

TOWN OF WARWICK
ZONING BOARD OF APPEALS
January 24, 2022

Members Present:

Jan Jansen, Chairman
Robert Fink, ZBA Attorney
Mark Malocsay
Diane Bramich
James Mehling
Chris Daubert

PUBLIC HEARING OF CONTINUED APPLICATION – JOHNNY HAYSEED LLC - for property located at Glenwood Road, Warwick, New York and designated on the Town tax map as Section 24 Block 1 Lot 35.22 and located in an RU District for a variance of Section 164-41A(1)(a) & (b) permitting construction of a 4,824 square foot accessory building less than 10 feet from the existing dwelling where not more than 1,200 square feet are permitted and the distance from the dwelling has to be 10 or more feet. **Continued from 11/22/21 ZBA Meeting.**

Representing the Applicant: Dave Getz from Engineering Properties & Surveying

Dave Getz: The Applicant is still working things out with the Building Department. You have mentioned previously that we should not continue with this variance for an accessory building until the house construction starts first. He is currently still working out issues with the Building Department.

Chairman Jansen: Ok. Please keep Connie informed on this matter.

Dave Getz: Will do.

Attorney Fink: I will tell Connie that you won't be on the agenda until you are ready to be put back on an agenda. The Application would have to be readvertised and the mailings would need to be sent out again.

Dave Getz: That will be fine. I don't have a problem with that.

PUBLIC HEARING OF ERIC & AMY ALVAREZ - for property located at 12 Shepherd Avenue, Warwick, New York and designated on the Town tax map as Section 77 Block 10 Lot 11 and located in an SM District for a variance of the Bulk Area Requirements of the Code permitting lot coverage of approximately 35% where a maximum of 30% is allowed, reducing 1 side setback from 18 feet (required) to 4(+/-) feet (proposed) for the purpose of construction of an addition to a single family dwelling and Section 140-4B & D permitting construction of a swimming pool reducing 1 side yard setback from 15 feet (required) to 9 feet (proposed) and reducing the distance from the septic system from 20 feet (required) to 17 feet (proposed).
Continued from the 11/22/21 ZBA Meeting.

Representing the Applicant: Eric Alvarez, Applicant

Attorney Fink: It is being continued because of the lot coverage. Everything else with the application is the same.

Chairman Jansen: Ok. Does the Applicant have anything else they want to add?

Eric Alvarez: No. Everything else stays the same.

Chairman Jansen: Is there anyone here this evening wanting to address the Alvarez application? Let the record show no public comment. The public hearing is closed.

Attorney Fink: Diane, was there an issue regarding water?

Ms. Bramich: I was down there right after the heavy rain we had. I did not see any problems with water running down onto anybody else's property. There is a stream located on property. There wasn't even a heavy flow from the stream that day.

Mr. Malocsay: Regarding the lot coverage of 45% where maximum of 30% is allowed, it would be different if this was not in character of the neighborhood. It is within character of the neighborhood.

Attorney Fink: Will the proposed variance cause an undesirable change cause and undesirable change to the character of the neighborhood or be detriment to nearby properties?

Ms. Bramich: No.

Mr. Malocsay: No.

Attorney Fink: Can the benefit sought by the Applicant be achieved by any other feasible measure?

Ms. Bramich: No.

Attorney Fink: Is it's a substantial variance?

Mr. Malocsay: Yes.

Attorney Fink: Will it have an adverse effect upon the physical or environmental conditions?

Mr. Daubert: No.

Ms. Bramich: No.

Attorney Fink: Would someone care to type this as “Unlisted” with no adverse environmental impact?

Mr. Malocsay: So moved.

Mr. Daubert: Seconded.

Attorney Fink: Does anyone care to move that the variance be granted as advertised for property located at 12 Shepherd Avenue, Warwick, New York and designated on the Town tax map as Section 77 Block 10 Lot 11 and located in an SM District for a variance of the Bulk Area Requirements of the Code permitting lot coverage of approximately 35% where a maximum of 30% is allowed, reducing 1 side setback from 18 feet (required) to 4(+/-) feet (proposed) for the purpose of construction of an addition to a single family dwelling and Section 140-4B & D permitting construction of a swimming pool reducing 1 side yard setback from 15 feet (required) to 9 feet (proposed) and reducing the distance from the septic system from 20 feet (required) to 17 feet (proposed).

Mr. Malocsay: So moved.

Mr. Daubert: Seconded.

Chairman Jansen: All in favor? (5-Ayes)
Motion carried.

PUBLIC HEARING OF DONNA GROSMAN - for property located at 35 Echo Lane, Warwick, New York and designated on the Town tax map as Section 30 Block 2 Lot 1.2 for a variance of the Bulk Area Requirements of the Code permitting renovation and addition to an existing single-family dwelling reducing front yard setback from 61.2 feet to 49.0 feet where 75 feet are required and side setbacks from 41.25 feet to 37.75 feet where 75 feet are required and 49 feet where 75 feet are required.

Representing the Applicant: Donna Grosman

Chairman Jansen: Mailings received.

Attorney Fink: I want to bring to the Board's attention if you have not looked at the survey and the County's response. There is a pool that encroaches onto the next lot. That lot is owned by Ms. Grosman. Is that correct?

Donna Grosman: Yes. I own 4 lots around the house.

Attorney Fink: The Building does not have a problem with it. What would the Board like to do?

Chairman Jansen: If you were to sell the other lot, you would have to make that work.

Mr. Daubert: Maybe do a lot line change.

Donna Grosman: We could combine the lots.

Attorney Fink: Or, you could do a lot line change.

Donna Grosman: We could do a lot line change. It was sold to us that way 30 years ago. We didn't even know until we had the Surveyor come in that the pool was on the other lot that we own. I don't know what is involved with a lot line change.

Attorney Fink: It costs approximately \$15,000.00 to do a lot line change.

Donna Grosman: That is a little concerning.

Chairman Jansen: If you don't have any intention on selling the other lot, you could merge the lots to make it one parcel.

Donna Grosman: I don't intend to sell the lot.

Chairman Jansen: Is there anyone in the audience wishing to address the Grosman application?

Attorney Fink: Could you elaborate a little bit on why you couldn't make it smaller and more conforming?

Donna Grosman: The house is very small. When we purchased it from the previous owner many years ago, they had put on an addition. It was not livable. We have owned the house for 30 years. We have children and hopefully soon we would have grandchildren. That is why we want to make it bigger. We are removing that addition which was a 1-bedroom addition to make it a 3-bedroom addition. We also want to add a garage. Why it cannot be smaller is because the pool is on one side of the house. We will be building out on the other side of the house.

Mr. Daubert: It is steep over there.

Donna Grosman: Yes. It is on top of the hill.

Mr. Malocsay: One of the first questions that we ask is if additional property could be purchased so that a variance wouldn't be needed. In this case, it would be a lot line change because you own the other piece of property. The intent is that all of these properties conform as the years go by. The one thing that is in the Applicant's favor is that all of these lots are small lots and they fit within the character of the neighborhood. I think asking for you to do a lot line change, I don't think it is unreasonable. The lot that is to the north of your lot, that driveway goes onto that lot. What is the size of that lot?

Donna Grosman: I don't know exactly. It is on the survey. In combination of all the lots it would be 7 almost 8 acres.

Mr. Malocsay: That doesn't really help you.

Ms. Bramich: The one with the pool that extends onto the other lot, they would need to do something about that. They wouldn't be able to sell a house.

Mr. Malocsay: I don't think it is for us to request for them to do a potential lot line change and not need the variances at all. You have 7 acres in total of all the lots. The lot that you have the house on is only 1-acre. There are 2 other lots. You would have approximately 6-acres if they are even. Maybe 1-lot is 4 acres and maybe 1-lot is 2 acres? It is to solve a problem now rather than later on other than asking us for a variance.

Chairman Jansen: Maybe we could put a note in the variance stating that would be something that would have to be taken care of.

Attorney Fink: It is not up to us for the applicant to make a correction to make the lot more saleable. The only thing is if there are alternatives in granting the variances. Regarding the pool issue, the Building Inspector has not sent us a violation for that even though we know it is. More of a concern is that it does not meet the setback. That could certainly be cured. It is expensive to do a lot line change. You could do that and make it legal.

Mr. Malocsay: Then, you would not need a variance.

Attorney Fink: What you are doing is asking for a variance reducing existing setback from 61.2 feet to 49 feet whereas 75 feet are required. Then there is one side yard setback from 41.25 feet to 37.75 feet whereas 75 feet are required. You could go either way as to whether or not it would be a substantial change to what exists but numerically certainly overall it is substantial as to what is required. What is the area like? Is it a typical or A-typical area?

Mr. Malocsay: If we were to vote now, I would say no. You own the property. It is a matter of a lot line change. There would have to be a good reason as to why you would not be willing to do it. The pool is not in front of us. They did not do anything because they missed it.

Attorney Fink: They did not miss it. I called. You could put it in many ways, but it has been there forever.

Mr. Malocsay: Bob, half the stuff that comes before us has been there forever. We still give the variance.

Attorney Fink: We are not giving a variance for the pool. We are ignoring the fact that there is a typical violation.

Mr. Malocsay: I would guess that if I go and talk to the Building Department, they would then issue a violation. That would be before us next month.

Attorney Fink: What you are saying is that you want to continue this application to next month's meeting?

Mr. Malocsay: Yes.

Attorney Fink and the Board discusses the matter that the Applicant might want to possibly consider doing a lot line change with the Planning Board. Attorney Fink says it would be a great expense of \$15,000.00 to \$20,000.00 to do the lot line change. He asks Dave Getz from Engineering Properties who is sitting in the audience that is not a representative for the Applicant, if he could take a look at the Grosman's survey and give a rough estimate on what a lot line change could cost the Applicant. Attorney Fink asks Dave Getz if \$15,000.00 would be a good estimate for a lot line change. Dave Getz stated that it would be a good estimate, but it is tough to say.

Ms. Bramich: I have a question. What if you combine the lots?

Attorney Fink: That would cost them nothing. That does not help you.

Mr. Malocsay: That would not help you because you have 2 other lots that are saleable.

Donna Grosman: It could be another year back before I could do any construction. Is that correct?

Attorney Fink: Yes.

Donna Grosman: Really?

Mr. Malocsay: This application could be held over to the February ZBA Meeting until we get that pool issue resolved.

Attorney Fink: We could put this application over to next month. Mark wants to go speak to the Building Department. What does the Board want to do?

Mr. Daubert: We should put it over to next month.

Chairman Jansen: We will continue this application next month.

Donna Grosman: If I merge all of those lots, my taxes will go up.

Attorney Fink: No. Theoretically the taxes would go lower.

Donna Grosman: If I combine all of the lots that I have into one piece that I own, then my taxes would not go up? Where my current house is located is up here. My wooded lots are down here.

Mr. Malocsay: The house is the biggest asset to the property which is most of your taxable rate.

Attorney Fink: We know that. But we don't know what the Assessor would do with that.

Mr. Malocsay: You could ask the Assessor about that. You could talk to the Assessor about combining the lots. Then, you would not need a variance.

Attorney Fink: We are not here to give her ideas of what to do with the property regarding a lot line change or merging the lots.

Mr. Malocsay: She could think about what we are asking.

Chairman Jansen: We could continue this all night long. We will continue this application to next month's meeting.

Donna Grosman: What do I have to do before next month's meeting besides talking to the Assessor?

Attorney Fink: That would be all you have to do.

Donna Grosman: Do I have to make a decision as to whether combining these lots?

Attorney Fink: Talk to the Assessor to see if it would be a good advantage for you to combine the lots.

Donna Grosman: Would I have to re-send out the mailings?

Attorney Fink: No.

Donna Grosman: When is the next meeting?

Ms. Bramich: The next ZBA Meeting is February 28, 2022.

Donna Grosman: Ok.

PUBLIC HEARING OF JOSEPH & KAREND VERVOORDT - for property located at 49 Ackerman Road, Warwick, New York and designated on the Town tax map as Section 31 Block 2 Lot 31 for a variance of the Bulk Requirements of the Code permitting a covered porch mud room extension 5 feet X 7 feet reducing side setback from 72 feet to 67 (+/-) feet where 75 feet are required.

Representing the Applicant: Joseph Vervoordt, Applicant.

Chairman Jansen: Mailings received. Please tell us what you are looking to do.

Joseph Vervoordt: There is a 5x7 pantry located there now. There is 4x6 front porch steps that comes off it. We want to replace the front porch steps with an extension of the pantry for more room. We just want to add a foot to that.

Attorney Fink: Do you own any adjoining property?

Joseph Vervoordt: No.

Chairman Jansen: Does the Board have any questions before I open it up to the public?

Mr. Malocsay: We will hear in our testimonies that the properties around there when the Zoning changed and the setbacks were brought back to 75 feet. Most houses were 50 feet. Some of them were actually closer. There are many smaller lots located there. This does not fit in anyway out of character of the neighborhood. This fits well in the neighborhood.

Chairman Jansen: Is there anyone in the audience wishing to address the Vervoordt application? Let the record show no public comment. The public hearing is closed.

Attorney Fink: Will the proposed variance cause an undesirable change to the character of the neighborhood or be detriment to nearby properties?

Mr. Malocsay: No.

Attorney Fink: Can the benefit sought by the applicant be achieved by any other feasible method?

Mr. Malocsay: No.

Attorney Fink: Is it a substantial variance?

Mr. Malocsay: No.

Attorney Fink: Is it self-created?

Ms. Bramich: Yes.

Attorney Fink: Will it have an adverse effect upon the physical or environmental conditions?

Mr. Malocsay: No.

Attorney Fink: This would be classified as a Type 2 Action. We could go right to the variance. Does anyone care to move that the variance be granted for property located at 49 Ackerman Road, Warwick, New York and designated on the Town tax map as Section 31 Block 2 Lot 31 for a variance of the Bulk Requirements of the Code permitting a covered porch mud room extension 5 feet X 7 feet reducing side setback from 72 feet to 67 (+/-) feet where 75 feet are required.

Ms. Bramich: So moved.

Mr. Daubert: Seconded.

Chairman Jansen: All in favor? (5-Ayes)
Motion carried.

PUBLIC HEARING OF GARY DINNEBEIL AND KIMBERLY ANN GOOLDER-DINNEBEIL - for property located at 9 Wisner Road, Warwick, New York and designated on the Town tax map as Section 46 Block 1 Lot 8.2 for a variance of Section 164-41.A.(1)(a) permitting a detached garage 40 feet X 75 feet (3,000 square feet) where the maximum allowed is 1,200 square feet.

Representing the Applicant: Gary Dinnebeil, Applicant.

Chairman Jansen: Mailings received. Please explain to us what you are looking to do.

Gary Dinnebeil: We purchased the house approximately 6 months ago. I own Yankee Construction Historic Contracting Company. My wife owns a dog grooming shop.

Attorney Fink: With that all said, why do you need such a big garage?

Gary Dinnebeil: I have a lot of stuff. The land is classified as Industrial/Office. I had Mark Edsall from Houser Engineering come out. He is a friend of mine. He's retired now. He had said since there is a 2-family house on the property that I couldn't build anything else except for a large garage. It is going to look like a barn. I am 69 years old. I would like to put a little shop in there for myself. It would not be for business.

Attorney Fink: The issue is that when you go to sell the property the barn will still be there. There is a reason to have it. Why does it have to be 40 X 75 building? That is 2.5 times larger than what is permitted.

Gary Dinnebeil: I have a lot of things I would like to put in there. I would also like to have a big garden to sell some vegetables.

The Board members and Applicant discusses where the proposed garage will be located on the property. It won't be near wetlands. Where it will be located, you won't even see the roof line.

Chairman Jansen: Ok. Is there anyone in the audience wishing to address the Dinnebeil application? Let the record show not public comment. The public hearing is now closed.

Mr. Malocsay: We know the property well. There are many boxes of buildings located there on both sides of the road. It won't affect the character of the neighborhood. It fits in.

Attorney Fink: Will the proposed variance cause an undesirable change to the character of the neighborhood or be detriment to nearby properties?

Mr. Malocsay: No.

Attorney Fink: Can the benefit sought by the applicant be achieved by any other feasible method?

Chairman Jansen: He could put 3 smaller buildings there if he wanted to.

Attorney Fink: Is it a substantial variance?

Ms. Bramich: Yes.

Attorney Fink: Will it have an adverse effect upon the physical or environmental conditions?

Mr. Malocsay: No.

Ms. Bramich: No.

Attorney Fink: Would someone care to type this as “Unlisted” with no adverse environmental impact?

Ms. Bramich: So moved.

Mr. Malocsay: Seconded.

Attorney Fink: Does anyone care to move that the variance be granted for property located at 9 Wisner Road, Warwick, New York and designated on the Town tax map as Section 46 Block 1 Lot 8.2 for a variance of Section 164-41.A.(1)(a) permitting a detached garage 40 feet X 75 feet (3,000 square feet) where the maximum allowed is 1,200 square feet.

Mr. Malocsay: So moved.

Ms. Bramich: Seconded.

Chairman Jansen: All in favor? (5-Ayes)
Motion carried.

PUBLIC HEARING OF JASON SCHULER AND MORGANNE FRAZIER-GOODMAKER ACRES - for property located at 246 Pine Island Turnpike, Warwick, New York and designated on the Town tax map as Section 27 Block 1 Lot 18 for a variance Section 164-41.A.(1)(a) expanding an existing accessory building from 1,800 square feet (variance granted 4/26/21) to 2,100 square feet where 1,200 square feet is permitted.

Representing the Applicant: Dave Getz from Engineering Properties & Surveying. Jason Schuler & Morganne Frazier, Applicants.

Jason Schuler: Last year when you issued us the variance for an 1800 s.f. building, we didn't plan enough space at that time.

Attorney Fink: First, we require the return mailing receipts.

Ms. Bramich: I don't have them.

Attorney Fink: I know that. That is what we require. Is that correct?

Ms. Bramich: Correct.

Dave Getz: Jess from our office spoke to Connie. She was told that this would be acceptable.

Attorney Fink: It is not fatal if the mailings are not in conformance with the statute. I don't know why Connie would say that when everyone else has to spend \$20. to \$30.00. Generally speaking, an affidavit of mailings in which this is not an affidavit or an affidavit could be supplied. Or, it could be a mailing list that has been stamped by the Post Office would be acceptable proof that it was mailed. Neither would be in conformance with the requirements of the statute.

Jason Schuler: Am I correct in assuming that this short EAF that was submitted with this paperwork was already approved with the original variance that we received?

Chairman Jansen: Yes. The only reason you are here is that you are increasing the size of the square-footage of the accessory building.

Jason Schuler: Right. That is it.

Attorney Fink: Provided that a notice should have been published. There shall have been substantial compliance with the remaining provisions of this section prior to give notice in the exact conformance here with shall not be deemed to invalidate the action. If the Board feels that is a substantial compliance, then that is fine. I would simply ask for an affidavit of mailings. Does the Board believe that the affidavit is substantial compliance to the mailings?

Mr. Daubert: I think so.

Attorney Fink: What was mailed First Class mail? Do you have the list?

Dave Getz: It is on the drawing. We did not attach it this. We could do that.

Attorney Fink: If you can provide an affidavit of mailings and show a list that you got from the Assessor. Generally, you would go to the Assessor for the list.

Dave Getz: We got it from the tax map.

Attorney Fink: My suggestion to the Board would be is if you provide an affidavit of mailings, you would have to get the list from the Assessor to be compared to who you actually mailed it to.

Dave Getz: Ok.

Attorney Fink: It looks like we are going to have to hold this over unless the Board says something else.

Chairman Jansen: If you are going to hold it over, you might as well send it out.

Mr. Malocsay: I was going to make that recommendation. I have a few questions about this application. I wasn't going to be ready to vote on this tonight anyway. The rest of the Board might feel differently about this. At this time of year, holding it over for 30 days isn't long.

Chairman Jansen: The only question, are your questions in connection with the increase of the size of the building?

Mr. Malocsay: Yes.

Jason Schuler: Could you let us know what those questions are now?

Attorney Fink: We could put over and ask for everything we want. We are putting it over so that the mailings are technically correct. If the consensus of the Board is that they are going to be approved, then the applicant does not have to appear.

Mr. Malocsay: Right.

Attorney Fink: We could only approve it if we have the mailings.

Dave Getz: We were here last year. We received a variance to expand the existing accessory building on the property. The building is currently 1200 square feet. We receive a variance from the ZBA to increase the building to 1800 square feet. The direction parallel to Pine Island Turnpike, they have proceeded with designs and ideas for their activities on the property. We have been working with architects. Based on those discussions and sketches, they have found that they need more square-footage from the approved 1800 square feet to 2100 square feet.

Jason Schuler: We are working with Jeff DeGraw whose an architect. He has encouraged us to request this extra space so that we don't have to diminish our design for the functionality of the property. The extra space is primarily for hot water heaters, electric meters and dry storage for the usages of the building.

Dave Getz: We had provided photographs the last time around. We have included the same photographs. The building is well screened from Pine Island Turnpike. The house hides quite a bit of it as you are passing from the front. There are large setbacks on either side into the rear of the property. We feel that the new request would not have a significant impact visually or in any other way.

Mr. Malocsay: Like before, there really are not any issues as far as the building being this size that you want to make it because of what is in the area there now. Going from 1200 square feet to 1800 square feet was like the smallest that anybody has ever asked for. That is not the issue as much as what you had said a few times on what is going into the building. The building that we previously gave you is clearly big enough for what you wanted to do. I am thinking that the building would be used for more than what you had said before. Does that many any sense?

Jason Schuler: We have actually simplified the purpose of the building since our last meeting. It is now going to be 3 distinctive commercial spaces. One will be a Pilates Studio and the other will be a retail store for the Brand More Good. The other is a commercial kitchen. The additional space requested is for utilities. We ate a lot into that commercial kitchen with a walk-in refrigerator. We did not build out everything when we had planned on an 1800 square-foot building.

Attorney Fink: You realize that the variance previously granted for 1800 square feet gives you the right to build a building at that square-footage. It doesn't give you any right as to what you could do with it.

Jason Schuler: Correct. We have accessed all of the Codes and what we are able to do in that space. We are confident that it conforms.

Dave Getz: We are in front of the Planning Board. They sent us to the ZBA. The O.C. Health Department is currently reviewing the new well that was drilled in the back of the property. We just received comments last Friday regarding the proposed septic system. Once we receive those agency approvals and get through the ZBA process, then we go back to the Planning Board or a public hearing. The Planning Board is aware of the uses that needs approval.

Mr. Malocsay: Clearly, we had a problem with the other one when we are looking for a way not to give a variance. At this point, the idea of having 2 buildings as opposed to having one bigger building might be a possibility. I am unclear on the space requirements that you described. It sounded like they are separate. They don't flow from one to the other.

Jason Schuler: Are you talking about the business uses?

Mr. Malocsay: Yes.

Morganne Frazier: It would look like one building with two entryways into it. Then there would be a private entrance for our kitchen for our production.

Jason Schuler: The 2 spaces the middle space and the commercial kitchen actually flow into each other. There would be a connecting door. We would be making products in the commercial kitchen that are sold in the retail space. There is quite a bit connection between the uses of the space.

Chairman Jansen: All of that is in front of the Planning Board. Is that correct?

Jason Schuler: Yes.

Chairman Jansen: That is not our purview.

Attorney Fink: In a sense it is. Mark asked a good question. He asked if it would be necessary to have a large building when two buildings that are smaller would work.

Mr. Malocsay: The reason why I brought that up is because when you said you are going to have a Pilates Studio, it does not need a commercial kitchen. It didn't sound like it had to be attached to that building.

Jason Schuler: Where would we put it?

Mr. Malocsay: That is always an issue. That is why we generally like to see one building instead of two buildings. However, you wouldn't need a variance for the two buildings as long as they meet the setbacks.

Dave Getz: Then there would be inefficiencies with heating, access to parking and stuff.

Jason Schuler: Yes. It would seem like a stretch.

Morganne Frazier: We would not be able to modify the existing building without knocking it down entirely. It is a poll barn. We would have to keep the pre-existing footprint then add a 2nd building is what you are saying somewhere?

Attorney Fink: That would not be a good idea.

Jason Schuler: We had already received a variance to building a larger building than the footprint. Are you saying it would be simpler to build the building that we got with the original variance?

Attorney Fink: The question was put forth. You are explaining why two buildings would not work.

Jason Schuler: Correct.

Attorney Fink: That is what you had explained. That was what we needed. That is what goes into the record.

Jason Schuler: It is a space constraint. There would be a lot of deficiencies to build 2 buildings.

Mr. Malocsay: Ok.

Chairman Jansen: Does the Board have anything else?

Mr. Malocsay: No. We are holding this application over. We would not be making a decision on this tonight.

Attorney Fink: If the Board comes to a consensus, we can't make decision now until it is re-noticed and re-mailed. If the consensus of the Board is to grant them a variance, then there would be no reason for them to have to come back.

Mr. Malocsay: Your end on housekeeping, just what you had said that it was fine for everything until you said it again that the mailings go out...

Attorney Fink: That is the whole thing, if someone comes in and objects to it...

Mr. Malocsay: We can't close the public hearing.

Attorney Fink: Correct.

Mr. Malocsay: Ok.

Jason Schuler: Our neighbors came out the last time and told us to go for a bigger building.

Attorney Fink: Yes. Realistically, there might be one or two discrepancies...

Chairman Jansen: Let's have them come back to us at the February meeting. We will continue your application to the February 28, 2022 meeting. We will put your application on first.

Jason Schuler: Ok. Thank you.

Dave Getz: Thank you.

OTHER CONSIDERATIONS:

1. ZBA Minutes of 11/22/21 for ZBA approval.

Mr. Malocsay: So moved.

Mr. Daubert: Seconded.

Chairman Jansen: All in favor? (5-Ayes)
Motion carried.

Mr. Mehling makes a motion to adjourn the January 24, 2022 ZBA Meeting.

Seconded by Mr. Malocsay. Motion carried; 5-Ayes.