

APPROVED: 6/20/11
MINUTES OF THE
CONSOLIDATED ZONING BOARD OF APPEALS
OF THE
TOWN OF HIGHLANDS AND VILLAGE OF HIGHLAND FALLS
MAY 23, 2011

A regular meeting of the Zoning Board of Appeals was held in the Highland Falls Library, Highland Falls, New York, on Monday, May 23, 2011, at 7:00 P. M.

THERE WERE PRESENT:

Board Members:

David Weyant, Chairman
Jack Jannarone, Deputy Chairman
Tim Doherty
Tim Donnery
Tony Galu
Ray Devereaux
Ralph Montellese

ALSO PRESENT:

Michelle L. Babcock, Attorney (Jacobowitz & Gubits, LLP)

John Hager, Building Inspector, Mario VanZetta, Stephanie VanZetta, Albert Vallejos, Roy Hannawalt, Rick Taylor (Mid Hudson Neon), and Mario Canteros A.I.A.

The meeting was called to order by the Chairman, at 7:00 P. M. It was noted that a quorum was present.

MR. WEYANT: I am going to open the Consolidated Zoning Board of Appeals meeting for the Town of Highlands for May 23, 2011. I note that all members of the Board are present.

We need first to approve the Minutes of April 18, 2011, which have been mailed to you. Are there any changes to the Minutes? Yes, Tim.

MR. DOHERTY: Dave, we have one change on Page 5, about half way down, Mr. Doherty: "If I a not mistaken, Mr. Hannawalt, your intention is to build a single **story** unit, not a multiple **story** unit." Story not storage.

MR. WEYANT: Any other changes? Hearing none, can we approve the minutes as amended.

A motion was made to approve the April 18, 2011 Minutes, as amended.

Motion: Mr. Doherty Seconded: Mr. Devereaux Approved

MR. WEYANT: The first matter on our agenda tonight is Mario VanZetta and his wife. Come on up, please. At our last meeting, we adjourned in April the Public Hearing for Mr. and Mrs. VanZetta on their area variance request for the above

ground swimming pool. I am going to remind both of you that they are still under oath. We are not going through the swearing in process again. We will continue the **Public Hearing**, and ask if there are any members of the audience that wish to speak on this application. Yes, sir, your name.

Lee Savoye, 29 Ondaora Parkway, Highland Falls

MR. SAVOYE: Last meeting I asked that if this pool variance was granted, that they have their pool professionally landscaped so that it would not be an eyesore. There is no above ground pool that looks good. I have had numerous conversations with these guys. I want them to have the pool. They have a young family. I know how much enjoyment we got out of ours. But because of their unique and difficult environment with their yard, they are looking to put it in front, it is actually not in front of their house, it is the side of their house in front of their deck instead of behind. The Blackman/Pimento family has decided not to come and talk about it, but my wife and I are concerned that if they put this in, we want them to have it professionally landscaped.

Mario has gone to the trouble of hiring a professional landscaper and getting a design and a drawing done. It looks great. We talked for about a half hour last week about the kind of shrubbery that he could use which would be relatively fast growing, give them a lot of privacy, look good, and obviously no objections from us. In talking with another member of the Board here, he said that there was a preference that they put it in the back yard. I want you all to be aware that their back yard is about 6 to 8 feet below the grade of Main Street. They have some rock wall back there that has some historical significance that does a great job of growing poison ivy but that is about it. It is falling apart and it looks terrible. Supposedly, it can't be touched.

I am also going to ask that if these folks are forced to put this pool in their back yard and not up front, that this Board grant them the right to put up at least a 4 foot if not a 6 foot fence on top of that stone wall so they have some privacy. Putting a 6 foot fence at the bottom of that wall is completely useless. I am sure that all of you know on Knox Road, this is the Demerest house that she lived in for 50 to 60 years. You all know that her property is well below the grade and the rock wall over the years, I don't know if it has fallen down or people have stolen the stones, but it is not nearly as tall as when we moved in in 1988.

MRS. VANZETTA: You can see everything.

MR. WEYANT: I think you have pretty well presented your case.

MR. SAVOYE: Well you know what, when I put my pool in some years ago, we had neighbors interfere to the point that we almost had to go to a lawsuit. Finally, the Mayor stepped in with Gary Boyce and a handful of other people and they put a stop to it. There was no excuse for my neighbors to do what they did. The point is I don't want to see this happen again. I have to go to work.

MR. WEYANT: I understand. You were here at the last meeting.

MR. SAVOYE: These are a couple of requirements that we are asking for as his neighbor. I am just asking for some consideration, because they are in a tough spot.

MR. WEYANT: Is there anyone else in the audience that would like to speak on the VanZetta application? Hearing none, I am going to ask that the Public Hearing be closed.

At 7:09 P. M., the Public Hearing was closed.

Motion: Mr. Doherty Seconded: Mr. Montellese Approved

MR. WEYANT: Now, further discussion. Your neighbor brought up this landscaping topic. Let's go over anything new since our last meeting.

MR. VANZETTA: The landscaper was able to get drawings to us. They were roughly sketched on his part. Brickman out of Hawthorne. That is the landscaping company we chose to use. He is Dean Yeager out of Fort Montgomery, a local guy. These are the rough sketches of it with different types of landscaping he chose to use. Down by the telephone pole and up to the deck where the hot tub is. It consists of everything from hemlocks and all sorts of flowers and shrubs.

MR. WEYANT: I take it that you are agreeable to putting landscaping in.

MR. VANZETTA: Yes, it is in dire need of landscaping. It is a work in progress. We have been working on it for the last 7 years. We did have him come in to take some pictures and gave us a set up of how it would look. Another thing to mention to the Board and for our neighbors is that we wanted it to look nice right away. He will get 10-12 foot hemlock trees already. I want it to look nice now. They are relatively high and will create a nice barrier.

MR. WEYANT: So, you are agreeable to landscaping should this Board impose that on you? You will have no objections?

MR. VANZETTA: No not at all. He is ready whenever we are ready.

MR. WEYANT: I think we need to get back to the variances that are required. I know that we have a setback variance that we have to handle.

MR. DOHERTY: The deck that is proposed there?

MR. VANZETTA: He did not know what we wanted to do with the deck. He was just doing landscaping and not to scale.

MR. WEYANT: I have notes from Alyse Terhune back in April on this particular variance request. She felt the need for two variances. The one that I don't think that we discussed prior to this is allowing an accessory structure in the front yard. I think, Jack, where you were going with this. She feels strongly that that would be one of the variances that we would have to grant besides the setback requirement. She reflected that in the Notice of Hearing in the newspaper. Her point was that the Code is where otherwise in the front yard setback becomes 20 feet that any structure can be put in the front yard with a building permit, if needed. As applied to other situations, for example, if someone wanted to build a garage in the front yard and needed a 25 foot variance, applying the logic above, then in addition to the front of the entire house could be built 5 feet from the lot line without a variance. I don't know if that makes sense, but it appears that she is concerned about other applicants

coming in the future on this. I think those are the two areas that we have to cover tonight. I hope that the fact that we have landscaping and screening will alleviate some of the problems that we had originally with this with the front yard.

MR. JANNARONE: What it says here in Section 240-33, Paragraph B is “The space in the required front yard shall be open and unobstructed, except for the structures provided for in Subdivision A and the following.” Subdivision A is awnings, canopies, trellis, retaining wall or steps and patio.

MR. WEYANT: I would like our Building Inspector to jump in on this, too.

MR. HAGER: My review of the project and proposed project is that the yard requirements that you are referencing would only apply to the required yard. So I think there is a 30 foot required front yard in that zone. My interpretation is that the pool cannot be located in a 30 foot area but area beyond 30 foot it is allowed. Unfortunately, the applicant does not have 30 feet they have 20 feet, I believe. So they have a 10 foot area that the pool encroaches into the required yard.

MRS. VANZETTA: Can I ask a question? Had we decided on an oval pool that had only come out 15 feet, we probably would not be sitting here asking.

MR. HAGER: If you had applied for a permit and showed the pool in a location that did not encroach the 30 foot front yard, I would not have referred this to the Zoning Board of Appeals.

MRS. VANZETTA: So that is still an option.

MR. HAGER: Certainly.

MRS. VANZETTA: I wanted to be clear.

MR. WEYANT: We are trying to work with your plans.

MRS. VANZETTA: I just wanted to be clear if something different had to fit there.

MR. JANNARONE: Would an oval pool fit?

MRS. VANZETTA: Yes. We decided to do the circle to keep it more to that side of the deck and not come closer into the front yard.

MR. JANNARONE: I am so sympathetic to what you are trying to do. I am really worried about going against something that says you can't do it at all in a front yard, because that is a special area.

MR. WEYANT: I am getting from John that he is reading it differently than you are.

MR. JANNARONE: No, No. He is saying that if it is more than 30 feet, it is not in the required front yard. This applies to required front yards. If they can move it back a little bit so that it is no longer in the required front yard, then this does not apply at all, and they don't even need a variance.

MR. VANZETTA: We were going for the variance so that we could get it into a nice spot.

MRS. VANZETTA: So that it did not come over to the house too far. We were trying to keep it over where the decking was. To make it look nicer.

MR. DONNERY: So that is as far back as you can set it to your deck?

MRS. VANZETTA: Part of it was that we wanted to try to have a little bit of decking here just for getting in and out instead of butting it up against the deck we have now. That is why we were asking for the 10 feet for placement just so we could have a little bit of decking for getting in and out. Five foot or something. We would be right on the line if we butting it right up to the deck.

MR. VANZETTA: We figured we would try to get some feet to work with and still be able to do our landscaping around it nice. The front line is like two or three feet up from the road.

MR. DOHERTY: There is an easement there for that drainage.

MR. VANZETTA: When we first started measuring, it looked good. We were going down to the yard but realized our yard does not go down that far. It looks a lot worse than it could be because of the yard situation where it is. We are here to try to make it look good for everyone else and us. We spoke with the neighbors and tried to explain what we were trying to do. I showed them the plans. We want it to look nice right away and are prepared to spend some money on it. Right now it looks horrible and we don't know what to do with it.

MR. DEVEREAUX: David, I recited what I felt last time. It is in last month's minutes. My objection begins and ends with precedent. You know where we stand on that issue. And also the balancing act. I think that if you once give this approval, as much as they have done such a great job on the house, but that is another matter. There are other options: The option to put it adjacent to the rear of the house, if you will. They have a 50 foot width and a 40 foot by 50. I know that as much as they want to reserve that for a play area, I just think it is not a good idea to let this be approved.

On the balancing act, it says "shall balance benefit to applicant with detriment to health, safety and welfare of the community." Well that may not be applicable, but "where the benefit can be achieved by other means feasible to the applicant." I suggest that there are because there are two other pools that are similarly placed in the same area. "Undesirable change in neighborhood character." I think not. "Whether the request will have adverse physical or environmental effects." Maybe. I know that you are going to do it nicely, and I am sure you will. But once again, I submit it is in the front yard, if you will, even though it may be pushed back a little bit. "Whether the alleged difficulty is self created." They want to do this, so they are the ones that created this. It is self created. I see in the document that we should use for giving an Area Variance two maybe three items that are applicable. As I read and what Jack had stated last month about accessory buildings and so forth. If you read the first two sub paragraphs prior to the one that applies to this which has to do with structures, they don't want garages placed. They have to be adjacent to the house. I don't see how you make it any different for any other structure to allow it to

be in the front of the house. I really don't think it is in the best interest of the community to allow this to be placed where they are asking, regardless of what they do to dress it up.

MR. WEYANT: Any other comments from the Board Members?

MR. DONNERY: My only other comment would be that an above ground pool is still a temporary structure it is not a permanent structure like you are building a garage. I don't know if that has any bearing on it or not.

MR. JANNARONE: I think even more so because let's face it, above ground pools, as Mr. Savoye said, are not as nice as in ground pools.

MR. DONNERY: I follow what you are saying there; but with what Mr. Devereaux was saying here with the garage and things like that I consider that a permanent structure.

MR. JANNARONE: This is intended to be a permanent structure. I am sure they are not intending to blowing it up and deflating it in the winter. It is a permanent structure.

MR. DONNERY: No, but it would be something that would stay with this family with this house. If they ever sell this house, I imagine the pool would probably come down with the next owner.

MR. DEVEREAUX: That is conjecture. It is not applicable, in my judgment.

MR. JANNARONE: If they could just get it back so it is 30 feet and out of the required front yard, then there is no problem at all. They don't need to be here. That is an option for them. I do worry about creating a precedent that we are allowing things in front yards, when it clearly states that you can't do that.

MR. DEVEREAUX: If the concern is, as noted last month, were the pool to be placed in the rear, and there is considerable space back there, the Code allows a six foot fence to be placed. I would not suggest that it go on top of the wall, but a six foot fence is fairly considerable.

MRS. VANZETTA: I thought in Ondaora Park we weren't allowed to put up a fence.

MR. JANNARONE: Ondaora Park says you can't but if the Municipal Code requires it, then you can. You are required with a pool.

MRS. VANZETTA: We have an awful backyard, very wet; you can't get anything to grow.

MR. JANNARONE: How about the oval pool. That is an alternative.

MRS. VANZETTA: We can't even get a tree to grow. We have been trying for a couple of years.

MR. JANNARONE: I am so sympathetic to your plight. I am trying to work out some way you can do it and not even have to have a variance. If there was any way to do that.

MR. WEYANT: An oval pool could fit within the 30 feet?

MRS. VANZETTA: I was trying to keep it in that spot. For looks to minimize that spot. It would have been easier to go with the oval pool.

MR. VANZETTA: We figure we would go for the variance.

MR. WEYANT: You want the pool that you want to have.

MR. HAGER: I think that one thing the Board might have to consider and I don't recall exactly what the Code says but keep in mind that they have street frontage on both sides of their property. I think in that zone the front setback is 30 and the rear setback is 30. In other zones the front setback may be more than the rear setback. In their situation they have frontage on both. I will have to read the Code again to see if that means they have two front yards. I don't believe so. I think the front yard is the side that the house faces.

MR. JANNARONE: As I said, in March, I would have been more than willing to vote for a variance to put it in the back yard, but they have good reasons why they don't want to do that.

MRS. VANZETTA: We are just trying to get it off Main Street.

MR. JANNARONE: But again, the front yard is something kind of sacrosanct in homes. That is the problem I have with it.

MRS. VANZETTA: For us it is our front side because we still have our front over here.

MR. WEYANT: It sounds like, Jack, if they did an oval pool and got within the requirements, it still could go in.

MR. JANNARONE: It would not be in the required front yard and they don't need a variance.

MR. WEYANT: But it would be in the front yard, no.

MRS. VANZETTA: It would fit better in that spot, better than the round.

MS. BABCOCK: The way the Code is reading, it just talks about accessory buildings shall not be placed within the required front yard. As long as the pool is set back that 30 feet it could be put in.

MR. WEYANT: It isn't physically in the front yard of the house.

MR. JANNARONE: This applies to the required front yard. Then nobody can come to us and say that we approve variances for this guy to put something in his required front yard, because we didn't.

MR. WEYANT: Let's get back to the meeting.

MR. MONTELLESE: My suggestion would be if you want a pool in this location, you do an oval pool. Then you don't have to get an approval. Move the pool back 10 feet, and your problems are over.

MR. VANZETTA: That is what I was figuring. But if we were going that route anyway, we would go to the Board just to make it something nice.

MRS. VANZETTA: We were trying to stay in the spot.

MR. MONTELLESE: I think the Board is correctly thinking that they don't want to set a precedent. If you go with the oval, or move the pool back, you would not need an approval from us.

MR. WEYANT: I am getting the sense of this Board that if you were willing to withdraw your application and go that route, then your time isn't going to be taken up with us holding up the construction of the pool. It is your call.

MRS. VANZETTA: Then we are saying that the pool is out. We could have been done already.

MR. WEYANT: I'd want to put on the record, if you are agreeable with that you would be withdrawing your application.

MS. BABCOCK: What I would suggest what the Board has to do now that you have closed the Public Hearing, you actually have 62 days to vote, so that you could table the vote for this evening, and wait to make a decision at your next meeting. In between that time, if the Applicant decides to withdraw the application, they can submit a formal letter for the record saying they withdraw the application and then at the next meeting you would not have to make a decision on the application. If for some reason they decide not to withdraw the application, at the next meeting you would have to make a decision.

MR. WEYANT: Is that reasonable to you?

MR. VANZETTA: Yes, we will go and talk about it.

MR. WEYANT: How are we going to wrap this up? We will say that we are not going to act on it tonight.

MS. BABCOCK: You are just not acting on it tonight, and that at your next meeting you would take action, subject to them submitting a letter withdrawing their application.

MR. HAGER: A question on that before the Board moves on. If that oval pool scenario, if I recall, when the Applicant first came in, one of the sketches they had they needed a side yard variance. They could take the round pool and squish it down to an oval pool, making it longer. Now it encroaches on the side yard set back. The way it is now, it encroaches into the front. If they do amend their permit application,

then do they need to restart the variance procedure or can they amend their variance application as well?

MR. DEVEREAUX: John, they own the lot to the right of it.

MR. DOHERTY: That dotted line, that used to be the lot, now the solid line, that is the property line.

MR. VANZETTA: We split it with the Blackmans and the Pimentos. Right down the center. Basically where the other deck ends, is where we would have to stay.

MR. JANNARONE: What is your variance request here? Just a front yard setback? We certainly would amend this if you need a side yard setback.

MS. BABCOCK: The only issue you would have is that you would have to re notice the application. It would be basically, like starting over in order to give the property owners a chance to comment.

MR. WEYANT: We would have to do another mailing, even for that?

MS. BABCOCK: Yes.

MR. DOHERTY: On this drawing, that existing 10 foot side yard that is facing, is acceptable, is that correct?

MS. BABCOCK: Yes.

MR. DOHERTY: I see a 24 foot above ground pool. If you end up with a 20 by 14 and still have your 10 foot side yard.

MR. VANZETTA: I think that is what it was.

MR. DOHERTY: It is still a sizeable pool.

MR. WEYANT: Why don't we do that. We will come back at our June 20 meeting. Between now and then you will have a sense as to where this Board is going.

MRS. VANZETTA: It is not something that can be voted on tonight. It is tough because it is that time of year and meetings get postponed.

MR. WEYANT: I understand. The way I understand it, John, if they decide to come to you with a different design of pool it would fall within.

MR. HAGER: If it does not encroach on the side or the front yard, I can issue the permit. If it does, you are back here for another hearing.

MR. WEYANT: You don't need to wait until our next meeting. If you decide to send us a letter that you want to withdraw your application.

MR. MONTELLESE: Then just go ahead and get your permit.

MR. VANZETTA: We just have to make measurements to see where the lines end.

MRS. VANZETTA: Are you thinking we scratch this? Can we keep going with it and see where you guys are at on this if we wanted to.

MR. WEYANT: I am not sure if this Board wants to vote on this the way it sounds at this point in time. I don't want to delay you another month. If you see what the alternatives are.

MR. VANZETTA: We will just do some measurements tomorrow and see where we end up.

MR. WEYANT: Okay.

MRS. VANZETTA: Seems like we wasted a lot of time.

MR. VANZETTA: We did not know. Thank you.

MR. WEYANT: Next is the adjourned **Public Hearing** from April 18, 2011 of Mid-Hudson Signs for Christopher Bernicker for his garage on Route 9W. We are still in the Public Hearing and you are still under oath and I will ask if there is anyone in the audience that wants to speak on behalf of the application for the signage. Hearing none, I will ask that the Public Hearing be closed.

At 7:38 P. M., the Public Hearing was closed.

Motion: Mr. Doherty Seconded: Mr. Donnery Approved

MR. WEYANT: Discussion, gentlemen. I think we kicked around the fact that we are removing signs and that we are going to have one sign left.

MR. RICK TAYLOR: That is correct. Everything has been removed. We are down to the one sign on the front of the building.

MR. WEYANT: Further discussion, gentlemen.

MR. DOHERTY: I have no issues with this. I am ready to make a motion. Quite frankly, it is a very commercial area, and I don't foresee that round sign being a blight on this building or anything detrimental to Route 9W.

A motion was made to approve this variance for the signage based on the fact that the previous signage was removed.

**Motion: Mr. Doherty Seconded: Mr. Montellese Approved,
With a Roll Call Vote:**

Mr. Galu	-	Aye
Mr. Doherty	-	Aye
Mr. Montellese	-	Aye
Mr. Donnery	-	Aye
Mr. Devereaux	-	Aye
Mr. Jannarone	-	Aye
Mr. Weyant	-	Aye

MR. WEYANT: You will be getting something in writing from us within the next month. The Building Inspector is here and knows that we approved it. You can go ahead and get your permits.

MR. TAYLOR: Thank you very much.

MS. BABCOCK: If I can real quick, note for the record, that this application was referred to the Orange County Department of Planning, and we did receive a local determination. Did you do that?

MR. WEYANT: We covered that at our last meeting.

MS. BABCOCK: I just wanted to make sure the record was clean.

MR. WEYANT: Our next application is an adjourned **Public Hearing** from our April 18, 2011 meeting for Karen Ward, 192 Old State Road, Highland Falls, for area variances for adding a front porch and garage to an existing home. Ms. Ward is not here tonight and has requested that we hold her application over to the next meeting. I will ask if anyone in the audience wishes to speak on behalf of this application. Hearing none, I will ask the Board to close the Public Hearing at this point in time on Karen Ward.

At 7:40 P. M., the Public Hearing was closed.

Motion: Mr. Doherty Seconded: Mr. Devereaux Approved

MR. WEYANT: We will act on this application at our meeting on June 20, 2011.

MR. WEYANT: Mr. Hannawalt.

MS. BABCOCK: This is the application that our office had to recuse ourselves on. I will step down from it.

MR. WEYANT: No, we resolved that matter at our last meeting because Mr. Hannawalt has since purchased the property. Your office is no longer representing the owner of the property.

MS. BABCOCK: Okay.

MR. WEYANT: As in the other applications, ant to point out that we adjourned the **Public Hearing** for Roy about his interpretation of the Zoning Code to put up a storage facility on Route 9W in Fort Montgomery in the Business Zone. Roy, you are still under oath. Is there anyone in the audience that would like to further speak on this application? Hearing none, I would ask that the Public Hearing be closed.

At 7:42 P. M., the Public Hearing was closed.

Motion: Mr. Doherty Seconded: Mr. Devereaux Approved

MR. WEYANT: Since our last meeting, I think you have all received a letter from Mr. Hannawalt regarding his feelings and I agree with a lot of what you say in here Roy,

as far as commercial property and getting back on the tax rolls. We all understand how long ago the codes were written. We did not have storage facilities back then like we do today. I still have a problem with it because the Code is not specifically allowing this to happen. Your letter refers to in a unit mix, you are proposing 20.5% of our storage units for automotive storage.

MR. HANNAWALT: That is correct.

MR. WEYANT: We do understand in the Code that storage garages for cars are allowed. I still think the majority of what you are doing is going to be for storage units for physical furniture and that kind of thing and not cars. That is why I have a problem with it. As I felt at our last meeting, I think this should be a Town Board matter to add to the existing Code to allow you to do this. I am all for it, and I think that everyone on this Board agrees that we need the taxable income from it. We have so few commercial properties here in the Town of Highlands that we are happy you are taking advantage of this. But I don't feel as a Board Member that I can circumvent the Code just for this specific use.

MR. HANNAWALT: I did ask the question understanding that this is your position at the last meeting.

MR. WEYANT: That is mine, I don't know how the rest of the Board feels.

MR. HANNAWALT: Right. I was told at least that this Board has the authority to make that kind of a decision.

MR. WEYANT: I am under the impression that we cannot change the Code. I will have to defer to our Attorney on this.

MS. BABCOCK: The jurisdiction of the Zoning Board of Appeals is to make an interpretation that the use that you are proposing is permitted under the Code as it is written today.

MR. WEYANT: We, as a Board, cannot change that Code.

MS. BABCOCK: No.

MR. DEVEREAUX: We could make a recommendation to the Town Board.

MR. WEYANT: Absolutely, we can make a recommendation and try to move this along as quickly as we can because I know you are anxious to get started.

MR. HANNAWALT: Yes. Well, we have used up three or four months of the building season already and not because of you but I was hoping to avoid getting into a political situation, if you will.

MR. WEYANT: I know that. I would hope that this would not boil down to politics for a Code change. Unless there are people out there that don't like you on that Board. But that is a whole other story.

MR. HANNAWALT: I don't think that is the issue. At least I hope not.

MR. WEYANT: I don't think it should be political. It is kind of obvious. If I was on the Town Board and I saw the ability for commercial property to come back on the tax rolls why would I not want to do it?

MR. DEVEREAUX: Counselor we do have the authority. We do have the authority to interpret to make a decision tonight.

MS. BABCOCK: Yes, you do.

MR. WEYANT: We do have the authority to interpret the Code to include this. If we wanted to interpret the existing Code to say yes that applies to it. My reading of the Code it doesn't. Maybe you read it differently.

MR. DEVEREAUX: May be a tough call, David. The books were updated in December of 2007. Obviously, it was something that was overlooked in the process of the updating. We have 50% renters in the Village, less so for the Town, of course. While some people say there is not a need, there definitely is a need. I think if someone is going to do it correctly, this may be all irrelevant, but Roy will do it properly. We all agree upon that.

MR. WEYANT: I have no problem with Roy's construction. We know how good he constructs buildings in the past.

MR. DEVEREAUX: What are the implications if we were to vote on this tonight and interpret it in favor of Mr. Hannawalt. Counselor, could he then proceed or would he then have to take it to the Town Board.

MS. BABCOCK: No.

MR. WEYANT: No, he would proceed if we interpret the Code to allow this.

MR. DOHERTY: If we grant this interpretation, can we also forward a letter to the Town Board expressing our strong concerns that this particular Code gets addressed and/or changed for the future.

MR. WEYANT: Absolutely.

MR. DOHERTY: I think I am in agreement with Mr. Devereaux. It is hard, sometimes with these Code books, you have people who work all day and come home to a 7:00 P. M. Town Board. I don't doubt for a second that it slipped past them about a storage unit.

MR. WEYANT: Who would have thought of a mini storage unit on Route 9W?

MR. DOHERTY: I think it is an excellent idea.

MR. DEVEREAUX: I would like to see it put to a vote.

MR. DOHERTY: I agree.

MR. WEYANT: Make a motion.

A motion was made to grant an Interpretation of the Town of Highlands Zoning Law determining that multiple rental storage units is a permitted use in the Business Zoning District.

**Motion: Mr. Devereaux Seconded: Mr. Doherty Approved,
With a Roll Call Vote:**

Mr. Galu	-	Aye
Mr. Doherty	-	Aye
Mr. Montellese	-	Aye
Mr. Donnery	-	Aye
Mr. Devereaux	-	Aye
Mr. Jannarone	-	Aye
Mr. Weyant	-	Nay

MR. WEYANT: The Motion for Interpretation passes. I will be in touch with Supervisor Magryta to make him aware that the Code needs to be changed. Roy, we will have something to you in the mail.

MR. HANNAWALT: I have to say that I appreciate your vote of confidence. It will be a classy operation, it is not going to be junky.

MR WEYANT: I never questioned your kind of work.

MR. WEYANT: Mr. Vallejos, please come up.

MR. MARIO CANTEROS: I am here on behalf of Mr. Vallejos.

MR. WEYANT: Albert Vallejos is requesting a building permit for 4 West Street in Highland Falls for the conversion of a former tavern and a one-family apartment to a three family residence. I want to note for the record that the Village Planning Board approved a two family residence use there in August 26, 2010. Mr. Vallejos wants to go to a three family and not a two. Right?

MR. VALLEJOS: Yes.

MR. WEYANT: Therefore, he has to come to us for a use variance in order to change this into a three family dwelling and no longer a bar and one family apartment. His architect is here tonight to make a presentation on the conversion and we will listen to that and we will set a Public Hearing once you are finished. Mr. Canteros, please go ahead.

MR. CANTEROS: Good evening Board Members. I am a New York City Architect. I come to you with a very interesting project. Mr. Vallejos recently purchased a piece of property. We will call it the Hilltop. The existing structure, as we all know, used to be a tavern with an apartment on the second floor. I made a site visit and site inspection of the structure and we went through a lot of different ideas of how most this building can be utilized more efficiently than what it is now. I also did review the Planning Board approval of conversion of a two family unit.

MR. WEYANT: That is what I was somewhat confused about. Have you gone through this before with the Village Board?

MR. HAGER: That was a different application. Just to clarify, the previous owner had to clarify what use the building was approved for before a sale could be made. Because the business use had expired after so many years, it was no longer grandfathered. The two family use that the Planning Board approved brought the building back into conformity. It was a pre-existing non-conforming use with the business use there in a residential zone. That district allows for two families. It was just a formality.

MR. CANTEROS: That is how we came about to what we have occurring now, a Certificate of Occupancy or use. Going through different schemes, I realized that conforming to what Mr. Hager mentioned that it was converted to a two family, we ended up with a huge two units with two apartments that would have five to six bedrooms each. That does not fall into a category of a one family. A category of a one family you usually think of two or three bedrooms and all the amenities to go with that.

Once we went through that analogy and that exercise, we realized it would be used more efficiently converting it to a three family and what we submitted to the Board to review initially is a scenario as to how we can break that up to a more appropriate sized bedrooms, living rooms, dining rooms, and all the things that would be required in a one family apartment.

In going through the investigation of the building, we noticed there is a lot of work to be done in this building. We went through the budget, and we realized, and Mr. Vallejos also started reviewing with his accountant/financial manager, that it puts a big strain and burden to have a two apartment building for the income that he is going to be needing to pay back not only the mortgage of the property he has purchased, but also the repair work that is very intensive. That is why we come before the Board.

One of the things that I would like to show the Board, and everyone knows this, the building is located in this area which is adjacent to an R-5 that is an apartment residence. The property itself is .2 acres, roughly about 8,600 square feet. The lot itself is oversized for either one of these zones that are being requested, a minimum lot area. It is kind of an in between. It could be enough for both uses, an apartment residence and a two family, but it is situated within the R-4 which is single and two family. It does provide existing parking for eight. You are only required to have two per unit. So now we have six parking required and we have eight. We meet that criteria. In terms of not meeting the rest of the criteria that the site plan requires is because it is an existing non-conforming building. There is really no front yard or side yard. The location is very unique, it is a hilltop on an irregular shaped lot.

MR. WEYANT: As presently zoned, it can have three, or is that the reason why you are here, it cannot have three?

MR. CANTEROS: It cannot have three, it is under an R-4, which is a one or two family. That is where the use comes in. We can easily revert back and leave it where it is, but then we end up with a huge oversized inefficient apartment.

MR. WEYANT: I understand.

MR. DOHERTY: John, when they refer to the R-5, is that just over the wall when you start hitting Schneider Avenue where they have multiple apartments?

MR. HAGER: The lot is not right on the line. It is adjacent two blocks away.

MR. CANTEROS: It is within the R Zones and two blocks away from that area, kind of pushed up to that corner. It is a building that wants to be in an R-5, but it is oversized. We are here to try to come up with something that will work for the Town and also work for Mr. Vallejos who has invested and continues to invest in this Town.

MR. HAGER: Tim, there are other pre-existing, non-conforming, multiple residences in the area, maybe not directly adjacent to that lot, but probably within a few hundred feet.

MR. DOHERTY: Absolutely.

MR. WEYANT: Any further discussion, gentlemen at this point in time, any questions? Hearing none, we will set a Public Hearing at our next meeting which will be June 20, 2011. Ten days prior to that meeting, you will have a few things to do, at least a minimum of ten days, in the way of mailing and signage.

MR. CANTEROS: We will post a sign.

MR. WEYANT: Correct, the Building Inspector's Office will fill you in on the requirements.

MR. DOHERY: We had an issue with the signage on the VanZetta property. Since there is no front yard of this property, are they allowed to adhere that signage to the structure itself, since that is actually the street? Would that meet the requirements?

MR. HAGER: As long as it is within ten feet.

MR. DOHERTY: I am just saying, if there is no front yard.

MR. HAGER: The building is on the line. In this case, I would say that we would have to post West Street and Mountain Avenue.

MR. DOHERTY: It is just wanting to get all that stuff straight so it does not come back.

MR. CANTEROS: We will make sure of that. I know it is too soon, but could we get general comments from the Board in terms of what we are proposing here.

MR. WEYANT: Seeing this tonight for the first time, I don't think we are in an area where we can comment.

MR. DONNERY: He is going for a use variance, right?

MR. WEYANT: Correct, a use variance is more stringent than an area variance.

MR. DONNERY: You will have to meet the requirements of a use variance.

MR. CANTEROS: We are aware of that.

MR. WEYANT: We will be anxious to hear from the neighborhood, too. You will have mailings to do.

MR. CANTEROS: Absolutely.

MR. WEYANT: Thank you sir.

MR. CANTEROS: Thank you for your time.

MR. WEYANT: Before we leave tonight, we are going to have a very brief discussion on Homeland Towers. I am going to give you more. I am going to ask Michele to give us an overview of the timeframes.

MS. BABCOCK: I don't know if you all have had a chance to look at this application, but there is some initial feedback. Basically, an application like this is a public utility. So the FCC has determined what they called the Shock Clock Rules that requires Boards to review the application in a certain time. Once the municipality receives the application, you have 30 days to inform the applicant whether the application is incomplete. If you fail to do so, the application is deemed complete and then the next timeframes kick in. If you are co-locating, the Board gets 90 days to review the application, otherwise 150 days to complete the review.

MR. DOHERTY: If you are what?

MS. BABCOCK: Co-locating.

MR. WEYANT: What does that word mean?

MS. BABCOCK: If there is an existing tower somewhere, and they want to co-locate the equipment on that tower, the Board only gets 90 days to review the application. In this case, because they are proposing a new tower, the Board has 150 days. So approximately you get five months to review the application.

MR. DOHERTY: When does that clock start ticking?

MS. BABCOCK: As soon as the application is deemed complete. So in this case, if you fail to say whether the application is complete, the clock starts 30 days after submission of the application. However, based on our review of this application, along with John, it was determined that one of the requirements in the Code is that you have to show whether the new tower is within 1,000 feet of existing residences.

MR. DOHERTY: Easily.

MS. BABCOCK: In this case, it is. They did not show this information on the plan. If I remember correctly, I think the plan only shows within 500 feet. The other issue with this application is that under the Zoning Code, it automatically deems this application a Type 1 under SEQR. So that being said, one Board needed to decide to be Lead Agency and they needed to coordinate review. In this case, the Planning Board had deemed themselves Lead Agency and coordinated review with this Board,

which basically means that until the Planning Board makes a determination on significance, this Board can't act.

MR. WEYANT: We are talking environmental on this. The Planning Board has to make a decision.

MS. BABCOCK: The Planning Board needs to go through the aesthetics, and whether they want mitigation, the landscaping, they need all the certifications from the engineers, whether they are under certain levels required by the FCC. They should also, of course, be showing need, based on gaps in coverage they will have to show that the height of the tower will need to be so high to fill that gap in coverage. Just because the Planning Board is doing the SEQR Review does not mean this Board does not get a chance to comment, it is the exact opposite, because they coordinated review with this Board. If this Board has comments on the application, you can forward those over to the Planning Board and have them take them into consideration.

MR. DEVEREAUX: When does the Planning Board meet on this?

MS. BABCOCK: I believe they just met on this last week.

MR. HAGER: They regularly meet the third Thursday. They did not have that applicant on that agenda. I believe it was the applicant's choice. They did not have any new information.

MR. WEYANT: To get back to what you just said. Until the Planning Board makes a decision on SEQR, our time clock does not start.

MS. BABCOCK: That is correct. Upon receipt and review of the application, a letter is sent to the applicant saying, one, you need to submit a plan showing all of the residential properties within 1,000 feet, and to give us the names. Since that time, the applicant has submitted that plan. I am not sure if you have a copy of that.

MR. WEYANT: I have a copy and will distribute that.

MS. BABCOCK: The second part of that is that the Planning Board needs to complete SEQR. At this point in time, basically the letter has told the applicant that they are more than welcome to appear before this Board and to give a presentation, but that is basically as far as you are going to get. Until the Planning Board makes a determination on SEQR, your hands are tied and nothing further can be done. And with that being said, the Clock has been stopped.

MR. WEYANT: My position as Chairman is that I don't feel they need to make a presentation until we are ready to do something. That is my position. I would like to keep this from being presented by them until such time as we have to hear it. If you are done with the first one, I would like to get into that. The second one which I just handed out is from the Landowners Association who live in Fort Montgomery and have made application to us for an interpretation. This is the Fort Montgomery Landowners Association. They are making an application to us for an interpretation of the Building Inspector's initial decision that a use variance is not required for Homeland Towers. John's position is that only an area variance for the various properties that are less than a 1,000 feet away from the tower is required. The

Landowners Association is taking exception to John's determination and are requesting us to review it and see if we agree with John or want to change it and require a use variance. That is what I just handed out to you in the form of an application, which originally the application form itself was not filled out. We wrote to them to complete.

MR. DOHERTY: I was under the impression that this was a use variance.

MR. WEYANT: John determined that a use variance was not needed only an area variance. They are taking exception to that and they want us to review it, whether or not we want to agree or disagree and if we disagree, then that would be another requirement for the cell tower to provide. This is a separate issue from the clock. It does not involve the Planning Board or SEQR and we can go ahead with this. What I would like to do at our June meeting is to have them make a presentation on this particular application at that point in time to this Board.

MR. DOHERTY: Just to be clear, the use variance is referring to the fact of putting the cell tower on the same lot as the Holiday Inn.

MR. WEYANT: I would ask John to reply.

MR. HAGER: The applicant for Homeland Towers applied for an area variance not a use variance. I wrote them a denial letter. They applied for a building permit for referral to this Board. My denial letter specifically mentions that it is an area variance in my interpretation. I do not feel that the language of the Zoning Code supports a definitive need for a use variance. There are differing opinions obviously by the counsel that the homeowners have hired. Seems pretty clear to me, but you are more than welcome to offer your interpretation.

MR. JANNARONE: We need a legal opinion from Counsel.

MS. BABCOCK: We need to go through the Code. What Mr. Sweeney is arguing is that there is a provision in the Code that says that only one structure lot or use can be on one lot, as the uses are referenced in Table Schedule III. If you go to Schedule III, telecommunication towers are not listed in that table.

MR. HAGER: Right. Your first step is at the Table and it says that all unlisted uses are prohibited. Well, that use is not listed; however, our Zoning Code has about a ten page special exception section that is specific to these types of uses.

MR. DOHERTY: Does it mention a cell tower at all in those ten pages?

MS. BABCOCK: Those pages are very specific. They go on to say that basically in reading it that these telecommunications towers are permitted in any zone in the town. They actually talk about the location of the structure not being located between the principle structure and the street, I believe is the language used.

MR. DOHERTY: Meaning not being put in front of the Holiday Inn.

MS. BABCOCK: Correct, that they would want it in the rear. It differs between residential and non-residential zones.

MR. DOHERTY: Let me ask you this, do we have a date on when this was written. Was this in the 60's?

MR. HAGER: No, it was fairly recent. I think it was 1998.

MR. JANNARONE: We have a very extensive cell law in the town.

MR. DOHERTY: I was just curious whether that was put in there in the 60's.

MR. HAGER: It is a section that was written for just this type of application.

MR. WEYANT: What I would like to do at our next meeting, is to have Mr. Sweeney make a presentation as to why he thinks John is wrong.

MS. BABCOCK: The other part of it is that John determined that the fact that the tower is less than a 1,000 feet from an existing residence that he believes that the applicant can seek an area variance from that section of the Code. Mr. Sweeney believes that they would need a use variance.

MR. GALU: Do these towers put out any kind of radiation?

MS. BABCOCK: All towers give off some type radiation but they need to meet FCC regulations. They need to be below that standard. It is not something this Board can regulate.

MR. WEYANT: That is my plan for June. We will listen to them. I assume we would go to Public Hearing like any other like this should we believe it is something we want to do and go from there. We can start with this and the main cell tower project will be held until such time the Planning Board has dealt with the SEQR application.

MR. JANNARONE: This application goes into great length talking about the FCC Law that local communities have to treat them as a utility. We are a tiny little local community. What about the United States Government. Is it subject to that same law? In other words, they have a letter in here that says that we think that a letter was sent to you saying that West Point wouldn't approve it, end of story. Why don't they try to apply that law to West Point?

MR. DOHERTY: I agree.

MS. BABCOCK: What are you referring to, like moving the tower? Here is the basic problem: In order for their application to go forward, they need to show gap in service area. They go out and they do their studies and then they need to determine that gap. Realistically, that tower can only be located in a certain area in order to meet their gap that they need to certify to the FCC. That gives them only a limited area. While it would be great to say it would be great to be located over here, it might not be realistic based on their gap.

MR. JANNARONE: In reference to the Morgan Farm property they don't say anything about suitability they just say West Point said no.

MR. DEVEREAUX: The Deputy Garrison Commander.

MR. JANNARONE: Yes, the Deputy Garrison Commander told me that they sent a letter to AT&T but a copy of that letter is not in here.

MS. BABCOCK: That is something that you would want to ask for. If it is going on private property, this Board cannot dictate. It would be better to be on your property than his.

MR. DOHERTY: What dictates that the United States Military Academy Reservation is private property as opposed to the Holiday Inn?

MR. JANNARONE: My point was that they are saying okay you little community we have the Federal Law on our side that says that you have to treat us basically letting us do anything we want. Why don't they say the same thing to the Garrison Commander at West Point that the FCC Law says you can't just arbitrarily say no unless you have a good reason.

MS. BABCOCK: But they can. It would be just like them calling you and saying that I would like to put my cell phone tower in your back yard and you could say to them no. You have every right.

MR. JANNARONE: There are cell towers on West Point. That is why I am saying this is a little shady, I think.

MS. BABCOCK: But if they say no, it just all comes back down to that. It is a private property issue. Your property might be great for their coverage, but if you said no to them, they need to move on and find someplace else.

MR. DOHERTY: Do military installations fall under private property? Is it not owned by the people of the United States? Don't we have a say as citizens of the United States and what we choose to put on there? Typical Fort Montgomery, keep paying your taxes and shut up.

MS. BABCOCK: I think you can tell that by the barricades to West Point.

MR. DOHERTY: I am in agreement with Jack. There are thousands of thousands of acres. They could put it on a hillside somewhere and life would be hunky dorey and not affect the good people of the Town of Highlands.

MS. BABCOCK: That is their burden to prove to this Board, that they cannot put it any place else, and that that location meets their service gap.

MR. DOHERTY: How do they prove that?

MS. BABCOCK: With all these studies, that is up to you to determine. That is something that the Planning Board should be looking at very closely as part of their SEQR Review.

MR. HAGER: They are.

MS. BABCOCK: So by the time it comes to this Board, you are going to be kind of narrowed down to be considering aesthetic impacts to these residents that are less than a 1,000 feet.

MR. DEVEREAUX: Only aesthetic?

MS. BABCOCK: There could be other concerns.

MR. JANNARONE: The four criteria on the card, do they still apply?

MS. BABCOCK: They do, but they apply at a lesser standard.

MR. JANNARONE: At a lesser standard, but they still apply.

MS. BABCOCK: They are the general criteria that you would go through to review the application, just at a lesser standard.

MR. JANNARONE: That is what the FCC Act says – sets the standard.

MR. BABCOCK: Because these are a public necessity.

MR. HAGER: Regarding the appeal by the Landowners on the interpretation, I just wanted to pass on to your Board that this subject matter did come up pretty early on with the Planning Board. The Planning Board's legal counsel had brought up the question of two uses on a single lot very early on in their review process. It is not something new that the Planning Board is not aware of. They are aware of it. It is possible that the Landowners Association latched on that from one of those Comment Letters and got their legal counsel to make their appeal. I just wanted you to be aware that that opinion has been floating around back and forth. That is where it stands. So far they have my interpretation and they don't like it.

MR. WEYANT: Mr. and Mrs. VanZetta have returned. If you would like to give us further information, go ahead.

MR. VANZETTA: Instead of just accepting the fact that we would have to put in an oval pool in the required area, what we came here for and what we paid all the money and took all the time to do was to try to get a decision from you guys as a Board to put a round pool where we want it. Asking for ten feet which we thought was pretty adequate because it was pretty far from our line and even further because of the way our property goes in terms of we have two or three feet that I guess is considered the Town where Knox Road is. If we were going to throw all our cards in and say we are just going to put an oval in we figured we will come back to the Board for a variance of ten feet. We started this in early February or late January and now it is almost June.

MRS. VANZETTA: I think we were feeling that either we fit an oval pool in the spot that we have which we could, we have the measurements of it in the paperwork. Or put the round and make it as nice as we wanted it.

MR. VANZETTA: I know you are talking about precedent. We agree with that you don't want everyone to do it. But that is why you have a Board of seven. You guys are really good at what you do, and that is why people come here to get accepted or not accepted. So we figured instead of making a precedent on saying well the VanZettas did it, you don't have to do that, you can say we discussed this for three months and that is why the VanZettas did it, if that is the way you guys choose. That

is why there is a Board. There are plenty of different options in terms of yardage and neighbors and stuff and I felt that we did our due diligence in clearing it with all our neighbors prior to coming here.

MRS. VANZETTA: We felt we were leaving and maybe we could have had the round that we really want or maybe it is going to be no and we have to put in an oval. That is the reason we came back.

MR. WEYANT: You would like this Board to vote on this tonight.

MRS. VANZETTA: If it is a possibility. Because I feel we have put in a couple months into it. We can either get what we really want or what we have to have.

MR. WEYANT: Would someone like to make a motion.

MS. BABCOCK: The Board needs to consider the two variances. Whether you would allow an accessory structure in the front yard and then for not meeting the required front yard set back. You would be looking at the ten foot variance. As far as considering precedent, the Board would need to distinguish this application to make it different and unique to this property so that someone else could not apply it to their particular piece of property. For example, you would need to consider that the pool could not be located in the rear yard because they have that rear yard setback because of Route 218 because of the topography, drainage or other things of that nature. And by the fact that you are granting a variance from the ten feet you are requiring the applicant to propose landscaping and landscaping of mature type that would begin to screen the structure automatically. You would need to go through those steps and consider all of those alternatives if it is something that you would want to approve and not set a precedent for, so you would have to be very specific.

MR. WEYANT: Go ahead Tim.

MR. DONNERY: Can we have a motion completed by Counsel?

MR. DEVEREAUX: Counsel proposed basically that there are no other alternatives. But there are. To the rear toward the road is one, certainly. Perhaps could be further positioned back. The 30 feet from the road I think we would easily and readily approve because there are two other existing pools that are similarly situated. I still think it is not a good idea.

MS. BABCOCK: It is up for the Board to consider. I was not here last month. I did not hear what you heard last month. I heard tonight the pool they could potentially put in an oval but that would trigger a side yard requirement.

MR. WEYANT: Let's get back to the motion on the floor.

MR. JANNARONE: I would vote for a side yard.

MR. DEVEREAUX: I would too.

A motion was made to approve the variances requested by the VanZettas.

Motion: Mr. Donnery Seconded: Mr. Jannarone Approved,

With a Roll Call Vote:

Mr. Galu	-	Aye
Mr. Doherty	-	Aye
Mr. Montellese	-	Aye
Mr. Donnery	-	Aye
Mr. Devereaux	-	Nay
Mr. Jannarone	-	Nay
Mr. Weyant	-	Aye

MR. WEYANT: The motion passed by a 5 to 2 vote, with all the caveats, the screening, and landscaping.

MS. BABCOCK: Do you have a copy of the landscaping plan that you presented to the Board that can be kept for the record.

MRS. VANZETTA: It is not to scale or anything.

MS. BABCOCK: You can deliver it tomorrow if you want to make a copy.

MR. VANZETTA: I do have a copy.

MS. BABCOCK: Also, you had a copy of the vegetation.

MR. VANZETTA: Yes, how they grow.

MRS. VANZETTA: Sorry to keep you here longer.

MR. WEYANT: Do we have a motion to adjourn.

MR. DONNERY: I have a question for our Building Inspector. The windmill on Route 293. At the transfer station.

MR. DOHERTY: It is a rather large structure out there at the dump.

MR. DONNERY: Who put that up? Was that put up with private money on Government Property? So should they go through you with Town Laws.

MR. HAGER: If it is on Army land, we never see an application. They handle all their own code enforcement. They are not even in the zoning district so they are exempt from our zoning codes.

MR. DONNERY: If it is put up with private money?

MR. HAGER: I don't know what the arrangement is. They probably lease the property.

MR. WEYANT: Tim, we are still on the record. Can this be discussed later?

MR. HAGER: It is Army property.

MR. DONNERY: If it is above 35 feet which is above our code.

MR. HAGER: It is exempt anyway. Our Zoning Code exempts them. That is the way I interpret our Zoning Code if you look up height requirements.

MR. DONNERY: If private money is building it, I know it is on Government property, it should come back underneath our Codes.

MR. GALU: If the Government is paying private contractors to build it, that has nothing to do with it. I work for the Government, too.

MR. DONNERY: You do not understand what I am saying. The Government has nothing to do with it. Private money built it.

MR. HAGER: The Army is not exempt from the Code they are exempt from the requirement to get a permit from the Town of Highlands. They handle their own code restrictions. We don't get involved. They are not in our jurisdiction as far as inspections or compliance goes. They handle all that internally.

At 8:35 P. M., a motion was made to adjourn the meeting.

Motion: Mr. Doherty Seconded: Mr. Donnery Approved

Respectfully submitted,

Fran DeWitt
Recording Secretary

**The next Consolidated Zoning Board of Appeals meeting is
Monday, June 20, 2011
At the Highland Falls Library**