

January 4, 2010

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TOWN OF CORNWALL

PLANNING BOARD

JANUARY 4, 2010

MEMBERS PRESENT: NEIL NOVESKY, CHAIRMAN
KENNETH BRODMERKEL
WYNN GOLD
LED KLOSKY
WILLIAM GRABE

ALSO PRESENT: STUART KOSSAR, ESQ.
PLANNING BOARD ATTORNEY

MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

LESLIE DOTSON
PLANNING BOARD CONSULTANT

GARY VINSON
BUILDING INSPECTOR

ABSENT: HELEN BUNT
MICHAEL LOBLANCO

REGULAR_MEETING

MR. NOVESKY: I'd like call to order the January 4, 2010 meeting of the Cornwall Planning Board. All are in attendance except for Helen Bunt and Mike advised Kenn that he would be unable to attend. Gary, did you get a call from him?

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MR. VINSON: Not that I'm am aware of.

MR. NOVESKY: So Kenn is the messenger, thank you. And Helen was going to be here but we received word from our emanant building inspector that she was confused.

CORRESPONDENCE

MR. NOVESKY: I have four items of correspondence, two from Mr. Cordisco, one from Mr. Latimer and one from Mr. Edsall. Fran, I'll flip them over to you when we're done.

DISCUSSION

MR. NOVESKY: We have a very, very quick request for a discussion item Mr. Axelrod. Would you like to take a moment?

MR. AXELROD: I represent, my name Alan Axelrod and I represent Doug and Monica Johnson, they live at 26 Anthony Avenue and they were under contract to sell their house and they have actually moved to North Carolina. We were supposed to close on December 30. They bought the house in 2001. At the time they were represented by Charlie Obremski, the seller was represented by Kevin Brennan. I have spoken to both of them and they didn't know of the issue. What's happened is the title company that's insuring the purchaser got a copy of a survey that was just done and it shows an asphalt driveway on Anthony Avenue which is a private road. Back in 1976 and I made a bunch of copies of this, the original subdivision map there was a four lot subdivision done by Ted Buhl, three of the four lots run from Holloran which is a town road to Anthony Avenue which is a private road. Lot number 4 of the four lot subdivision is only on Anthony. On this subdivision map in 1976, there's a note that lots 1, I'm sorry, yeah, 1 and 3 must gain access to Holloran Avenue but not Anthony Avenue. My clients' lot is lot number 3. When they bought the property, they did not have a survey done, I spoke with both Mr. Obremski and Mr. Brennan, they said they were not aware of this. But somehow the title company that's insuring the buyers sent me a copy of a survey that was last revised November 24 '86 for Majorie and Christopher Eachus, E-A-C-H-U-S, apparently, they subsequently divorced and Marjorie Eachis became Marjorie Cowell who sold to my clients in 2001 from this survey and this survey is dated the last revised November 24 '86 and there was a C.O. issued by the then building inspector, Mr. Ward, on November 21st, I believe, yeah, November 21 '86 for a two story dwelling and they probably

closed with the bank and this does show a driveway from Holloran. We have not been able to reach Mrs. Cowell who I'm told is on vacation but sometime between then and we think 1994 she removed this driveway and the reason we come to that conclusion is in the title report there's an easement that's given by--

MR. BRODMERKEL: She moved what driveway?

MR. AXELROD: The driveway that ran from Holloran, the house is down almost to Anthony, the reason, why I think it was still there in 1990 is in the title report, there's an easement that's given to Central Hudson and it shows Eachus lists their address as Holloran. In 1994, in the chain of title, there's a deed from Christopher Eachus to Marjorie Cowell formally known as Marjorie Eachus, we understand they were divorced, and in that deed, it shows Mrs. Cowell or at that point Miss Cowell's address as Anthony Avenue. In 1998, there was a C.O. issued by Mr. Vinson for a shed and also listed her address as Anthony Avenue. They buy the property in 2001. At that time, there's a gravel driveway on Anthony Avenue by the way and I have a letter from Mr. Conley as well cause I had him, he went out and looked at the property but in any event, the only thing that they changed is the gravel driveway that was there and they paved it and it's shown on this survey that was just done. Mr. Conley went out, first of all, I asked if there was any applications for highway permits, he tells me first of all, since Anthony Avenue's a private road, it would not, there would be none there and on Holloran I guess the town didn't start requiring them till 2001 so he has no application. He went out and he confirmed that from Holloran and Mr. Johnson's here when he bought the property there was no driveway, it's basically woods and wet and the fact he tells me tonight that he checked with the DEC there's actually wetlands there. So Mr. Conley was kind enough to do a letter for me basically explaining that it would be highly

impractical to have a driveway from Holloran down to this house, especially since it's wet and it's woods and actually he put in the letter may contain wetlands, he tells me it does and the practical place for the driveway is where it is unless it violates a number of driveways that are allowed in the town on a private road. I did speak to Mr. Vinson who told me that pursuant to Town Law there can't be more than six driveways on a private road. And I am also told that there are presently four including my clients and I checked with Mr. Edsall because his driveway has two cuts but only counts per property so there is still room for two more including lot 1 on this map which is a vacant lot and from what Mr. Johnson tells me is the only remaining place where you can build a house is on Anthony Avenue. So the problem is the buyer is using, she's threatening to pull out of this deal because what she doesn't want is to have problems with her neighbors about this. But so what we were hoping to do is one of a couple of things, either to see if the board would consider removing that note or giving him permission or putting someplace in the minutes and I don't know if that's going to satisfy Mr. Bloom but I can try that they have no objection since the driveway's been there for best we can tell at least 15 years.

MR. NOVESKY: I think that we're precluded by law from taking a formal vote on anything tonight.

MR. KOSSAR: Should not be voting on anything tonight.

MR. NOVESKY: So that's an issue, the minutes might reflect this discussion, however.

MR. KLOSKY: Is there an existing private road agreement between your client and the other members of Anthony Lane?

MR. AXELROD: There's a private road agreement that and that involves seven property owners including his

predecessor in title, I, did you even know about that agreement? But it turned out that that private road agreement only the Cowell house and the other lot that's in violation, the rest of the lots of the properties are not on Anthony, there's a couple of other private roads, DiGiovani, DiMicelli and only two of the people on that private road have a maintenance agreement which is not filed are parties so that the two people, well, there are only three lots and the guy in between who's supposed to be on Anthony I'm told has a driveway running both ways.

MR. BRODMERKEL: If I understood you said you were aware of this road agreement and you were part of it when you purchased the property?

MR. JOHNSON: Yes.

MR. AXELROD: He was aware that there was a private road maintenance agreement for Anthony.

MR. BRODMERKEL: And he was part of it?

MR. AXELROD: Yeah, but it was not filed but he was aware that they were supposed to be maintaining the road and he agreed to do that.

MR. NOVESKY: I'll ask the question first. Is there any action that this board can take that could help us cause as you're living in North Carolina now and we all know what it is to be stuck in a difficult real estate situation but the question is can we legally take any action? Is there anything we can do? If so, what are your recommendations all three consultants?

MR. EDSALL: Can I ask a question? You said there was a private road maintenance agreement and obviously involves more than Anthony because just so the board understands Anthony is one piece of the puzzle to the overall subdivision which constitutes several roads

that are private so it's not just under today's law it would be a single road, this Buhl subdivision tied into a network of roads. My question is you said you were part of an agreement, was it an agreement filed at the county clerk?

MR. AXELROD: No, I was not aware that--the only subdivision that he's, that his lot is a four lot subdivision, I don't know if Buhl, he did all that property?

MR. EDSALL: He did all of it so it's a part of maintenance agreement but that agreement for the private road is informal, it's not filed anywhere?

MR. AXELROD: It's not filed, it's an agreement on which there's seven parties, some of whom live on DiGiovani, Mrs. Cowell, his predecessor in title executed as did the people that own the other lots of this four lot subdivision.

MR. EDSALL: What year was that originally constituted?

MR. AXELROD: I think 2000, I have a copy of it.

MR. NOVESKY: Who did this in 2000?

MR. EDSALL: This goes back to the '70s.

MR. AXELROD: So what you're saying that four lot subdivision isn't all that he subdivided?

MR. EDSALL: Correct.

MR. AXELROD: I only know about this.

MR. EDSALL: I don't know and I'll jump in only because I'm familiar with the subdivision and the history, I don't know that first of all tonight you can do anything but what I would ask that any private road

agreements be forward to our counsel so they can look at them because I tend to think where this is headed he may say there are rights that have been created and that the board may not care to interfere with, I don't know that you want to open, you may not want to open the Pandora's Box of the Ted Buhl subdivision, which is about as far from complying with any law that currently exists as I believe anything in the State of New York, not that Ted did anything wrong but Ted was the reason they wrote private road laws.

MR. BRODMERKEL: It's before we had purview over some of the things that we have.

MR. EDSALL: As a result of what happened up there and the panic that ensued, the private road regulations were created so to revisit the nightmare may be less complicated than having counsel tell us what rights may have been created and what rights that lot now has.

MR. AXELROD: I do have it now, this is dated November 13, 2000, there were seven parties and based on the section, block and lot we were able to get from the assessor, Cowell was a party as was Shearer who has that other lot, those are the only on Anthony, we've got 1, I'm sorry, Johnson was two, the lot next to him, three, there's one, two, two people on DiMicelli and two on DiGiovani that's on this agreement that was never filed.

MR. VINSON: Then it doesn't exist.

MR. EDSALL: Nonetheless just because it wasn't filed it may be a legal document.

MR. KOSSAR: There may be some legal rights involved as caused by the document itself but the document would have to be examined to determine what rights if any there are.

MR. NOVESKY: The best we can do is be sympathetic but it's outside our legal purview to take any action so the recommendation is that you possibly review the documents.

MR. KOSSAR: Right, we have to review the documents.

MR. KLOSKEY: That would entail a formal submission to the planning board.

MR. EDSALL: I think forward the documents and let Dom look at it. I don't know that he may reach a conclusion either that it is not a planning board matter, that it is a private rights matter, private property matter.

MR. NOVESKY: With that, I recommend that you go to the workshop.

MR. VINSON: They're signed up for it.

MR. EDSALL: Get that to Dom as soon as you can, he'll be back next week.

MR. AXELROD: He will, he's away.

MR. KOSSAR: You can send it to me, I'll send it to him.

MR. BRODMERKEL: It doesn't, Leslie, did you need to add something?

MS. DOTSON: No, I just, I was agreeing.

MR. BRODMERKEL: If I could, Mr. Chairman, it's sounding to me like everything was in place that should not be a hindrance to getting what you want, unfortunately, we can't do it tonight on this short notice without certain things happening. I would say the chairman wants to take a vote of hands or quiz the

board or whatever.

MR. EDSALL: May want to authorize counsel to release a memo and that way you wouldn't have to wait for that.

MR. BRODMERKEL: The chairman could ask him to do that.

MR. NOVESKY: We can do that by consent. Is that, can we do that?

MR. KOSSAR: Yes.

MR. NOVESKY: Anybody have an objection? Okay.

MR. AXELROD: Is there anything else other than Mr. Cordisco that I should send any, I'll send him kind of an outline of what I just not so well tried to explain.

MR. EDSALL: If you get it to their office they'll scan it and circulate to the chairman.

MR. AXELROD: But still come to the workshop.

MS. DOTSON: Unless the issue has been resolved before then.

MR. AXELROD: But the earliest the planning board could act is at the February 1 meeting, is that correct?

MR. BRODMERKEL: I don't anticipate we're going to be acting, it doesn't appear as though we have any purview to actually decide this.

MR. VINSON: Depending on what counsel says.

MR. BRODMERKEL: Unless I misunderstood what legal counsel said.

MR. NOVESKY: How is that billed?

MR. EDSALL: We historically have had issues on right-of-ways, on easements, on access that are just part of what we I guess fortunately unfortunately do on a day in day out basis. I'm sure it involves a lot of legal work, Dom will let you know and we'll deal with it.

MR. KOSSAR: It may be the type of thing he'll be able to review quickly and be able to let you know.

MR. AXELROD: I didn't know until Mr. Edsall just told me that this, that there was anything more than this four lot subdivision.

MR. NOVESKY: We've all been stuck in a situation not exactly the same but as a courtesy we'd like to help you out.

MR. AXELROD: I appreciate that.

MR. BRODMERKEL: Get that to Mr. Cordisco's office tomorrow.

MR. NOVESKY: Thank you very much.

MR. AXELROD: Thank you for hearing us this evening.

APPROVAL_OF_MINUTES_DATED_DECEMBER_7,_2009

MR. NOVESKY: Approval of minutes, anybody have any questions about the minutes? Motion to accept.

MR. GOLD: So moved.

MR. KLOSKY: Second it.

ROLL CALL

MR. BRODMERKEL	AYE
MR. GOLD	AYE
MR. GRABE	AYE
MR. KLOSKY	AYE
MR. BRODMERKEL	AYE

FRANK, _JR., _WILLIAM_ & _PATRICIA_ZIEGLER_ #2009-14

MR. NOVESKY: Next is Number 2009-14, Frank, William and Patricia Ziegler.

Mr. Dan Yanosh appeared before the board for this proposal.

MR. YANOSH: This is a lot line change from tax lot 30.22 over to tax lot 30.21. We took care of all the consultants' comment from before, wetlands were located and put on the map, we showed all the existing wells and septic systems on the property and again, I just want to clear up the back line, the owners of lot number 30.22 want to move to Florida and just makes it a more viable common line.

MR. NOVESKY: Okay, any questions from the consultants or comments?

MS. DOTSON: Did I give you this?

MR. YANOSH: No.

MS. DOTSON: I'm not going to give it to you until I'm done with it, sorry, I thought everyone had them. I did have a comment although you have provided some additional information, I do think there's some additional deductions to the corner lot. You haven't beyond what's stated in the lot area calculations the areas of the private road is not accounted for and the private road easement area would be deducted from the area of the tax lot 30.21 because it does, it appears to on the underlying fee title for the entire private road which is not the way we do things, I don't think it would harm compliance for that lot because it's the receiving lot also because it's big enough to. Led also pointed out the fact that, well--

MR. KLOSKY: You didn't show the, I know that we asked

last month about the same thing and that is the lot area existing net, right, because it's really the net area that affects potential further use of 30.21.

MR. YANOSH: It's on there existing area, proposed gross, proposed net.

MR. KLOSKY: The existing net is more the question because the gross is only moderately useful, the net is really the key number.

MR. YANOSH: You want existing then?

MR. KLOSKY: Yeah, that should be a simple modification and not a big deal.

MS. DOTSON: If you're going to do that you might as well correct the net area with the deductions for the private road and also put in maximum building coverage.

MR. KLOSKY: Is it the intent of the owner of 30.21 to subdivide that piece of property?

MR. YANOSH: Not now, no.

MR. KLOSKY: I'm satisfied then.

MS. DOTSON: While you're at it, if you can put in the maximum building coverage and the F-A-R lines so it's a complete table. I would point out that most of the area that's actually getting transferred is wetland anyway so it's kind of a wash because it doesn't count, there's only a small area that's upland that's being transferred. And in general because the line is going near where the stream is it almost directly aligns with the intermittent stream, it's generally what we prefer to do so you could say we might of done it that way if they asked to begin with but it's a wash pretty much. This has required referral to Orange County Planning Department, I didn't know if you received anything, we

did not receive anything.

MR. VINSON: As of 4 o'clock tonight, we have no response.

MS. DOTSON: So the time 30 day time period to respond, typically, the planning board waives hearing requirements for simple lot line changes such as this now appears to be and we prepared a negative declaration for your adoption and you can decide to approve this based on the changes to the maps and filing the deed description for both parcels as is common.

MR. NOVESKY: You have those subject-tos in the resolution? Can we make that assumption that they be added?

MS. DOTSON: We can add them.

MR. EDSALL: He has a catch-all.

MR. KOSSAR: Yeah, there's a catch-all.

MR. VINSON: I'd ask Mr. Yanosh for a map first to Leslie before you submit to our office just to cut down--

MS. DOTSON: And negative declaration and in general because this is a true lot line change, this has no physical environmental impacts and it avoids creating any zoning non-conformity so based on that, you would find that there is no significant impact with the action.

MR. NOVESKY: Okay, any other comments, Leslie?

MS. DOTSON: That's it.

MR. EDSALL: All my comments were taken care of by Dan

so it's fine.

MR. NOVESKY: Any comments from the board? Any motions for negative dec?

MR. GOLD: So moved.

MR. GRABE: Second it.

ROLL CALL

MR. BRODMERKEL	AYE
MR. GOLD	AYE
MR. GRABE	AYE
MR. KLOSKY	AYE
MR. BRODMERKEL	AYE

MR. KOSSAR: Do you have a copy of the declaration?

MR. NOVESKY: I do, thank you.

MR. KOSSAR: Can you please pass us a copy of the resolution?

MR. NOVESKY: Yes, I will. Then we have a motion for resolution granting approval for a lot line change.

MR. BRODMERKEL: So moved.

MR. GRABE: Second it.

ROLL CALL

MR. BRODMERKEL	AYE
MR. GOLD	AYE
MR. GRABE	AYE
MR. KLOSKY	AYE
MR. BRODMERKEL	AYE

MR. KOSSAR: Did you send a negative declaration as

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well?

MR. NOVESKY: I did send it over. Okay, thank you very much.

MR. YANOSH: Thank you.

KELLY_&_BRODMERKEL_#1998-18

MR. EDSALL: Mr. Chairman, before we start with the presentation, I'd like to disclose that although we know this is an application that's been pending and is waiting to be closed out since the application was made, Mr. Kelly who is the property owner and doesn't own the business currently is now an employee of McGoey, Hauser & Edsall and is one of our field reps. I wanted to disclose that, hopefully the board agrees it won't affect my review of this 11 year old application. I will assist you with the history.

MR. BRODMERKEL: I would also like to take a minute and disclose the fact that the business owner is my son in this process.

MR. NOVESKY: I'd like to make a comment that the ethics of these respective gentlemen is simply overwhelming. Okay, thank you very much for the disclosures. I don't know as it really does impact in all honesty, this is a longstanding situation so...

MR. KELLY: Since 1988, we have been going at this and just trying to get it closed out. We put all the things on there that's done on the property and what Matt wants to do he just wants to add sealer to the site, that's it. Other than that, it's pretty straightforward.

MR. EDSALL: In an effort to expedite your understanding of the history, my bullet comments outline what constitutes the amendment. This is again a site plan amendment application, I'll go through those quickly if it's acceptable. The driveway as the original plan showed had the residential parcel driving through the commercial parcel to get out to 9W, that really made no sense whatsoever. When that was determined that the traffic flow would be best separated the building inspector back then pretty much

said that makes more sense, the DOT was contacted, the DOT said we agree, we don't have a problem with it. But nonetheless, the plan was never changed. So 2556 and 2558 which is the business versus the residential are being kept separate, that's one amendment, I think it absolutely makes sense, the sanitary disposal system the plan originally called for an additional sanitary system, the bad news was it was proposed over top of the area restricted by the New York City aqueduct so it couldn't be put in where it was shown so it's functioned now Mike for how long?

MR. KELLY: Twenty years.

MR. EDSALL: On the existing system with no problems. The parcels are as a condition going to be joined so they couldn't be sold separately and that shouldn't be a problem. The original plan called for an equipment parking area for construction equipment literally in front of picture window of the residence which would be quite annoying. So that was moved to the north so that the trucks aren't parked in front of the residence but rather to the side of it which seemed to make more sense than the original plan. The entrance gate was a gate shown on the original plan out near 9W that would have caused problems for emergency vehicles to get in because they would have had to open the gate up to get off 9W, they're proposing now move that back to the driveway that goes to the rear so the front access is unobstructed and there is a, I guess it would be a screening fence along the north side against the Storm King station property, it's been actually extended to increase the screen which again is a change. Maybe the last item the applicant can go over which is a new addition, is a proposal to have incidental sales retail or wholesale of driveway sealer from within the building, no modification to the building footprint but just an accessory use more or less to the construction.

MR. NOVESKY: So nothing outside?

MR. EDSALL: No.

MR. NOVESKY: Is this the building, is this the house that has the indoor swimming pool?

MR. KELLY: That's next door, that's Durham's old house.

MR. EDSALL: That's really what's in front of you, like I said, it's an old application, it had effectively some problems with the original plan that common sense dictated cleaning up but then they have added in this incidental wholesale retail product sales which is what, 20 percent, 10 percent of the building?

MR. KELLY: Yeah, actually, back in '88 when we first did it, we actually applied to be able to do that, we never did it and obviously--

MS. DOTSON: There was some peculiarities of the zoning at the time.

MR. KELLY: Very much so.

MS. DOTSON: That's the polite way of putting it.

MR. EDSALL: The zoning was a little strange back then so that kind of has gone away. One thing they have to do which we should make sure the record is clear they need to combine the lots which was a condition on the first application, the second application and now close out of this application which is the 98-18, that's the historical perspective.

MR. NOVESKY: Thank you, very valuable. Leslie, do you have comments?

MS. DOTSON: No, I figured since Mark took the lead on trying to describe something that's really very shaky

and confusing that I wasn't going to try to improve things. I think that they, there was a reason that the septic system wound up where it is because I think there was a pile of gravel in the back. Anyway, it's an improvement the way it is right now and it would be nice to see it wrapped up.

MR. NOVESKY: Do we have any comments?

MR. KOSSAR: No, Mr. Chairman.

MR. NOVESKY: With that, board members?

MR. GRABE: No.

MR. GOLD: No.

MR. NOVESKY: With that now should we direct that we have a resolution prepared for next month or can we just approve it now?

MR. EDSALL: Well, I would suggest that you authorize counsel to prepare a negative dec and authorize the chairman to sign it and maybe the same thing with a conditional approval.

MR. NOVESKY: Okay, with that, I'll ask for the authority to, well, vote on negative dec and vote on the resolution then vote on my authority to sign it.

MR. KLOSKEY: I'll be happy to combine those in one resolution, so moved.

MR. NOVESKY: Can we do that into one resolution?

MR. KOSSAR: Should be two separate resolutions.

MR. KLOSKEY: I move that we have counsel prepare a negative declaration for your signature.

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MR. GOLD: Second it.

ROLL CALL

MR. BRODMERKEL	AYE
MR. GOLD	AYE
MR. GRABE	AYE
MR. KLOSKY	AYE
MR. BRODMERKEL	ABSTAIN

MR. KLOSKY: Motion to approve.

MR. GRABE: Second it.

ROLL CALL

MR. BRODMERKEL	AYE
MR. GOLD	AYE
MR. GRABE	AYE
MR. KLOSKY	AYE
MR. BRODMERKEL	ABSTAIN

MR. NOVESKY: You're authorized to prepare two resolutions.

MR. KELLY: Thanks everyone.

LATIMER_-_DISCUSSION

MR. NOVESKY: We have one further item we have the, who wants to explain the Latimer situation? Okay, we have Latimer subdivision, anyone here representing Latimer? Okay, we have a request by Latimer that Dominic responded to, I believe, did he not, I have two letters, we have a resolution for the I think the initial approval and the final subdivision approval for Latimer were both approved a long time ago, I think it expired. Am I correct?

MS. DOTSON: Yes.

MR. NOVESKY: What this is they're asking for is a re-up basically.

MR. BRODMERKEL: She's asking us to reinstitute everything the way it was.

MR. VINSON: What happened was when he gets final approval they're given a year in which to file a map and they need another month to come up with the finances to pay their engineer so they can get their maps in to sign.

MR. KLOSKY: We're just reapproving the same approved site plan.

MS. DOTSON: Correct, and they also got their variance extended.

MR. KLOSKY: I move that we adopt the resolution granting preliminary and final subdivision reapproval for Latimer.

MR. NOVESKY: I need a reapproval of the negative dec first.

MR. BRODMERKEL: Question, where the hell is this

property?

MR. VINSON: Route 32, Sugar Maples.

MS. DOTSON: It's the one with the two private roads.

MR. VINSON: Between Sugar Maples and Roaring Brook, drive down 32, J & K Deli, count to six, look on your left, that's where it is.

MS. DOTSON: It's already subdivided, there's already a house there it's two different private roads, two private roads are kind of like a horseshoe, they needed to, they had issues with this thing, there were some wet areas they had to go to the Zoning Board.

MR. NOVESKY: We approved two years ago, correct.

MR. VINSON: A year ago.

MS. DOTSON: The Zoning Board limited where they could build the house, how big the house could be because there's such a small area on which they can build so this thing got reviewed six ways.

MR. EDSALL: You have an existing negative dec, you should probably let the minutes reflect, we'll put in there that nothing's changed, negative dec would remain valid, you are reapproving under the same application so all you need is the single resolution that Mr. Klosky has proposed to make.

MR. NOVESKY: Thank you for clarifying that, Mr. Edsall.

MR. BRODMERKEL: We have previously approved this and there are no changes to it so we're in earnest granting an extension by reapproving.

MR. EDSALL: You can't extend beyond the state law says

360 so it's a new approval but nothing has changed.

MR. VINSON: You're saving them money cause they don't have to make a new application.

MR. EDSALL: You're being nice.

MR. NOVESKY: Far be it for Mr. Brodmerkel.

MR. GOLD: Do we have a motion?

MR. KLOSKY: I would just move that we adopt the resolution granting preliminary and final subdivision reapproval for the Latimer minor subdivision 06-16.

MR. BRODMERKEL: Not a reapproval.

MR. KLOSKY: Says right here reapproval.

MR. NOVESKY: Is this a reapproval?

MR. EDSALL: It is a reapproval.

MR. NOVESKY: We have a motion from Mr. Klosky, can I have a second?

MR. GOLD: Second it.

ROLL CALL

MR. BRODMERKEL	AYE
MR. GOLD	AYE
MR. GRABE	AYE
MR. KLOSKY	AYE
MR. BRODMERKEL	AYE

MR. KOSSAR: Can you pass a copy of the resolution to me?

MR. NOVESKY: Yes.

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MR. BRODMERKEL: I'd like to make a motion to adjourn
17 minutes late.

MR. GOLD: Second it.

ROLL CALL

MR. BRODMERKEL	AYE
MR. GOLD	AYE
MR. GRABE	AYE
MR. KLOSKY	AYE
MR. BRODMERKEL	AYE

Respectfully Submitted By:

Frances Roth
Stenographer