

TOWN OF MOUNT PLEASANT

MINUTES OF THE
MEETING OF THE ZONING BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, N.Y.
HELD AUGUST 8, 2024

CONTINUING APPLICATIONS:

M.M.E, LLC. (owner) of premises located at o LAKE SHORE DR, PLEASANTVILLE NY., which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/99.20-1-14.

The application is for a proposed new single-family dwelling on a legal standard parcel (10,042 Square Feet) in the R-10 Zone. **The following variance(s) are requested:**

Z-24-22 M.M.E., LLC. / Vacant Parcel on Lake Shore Drive, Pleasantville, NY
Lou Demasi (architect) appeared to represent the application. It is a vacant lot. It was subdivided some time ago. So, the shape of the lot is the problem. We measure across the means is 64 feet. Other than that, we have setbacks, height requirements, and all other restrictions that are imposed on the lock. So, what we're proposing is a single-family house with a detached garage, and a driveway across the side. So, these dotted lines will just not on this one or on this one. These dotted lines here represent the setbacks.

Chairman Mr. Prezner: When we were outside doing our inspections, the first thing that came up in my mind was the fact that we had inadequate sight distance. And in speaking with Mr. Bregante just a little while ago, he said that's being addressed or has been addressed by the Building Department. The way it is now, if somebody comes around the corner, they're going to get whacked.

Board Member Mr. Hlapatsos: just one small question. When we did our site visit, you know, we were able to access the lot through the opening that was created in that rocky ledge that butts the road. And it was a little bit difficult to see how it was going to lay out on the lot, in terms of the proposed structure. Is it going to be a road frontage that's going to come directly through the rock that has to be removed? Or is it in the area that's cleared already? Because with all that ledge still in place, it's kind of hard for me to gauge exactly how this is going to wind up lying out on the property. Are you worried about cars pulling out? Mr. Demasi replied: No. I understand. The issue with that isn't actually within the purview of

the zoning board, and it is a planning board issue.

Neighbor Comments:

Maximillian Mihalik: I reside at 135 Lakeshore Drive. Mister chairman, if I may, I have some photos. I'd love to see them. Mister chairman, members of the board, oh, thank you. I am a resident of me to the north in favor of this application. A little bit of an unusual role for me because I am a land use attorney at Cuddy and Feder, 5 days a week and most nights a week. But I'm here as a private citizen tonight. Looking at the site, as discussed by the applicant, they received their subdivision approval, their seat slope permit, and they were doing a lot of work on the site, and I understand they received a stop work order. Looking at your various tests and those balancing factors that you apply, that site right now, as it doesn't do great things for the community character, doesn't do great things for the physical and environmental condition of the neighborhood. We would love to see this project finished. We'd love to see a home there because I would much better see a home than all the disturbed land looking just north from my property there or, excuse me, that would be just in the south. But we would love to see this finished and have a home there and have some neighbors much better than a hole in the ground. So, with that, happy to answer any questions, but we would ask that you approve this variance.

Laura Nelson: I reside at 121 Lakeshore Drive. Okay. Her father, Paul Nelson, passed away from brain cancer. He was the one who initially opposed to this development at first. So, if you want to go on and say a little about that. Well, mainly we think it's just too close to the house and don't want the construction and all the See, it was hard. We think it's too close to the house. It's too close? Yeah. The existing house that we have now. The construction lot. So, the initial construction was done about, give or take, 6 months ago, a little more than that. Hence, it was just wild. It was a wild lot. I mean, we acknowledge the fact that we're just stating our piece for Right. The main concern is that the building is put within the construction site.

Motion to approve the application as submitted by George Hlapatsos, seconded by Adrienne Novak, all remaining members voted in favor. Carried 4-0 AYE

NEW APPLICATIONS:

ADJOURNED

Ihemi Romani-Padilla (owner) of premises located at 23 REQUA ST, BRIARCLIFF, NY., which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/104.19-1-16.

The application is for a proposed rear yard two-story addition over an existing patio, to an

existing single-family dwelling, on a legal substandard parcel (2,750 Square Feet) in the R-10 Zone. **The following variance(s) are requested:**

Application adjourned.

NYC Department of Environmental Protection (owner) of premises located at 0 WEST LAKE DRIVE, VALHALLA, NY., which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/117.11-3-1.

The application is for a proposed 12.5 foot retaining wall(s), on a legal standard parcel (85 Acres) in the R-40 Zone. **The following variance(s) are requested:**

Z-24-27 NYC DEP / West Lake Drive, Valhalla, NY.

Kevin Ellenwood. I'm a Deputy Portfolio Manager with the Department of Environmental Protection in Corona, New York. Okay. This is regarding New York State Department of Environmental Protection as the owner of the premises, located at 0 Westlake Drive.

So, if you allow, I have a brief presentation. Is that good enough? You know, I'm just commenting a bit more, if you could. I'm sorry. I'm here tonight to present the Kensico Eastview Connection project, and we're here for a variance, as you said, for a retaining wall here at our Kensico site. So, this project is the construction of a new water conveyance tunnel in between the Kensico reservoir here over to our ultraviolet treatment plant in Eastview. So, it involves construction both here at Kensico and over at Eastview, and it's a multiyear contract, and we've broken it up into phases. So, you know, we've been coming to the town, as we progress through the work. So, the reason for this tunnel is that when we construct and put our ultraviolet treatment plant into, operations, one of the 2 aqueducts bringing water to that plant doesn't have the pressure to do that. So presently, water to CDUV is only supplied by the Delaware aqueduct. Our Catskill aqueduct has been offline since then. So, this limits our ability to, shut down the Delaware aqueduct, and we really don't have any way for an extended shutdown of that. This project is part of the larger Hillview consent decree project. So, it's a requirement. It's a court ordered requirement to complete this work. And with that, there are associated project milestones through design and construction. So, we have to show good faith effort of completing this work ahead of the Hillview cover construction.

Okay. So, in addition to that need, the benefit of this project is that it enhances the resiliency of our system, of the drinking water system, by providing the redundancy of that second tunnel. And then we also have greater capacity to convey water to the UV facility, so closer to its, you know, full capacity. Also, we provide the potential to, in case of an emergency, bypass Kensico and use what's currently the inactive Catskill Aqueduct. We could bring that back online emergency. Then this also provides for future compatibility with future infrastructure projects. Okay. So, as I said, we've broken this up into multiple contracts, multiple phases. So, this is the first time of a few times that we'll be

appearing before you, for the various elements of our project. So, this first phase is that it's and it's fully at the Kensico campus down the street from here, and it prepares this site for the following contracts.

So, it involves setting up a staging area, for this first contractor and then future contractors. The bulk of the grading and excavation and tree removal that needs to occur for the project happened during this first phase. And then the goal for this first phase of all that material, you see some of it. You can see some of it now. The northern part of our site is that whatever we're digging out, we're placing back on-site, so we limit or eliminate the need to truck material off for this first phase.

Now what we're here to talk about tonight is the relocation of Westlake Drive. Currently, that goes through the center of our site, and this is an active drinking water facility. So, we are going to relocate that road to the very northern edge of our property. And then, by doing that, we can separate public traffic and public use from operations and from our construction activities. And then we also are able to put a perimeter fence around our entire site. We have one single secured site rather than what presently, you know, you have public access right through the middle of our site. And then what we're here tonight to talk about is on that road, we need to install 2 retaining walls that exceed the town code requirement of no more than 6 feet. Also, during this first phase, we'll be constructing a parking lot for use by the high school students, then we have some different facilities on-site that we're going to be constructing. Okay. So, this is a rendering of what the site will look like after this first phase of work.

So, you can see this here is Westlake Drive. Right? It comes down here along the reservoir, and it comes out to Columbus Avenue. So, we are going to construct a new roadway here at the northern edge of our property. The high school is, like, right here. Then there is a Con Edison tower. The transmission line runs through our property. This you can see from Columbus Avenue. And then there's another one here that you can see if you're driving south on, Westlake Drive. Okay. This is the same view. It just zooms in a little bit more. And this is to demonstrate the need for the retaining walls. We're pushed to the northern edge of our property, and we have to work our way through those 2 con ed towers. And we don't. We really can't curve back and forth, so we're limited in the length of road. It's pretty much a straight run, so that dictates the grade of the road. And if you've been out there, you know that it's very steep. We currently have approved steep slopes permits. We can't, we can't comply with all town codes for the roadway. It's, you know, we worked with the town to decide the best path forward. We can either satisfy the restriction on the retaining wall height, and in doing that violate the requirements for the roadway itself, or we conform to the roadway requirements and install the retaining wall. So specifically, we are choosing, or we're, you know, we're working with the town to comply with the k values, so the vertical curves that are set by the town code. Right? So that's basically how steep and the sight distance sight distances you have for vertical curves. We also meet the town requirement for the slopes of the road itself as well. And then try to meet the minimum roadway width. And then, in addition to that, we have this. You can see

the towers a little bit better here. There's a tower here, and then, in yellow, that's where the retaining wall is. And then again here, the other tower and another retaining wall. We need to keep a buffer between the foundation of the tower and the roadway itself. Okay. Here's a plan view of that. So, you know, as I said, the alignment of the road is kind of dictated. We really can't play with that. We looked at staggering the retaining wall to keep within variance. And because we're so restricted there with the path and the buffer to the con ed towers, staggering is just not an option. We just have to have 1, you know, vertical retaining wall. So here, this is the south side retaining wall. That's this here. I believe Con Ed designates it as d 109, but it's 208 feet in length, and it varies between 4.5 and a half feet, so a 6.5-foot variance. Then it's located about 6feet from the roadway. Then this retaining wall, the north side of the proposed relocated Westlake Drive, is about 250 feet in length, and it varies between 211 feet in height. So, a variance of 5 feet there. And this one is located about 14 feet from the edge of the road. This is again standing towards the top of the hill looking east, so the reservoir would be in the background. And, right about here, it drops off pretty steeply down to Westlake Drive. Same tower, this is Westlake Drive here. The reservoir would be over on the left here, and this is where the relocated Westlake Drive would turn in. We have to cut through this hillside here.

Chairman Mr. Prezner: Alright. How far away from those towers are the walls? Kevin replied" I believe it's about either 25 or 40 feet. I'm sorry. I don't have it here, but it was dictated by Con Edison. We worked with them to set a minimum, a minimum distance we could, you know. I'm just thinking of soil disturbance. You're going in 25 feet. Right. And will this wall be a concrete wall or is it going to be a stone wall? Kevin replied; it's a cast in concrete place. We took our foundation design, the retaining wall design, and we shared those calculations with the engineers at Con Edison. They've reviewed our design and, is this like a mafia block they call it? It's, no. It's cast in place concrete place. It's cast in place. The other question I have: in the areas where you have that fence do you have fencing at that 12-foot height? You have, even though you have your own place, the whole area is fenced off, there's only going to be somebody that's going to go in there because you have access through the back. If I recall, we had, I don't remember the road, but back, there are houses which we saw in the past, where the towers keep coming towards Westlake Drive from, I'll say, from the East. Okay.

Chairman Mr. Prezner: I didn't even go off that wall and get seriously hurt. Right. Kevin replied" At the top of the wall, at the top of the ramp, so right at the edge of the retaining walls, we have put in a 6-foot fence. Well, sorry. We haven't put it in, but it's part of our design to install a 6-foot fence, not for security, but for fall protection. Now this is going to be off the wall or on the wall, because the difference is if it's on the wall, then it's no longer a 12-foot-high wall, it's an 18-foot-high wall. And it would have to be off the fence, which is fine. It is. Yeah. You can kind of see it here.

Board Member Mr. DeCicco: The current situation on Westlake Drive, where

the students and other people park, you know, approximately how many people park there every day? Kevin replied "It's approximately 30, and that's so that's what we accommodated in the parking lot. And that is, the parking lot will be conveyed to the school for their use through will convey it through an easement. So, the parking lot is there in the middle-left corner. That's the new proposed lot. Now there will be 30 spaces. Correct? Kevin replied: Correct. And that's to roughly make up for the spaces that are being taken away. Correct. From Wesley Drive. Yes.

Was there any discussion either internally or with the planning board, about increasing the access to parking,, saying that we're doing this construction? Or, at this time, to make a bigger parking lot or to increase accessibility to the fields behind the school at all? Yeah. I was not part of the discussions. I just know that that's the number that was settled on. That's because I was wondering if you were planning to park, like, physically where that box is, where it says Ken Squeezy trailer. No. So those are temporary construction trailers, and we need to provide parking on-site. So, you know, so we don't have public parking for our, you know, construction work. So let me get go, let me try and get to where. So, the idea here is that you want one unified lot. Correct. Kevin replied, Right? And that makes sense. But to get one unified lot is not a necessity for the functionality of what you're getting at with the Kensico Eastview Tunnel.

Whether or not this lot is unified or not by the relocation of the road, it will not affect the functioning of the tunnel. Is that fair to say? Well, we will have construction over the entire site. So, it's not, you know, it's not just the road that we're making, but, you know, these are this is what it's going to look like at the end of phase 1. We have active work here, which you can see now, and we will eventually be working all over the entire site.

So, it also is a safety feature for the public that they're not traveling through what's going to be an active construction site for years. Sure. That that makes sense. But at the end of the day, this is more of a nice to have than it is a need to have for the water flow to function properly to get to the ultraviolet plant. At least that's the way I see it. This board has the authority or the ability to impose conditions, which, as I'm sure you're aware, are, reasonable conditions and restrictions that are directly related to or incidental to the proposed use of the property. My concern, and I don't know if this was discussed at all, and I know you weren't necessarily part of it, but I would have thought it would have been a much broader discussion, is that we're taking away 30 spots from students and staff and people that need to access the high school. And we say it's 30, but some days it could be 35 or 40. When you get surge events, it could be even more. And we have a unique opportunity here for the DEP who are requesting us to prove variances for something that, at the end of the day, is nice to have to really improve the parking situation at the high school in years to come. Not just for what the demand is now, but what the demand might be in the next 5, 10, or 15, or 20 years. And to improve accessibility to the fields behind the high school, which I'm sure you're not familiar with, but if you ever tried to get there, you have to walk up a very narrow

path right along where this parking lot is going to go walk up a long hill on a narrow path to access the turf fields. Whereas if the parking lot was extended slightly more and a couple of access points were created, it would change the quality of life for all the students for years to come. And I don't think that that's a big lift. And I do think it's related directly and or incidentally to this application, especially since it's part of your phase one project.

I don't know if you had any thoughts on perhaps adding that. Right. Kevin replied; I respectfully disagree that it's a nice to have, because we the goal here is it creates a secured perimeter. Right? It's the drinking water serving this town and the city and communities in between. So, you know, we're creating a secure perimeter. It's not just the perimeter itself, but we have security features that we put in place. There are. And I don't disagree with. I don't think it's unreasonable what you're requesting. Okay. I get it.

Mr. DeCicco: A few more questions. The walls actually, no. While we're on this map, I have a question for you. Can you explain to me a lot to the right? Read what temporary operations says? Kevin replied; Yep. Mr. DeCicco; how does that relate, if at all to the wall that's being requested? It doesn't really it doesn't directly relate to the wall. So yeah. Currently, operations, the DEP operations use existing Westlake Drive. Operation staff come in and come out of that site, and then the chemical deliveries also come through there. We need to, for construction, take over the whole site. So, what we've proposed to the planning board is that we create this, a temporary operations entrance. So, their staff, and their deliveries would come through this entrance over the course of construction.

Board Member Mr. Hlapatsos: I just wanted to bring up a couple things about the wall itself. Okay. As you know, we did a site visit. When we walked the property, you know, we observed the topography and certainly there is a significant height of the soil. And I understand there's a lot of movement of soil that's being done. But when you provided there was another rendering that you did, offer us during your power point that, showed the facing, the wall view. It was a rendering? That one. Okay. You know, it's strikingly kind of looks like one of the walls that sing-sing prison, which made me think, why can't we have it staggered? And I know you said something about I think it was Con Ed dictated the buffer distance. Can Con Ed reconsider the buffer distance? Is there a distance? Is there a code that requires that that distance be provided? Because to stagger the wall and break that sheer height, I I don't know how much distance is 12 and a half feet, but it's more than I would have hoped. And it looks it's kind of an eyesore.

I know you said that it can't be staggered, but I didn't hear the reasoning why. And I know you said, kind of dictated there had to be a certain buffer, but I didn't hear you say how they come to dictate anything. So, I guess those are the first two questions. How did that buffer get established, and why can't we stagger this wall? Yeah. Kevin replied; I don't personally. I have it on the drawing, and I don't have it on the drawing. I'm sure somebody knows, but the one is, does that answer the question that of why the wall can't be staggered? We don't want to encroach on that buffer by having, the second level closer to the tower. So, if you put a second

piece of the wall let's have a 6-foot height. And that's 6-foot height. Another 6-foot height. I understand. And again, let me come back. Let me provide a technical response for why we can't make that work. Wait a minute.

Mr. DeCicco: when you live here and your kids in the school and you realize what a what a bad situation it is and you see an opportunity to alleviate for future generations, the ability to access those fields in a way that's directly related to a project that you're doing already by moving the parking lot. It's something that really wouldn't affect your project at all just to add some more space and more access to the fields in the area where you're already doing work. It would just be a terribly, a terrible opportunity to miss to try and help this situation. In this fashion. So that's not right.

Application adjourned to September 12th Zoning meeting.

Daniel Klar (owner) of premises located at 17 LINWOOD ST W., VALHALLA, NY, which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/112.20-2-77.

The application is for a proposed 6-foot high fence in the rear and side yards, on a legal standard parcel (10,000 Square Feet) in the R-10 Zone. **The following variance(s) are requested:**

Z-24-29 Klar / 17 Linwood Street W., Valhalla, NY.

Rafael Alba appeared to represent the application for a proposed 6-foot-high fence

Chairman Mr. Prezner: Alright. One of the things that this Board has always been concerned about is not so much the height of the fence, but when you have a solid fence, and you're staring at it, it doesn't look appealing. And especially with white plastic fences, as they're facing the North or the West, they get moldy. They look like hell. The fact that you're putting in a, I'll call it, the trellis on the top, is a positive thing.

A motion was made by Nick DeCicco to approve the application as submitted, seconded by Adrienne Novak. All remaining members voted in favor. Carried 4-0 AYE.

CRAIG VOGL (owner) of premises located at 301 COLUMBUS AVE, VALHALLA, NY., which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/117.7-1-19.

The application is for a proposed two-story addition to an existing single-family dwelling, on a legal standard parcel (2.45 Acres) in the R-20 Zone. **The following variance(s) are requested:**

Z-24-30 Vogl/ 301 Columbus Avenue, Valhalla, NY.

Joel Greenberg appeared to represent the application. This is the site, which is approximately 2 and a half acres. There is a restaurant very close to Columbus Avenue, and that is the building that we're talking about. I will have the pictures shown in a few minutes. And then there's also another one-story, a building on the back of the back of the property. What we're trying to do here now is to right now, if you've seen the building, we can show you the pictures.

Chairman Mr. Prezner: Why don't you flip it around? Just to give you a little bit of a history, this structure was built in the 19th thirties, so it's obviously fairly old, and it's not in a great shape to begin with. The other thing that we want to avoid is, right now, to get to the 2nd, 2nd story of this apartment, you have to walk through this steel staircase, which obviously is not very safe, especially when there's ice and snow in the winter. So, what we're trying to do, basically, is to upgrade the apartments, the 2 apartments. Mr. Greenberg replied" We're going to basically just completely redo the outside of the building and make it very, very appealing.

The interest of being here is to get back to the reason for the events. As you can see, what we're doing is similar to what the previous application had, which would be a vinyl fence with a lattice on top. And the reason we're doing that is, as you can see, this is the property itself, and the building that we're talking about is right in the middle of the property. So, in order to give me a little bit of privacy for the 2 tenants that will be coming to this building, that's why we want to have a fence where they can. They will have to. People will have to look at those going into the restaurant or parking in the restaurant area. We're also providing an area here where they can have some outdoor activities. Also, but, again, give them some privacy. We've also. We have striped parking around the building to give it enough adequate parking for the, you know, for the, for the 2 apartments. But just, again, to go through again, we're going. We're requesting a variance from section 2 1880, which is titled nonconforming use of buildings. Again, this is a nonconforming use. And the only thing, according to the code, 218-80 is that you're allowed to fix it, but you're not allowed to increase it.

The footprint, basically, is exactly the same. The only difference is that this section is 2 stories, and we want to make the balance of the building 2 stories. But, again, the structure and the footprint of the building will be exactly the same. And that's the reason for the variance. There also, again, because of the situation with privacy, we'd like to have a 6-foot fence with a lattice on top, just to give them some privacy because, again, the restaurant obviously is very active, especially in the afternoon and the evenings. So, we give them some area where they can have some privacy. But just going through the criteria for any other variants, basically, going through it, whether there'd be an undesirable change in the neighborhood. I think, obviously, if we could show you the elevations, it would be a tremendous improvement for the neighborhood. Obviously, as you can see from your site inspection and the pictures that we showed here, there is Mister chairman, is it understanding that an area variance is necessary for expanding the use?

Board Member Mr. Hlapatsos: Yes. I thought you were going to pursue a use

variance. I mean, the area variance. I thought I heard you say area variance. Yes. So, you believe that expanding the use of a non-conforming property requires an area variance, not a use variance? Mr. Greenberg replied, "That was my understanding. Yes. Did you consult with an attorney on that? What we consulted, we, met with the building inspector and, the staff. And, that's what was. That's what we were basically told to do. Which building inspector was that? Mr. Bregante, right here.

Mr. Hlapatsos: Question is, you have an existing building. Are you enlarging this building, or are you just reconfiguring the inside of this building? The answer is yes. Come back.

Application adjourned till September 12th Zoning Meeting.

Justin Condreay owner of premises located at 137 JEFFERSON AVE, VALHALLA, NY., which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/117.15-2-30.

The application is for the proposed installation of a new garden shed with pad, on a legal substandard parcel (0.17 Acres) in the R-10 Zone. **The following variance(s) are requested:**

Z-24-32 Condreay / 137 Jefferson Avenue, Valhalla, NY.

Justin Condreay appeared to represent his application. The application is a proposed installation of a new garden shed with pad.

Yep. So, if you go to try to line up with the neighbor behind you? I'm trying to so there's an existing shed there when we bought the house 4 years ago, and you can see the outline. My kids have turned it into their personal play area. At the time we bought the house, we had 2 children. My wife's working on our her pregnancy with our 4th now, so space is limited.

We have a single-car garage, so we'd like to move. When we bought the house, they made the owner tear down the shed while we were far along in the process buying. So, we wanted the shed. Long story short. And they had them tear it down. They had them tear it down because it was against it was up against the fence, and it wasn't in compliance with the setbacks. We're trying to do it the right way. And there's a sprinkler system that we put in, and that's what I wanted to highlight on the slides. And maybe I doubt you all saw the sprinkler system. If we were to comply with the setbacks as they are, we'd be required to make a shed. It would have to be 6-foot by 5.5-feet, 5 and a half by 6-feet. It would be a very small shed, because of the sprinkler system where they're lined up. By moving the setback to 2 and a half feet, when you include the pad of the shed, that will enable us to build an 8-foot by 12 foot shed, which is a big shed. It's a difference of about 64%. I know nominally, it's not a lot, but on a percentage basis, it changes. I would like to do a Dutch shed that has, like, a little bit of a loft area. I've also picked out a nice aesthetically pleasing shed. I enjoy all of my neighbors very much. They're

great, and I want to build something that improves the value of the home. I don't just want to stick a shed back there. So, it's a more expensive shed. The proposed project should cost around \$7,000 to \$10,000. I'm trying to do it a right way that's aesthetically pleasing to my neighbors, something that will improve the layout, that won't require me to dig up the sprinkler system, which the current setbacks would require me to dig up the sprinkler system. I would either have to dig up the sprinkler system and move the sprinkler system to get an 8-foot by 12-foot shed, or I would have to keep the sprinkler system where it is, comply with the 5-foot set 5-foot setbacks and install a much a 64% smaller shed than the one I'm proposing here today. Alright. Let me ask you this question.

Chairman Mr. Prezner: How many sprinkler heads are involved? 2. 2. Sprinkler system, the plastic piping is about 12 inches below The ground. I'll take your word for it. You could take the existing pipe and connect it so that you remove that sprinkler head. It's now a solid pipe with a connector. You can bring that piece over, and then you can put a new existing head, move it over 4 feet or whatever you want, connect it to the existing line. You can do the same thing with others. You're not going down far with it. And in this way, you wouldn't even have to come before us. And you could still have the size shed you wanted. Got it. The question is, do you want to dig 2 holes 1 foot deep, or 2 or 4 holes. That's your choice. It would be my choice. I'll tell you that. Rather than go through all the rigmarole. And you'll still have more room to get. The other thing is to get around that. Mr. Condreay replied; I would prefer to get it closer to the fence line just to have more area in the backyard for my children to play. Also, I'm not an incredibly handy guy, so I won't be doing this construction on my own. Digging up I have no idea how much this costs to dig up.

Board Member Mr. Hlapatsos: One of the things here you know, that I want to point out, Mr. Chairman, when we did our site visit, I did note that there's a shed on the abutting property that's in the exact same location as your proposed shed. I'm also going to take note of the fact that you're actually coming here first before putting in your shed asking for permission rather than for forgiveness, which is kind of refreshing these days.

Board Member Mr. DeCicco: Which is the issue that's actually before us. Then that's why it's great that you didn't go and put a shed that's non-compliant and then come there and ask for forgiveness rather than permission ahead of time because you won't put in a non-compliant shed. You'll do a compliance shed that the building inspector will help you design. We had an application years ago where we approved a deck for somebody and he, just that person, decided, well, I'm going to make my deck a little bigger. And they came before us and he said, well, what am I going to do?

The motion to approve the application as submitted by George Hlapatsos, seconded by Nick DeCicco, all remaining members voted in favor. Carried 4-0 AYE.

INSPECTION MEETING WILL BE HELD ON

