

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
DECEMBER 11, 2014**

A Regular Meeting was held by the Zoning Board of Appeals on Thursday, December 11, 2014 at 8:00 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Chairman Matthew Collins, Boardmember Ray Dovell, Boardmember David Forbes-Watkins, Village Attorney Linda Whitehead, and Deputy Building Inspector Charles Minozzi, Jr.

**Chairman Collins:** Thank you, everybody, for coming to the December 11 Zoning Board meeting. We are three tonight, usually have five. What that means is, that you will still be able to present your case. But the findings have to be unanimous in this case because you need a majority of the Board. Since we have five sitting members of the Board, only three here tonight means the vote has to be unanimous for anything to pass.

But you can present your cases, and you will have a choice to make after your presentation. If you would prefer to defer your case to the next meeting, you may. If you would like for us to vote, you may choose to do that. OK? So we'll go ahead and begin. If you have any questions, just stop us along the way. We'll make it as easy as possible.

Before we begin, Buddy, are the mailings in order?

**Deputy Building Inspector Minozzi:** I've been informed by our staff that all the mailings are in order.

**I. AGENDA**

- 1. Case No. 16-14  
Nichole Davis & Michael Didovic  
12 Marble Terrace**

**View Preservation approval as required under section 295-82 and relief from the strict application of code sections 295-55.A and 295-72.E.(1)(b) of the Village Code for the addition and alterations to their multi-family dwelling at 12 Marble Terrace. Said property is located in the MR-1.5 Zoning District and is known as SBL: 4.70-57-4 on the Village Tax Maps.**

**Variance is sought for the extension of an Existing Non-conformity:  
Rear Yard: Existing and Proposed for the addition – approximately 11.5  
feet; Required minimum - 30 feet {295-55.A. and 295-72.E.(1)(b)}**

**Chairman Collins:** So why don't we begin with Case 16-14, Nichole Davis and Michael Didovic for 12 Marble Terrace. I'd just ask anyone who's gonna be presenting or speaking tonight, we're capturing that for the record so just make sure you have a microphone. We have a microphone there on the floor, and Buddy has a wireless microphone so two people could be speaking – not at the same time, but together. You need a new battery?

**Deputy Building Inspector Minozzi:** I just changed it, but it's not working.

**Chairman Collins:** All right, well, we can go ahead and begin. Just make sure you use the mic, and introduce yourself before you get underway.

**Mitchell Koch:** I'm helping Michael and Nichole with their project; the architect of record, and neighbor. I want to just go on record saying we're going to defer on your judgment on this. But if we present it to you, and if you have any feedback for us, it'd be greatly appreciated. We're not in any rush to judgment so we'll wait for the next session of the Zoning Board before we get a vote. OK?

**Chairman Collins:** OK. You're welcome to revisit that decision after you're done presenting, if you like.

**Mr. Koch:** Right. If you guys wag your head I'll defer. Thank you for taking the time.

Basically, what we are trying to do is to build a very small – 160 square foot I believe – addition on top of an existing first-floor extension on the house. This would be to accommodate two bedrooms for Mike and Nichole's little kids. We're here, referred from the Planning Board for view preservation. And, in addition, because the character of the lot here is the rear yard – which you can see that the setback line passes pretty much through the front of the house – anything that's done there at the house would be done with a variance, almost without exception.

These views taken from the Aqueduct show the impact it has on the view. And it's important. If you look at the handout, you can see that not only – you know, full disclosure – not only is there a second floor, but there will be some kind of rail for a roof deck on top of that, and that will also have an impact on the view. It's our intention to make that minimal. I think we'd try to feather it. But the view is not obstructing a view from any other house. I'm sure you remember – we've been down this road before with this property – the nearest

neighbor is the Lehner's, who are way up on the hill above, from which there is actually no view of the house because of all the woodlands below.

**Boardmember Dovell:** Are they in the notice area?

**Mr. Koch:** Yes.

Basically, that's the project. You can see an elevation, and it's our hope that it adds something to the character of the house. The addition was like a fairly unfortunate 1980s shed roof, vinyl clad bay window little thing, and I think we can improve it a lot by putting a hat on it. That being said, I'm interested to hear.

Nichole, do you have anything to add to this?

**Chairman Collins:** Just make sure you speak into the microphone, and introduce yourself please.

**Nichole Davis, applicant:** I live at 12 Marble Terrace. Right now, we are all living in the attic, essentially. I just don't feel like that's a safe place for the kids to be. I have a little boy and a little girl so they can't share a bedroom. That's what they currently are doing right now. So at a certain point they need separate bedrooms. We felt the way to do that – even though they will be narrow, ultimately – there's a way to do it so they will have these bedrooms and then like a shared play area outside their bedrooms. This is a solution to keeping them outside the attic, giving them their own space.

I feel we're not really blocking anyone in back of us, and the view from the trail is really minimal. You're really looking at other buildings; you're not looking at a clear shot of the river. So I don't feel that, personally, is an issue. No one has said anything to us. All our neighbors know about this. No one has come to me and expressed anything negative, only positive, about this. So those are all the things.

**Village Attorney Whitehead:** To clarify a few things for the Board – two things, really – this house was a legally nonconforming three-family. They are converting it back to a two-family so it will no longer be legally nonconforming with respect to the use. It'll be changed on the record. So they lose the right to the three-family, to the legal nonconformity, by converting it back. That's one thing.

Second thing, the Planning Board reviewed and did recommend the view preservation. The Planning Board's only concern that they expressed was, there's a roof deck on top of the addition and they had a concern. They just wanted to make sure that the railing on the roof

deck would not be too bulky a railing, if you will; that there would be a view maintained through the railing.

**Boardmember Forbes-Watkins:** I would like to know, has the state department of history or whoever – the state operator of the Aqueduct – have they been notified of this plan?

**Village Attorney Whitehead:** They're on the notice list, aren't they?

**Deputy Building Inspector Minozzi:** Yeah, they're on the notice list just like Mrs. Kopchik.

**Boardmember Forbes-Watkins:** We've had this problem in the past, where the Aqueduct wasn't notified.

**Deputy Building Inspector Minozzi:** They were.

**Boardmember Forbes-Watkins:** They were? OK.

**Chairman Collins:** Can you help me understand? The living space currently that the owner is occupying, how big of a space is it today in square footage? How many bedrooms, as it is now, and what will it be after this improvement?

**Mr. Koch:** Currently, they occupy ... if you look at this plan, they're occupying what is the second floor of the house, which was originally the middle apartment which is still configured with basically a living room, kitchen, dining room and a very small room which is a teeny, nursery-sized office. Then upstairs, the attic is configured as two bedrooms, but they're on sweep. You have to go through the parents' bedroom into the kids' bedroom right now, and the kids are sharing a space which is under the eaves. I mean, it's appropriate for very little kids, but as they grow up, because they're different genders, will no longer be appropriate.

The next square footage of the apartment, I'm gonna have to guess, is around 1,500, maybe a little less actually.

**Ms. Davis:** I would think a lot less.

**Mr. Koch:** It's about 600 on a floor. I would say that's correct. I would say more like 1,000 square feet.

**Chairman Collins:** That's what it is now?

**Mr. Koch:** Right. And they're gonna add like 160, 180 with these bedrooms. So it's a small improvement. It's an improvement, I think, in adjacencies of the bedrooms and the bathroom and the privacy for the parents. And safety of having them on the second floor, which you can egress directly out to the Aqueduct, or Aqueduct Lane.

**Boardmember Dovell:** So this will give you four bedrooms overall?

**Ms. Davis:** I wouldn't really call them bedrooms.

**Chairman Collins:** Could you speak into the microphone? That's OK.

**Ms. Davis:** I mean, I don't know if you can call them bedrooms in the attic if you are entering their bedroom from our bedroom. You know, there's no hallway. I guess we're using them as two bedrooms upstairs, but they're not like traditional bedrooms, you know? I mean, it's sort of like you walk into a ...

**Boardmember Dovell:** It's a little bit like an attic loft space.

**Ms. Davis:** Right. It's like you walk into an attic loft space, and then there is another door you go through into their room. But you're still entering through our room.

**Boardmember Dovell:** And that's shown on your plan 3, drawing number 3, I think, Mitch?

**Mr. Koch:** Yeah.

**Boardmember Dovell:** In the smaller set?

**Chairman Collins:** OK. And the roof deck is accessible ...

**Ms. Davis:** *Will be* accessible.

**Chairman Collins:** ... through the master bedroom. I sympathize, and agree with the Planning Board's input here to reduce the bulk around the deck. I wanted to hear from you what the design plan is for the deck. What sort of materials, especially railings, are you thinking of?

**Mr. Koch:** Well, there are two choices for transparent railings, really. One is a clear, either glass or acrylic, railing. You can get wonderful cantilevered glass, very expensive, or you can get a Trex kind of built-in acrylic railing which has a very opaque top rail which holds

everything in place. My preferred alternative to that, 'cause I don't love the materials, is just a cable rail deck. But the understanding is, there is a line at the rail which holds the cables which are pulling the post intentionally and kind of holding everything apart and upright. In fact, we drew it in the plans you got: a single line that would be visible, but it wouldn't be like it's an opaque wall or a raised parapet. It's just a single element.

It is not nothing, just to understand. We understand there is some impact from this, but they are in the fortunate position of being in front of nobody except for the deer that live in the Aqueduct. Passersby will see their deck and second floor addition in lieu of a smaller vignette of the houses, the tops of the trees and the Palisades. That's for sure. But it's a very small impact on the view.

**Chairman Collins:** Yeah, I think you've encapsulated the issue. The impact is entirely to the traffic on the Aqueduct, really. I visited the site. I think the impact is a bit more substantial than the drawings would indicate because of the impact as you're really approaching the house heading south on the Aqueduct. There are relatively more river views as you're heading south and looking more in a southwesterly direction towards the river. This would have a relatively more substantial impact on that view than if you were standing right behind, to the east of the structure looking west through it. Which, I agree with Ms. Davis, that's largely today cluttered with buildings already.

I certainly sympathize with the applicant's need for the space. The only part where I had any kind of reservation at all was on the deck itself. It seems to me a natural or obvious use of the space because you have it there: you have an opportunity to use it, so why not? But it's the one element to this that you could argue is not essential to the habitability of the home. And we know from a backed-up case we had in our last meeting that decks also invite some concern because of the increase in at least potential outdoor noise. I'd be eager to hear what the other Boardmembers think about the overall project, but the deck in particular.

**Boardmember Dovell:** I think it would be a lost opportunity not to have a deck there. I'm entirely sympathetic to wanting to have a deck there. I think a glass rail is inappropriate because it's gonna reflect a lot of light. I've done them myself before so I know they have that issue. I think kind of a minimal steel cable railing that you suggested there is gonna be the way to kind of look through it, and it would be pretty transparent. So I would argue for it, frankly. I don't think it is gonna affect the view terrifically.

**Mr. Koch:** I think what Ray is saying, to paraphrase, it's very cool. I mean, it's a wonderful location.

**Boardmember Collins:** It's a very obvious thing to do. If you didn't have it, you'd ask why didn't they do it. But because of where we are, and because we're tasked with minimizing the impact on the view, I want to make sure that we vet this.

Dave, what do you think?

**Boardmember Forbes-Watkins:** Well, my first reaction on that is that the Aqueduct user is not gonna notice this very much. Because you're moving along and you see this building, that tree, that view. So its impact visually, I think, is minimal. With respect to deck, the cable railing sounds like a logical approach to me. Otherwise, it seems to be a realistic need fulfillment.

**Chairman Collins:** And I don't have any issue or commentary on the rear yard variance request. You've articulated it. You've inherited a lot that, like so many others in Hastings, just can't be made to fit. And you're doing something sensible that clearly has a need behind it. So I don't think the rear yard variance is an issue, and I just think given the need of the applicant for the space it certainly justifies the addition of the bedrooms. Then you're left with this opportunity to put the deck in. I really respect Ray's point of view and David's on the railing treatments, and agree that, overall, the impact here is pretty minimal.

So I think you've got a very good case.

**Mr. Koch:** Are they wagging their heads?

**Ms. Davis:** [off-mic].

**Chairman Collins:** Well, we're not gonna get to a vote just yet because I want to make sure there are no other comments from the Board.

**Boardmember Dovell:** No. I think it's a minimal addition. It's two fairly small bedrooms, and I think it's in character with the neighborhood. So I think it's a nice solution.

**Chairman Collins:** Yeah, I agree. David, did you have anything else?

**Boardmember Forbes-Watkins:** No.

**Chairman Collins:** So then I'll ask if there's anyone in the audience who wishes to be heard on the case. OK. The camera can't see that we only have six people in the room, and they're all presenting.

OK, then this board has no other questions or comments, and we have none from the gallery. So now your option is that if you'd like for us to vote we are happy to vote for it now.

**Ms. Davis:** OK. Mitch, what do you think?

Can you give me a mic?

**Mr. Koch:** I think we should go for it.

**Ms. Davis:** OK.

**Mr. Koch:** Call me a gambler.

**Village Attorney Whitehead:** I think it's a pretty safe gamble.

**Village Attorney Whitehead:** Can I make a suggestion? That you add a condition on that, on the railing. That it be a cable-type, minimalistic.

**Mr. Koch:** Architecture-talk.

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Dovell with a voice vote of all in favor, the Board resolved to approve the extension of an existing non-conforming rear yard for the addition and alterations to their multi-family dwelling at 12 Marble Terrace. In addition, the Board approved the plan with respect to view preservation subject to the use of a cable-type minimalistic railing on the new deck.

**Chairman Collins:** All right, it passes. Congratulations.

**Mr. Koch:** Thank you.

**Village Attorney Whitehead:** I think the architect's gonna correct me, and it's OK.

**Mr. Koch:** You were talking the talk, right?



**2. Case No. 17-14  
Soon Ja Kim  
189 Warburton Avenue**

**View Preservation approval as required under section 295-82 and relief from the strict application of code sections 295-55.A, and 295-68.F.(1)(a) of the Village Code for the addition of a Portico on her single-family dwelling at 189 Warburton Avenue. Said property is located in the R-10 Zoning District and is known as SBL: 4.130-138-11 on the Village Tax Maps.**

**Variance is sought for the extension of an Existing Non-conformity:  
Front Yard: Existing – approximately 27.78 feet; Proposed for the addition – approximately 16.38 feet; Required minimum - 30 feet {295-55.A. and 295-68.F.(1)(a)}**

**Chairman Collins:** OK, we proceed to our final case, 17-14, Soon Ja Kim.

**Soon Ja Kim, applicant:** Yes.

**Chairman Collins:** Ms. Kim, thank you very much. So we're here to talk about your project, as well. You're looking for, in many ways, similar sorts of variances. You've got a view preservation issue for the addition of a portico and a front yard variance request. We'll get into all that. Do you have the microphone? We need to have you hold the microphone while you speak so that we can hear you. Before we have you begin ...

**Ms. Kim:** I have a hearing problem. This is no good. It's expensive, but no good. I'd like to take it out.

**Chairman Collins:** Well, before we have you present your project I just want to see if the Planning Board had weighed in on this one, as well.

**Village Attorney Whitehead:** The Planning Board did not see this yet. It's on their agenda for next week.

**Chairman Collins:** So, Ms. Kim, go ahead and introduce yourself first and then present your project.

**Ms. Kim:** I am the homeowner of that house, OK? Getting old. Basically, what I'm trying to do is converting current podium (ph) or plateau, whatever, in front of the house – that, into an enclosed vestibule. Because at the beginning, I wasn't thinking about the mail issue. But

the main reason that I am going to do now while I can is that, you see, the roof is steep, very steep. So when the snow piles up, the gravity pulls it, right? So it runs down and then right ... piles up in front of the house. And then when the gutter freezes, then the dripping ... then the sunlight and dripping water becomes ice; very, very dangerous condition.

So the only way to mitigate the runoff is to disturb that flow path. That's the only way, the flow path, is the vestibule. So this will be falling aside instead of in the front. So that becomes a very serious issue. Thus far, I'm capable of taking care of. But sometimes, in the past, I was completely confined in because of the snow. You know, here would the snow pile up, then is a ... I'm confined because no way to go out to clean up, OK? In that case, there is no cleaning people coming around either. Anyhow, that's the main concern; no other alternatives. So that's why the only thing is to change the flow path. That's the only thing ... is the roof. That's the main concern.

Second concern is ... also has to do with safety. Currently, when I ... you see, my hearing is poor and my eyesight is, you know ... and it's not going to get better, right? I was thinking about people or everything else, but no. What happens is, a stranger ring the doorbell and open it. What do I do? Right in front of my face there is a stranger. I have no choice. Push me, then what can I do? I have a home security system in place, but that is a dangerous situation. And there are no other means than to enclose the vestibule for my current door. And the vestibule, there is a distance – an actual physical distance. So I open up my living room door to look at is there something unpleasant, close the door. So that becomes a very important issue. Particularly, Warburton Avenue is very ... you know, my area is liked by many to take a walk. OK, so that is it.

Then the third issue is, to you guys, I'm very happy that you don't have to face the type of problem that I have. Because third issue is the mail. I thought when my sister was in Korea that I had to go to assist her because she was a terminal cancer patient; year-and-a-half I went to Korea. What I'm gonna do with the mail? Luckily I found, across the street, person kindly said change the address to mine. But that's when you are known in advance where you would be. The post office can hold only one month regardless.

But, for example, I am an orphan in the universe. I don't have anybody at all. Orphan in the universe. Now, assume that if I become an emergency patient, unable to communicate in the hospital, then what am I gonna do with the mail? I was thinking about installing the mail slot on the door or commercial (inaudible). But then I should be better to other problems. The bad ones, I said let's go ahead, build a vestibule. Then, in place of in the door ... if you place the mail slot on the door, each time you replace the door you have to do it all over again. But when the vestibule is built, on one side there will be a huge mail slot.

So theoretically, the entire vestibule will become a mailbox. So I don't have to fight with anybody. That will be it. Whether I am conscious or unconscious, I'll be free of those things.

**Chairman Collins:** You've thought it through, Ms. Kim.

**Ms. Kim:** And then another thing is just I can tolerate it, the logistic issue. Say an electronic bag for the patient maybe in and out, I may be critical or whatever. That kind of thing is beyond my concern. The other guys, the work is concerned. But it's just an added point for the benefit of the vestibule. The current door got stuck. That's really a pain in the neck. In the cold days last year, I replaced the door. It's already ruined with that. Sometimes people have to help me up because I don't have the strength, OK. That's another thing. And getting older now, we have to realize that my current steps ... two steps, too high. I have done the knee surgery. The other knee is (inaudible). Assume that if I have to use the wheelchair, then I need a ramp. Currently, it would be a really tremendously difficult thing. If I'm old and sick or something, nobody's gonna help me. That will be an issue.

So during this, I am going to make this more likable, more accommodated, a passable ramp. I hope not ... that doesn't happen, but prepare in advance. That's the key, that's the thing. It is, in a sense, very important. Because last year, when I had the new addition for the bathroom, everybody just praises. Because, in advance, I made just flat porcelain bathroom so the wheelchair can get in and out. No obstacle.

**Boardmember Dovell:** You were here before for your addition.

**Ms. Kim:** Yeah, yeah.

**Boardmember Dovell:** And you built the addition.

**Ms. Kim:** That's it. The same line with this. The steps are already ready, graduated. Just it's just easy to put the ramp, anybody can do it, OK? So that will be easy. I am trying to be independent and autonomous as much as possible, and prepared. If God loves me and then I don't need it, thank God. But I must prepare in advance. So that's why I'm doing it. Currently, the podium (ph) I found out because of this variance application is already (inaudible). So that's basically the platform. Six inches more, the wheelchair to turn around. It's very tiny.

So that's essentially why I'm doing it. Then I emphasized it to my architect: don't make it like an addition. Make it look like the way it was from the beginning. So the red thing and the window matching, something like that. I asked my neighbors beforehand. Go ahead,

because that will be really beautiful. Then also, it doesn't obstruct anybody's view up high because it's just in the roof.

**Chairman Collins:** So, Ms. Kim, you've just reminded me. We got a letter from one of your neighbors, which I'm gonna read. It's very brief, but it's a letter of support from Delia Elbaum. Do you know Delia Elbaum?

**Ms. Kim:** Yeah.

**Chairman Collins:** At 169 Warburton Avenue.

She writes.

*"I am writing on behalf of the Case 17-14, in which Soon Ja Kim is seeking approval for the view preservation in accordance to code sections 295-22 and 295-68 for the addition of a portico on her single-family home at 189 Warburton Avenue. My name is Delia Elbaum and I am the homeowner and neighbor of Ms. Kim, located at 169 Warburton. I would like to take this time to fully support Ms. Kim in her seeking approval of the portico."*

And then it goes on with a little bit more. But she wrote that letter on your behalf, which is very nice.

**Ms. Kim:** Oh, my goodness. Several other neighbors asked me if there is anything that they could do.

**Chairman Collins:** Well, that's nice. This is a very sensible project. If you look at the other houses on the street, many of them have a shelter over the front door. The portico is a bit more than what some of those houses have, but you've made a very compelling case about why a portico here makes sense for you for security purposes. It also creates the opportunity for a more gradual step-down from the stairs that'll be easier for you to navigate.

The impact on the view is – I won't say negligible, but it is very small here. I think it is negligible looking to the south, barely noticeable to the north. The design seems to be very much in keeping with the house. It is modest, according to my read of the drawings. It's less than 6 feet intrusion into the front yard – I think 5 feet 6 inches. So this is a very, very minor, tastefully done addition of the portico that, as you've explained, satisfies some important needs for you.

So I am fully in support of this, but let me hand it over to David and Ray, if they have any questions.

**Boardmember Dovell:** I would agree. I think it's very nice. You explained it extremely well.

**Ms. Kim:** Thank you. Don't get old!

**Boardmember Forbes-Watkins:** I would be remiss not to congratulate you on making a compelling presentation.

**Chairman Collins:** You came prepared. You came very well prepared, Ms. Kim. I don't think we have any other questions or comments so I will ask if there is anyone from the audience who wishes to be heard. Since there is no one in the audience who is here to be heard, then I will suggest that we go to a motion.

**Village Attorney Whitehead:** You don't have the Planning Board recommendation yet. Because your meeting got moved up before theirs.

**Deputy Building Inspector Minozzi:** Because of November, yes.

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Dovell with a voice vote of all in favor, the Board resolved to approve the extension of an existing non-conforming front yard by the addition of a portico on the single-family dwelling at 189 Warburton Avenue. In addition, the Board approved the plan for view preservation purposes subject to concurrence from the Planning Board.

**Ms. Kim:** Thank you very much.

**Chairman Collins:** Thank you, Ms. Kim. Congratulations.

**Ms. Kim:** You know what? Next January 10 I become 78 years old.

**Chairman Collins:** Wow. That's a month away.

**Ms. Kim:** Yeah. So this is why I had to hurry up.

**Chairman Collins:** This is a happy birthday present to you, then.

**Ms. Kim:** Yes, thank you.

**Chairman Collins:** All right, happy birthday and happy holiday. Thank you.

**Ms. Kim:** Same to you.

**Chairman Collins:** So that concluded our docket.

### **APPROVAL OF MINUTES**

#### **Regular Meeting of October 23, 2014**

**Chairman Collins:** Why don't we just do a quick review of the minutes, and then I think we'll be prepared to adjourn.

Buddy, I'm gonna e-mail you a markup of the minutes electronically.

**Deputy Building Inspector Minozzi:** Excellent, that would be very good.

**Chairman Collins:** I'm almost done with them, and you'll get it before the end of the day tomorrow. Dave, did you have any changes to the minutes?

**Boardmember Forbes-Watkins:** No substantive changes.

**Chairman Collins:** OK. Ray, did you have any comment on the minutes? OK.

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Dovell with a voice vote of all in favor, the Minutes of the Regular Meeting of October 23, 2014 were approved as amended.

**Chairman Collins:** Do I need to get a motion to adjourn?

**Village Attorney Whitehead:** Do you want to take, literally, 30 seconds to explain what this is?

**Boardmember Forbes-Watkins:** What's the scheduled next meeting date? January 22?

**Chairman Collins:** That sounds right to me.

**Deputy Building Inspector Minozzi:** It's going to be January 22.

**Village Attorney Whitehead:** Just to explain quickly to you what this is, actually the Affordable Housing Committee came to the Board of Trustees with this. It seems that when they adopted the law providing for the set-aside for affordable and workforce housing, they didn't really clarify whether you round up or down. They said in Hastings they've always rounded up, but with these numbers it didn't seem to make sense. The code didn't specifically say. So they were suggesting that the Board amend the code just to add, basically, a sentence about rounding to the nearest whole number; you round up or down to the nearest whole number.

The only change is the sentence that's in bold: The Board of Trustees has scheduled a public hearing on this for January, and just referred it to if you have any comment.

**Deputy Building Inspector Minozzi:** Oh, I thought it was for Tuesday.

**Village Attorney Whitehead:** No.

**Deputy Building Inspector Minozzi:** I misunderstood. OK.

**Village Attorney Whitehead:** That's OK. It's still before their next meeting.

**Chairman Collins:** So the language in bold is ...

**Village Attorney Whitehead:** Additional language.

**Chairman Collins:** ... only change.

**Village Attorney Whitehead:** Yes, the only change. As I said, it's really an extremely minor ... really a clarification more than a change.

**Chairman Collins:** Before this language, this proposed language here, was the calculation therefore sort of subject to different interpretation? And some would round up and some would round down?

**Village Attorney Whitehead:** It was ambiguous so this makes it clear. I like getting rid of ambiguities.

**Chairman Collins:** Yeah, well, here's to that. I mean, I appreciate the Board sharing this with us. But this seems to be ...

**Village Attorney Whitehead:** They really ... the code says that they're supposed to refer them out.

**Chairman Collins:** I'm happy to see the language, but I don't have any input. It seems difficult to argue.

**Boardmember Forbes-Watkins:** Seems reasonable, doesn't it?

**Village Attorney Whitehead:** OK. So the comment back can be just that you all think it seems to make sense to do it.

**Chairman Collins:** No comment, yeah. Looks good.

**Village Attorney Whitehead:** OK.

**Chairman Collins:** Do I need to get a motion to adjourn, or can I just adjourn this thing?

### **ADJOURNMENT**

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Dovell with a voice vote of all in favor, Chairman Collins adjourned the Regular Meeting.