point that this talks about motor vehicle service stations, car washes and rental agencies.

Mr. Hughes: Okay. I think we had some other things that needed to be cleared up as well besides those.

Mr. Onderko: Okay, I don't know if they were...was it...was it related to traffic or I...I think we had...we had talked about the...the signage percentage and kind of how we came to our number and...and that was, we know that via the Code we cannot argue that we have three frontages. We're...we're only allowed to take the frontage along Route 300 but in reality our lot does have more than one frontage just due to the mall ring road. So we used those lengths to establish a baseline number that we thought in theory if...if we were surrounded by three streets what would the number be? And we backed off of that. I think if we were able to argue all three sides we'd be allowed five hundred feet and thirty four square feet of signage and we're proposing five hundred and twenty and that includes both sides of the pylon sign. So a...so that was how we came to that number and I believe that works out to a percentage a...that you were just talking with the previous application of around three-hundred and fifty percent is the number we came a...the one forty-four permitted and the five twenty that we are requesting.

Mr. Cappello: (Inaudible) ...and that we added that if because we are similar to a corner lot if we counted the drive that splits this property from the Mall if that counted as frontage we meet the a...requirements.

Mr. Hughes: Are you referring to the south side, John?

Mr. Cappello: Yes.

Chairperson Cardone: Do we have any questions or comments from the public?

Ms. Drake: I actually have a question on the signage, based on the interpretation that we had from Code Compliance for the previous application of the whole awning considered the sign. I don't have a calculation from Code Compliance on what they would say the signs are for this facility but based on what is shown for the Stop and Shop and the information provided, the applicant said it was eighty-five square foot signage for the Stop and Shop which would be just the symbol and a lot words so that's not consistent with the previous application that we're looking at. So would this sign variance need to include the whole strip all the way around?

Mr. Hughes: Are you referring to the ribbon on the...?

Mr. McKelvey: The ribbon, yeah.

Mr. Mattina: Right, normally with the definition of signage, artwork, representation, it goes on and on so I...usually with gas stations, Valero and places like that we've counted the color and the emblems and the letters...

Ms. Drake: So that would be all four sides would need to be included, not just the eighty-five square foot that...for the Stop and Shop?

Mr. Mattina: If it has four sides I... This is the first time I'm seeing this so I'm just giving you general answers here.

Ms. Drake: Yeah.

Mr. Maher: Well if that's the case, then you're looking a hundred and thirty feet give or take times, you know, three and a half feet. So in essence you're looking at, you know, four hundred and fifty.

Mr. Hughes: Four-fifty.

Mr. Maher: According to that calculation per side.

Ms. Drake: Yeah, it goes all the way around.

Mr. McKelvey: All the way around.

Mr. Onderko: Yeah, it would be...it would be the two sides and if...I...I think that number would be astronomical if we included the entire fascia so I would live with we'll lose the strip if that was the...a...a...interpretation.

Mr. Maher: Well...and I understand that but I don't necessarily know that to be the case but to be consistent in what we do going forward it needs to be, you know, addressed.

Mr. Hughes: What if you were to move the Stop and Shop sign out and just have the strip for the first twenty feet or whatever on either one of those sides, north and south? The building on both sides are going to block it from being down in the middle anyway, you're not going to see that from the road.

Mr. Maher: Do you have a page here Joe?

Mr. Mattina: In a definition for a sign we get into sign area. If they would lose that strip then technically use number one which said, you know, painted frame area...

Mr. Maher: Which...which page are you on? Sorry.

Mr. Mattina: Oh, sorry...

Mr. Donovan: 185-16.

Mr. Mattina: Right under sign area.

Mr. Donovan: In the definitions.

Mr. Mattina: Sign tells us what we're looking for, sign area; if they lose that strip I think we would be okay sign area wise.

Mr. Hughes: So suppose you put the Stop and Shop out on the nose of that thing out by 300 and eliminate the stripes then you don't have to calculate the thing.

Mr. Mattina: I would just count the Stop and Shop and artwork.

Mr. Hughes: Okay so then you might end up with another forty-eight feet with both of those on either side.

Mr. Mattina: Yeah.

Mr. Hughes: So we don't get into the astronomical numbers.

Mr. Onderko: Say that again, you would...so on the long sides you would take Stop and Shop off the long sides and put it on the short side on Route 300?

Mr. Hughes: No, put it...put it on the long sides north and south.

Mr. Onderko: That's where this is.

Mr. Hughes: Yeah?

Mr. Onderko: Yeah.

Mr. Hughes: (making a noise)

Mr. Onderko: Oh, sliding, you're saying sliding closer.

Mr. Hughes: (Inaudible)

Mr. Onderko: Un...Un-center it... (Inaudible)

Mr. Donovan: If you eliminated...I'm sorry, Mike?

Mr. Maher: I'm just not comfortable having all businesses lose their...some of the logo because of an interpretation needed to clarify it in the Code. I think we need to address it, you know, consistently of course, but by the same token if in fact there is eighty-five foot of signage there and in some manner this allows us to configure it as four hundred square feet we need to...we need to fix that.

Mr. Cappello: (Inaudible) ...it's...I think it could cause you a problem. What if I was an independent operator who had no affiliation with Stop and Shop or anything and my name was John's Gas Station and I decided I wanted to paint my one and only canopy purple which was in your reg's with a...with a gold stripe because I like the Los Angeles Lakers and that was the color I wanted to paint my canopy and it was my first one, then I could do it...

Mr. Maher: In...

Mr. Cappello: ...but because Stop and Shop has that stri...a brown stripe, I mean I could see if it's a logo but a brown...

Mr. Maher: In essence...

Mr. Cappello: ...stripe to say that's the color we'd like to paint our canopies...

Mr. Maher: Right, in...in essence the way the law is written right now if that was your first gas station, yes, you could do it with no problem at all. If you build a second one you're associated with that color you can't do it. That's why I say it...it doesn't make sense whatsoever. Not in this application nor the previous one.

Mr. Mattina: That's why I'm here all the time.

Chairperson Cardone: That's right.

Mr. Maher: And I understand you're just following what's written but...

Mr. Mattina: Right.

Mr. Maher: ...it's just...it's frustrating to...to see this, you know, repetitive, you know, issue come up and have to...

Mr. Hughes: Are you...are you suggesting its legislative? That it needs to be refined?

Mr. Maher: One hundred percent.

Mr. Hughes: Okay then well let's do that. I and I agree with you because there's a lot of this stuff, they take four or five books and slam them together and hope that it covers everything. There's a lot of stuff in here that's...

Mr. Mattina: While you're at it the floor area...

Mr. Maher: So, so...

Chairperson Cardone: There are a couple of other issues too.

Ms. Drake: But when drive around and you look at the different restaurants they either have the words or a striped awning.

Mr. Hughes: Or their colors.

Ms. Drake: Or their colors but they don't have both so therefore it...so far things have been consistent.

Mr. Maher: I mean, in essence, the STS if in fact red and white is their color, technically speaking that entire around the...the color of red around the perimeter is...is technically a sign it does...

Mr. Mattina: If I was to...if I was to review this I would send it for red, the STS, I would send it for the stripe, I would send it for you know two thousand percent over...

Mr. Maher: Right but the only problem I have then is, then it appears it's a gross over a...over...overage on the percentages when in fact it...it really isn't and that's the issue ultimately.

Mr. McKelvey: And actually...actually the colors make it look better.

Mr. Onderko: Under the definition of sign what would the...the purple pinstripe fall under to classify it as a sign?

Mr. Mattina: (Inaudible)

Ms. Gennarelli: Can you just give Joe that microphone please?

Mr. Onderko: I'm sorry.

Ms. Gennarelli: Thank you.

Mr. Mattina: Yeah, basically the sign definition is words, letters, models, representations, devices in which any, in the nature of any advertisement, attraction or directive so that's pretty broad.

Mr. Hughes: Well, for example you're driving down the road and you see orange and pink and white, Dunkin Donuts, before you get to read the letters. Has this had that same kind of impression nationwide? I don't think so. So, you know, I agree with Mr. Mahers it's a legislative issue that needs to be addressed.

Mr. Onderko: So...so...so but in...so with that interpretation I could take off the fruit basket and the Stop and Shop and just the canopy, paint the canopy it's considered a sign which I don't think was the...the intent of the...

Ms. Drake: No because then it's just a stripe...then it's just a striped awning it doesn't have the lettering and the logo so therefore I'm interpreting that that isn't a sign.

Mr. Mattina: Right, usually, usually the lettering, the emblem, the...the logo sets off the color coordination and the striping...

Mr. Hughes: It's in the cluster.

Mr. Mattina: Correct, it's in the theme of the letters, the artwork, the logos.

Ms. Drake: So if the stripe was black and not the same color as the lettering...I'm just using examples. I don't know.

Mr. Mattina: If it's all incorporated in the same thing I would still count it.

Ms. Gennarelli: Joe, take that mic please.

Mr. Mattina: If there was no logo, no Stop and Shop, it was just a grey and purple canopy that doesn't represent anything to me. Once you start lettering, you start adding artwork and logo and designs everything counts.

Ms. Drake: So just because under the STS there's red paint, a red tile, a red block under that that's becoming part of the logo.

Mr. Mattina: Correct. If the red was the same facade color as the rest of the building and the letters were white or red then no but the red is used to highlight the letters.

Ms. Drake: And if you want to use the other microphone you then have two over there.

Ms. Gennarelli: We do have a second one.

Mr. Mattina: Right, the red banner is used to highlight the white STS letters so its part of that advertisement display.

Ms. Drake: So therefore the variance request we received for this is significantly larger in signage then?

Mr. Cappello: Is that consistent with what the Board? I mean you have Lowe's and Home Depot and I don't recall ever having to get a variance for the blue a...Lowe's and I have received variance for Lowe's signs and for the...whatever the color is with Home Depot. We received a sign for that and for Kohl's and for Pet Smart and for, you know, for quite other chains that have...

Mr. Donovan: But were they all facade signs, John?

Mr. Cappello: Yeah, yeah, they were for all of those shopping centers and I think with the way we calculated them was that the color of the...the...if the awning had a logo on it but if it was just the corporate color...blue for Lowe's, and you know, orange I think for Home Depot and I think blue and red for Pet Smart it was really just the lettering it wasn't the background color...

Mr. Donovan: And have those variances...

Mr. Cappella: ...and like there is a red in STS

Mr. Donovan: Have those variances come from this Board?

Mr. Cappella: Yes, yes.

Mr. Donovan: I mean in my experience here is what we've done is if you say you need in this...this circumstance three-hundred and fifty percent, if you need five hundred and twenty square feet we have approved that. I...I don't know that we've necessarily gone through and calculated and had the conversation, you know, red background and STS and we're going to add that in. We...we've granted what's been asked for and then you've gone on your way to the Code Compliance Department and got your Permit.

Mr. Cappello: Yeah, but I think if you look at all of them if you're going down that road, you've got Barnes and Nobles, I don't think they had to go for a variance because their background color of their you know shingles is a certain color and Starbuck's and...

(Inaudible)

Mr. Maher: But if you take into account the Enterprise end of it, again because of the fact that Enterprise had a couple of Enterprises on the building we could do the entire awning which again, I don't think is the correct thing to do unfortunately but you know, I...I...I mean on page 185-16-10.1 it...it...the total sign area shall be considered to be the area of the smallest basic geometric shape rectangular, circle or triangle which encompasses or symbols of the sign. So I...I...I'm not sure if we're splitting this or...or, I understand we err on the side of caution, I...I understand that part of, I just don't know that we're, in essence, doing the right thing.

Mr. Hughes: One of...one of the things that's happened here historically with Lowe's and maybe that's why its not so specifically clear here, not just Lowe's but a lot of these big...Target and so on, the sign is on an other lot, the building is on another lot, there's reciprocities and parking and all kinds of stuff going on so what we try to recommend to the Planning Board is when they're putting one of these corners together to outline the pylons to have so many tenants and so much space so they don't end up back here every six months. So maybe that's why some of these things we haven't ruled on and...

Chairperson Cardone: Well I think there is another issue, when its sent to us from the Planning Board I don't think Joe then, you take a look at it at that point so...

Mr. Mattina: No I don't review anything from the Planning Board.

Chairperson Cardone: So...right...so when it comes to us we're...we're dealing with what the Planning Board sent to us and Joe hasn't necessarily seen that and figured out by his calculations...

Mr. Hughes: Yeah, it's (inaudible)

Chairperson Cardone: And I think that's what...I think that's what the issue is.

Mr. Hughes: Yeah.

Mr. McKelvey: Yeah.

Mr. Cappello: I mean I can understand somewhat the canopy but I mean I'm just say...the red awning, I mean there has to be some color and I think if we went to architectural review at the Planning Board and we made that awning the same color as the building you know, beige with beige block they would tell us to break, you know, break up the color so, you know, so I don't...I can't it...it...it's really stretching it to say that you know, this is signage. It's a red, you know, architectural feature...

Mr. Hughes: Well just for an example John, what if somebody took the STS letters and just put a white stripe around there and made the limit of the sign to that and the red building, what could they say then? You know, we're looking...we're looking for ways to improve the position of the applicant here.

Mr. Donovan: Well can we go back to the definition for a second? And I'm saying the definition of sign area, it includes all faces of a sign measured as follows: you have two choices, choice number one, which such a sign is on a plate or framed or outlined all of the area of such plate or the area enclosed by such frame or outline shall be included. So do we, on the STS example, do we take that red to be a frame or an outline? Because number two is when such sign consists only of letters, designs or figures engraved, painted or projected or any manner affixed to a wall the total area of such sign shall considered to be that area of the smallest basic geometric shape, rectangle, circle or triangle which encompasses all of the letters or symbols of the sign.

Mr. Maher: So in essence then what was provided to us by the applicant this depicts number two?

Mr. Cappella: Correct.

Mr. Maher: The way in which he has calculated the square footage.

Mr. Donovan: I...I would think so Mike, based upon that definition unless anyone else seems...would think that that red background constitutes a plate or a frame or an outline.

Mr. Hughes: That's the color of the building in that part of the building.

Mr. Onderko: And...and along that same line with the box, for instance on the...the pylon sign I...I could make an argument that the sign area is a box around the word tenant but because I don't know how much space they are going fill up I've taken the full box...I've taken definition A for a sign area. So I...I used B for the box, because we don't have a box around the building signs and used the box definition where we do have a box with a panel for the pylon.

Mr. McKelvey: Because where that red is that could be any color with letters on it to make the letters stand out.

Mr. Hughes: Or you could paint a white stripe around it and reduce it down to that, I mean it's...or we could go to the far end of the extreme and go to Hess in Fishkill where the corporate logo didn't mean anything and they made them do the whole thing in stone. So what do you do then? If you ask fifteen Board Members you get thirty-two answers. When you walk through the door here something is illegal and we're here to try to purge it. That's what makes it such a difficult fit. I have nothing else.

Chairperson Cardone: Okay, does anyone else have any...?

Mr. Cappella: And I just, historically, I'm just...if you take that Lowe's the blue that they have on Lowe's and you call all that blue which is behind every L-O-W-E-S the variances that they would have needed to put their sign on the Lowe's would have been into the ten thousands of a...

Mr. Maher: Right.

Mr. Cappella: ...percent probably cause the...

Mr. Maher: But if Joe didn't review it wouldn't have been noted in the same calcs that he would use here be used there, that's the only...

Mr. McKelvey: That was...that was all done by the Planning Board.

Mr. Hughes: Yeah, and if the Planning Board had it in their future site that they were going to determine that before and the tenant or the applicant said yes we'll live with that you might not end up over here for ten years until something else goes on. A lot of crazy stuff goes on with that signage.

Ms. Drake: I'll make a motion to close the Public Hearing.

Mr. Hughes: Second.

Ms. Gennarelli: Roll call.

John McKelvey: Yes

Brenda Drake: Yes

Ronald Hughes: Yes

Michael Maher: Yes

Grace Cardone: Yes

Chairperson Cardone: Thank you.

Mr. Onderko: Thank you.

Mr. Cappella: Thank you.

Chairperson Cardone: Before proceeding the Board will take a short adjournment to confer with Counsel regarding legal questions that have been raised by tonight's applications... oh Joe has some figures for us.

Mr. Mattina: Yes, I have the Applebee's figures, in 1997 they requested a two hundred and nine-seven square foot sign variance and a thirty-six square foot sign in 1994 (March 2005) so altogether they have received two hundred and thirty-two point seven-five square foot in variances.

Ms. Drake: What was the one in '97 Joe?

Mr. Mattina: In '97 they asked for two hundred and ninety-seven square feet and they were allowed a hundred so that would be a hundred and ninety seven.

Mr. Hughes: And they added thirty-six?

Mr. Mattina: They added thirty-six more, March of '05 for a total of two hundred and thirty two point seven-five square foot of variances they've received already.

Mr. Hughes: Okay, so they had three hundred and thirty-three before this proceeding?

Mr. Mattina: Correct.

Mr. Donovan: I'm sorry; three hundred and thirty-three was what they were?

Mr. Hughes: Yeah.

Mr. Mattina: Three hundred and thirty-three, yes.

Mr. Hughes: Two ninety-seven and thirty-six unless I added that wrong.

Mr. Mattina: If you subtract from my calculations, my calculation, now they would need six thirty-nine minus the three thirty-three. So we went for eight seventy-one to six thirty-nine.

Mr. Hughes: That's Chinese arithmetic.

(Inaudible)

Chairperson Cardone: I think that we can when we a...when we're discussing these we can bring all of this in and right now the Public Hearing is closed but I can still get that information from you later.

Mr. Mattina: Okay.

Chairperson Cardone: And right at this time, I'd like to short adjournment to confer with Counsel and I'd ask if could wait out into the hallway and we'll call you in shortly.

(Time Noted – 8:39 PM)

ZBA MEETING – JUNE 28, 2012 (Resumption for decision: 9:01 PM)

GAS DEVELOPMENT LEASE LLC

1413 ROUTE 300, NBGH
(60-3-40.2) I B ZONE

Applicant is seeking area variances for a gasoline station to be constructed within 1000-feet of another existing gasoline station and the 200-foot required separation to a place of public assembly and the maximum amount of allowed signage to build a gasoline station, tire service business and a bank.

Chairperson Cardone: On the first application Gas Development Lease LLC, 1413 Route 300, seeking area variances for a gasoline station to be constructed within 1000-feet of another existing gasoline station and the 200-foot required separation to a place of public assembly and the maximum amount of allowed signage to build a gasoline station, tire service business and a bank. This is an Unlisted Action under SEQRA. Do I have a motion for a Negative Declaration?

Ms. Drake: So moved.

Mr. McKelvey: Second.

Ms. Gennarelli: Roll call.

John McKelvey: Yes

Brenda Drake: Yes

Ronald Hughes: Yes

Michael Maher: Yes

Grace Cardone: Yes

Chairperson Cardone: Do we have discussion on this application?

Mr. Hughes: I think we've cleared up who is on first and all of that. There were a lot of things surrounding the applicant's sign proposals but I think we've got it whittled down now.

Chairperson Cardone: The two hundred foot required separation, was it not agreed that they did not need that variance? That was my understanding.

Mr. Hughes: It was measured from the pumps. The law says it was measured from the pumps and they have an adequate distance.

Chairperson Cardone: Right.

Mr. Donovan: Do we have clarity on the total square footage of signage variance?

Chairperson Cardone: No we don't.

Ms. Drake: (Inaudible)

Mr. Hughes: According to who?

Ms. Drake: They calculated it. It appears in their application. We didn't get a sheet.

Mr. Donovan: So then...then so...at the five twenty square feet that would not include the Stop and Stop stripe, would not include the SDS red a...

Mr. Maher: Backdrop.

Mr. Donovan: ...awning, backdrop. Thanks Mike, I knew there was a technical term for that.

Mr. Onderko: Correct. It would only be for the boxes around the logo, the actual lettering and the logo that would stand proud of the building face and canopy.

Mr. Donovan: And the Board is as in the prior application deeming this to fall within the definition of sign area, subparagraph two and that we're only counting the geometric shapes.

Chairperson Cardone: Right.

Mr. Hughes: A square, triangle or circle that could be put around that particular...

Chairperson Cardone: Right.

Mr. Donovan: And those total five hundred and twenty square feet.

Mr. Onderko: Correct.

Mr. Donovan: Okay.

Chairperson Cardone: Any further discussion on this application?

Mr. Hughes: I'll move it forward.

Ms. Drake: Second.

Ms. Gennarelli: Roll call.

John McKelvey: Yes

Brenda Drake: Yes

Ronald Hughes: Yes

Michael Maher: Yes

Grace Cardone: Yes

Chairperson Cardone: The motion is carried.

PRESENT ARE:

GRACE CARDONE
JOHN MC KELVEY
BRENDA DRAKE
RONALD HUGHES
MICHAEL MAHER

ABSENT:

JAMES MANLEY

ALSO PRESENT:

DAVID A. DONOVAN, ESQ.
BETTY GENNARELLI, ZBA SECRETARY
JOSEPH MATTINA, CODE COMPLIANCE

(Time Noted – 9:03 PM)