

**CITY OF MIDDLETOWN
ZONING BOARD OF APPEALS
MINUTES**

March 15, 2023

A meeting of the Zoning Board of Appeals was held in the Common Council Chambers, Second Floor, City Hall, 16 James Street, Middletown, New York on March 15, 2023 at 7:00 P.M., Jim Burtis presiding.

Members Present: Mary Ann Cavallaro, Jim Burtis, Keith Hallock

Members Absent: Marc Woody, Wendy Rodrigues

Other Attendees: Richard J. Croughan, Corporation Counsel; Walter Welch, Building Inspector

The Pledge of Allegiance was said.

Motion to approve the February 15, 2023.

Motion passed. Minutes approved.

**Abraham Rosenbaum
40 Adams Avenue
Area variance for a single-family home**

Mr. Burtis: Will the applicant please step forward. State your name and the property that you're applying.

Mr. Rosenbaum: Abraham Rosenbaum, 40 Adams Avenue.

Mr. Burtis: Okay.

Mr. Croughan: And what are you proposing to do there?

Mr. Rosenbaum: We want to build a nice, beautiful house to bring in nice people to the area, make the area look nice.

Mr. Croughan: A single-family home?

Mr. Rosenbaum: Single-family home. Yes.

Mr. Croughan: How many square foot? If you don't know, you don't know.

Mr. Rosenbaum: I know it.

Mr. Croughan: You do know?

Mr. Rosenbaum: Yes. 1,500 square foot.

Mr. Croughan: Thank you.

Mr. Burtis: And the types of area variances that you are seeking, what types are they?

Mr. Rosenbaum: The minimum -- can you explain the question?

Mr. Croughan: You're here tonight for two variances, a lot depth and the overall square footage. What's required is 5,000, and according to your application, you have 4,923, so you're seeking 77 feet variance. And on the lot depth, required is 100 and you have 98.46, so 1.14 foot requested variance.

On an area variance, there are five factors for the Board to consider, so I'll ask you each factor, and then if you can go through it, and then we'll open up the public hearing.

Mr. Rosenbaum: For the square footage of the house, I can minimize based on the Zoning Department, but if the lot is too small to even build any type of house, I will ask for a variance.

So the square footage of the house I can minimize if it's possible, so I will only ask for the lot variance, not for the square footage.

Mr. Croughan: Okay. An undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the area variance. So how do you respond?

Mr. Rosenbaum: Yes.

Mr. Croughan: No. You have to tell the Board will an undesirable change be created by putting this single-family home there?

Mr. Rosenbaum: If it's required to change, I will change the square footage.

Mr. Croughan: Are other homes in the area single-family homes?

Mr. Rosenbaum: No.

Mr. Croughan: They're not. What are they?

Mr. Rosenbaum: It's an empty lot.

Mr. Croughan: No. The other homes that are built on the street, are they single-family homes, commercial?

Mr. Rosenbaum: It's single-family homes.

Mr. Croughan: And do you know their lot sizes?

Mr. Rosenbaum: It's around basically the same that my lot.

Mr. Croughan: The benefit sought by the applicant can be achieved by some method feasible for the applicant's pursue. So can you buy land from an adjoining property owner to make your lot bigger?

Mr. Rosenbaum: I bought this lot from a neighbor, and there is a possibility to extend the property from her.

Mr. Croughan: Okay. But you wouldn't be making her lot nonconforming by buying property from her, would you?

Mr. Rosenbaum: I prefer not because she's --

Mr. Croughan: Well, you would have to demonstrate that to the Board if that's an avenue that you're going to go down.

The requested area variance is substantial. The area variance, based upon the numbers of 77 feet and 1.14 is not substantial.

The proposed variance will have adverse effect or impact on the physical or environmental conditions. Are you changing the topography?

Mr. Rosenbaum: No.

Mr. Croughan: By adding a house, you're going to be adding some impervious area, so you are changing topography a little bit.

The alleged difficulty was self-created. You bought the lot knowing it was a substandard lot, so you did -- it was self-created.

If you want to open up the public hearing.

Mr. Burtis: Sure thing. Thank you very much to the applicant. If you'd like, you can take a seat while we open up the public hearing.

Mr. Rosenbaum: Thank you so much.

Mr. Burtis: You're welcome.

The public hearing was opened.

Mr. Burtis: I'll start by reading two pieces of correspondence that we received from the public. After that, we'll open up to the microphone up front here.

The first letter is from a Richard and Kathleen Flessa.

My name is Richard Flessa, my wife Kathleen and I have lived on Adams Ave since 1987. Unfortunately, we will be out of town and cannot attend the public hearing on February 15, 2023, regarding the building variance for 40 Adams Ave section 44, block 5, lot 8. Our first home was located at 45 Adams Ave. We lived at that address for 22 years. In 2009 we purchased 41 Adams Ave which was Kathy's childhood home. We raised our two children in this neighborhood and decided to continue to live on this street because it is a nice quiet neighborhood.

We believe the current building regulations have kept this neighborhood a great place to live and raise a family in Middletown. We have looked at the property map and believe the placement of a house at 40 Adams Ave section 44, block 5, lot 8 would not be in the best interest of the residents and the neighborhood. Part of the reason this section of Adams Ave is such a nice part of Middletown to reside, is because the houses are not right on top of each other. The placement of a house on this lot would be in very close proximity to the house at 38 Adams Ave. In fact, the property line goes through the existing driveway and garage of that property. We are also concerned about the usable yard space and parking. The only reason to approve a variance to the building code that would allow a house to be constructed there would be to enhance the neighborhood. We believe the construction of a house on this lot would have the opposite effect to the neighborhood.

We hope that the effect on the residents and the neighborhood will be evaluated when considering this variance and if so, it should be denied.

Sincerely,
Richard and Kathleen Flessa
41 Adams Ave
Middletown, NY. 10940

Our second piece of correspondence comes from Samantha Barnes.

To whom it may concern,

I am writing, with my vote regarding Abraham Rosenbaum's proposal to building a single-family home on 40 Adams Avenue.

I will have to vote against this proposal.

I have lived in this neighborhood since birth, at 29 years, and in return, I have known my neighbors for that long. I'm sure I can speak for not only myself, but them as well, that building on that lot, which is far too small, would unnecessarily crowd that street.

To tack onto that statement I do know that there was absolutely no vote or input on the huge house that was put on a corner lot (19 Heidt Ave). Which is quite an eye sore, that changed the aesthetics of the neighborhood and the street DRASTICALLY.

I feel that building on 40 Adams would only do the same and upset everyone and cause chaos when building. Chaos meaning, new digging for sewers and gas lines and electric. When 19 Heidt was being built, we had issues with our own utilities. I can imagine Adams will have the same inconveniences, when building on 40.

Lastly, change like that will make it that much harder, in an already hard economy and housing market, for anyone trying to sell their house, simply because of the way it looks and how crowded it will be.

So I will have to say no.

As a lifelong resident at 20 Heidt Ave, and growing up in this neighborhood, I do not agree and do not wish to see a house being built on that lot.

Our neighborhood is a quiet, peaceful, clean and spacious college town.

Please help to keep it that way.

I thank you for your time.
Samantha M. Barnes

Mr. Croughan: And for the record, Ms. Barnes doesn't have a vote.

Mr. Burtis: Correct. We also received a piece of correspondence with a question. It was directed to our clerical staff here.

Are they seeking a variance for building coverage or building size as well?

Mr. Croughan: The answer is lot area. Side yards meet the minimum setbacks required.

Mr. Burtis: Okay. And that question came from Toni Kowidge.

All right. Do we have any public speakers, or do we go back to the applicant?

Mr. Croughan: No. Public comment.

Mr. Burtis: Public comment first. Please step forward, state your name and address for the record.

Mr. Croughan: Please speak into the microphone so everyone can hear. Thank you.

Mr. Burtis: Feel free to pull it down closer to you. Thank you.

Ms. Dunn: My name is Geraldine Dunn, and I live at 44 Adams Avenue here in Middletown, and I am here this evening to comment on the application of Abraham Rosenbaum for the variance for the single-family home at 40 Adams Avenue.

Can you hear me okay?

Mr. Burtis: Just fine. Thank you.

Ms. Dunn: The tax map for 44-5-8 lists this property as 50' x 98'; is that correct?

Mr. Croughan: According to their survey, it looks 50' x 98.46'.

Ms. Dunn: Okay. When I received the two letters telling me of this meeting, the mail came from 9 Fillmore Court in Monroe. Is this the same as the Eastlight Ventures on Corner Street in Spring Valley?

Mr. Croughan: No according to the applicant who's behind you shaking his head no.

Ms. Dunn: Oh, okay. I purchased my home in July of 1985 and have lived there ever since. Later in 1985, I purchased the lot next door, 44-5-6, on the uphill side of my home, ensuring an open and almost parklike aura to this part of Adams Avenue. Most of the homes on Adams are capes or cottages. To shoehorn a larger home on the 50' width would certainly be out of place and would decrease the value of present homes along the block of Adams. And this was in the letter that was just read. It said the same type of

thing.

A recently constructed home on the corner of Ingalls and Heidt that belonged to Bunny Field, this house does seem out of place from the surrounding homes.

Now, you said that the sides are -- what do I want to say? The sides from the property line to where the house would be, they were in compliance. What would the front from the street back to the house be?

Mr. Croughan: 100', and they're at 98.6'.

Ms. Dunn: I'm sorry. The front of the house.

Mr. Croughan: 50'. 50' of road frontage.

Ms. Dunn: Right. But then from the street to where the front of the house would be, you'd have sidewalk and you'd have grass, and then you'd have the front of the house.

Mr. Croughan: I'd say about 30'. It might be a little less.

Ms. Dunn: So that would -- 30'. Okay.

Mr. Croughan: Approximately.

Ms. Dunn: Okay. That's fine.

Mr. Croughan: Well, what's required under the Code is 30', and they've met that.

Ms. Dunn: Okay. That's one of the questions I had. And then with the requested variance, so the variance, so that I understand this correctly, is really two variances? You said something about the lot.

Mr. Croughan: Lot area and lot depth.

Ms. Dunn: Okay. I understand the lot depth. What is the lot area? Is that just for the house?

Mr. Croughan: The total area of the property.

Ms. Dunn: Oh, okay.

Mr. Croughan: So 50' x 100' is what's required, and they're at a little bit less, so that gives them the 77' variance that they need.

Ms. Dunn: Okay. Certainly, the setback to the street should definitely be maintained and be considered to maintain the in-line view of the houses with the others on the block so that this house doesn't sit closer to the street than all of the others.

I just know that several years ago I was having my front steps rebuilt, and I was told that I couldn't go out any further than the existing steps to keep this in-line look with the other houses.

Thank you for this opportunity to express my thoughts and concerns.

Mr. Croughan: Thank you. At the end. Let the public speak first.

Mr. Burtis: Do we have any other public speakers on this topic?

Ms. Racine: Good evening. My name is Patricia Racine. I live at 24 Adams Avenue, about five houses away from 40 Adams.

There's a reason for the lot size that Middletown has in their Code, and that's because that's an adequate size for a house to be built in the property.

The kind of infill that we have seen so far in the neighborhood, most recently Mrs. Dunn referenced 19 Heidt, it was a house that was shoehorned onto a property that had originally been flat. Fill was taken from the basement, the lot was built up about 4' to 6', and then a two-story home with a raised basement -- raised foundation was put on top of it. It hulks over everything else on that side of the street.

That is not the kind of infill that is responsible for a neighborhood, and I fear that this is the same kind of a situation where a house that is as big as possible is going to be shoehorned onto a lot that is not an adequate size and will hulk over the top of Adams Avenue like this house does.

I don't know if any of you are familiar with the neighborhood, but if I may, I have a picture of the house on 19 Heidt and the house next to it, and the bedroom window of the new house is right next to the fireplace chimney of the house next to it. That's how it was built.

Mr. Croughan: If you want to give it to Martina, then that can be made part of the record after it's passed around so the Board can see.

Ms. Racine: So I would ask the Board to consider that the lot size is there -- the appropriate lot size is there for a reason and not to make a variance on this aspect of the application.

Also, two mature trees sit on the property at 40 Adams. In order to put a house on there, you're going to have to cut those two mature trees down at the top of a hill in a neighborhood that is already wet. That means less absorption of rainwater. You're also going to put a house on what's an empty lot. Less absorption of rainwater.

Also, you need to consider that the rest of the neighborhood is a very walkable neighborhood. There are front porches. There are front yards. People sit there. They greet their neighbors, and I fear that putting a house as big as possible is going to eliminate that front porch, going to eliminate that front yard connectivity to the neighborhood, and I fear that the backyard is going to end up being merely a set of stairs that leads out of the back of the house.

Today, we're talking two to four cars per house, depending on the age of the children. Is there room for that on a smaller lot?

So those would be my fears and my things that I hope that the Board would consider in making their decision.

Mr. Croughan: What would you say is approximately the square footage of most homes on that -- in that area?

Ms. Racine: My home is under 900 sq.ft., two bedrooms, one bath.

Mr. Croughan: And is that the general consensus?

Ms. Racine: Most of the houses in the neighborhood I would say are about that cottage size. The newer homes in the neighborhood tend to be ranches that are somewhat bigger. I would venture to say 1,200, but Kathy, how big is your house?

Ms. Flessa: 45 is 1,200.

Ms. Racine: Okay.

Ms. Flessa: 41 is about 2,000.

Mr. Flessa: But we have two lots.

Ms. Flessa: But my father built that house in 1947, so --

Mr. Flessa: It's on two lots.

Ms. Flessa: It's on two lots.

Ms. Racine: There haven't been any newer homes built in this neighborhood in quite some time either except for 19 Heidt, and then I would venture to say, well, I've been living there 35 years. I haven't seen a house built in the last 35 years.

Mr. Croughan: So approximately 900 to 1,200 with the exception of a home built on two lots. Thank you.

Ms. Racine: You're welcome.

Mr. Tobin: Hello. Sparrow Tobin, 29 Washington Street, Alderman 4th Ward.

A lady from 45 Adams couldn't make it tonight. She had the same concerns, especially about parking cars.

I live on Washington Street where the lots are that small, and we have trouble with parking. People parking on their lawns, people having problems finding cars. I have two cars. When my kids start driving, I don't what I'm going to do because I really have no property to put the cars.

So if this 1,500 sq.ft. house -- part of the property has a garage. I don't know if there's a plan to raze the garage. I'm just concerned about where the cars will go. We don't want them parked in the front yard obviously or turn the front yard into a parking lot.

Like you said, they have a very nice World War II, you know, era homes, small capes, where all the properties line up. They all have nice front yards. I would hate to see like that become a parking lot in the front of the house.

All right. Thank you.

Mr. Croughan: Excuse me, Mr. Alderman. Do you know approximately the depth of where most of the houses are? Is it within that 30' to 35' frontage?

Mr. Tobin: I'm not sure. I'm bad at math. I'm not sure about that.

Mr. Croughan: Okay.

Mr. Tobin: They all line up. I mean, they can -- the ladies from the neighborhood could probably speak better to that -- the people.

Mr. Croughan: Okay. Thank you.

Mr. Burtis: Anyone else? Okay. Two more.

Mr. Flessa: Good evening. I'm Rich Flessa. We sent that letter to you. We were in Florida last week -- last month when you were supposed to have this on the hearing. That's why we sent the email, but just to reiterate a little bit what I said, you know, we're concerned about the aesthetics. I live at 41 Adams, right across the street from where this is being proposed.

You know, we're concerned about the aesthetics of the neighborhood. The parking is an issue. Our neighbors that are in 39 Adams, they park two cars on their front yard every night, which, you know, I'm getting tired of looking at that, but that's something that we're going to address.

You know, we're concerned about the parking. If there's going to be children home, where are the children going to play? Is there going to be enough yard space for the children, or are they going to be out in the street, you know, creating safety hazards?

So, you know, those are some of the things that we're concerned about. That's all I have to say.

Mr. Burtis: Thank you.

Ms. Strenfel: Hello. My name is Shawna Strenfel, and I live at 15 Heidt Avenue, so my backyard is diagonal to this lot. I've lived in this house for 15 years this coming summer, and prior to that, my brother lived on Bedford Avenue, so when it came time to decide where I wanted to live and raise my family, I used to spend a lot of time walking my dog around that area, and that is something that I still do with my children to this day. And as we would walk up and down the roads, my sister-in-law and I would say, I love that house because of the porch. Look at the yard in that house. What a great place to raise children. And being so close to 19 Heidt Avenue, we're seeing that that is a change in our neighborhood.

If we were to put a lot now in our backyard where I like to sit and see the trees and get the leaves and the greenery that we still have, and those trees are taken down, that's then taking away from us as well.

In addition, with the new house at 19 Heidt Avenue being as close as you just saw it is with the fireplace, the air conditioners, there's no access to 17 Heidt Avenue's backyard without going through my driveway.

So if we're going to get rid of the lot size and we're going to talk about variances, how are you then mowing the backyard? My neighbor was looking into putting up a fence, and they told her cement in your backyard because there's no way you're getting a lawnmower into this backyard now with 19 Heidt Avenue there.

In addition, the way that 19 Heidt Avenue was built up creates nothing but puddles in the backyard. So we've seen ice skating rinks back there, we've seen swamps, and I'm certain that this summer we are going to see a huge infestation of insects, mosquitoes, and other things that are going to cause hazard to my own children as they're trying to play in a place where they used to be able to catch fireflies all summer long, a wonderful amount of fireflies that we don't see anymore because of this house that was allowed to be built.

So if we continue to get rid of the draw of our neighborhood by adding other houses, what are we doing for our children who we're trying to raise besides taking away the beauty that was our neighborhood?

So thank you.

Mr. Burtis: Thank you. Is there anyone else that wishes to make a public comment?

Mr. Racine: Good evening, everyone. My name is Tracy Racine. I reside at 24 Adams Avenue. I have lived on Adams Avenue my entire life. I moved way across the street from 25 to 24 when I got married. It's a great neighborhood.

Everyone has said pretty much everything I wanted to say. I have a copy here of their proposed yard lines. It's going through a garage that's already there. It's across another yard line. It's too small to put a house. It's not going to do any good.

Other thing is ever since this lot was purchased, and I don't really know when you bought it, but there's been no lawnmowing. There's been no raking. The snows -- those sidewalks aren't done. He owns the property. You've got to be responsible for that property, and he's already shown me he can't be responsible.

So I know I don't have a vote, but I do not want to see this in my neighborhood. It is a walkable neighborhood and I love it the way it is, and it really doesn't need to have another house impacting our neighborhood.

Mr. Croughan: Thank you. You should call Code Enforcement if you think there are violations on the property.

Mr. Racine: Sir, I have called Code Enforcement many times, and I've spoken to my Alderman who has also talked to Code Enforcement on many issues -- and there you go.

This is also a paper of those yard lines, if you'd like to see it, and I thank you for your time.

Mr. Croughan: Thank you.

Mr. Burtis: Thank you. Do we have any more public speakers on the application for 40 Adams Avenue?

Ms. Hansen: I have a virtual comment from 12 Heidt Avenue, Toni Kowidge. It's the owner has presented no drawings to represent the actual building to be built, nor have they brought any architect, lawyer, or engineer to speak on their behalf, so I question their intentions and their integrity to halo the neighborhood.

Also, on the site there is no consideration given for the driveway or off-street parking, which is negligent to describe the impact to the street's character.

Everyone is referencing 19 Heidt, which only excavated 3' down, built an 8'

basement, and raised the grade 4'. So the house built as a two-and-a-half story home appears to be three stories from the street. It would be unfortunate for this to happen again. I do not think a house on this street would be a detriment to the neighborhood, but it must be to scale to the lot size and in proportion to the other buildings, so please do not approve this lot unless there is a full set of drawings submitted.

Thank you.

Mr. Croughan: Just with respect to that comment, there is a survey in the file with the proposed foundation.

Mr. Burtis: So would the applicant please step forward.

Mr. Rosenbaum: Okay. Thank you, everybody. I want to say that we are on the same page. We have to keep the neighborhood nice, quiet, and we're trying to make the house look the same like the other houses, and we will do whatever the people want to do, if there's parking issues, if there's backyard. We're not taking out the trees, all the trees in the backyard. We're leaving the trees, and we'll try to do the best possible regarding the size of the house. We can change the square footage if it's going to be too big, and we'll try to sell the house for people who wants to live I this neighborhood, and hopefully this - whatever. I appreciate everybody's comments, and we'll try to make sure that everybody's happy.

Mr. Burtis: Do any of the Board members in attendance tonight have any questions for the applicant?

Ms. Cavallaro: I don't.

Mr. Burtis: Okay. Mr. Hallock, any questions?

Mr. Hallock: I have a question on the driveway. What is your plan for the driveway, where to park cars?

Mr. Rosenbaum: So we'll have to see what the Zoning Department requires, and we'll have to do what everybody has a garage, and I'll do a nice garage and enough space for the cars, and nobody's going to park around.

Mr. Burtis: So after hearing all the comments tonight --

Mr. Croughan: Jim, can I just comment?

Mr. Burtis: Sure.

Mr. Croughan: I'm sorry. What are you going to do with the garage at the end that's encroaching from the neighbor's property?

Mr. Rosenbaum: If it's possible to do the garage inside the house, I will do it inside the house.

Mr. Croughan: Well, you've got to figure out because there's an encroachment there, so you

have to figure out if you're going to take the garage down.

Mr. Rosenbaum: Not the garage from the back. I'm talking about the new house. I will build a house with a garage.

Mr. Croughan: No.

Mr. Rosenbaum: Build it into the house.

Mr. Croughan: But I'm talking about in the back of the property.

Mr. Rosenbaum: Okay.

Mr. Croughan: That garage.

Mr. Rosenbaum: Okay.

Mr. Croughan: It comes over from the neighbor.

Mr. Rosenbaum: So she sold the property to us.

Mr. Croughan: But who owns the garage that's sitting on your property?

Mr. Rosenbaum: It's half and half.

Mr. Croughan: Okay. Half and half meaning what?

Mr. Rosenbaum: She owns half and we own half.

Mr. Croughan: So the garage is split in two?

Mr. Rosenbaum: Yes.

Mr. Croughan: There's probably a setback issue there. And the driveway, do you have some type of shared driveway agreement with the neighbor, because you're going up their property and then coming across to your property.

Mr. Rosenbaum: I will do a separate driveway.

Mr. Croughan: So you're going to put a driveway there?

Mr. Rosenbaum: Yes.

Mr. Croughan: On your property?

Mr. Rosenbaum: Yeah.

Mr. Croughan: You'd have to reconfigure this drawing because there's no way that a car can fit

on that side of the house there.

Mr. Rosenbaum: Well, why not putting in the front? Same like she has. Like I will do a front garage, build it into the house.

Mr. Croughan: You're going to build the garage into the house?

Mr. Rosenbaum: Yeah. I'll take away space from the house.

Mr. Croughan: Okay. And then the driveway, how are you going to access it? Come down the front of the property?

Mr. Rosenbaum: Yes. Like everybody else.

Mr. Croughan: All right. You'll have to submit those plans. Redesign that.

Mr. Rosenbaum: Sure. I will do.

Mr. Croughan: And it seems like from the property owners here, 900 to 1,200 would be the range that you would want to be within.

Mr. Rosenbaum: What, you're talking about square footage?

Mr. Croughan: Square footage of the house.

Mr. Rosenbaum: Okay. I'm okay with that.

Mr. Croughan: So I think you've got to work on your plan a little bit.

Mr. Burtis: Would you like to come back next month --

Mr. Rosenbaum: Yes.

Mr. Burtis: -- and we could extend the public hearing?

Mr. Croughan: Keep the public hearing open.

Mr. Rosenbaum: So I will appreciate if you will print me out the whole comments from everybody so I can take it.

Mr. Croughan: You can talk to Martina about that.

Mr. Rosenbaum: Yes. And I'll work it out with my architect, and we'll try to make sure everybody's happy.

Mr. Burtis: Excellent. Thank you.

Mr. Croughan: These are your neighbors. You want to make sure that you are.

Mr. Rosenbaum: Sure. Yeah. They have their rights, and we have to make sure everybody is okay. They've lived here. It's their city, and this is all what we want. We want to make the city better, and everybody should live in peace, and that's it.

Mr. Burtis: Thank you. Do we have another person for public comment?

Ms. Flessa: Just a question.

Mr. Burtis: Okay.

Ms. Flessa: Hi. Good evening. So I'm Kathy Flessa. I'm 41 Adams Avenue, lifer in the neighborhood.

I have one question about that garage issue. So that garage is a very old garage. It's a side-by-side two-car garage, which I'd like to have an understanding. Is that what his intent is, to cut that garage in half, and then how are they going to shore that up, because it's a very old garage that's probably a little --

Mr. Rosenbaum: We're not using it.

Ms. Flessa: Right. But half of that garage is still -- will remain on what property she owns, so you're just going to cut the garage in half?

Mr. Rosenbaum: She's okay with it. She's okay with it.

Ms. Flessa: Okay with --

Mr. Rosenbaum: She sold off the property, and she said that --

Mr. Croughan: You have to come up to the mic and speak into the mic.

Ms. Flessa: That was my only question is how are you going to handle this side-by-side garage if you're going to just chop it in half or --

Mr. Burtis: Thank you for the question.

Ms. Flessa: -- you know, safe.

Mr. Rosenbaum: Okay. So as far as I understand, let me explain it to you. So the neighbor who lives in the next house, she sold us the property. We want to build a house and sell it for people who wants to live in this neighborhood.

When we will do the contract on the house, we will -- it's going to be a meeting between the new client and her about the garage. So basically, they're going to negotiate what to do with this garage. It's not going to be usable because the 40 Adams new house will have their own garage. It's just going to be -- going to have to privately negotiate between her and our new client who is going to buy the house. You understand?

Mr. Croughan: Yeah, but that's not going to work. You have to come up with some type of plan on what's going to happen to that garage. It can't be up to the next guy to pass the buck.

Mr. Rosenbaum: If we knock down the garage --

Mr. Croughan: You've got to come up with a plan, whether it's going to be knocked down --

Mr. Rosenbaum: If knock down is an option, I will do it.

Mr. Croughan: Okay. Well, that's your -- you have to come to us with that.

Mr. Rosenbaum: So she's okay with whatever what we're going to do. I'm going to explain it to her that it's going to be an issue, so I'm going to have to knock down the garage like this. We'll have a separate property. 40 Adams and 42 Adams will be completely different. If this is the case, we'll knock down the garage.

Mr. Croughan: Thank you.

Mr. Burtis: Thank you. At this time, I would like to make a motion to adjourn for further consideration. I would need a second on that.

Mr. Hallock: A first.

Mr. Burtis: A first.

Motion by Ms. Cavallaro, seconded by Mr. Hallock.

Roll Call Ayes: Mary Ann Cavallaro, Jim Burtis, Keith Hallock.

Mr. Croughan: So work with Martina in getting the plans updated, and when you're ready, you let her know and then you'll go back on.

Mr. Rosenbaum: Another meeting. Yes.

Mr. Croughan: Yup.

Mr. Burtis: We are adjourned for the evening. Thank you.

Motion to adjourn at 7:45 p.m.

Roll Call Ayes: Mary Ann Cavallaro, Jim Burtis, Keith Hallock

Respectfully Submitted,

Diane Genender, Transcriptionist