

**TOWN OF SKANEATELES PLANNING BOARD
MEETING MINUTES
November 17, 2015**

Mark J. Tucker, Chairman
Elizabeth Estes
Donald Kasper
Joseph Southern
Scott Winkelman
Scott Molnar, Legal Counsel
John Camp, P.E. (C&S Engineers)
Howard Brodsky, Town Planner
Karen Barkdull, Clerk/Secretary

Chairman Tucker opened the meeting at 7:30 p.m. The meeting minutes of October 20, 2015 were previously distributed to the Board and all Members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Member Southern and seconded by Member Winkelman to approve the minutes as corrected. The Board having been polled resulted in the unanimous affirmance of said motion. Member Estes abstained due to her absence at last month's meeting.

RECORD OF VOTE

Chair	Mark J. Tucker	[Yes]
Member	Joseph Southern	[Yes]
Member	Donald Kasper	[Yes]
Member	Scott Winkelman	[Yes]
Member	Elizabeth Estes	[Abstained]

Sketch Plan- Site Plan Review

Applicant

Ira Coleman
18808 Paseo Nuevo Dr.
Tarzana, CA 91356

Property:
3067 East Lake Rd
Skaneateles, NY 13152
Tax Map #039.-01-06.0

Present: Robert Eggleston, Architect

An area variance for impermeable surface cover of 16.83% was granted in 2000 when the property was developed with a single-family dwelling and shoreline structures. The existing impermeable surface coverage for the property is 17.2%, the driveway having been expanded with brick that will be removed to conform to the approved coverage of 16.83%. Proposed is the replacement of the steps to the shoreline with permeable paver steps with the rock from the existing steps to be removed off site. Additionally, the grade underneath the first floor sunroom will be leveled to extend the lower level patio. The retaining walls under the first floor sunroom will be moved out to align with the wing.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Southern to consider the proposed action as a Type II SEQR action pursuant to 6 NYCRR617.5(c)(7) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Joseph Southern and seconded by Member Scott Winkelman, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the minor site plan review, with the following conditions:

1. That the Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. That the Site Plan 1 of 2 and 2 of 2 dated September 29, 2014, with narrative dated October 1, 2015, prepared by Robert O. Eggleston, be followed in all respects; and
3. That the existing stone steps to the shoreline be removed from the site; and
4. An as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project.

RECORD OF VOTE

Chair	Mark J. Tucker	[Yes]
Member	Joseph Southern	[Yes]
Member	Donald Kasper	[Yes]
Member	Scott Winkelman	[Yes]
Member	Elizabeth Estes	[Yes]

Sketch Plan- Site Plan Review

Applicant	Emily Porter	Property:
	601 13 th St Suite 230	3171 East Lake Road
	N. Washington, DC 20005	Skaneateles, NY 13152
		Tax Map #040.-01-22.0

Present: Andy Ramsgard, Architect

A revised site plan dated November 17, 2015 has been submitted to provide the setback from the mean high water mark to the patio. The applicant is requesting a permeable patio attached to the deck and house. There are no shoreline structures on the property with 153FT of shoreline and the proposed 311SF patio would be classified as a shoreline structure as it is less than 50FT to the lake line. The property is allowed a maximum of 600SF of shoreline structures.

In 2004, the applicant was granted a variance for an addition that exceeded 500SF, and the proposed deck expansion and permeable patio exceeds 500SF of expansion allowed. The applicant is also seeking variance approval with the Zoning Board of Appeals for the expansion

and lake yard setback to the patio. The property will be maintained at 10% impermeable surface coverage.

Member Estes inquired on the site plan reflecting impermeable surface at +/-10%, and commented that the requirement is 10% or less. She continued stating that the coverage cannot exceed 10% and that the site plan should not reflect a 10% plus. Mr. Ramsgard clarified that the +/- reflects the second digit of decimal places in calculations and that he will remove the plus from the site plan and reflect a less than or equal to 10%.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Winkelman to schedule a public hearing, dependent on variance approval, on ***Tuesday, December 15, 2015 at 7:30 p.m.*** The Board having been polled resulted in the unanimous affirmation of said motion.

Discussion- Special Permit

Applicant	Michele Gardner Jessie Carbone 2420 Sands Road Camillus, NY13031	Property: 1410 East Genesee St Skaneateles, NY 13152 Tax Map #042.-01-11.0
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Present: Robert Eggleston; Architect

An updated site plan has been submitted and the affidavit of no change was submitted to the Town as part of the conditions of approval at last month's meeting.

Discussion

At the Town Board meeting on Thursday, November 19, 2015, the draft Town of Skaneateles Climate Action Plan will be presented.

Public Hearing- Special Permit

Applicant	Slate Cove Holdings Co.LLC Deborah Hubbard PO Box 77 Mottville, NY 13119	Property: 810-814 West Genesee St Skaneateles, NY 13152 Tax Map #048.-01-11.1
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Present: Robert Eggleston, Architect

No one wished to have the public notice read. The Onondaga County Planning Board, in their resolution dated October 21, 2015, had the following comments: no parking should be located that would require vehicles to back into the State right-of-way. That a NYSDOT shall be contacted regarding the proposed front yard parking and existing access on Route 20; approvals obtained from the City of Syracuse Department of Water and the OCDOH are received; and that the Town consider the proposal in the context of its location at the gateway to the Village. The City of Syracuse Department of Water commented that the septic system be reviewed and accepted by the OCDOH in their correspondence dated October 8, 2015. The Village of Skaneateles had approved for the change in use for the sewer use in their correspondence dated August 28, 2015. The property is in a water district with access to Village water. A site visit was conducted on October 10, 2015.

Information had been sent into the OCDOH and the applicant has not received any correspondence back. The OCDOH had approved an application for medical use in 2011 and the applicant does not anticipate any change from that response for this medical use.

The potential tenant will have three medical professionals with a small staff. Three exam rooms will be located on the main floor. The medical use will be for physical therapy, with a potential to have four medical professionals at a future point.

The employees will park in the back with the patients parking in the front of the building. A handicap ramp will be added at the back of the building for access to the lower level. There is an existing handicap ramp located on the property to access the main floor of the building. The lower level of the building has an existing construction business office and the remaining area will be for office use.

The property is on Town water and private septic system. Member Kasper inquired if the application was sent to the Onondaga County Planning Board. Mr. Eggleston stated that their concern was with the parking in front of the building. Member Winkelman stated that the property was part of the western gateway remediation and there are curbs in place now so that you cannot back out onto Route 20. Chairman Tucker inquired if there was information concerning the new use's impact to Town water. Mr. Eggleston commented that there had never been any reason to go to the Town in the past regarding proposals for this building. He continued stating that it will be a very low water use with a couple of hundred gallons of water used at the most.

WHEREFORE, a motion was made by Member Winkelman and seconded by Member Southern to consider the proposed action as a Type II SEQR action pursuant to 6 NYCRR617.5(c)(7) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time, Chairman Tucker opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chairman Tucker asked if there was anyone wishing to speak in opposition, or had any other comments. No one spoke in opposition or had any other comments.

WHEREFORE, a motion was made by Member Southern and seconded by Member Estes to close the public hearing. The Board having been polled resulted in the unanimous affirmance of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Scott Winkelman and seconded by Chairman Mark Tucker, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the minor special permit/site plan review, with the following conditions:

1. That the Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. That the Site Plan 1 of 1 dated October 1, 2015, and narrative dated October 1, 2015, prepared by Robert O. Eggleston, be followed in all respects; and

3. That the Applicant shall obtain all necessary permits and approvals from the OCDOH, and any other approval needed for the Application; and
4. An as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project.

RECORD OF VOTE

Chair	Mark J. Tucker	[Yes]
Member	Joseph Southern	[Yes]
Member	Donald Kasper	[Yes]
Member	Scott Winkelman	[Yes]
Member	Elizabeth Estes	[Yes]

Amendment Request

Applicant:

Lakelawn Properties LLC	Property:
1 Winthrop Square	3384 West Lake St
Boston, MA 02110	Skaneateles, NY 13152
	Tax Map #049.-02-03.0

Present: Robert Eggleston, Architect;

A revised site plan dated November 17, 2015 was submitted reflecting modifications to the three storage/recreation barns. A silo has been added between the west and south barn, and the greenhouse has been moved to be connected with the eastern barn. There will be walkways between the three barns with the driveway access remaining the same. There is an open porch on the first level that will connect to the silo and there will be a connection at the basement level of the west barn to the center barn. The center barn has a garage entrance to store equipment that is off the parking area.

The prior barn was located inside of the 100FT setback and the three new barns have been relocated outside of the 100FT watercourse setback. The parking will remain where it was with driveway access to the basement of the center barn. There will be a basement connection between the west barn and the center barn with the west barn having a gym located in it.

Member Estes commented that the original approved plans did not indicate the connection of the two barns and now it has been added. Mr. Eggleston stated that there was a walkway connection but now there is a silo connection. Member Estes commented that it did not include the building and the basement, and inquired as to why it is needed now. Mr. Eggleston stated that it would allow walking from one barn to another, and it is all located in the approved setbacks. Mr. Eggleston stated that the greenhouse is now semi-attached to the east barn.

Chairman Tucker inquired if the building will be raised up with filling around it. Mr. Eggleston stated that there will be fill put on the backside of the west barn to make it look not like a two story barn at this end and it will be raised by 7FT. Mr. Camp inquired if there is a new grading plan that has been submitted to reflect the changes.

Member Kasper inquired on how far along the project is. Mr. Stack stated that they foundations for the east and center barn, pouring the west barn, and there are footers for the silo. Member Estes stated that the silo work has been started without getting additional approval from the Board. Mr. Eggleston inquired what kind of architectural changes are required to get additional approval. Member Estes stated that the site plan and grading plans have changed with this proposal. Mr. Eggleston apologized and stated that he was not aware of the changes until last week. Mr. Stack stated that he was not giving the changes until last week. He continued stating that as the project evolves there will be changes. Member Estes stated that somebody knew that the design was going to change prior to last week.

Member Kasper inquired on the impact of the changes to the impermeable surface calculations. Mr. Eggleston stated that it would increase the coverage by approximately 150SF, which would be insignificant to the calculation. Member Kasper inquired on what number change this has been since the site plan was originally approved. Member Estes stated that this would be the second change to the original approved plan and expressed her concern that the process is not being followed.

Member Southern commented that the last set of plans he had seen did not have any connection between the three barns. Member Kasper stated that the applicant is asking for a change without any notice to the Board and it is also not fair to the other applicants. Chairman Tucker stated that after the plans were shared at the staff meeting yesterday, the Town requested that the applicant come before the Board for an amendment.

Member Estes stated that there is a penalty that can be charged since the work began without approval from the Town. Member Kasper commented that all big projects have changes. Counsel Molnar stated that there can be a monetary penalty for commencement of construction prior to issuance of a building permit. Member Southern stated that the Codes Enforcement Officer can pick up the charges for that. Member Estes stated that she felt that the construction and design team is taking advantage and moving ahead knowing full well that they were not supposed to do that, and what is to stop them from anytime doing that. She continued stating that it puts the Town in the position to require the Codes Enforcement Officer to be out at the site every day to watch what is being done.

Mr. Stack stated that he had received the design change last week and immediately let the Codes Enforcement Officer know of the change. Member Estes commented that if it was a rush job, then how could it have been designed properly. Mr. Stack stated that the architect had other parties such as the engineer assist to resolve any issues. Chairman Tucker requested that Mr. Stack identify himself. Mr. Stack stated that he is the project manager for the project. Mr. Eggleston submitted a sketch that was submitted last month that shows there was an anticipated connection. Member Southern reiterated that the prior site plan that the Board had seen did not have the connection shown. Member Estes stated that the drawing shows a walkway not a foundationed structure.

Member Winkelman stated that the Board should go with a warning this time, as there will be a lot of changes with a project this size. Mr. Stack stated that they are trying to make sure the main house is designed properly so that there will not be a lot of changes to it. He continued apologizing for the change and that they do respect the process. Member Southern stated that future changes need to come to the Board before construction occurs. Mr. Eggleston stated that he will monitor the project better in the future.

Mr. Stack commented that the greenhouse on the site plan should be looked as a placeholder as the size will be determined by the kit that is chosen. Member Southern stated that the design will need to be approved before the kit is purchased or installed. Member Estes stated that the greenhouse has changed form a detached building to an attached building making the east barn bigger. Chairman Tucker commented that there will be changes to this project as there is with any building project. Member Estes stated that building an entire basement, new silo building , and moving the greenhouse in not a minor change to a construction project. She continued saying that it sets up saying that if one of our major architects and builders is doing it and they know better.

Counsel Molnar stated that this discussion has raised the same sensitivity of the Board to the applicants., and recommended that if the Board approved the amendment, that it be accompanied by a monetary penalty required and that furthermore any changes in the future most be brought before the Board before construction has commenced.

WHEREAS, Member Estes made a motion that was seconded by Member Southern, the Planning Board adopted and ratified its prior SEQRA determination for the Application, which was a determination that the Application constitutes an Type II Action no subject to SEQR review.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Elizabeth Estes and seconded by Member Joseph Southern, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the amended site plan, with the following conditions:

1. That the Site Plan C-2A dated November 17, 2015, prepared by RZ Engineering, PLLC; and Elevation Drawings A202 page 1 and 2 prepared by Vernacular Architectural Design dated November 13, 2015 be followed in all respects; and
2. That updated impermeable surface calculations and grading plans be provided for the revised site plan; and
3. That a monetary penalty, as determined by the Codes Enforcement Officer, be submitted for work completed on building modifications that had not received prior board approval including the proposed silo; and
4. That all future modifications to the approved site plan be submitted to the Planning Board for approval prior to commencement of construction; and
5. Except as modified hereby, the conditions set forth in the Approving Resolutions remain in full force and effect.

RECORD OF VOTE

Chair	Mark J. Tucker	[Yes]
Member	Joseph Southern	[Yes]
Member	Donald Kasper	[Yes]
Member	Scott Winkelman	[Yes]
Member	Elizabeth Estes	[Yes]

Public Hearing Continuance- Special Permit

Applicant

Thomas Potter
5060 Bridle Path
Fayetteville, NY

Property:

3173 East Lake Rd
Skaneateles, NY 13152
Tax Map #040.-01-21.0

Present: Dave Disinger, Representative, Hadley's LLC

An updated design plan dated October 27, 2015 was submitted that indicated the setbacks from the lake line to the proposed retaining wall. The owner has removed the boat launch and as such, there will be no changes to the impermeable surface coverage on the lot. Chairman Tucker inquired if the wall had been staked on the property. Mr. Disinger stated that he had temporarily staked it for his measurements but that he did not have the equipment to leave permanent stakes.

Chairman Tucker inquired to John Camp if the stones that would be used in the retaining wall are substantial enough. Mr. Camp stated that a detail of the stones has not been submitted. Mr. Disinger stated that it was submitted last month and that the size will be 2' long by 8" by 11" deep and will be pinned. Mr. Camp stated that he has a concern that there is no definite size on the plan submitted. He continued stating that the wall is not very tall so the consequences of the wall failing are relatively low; however, the is on the east side of the wall where there is more wave action. Mr. Disinger stated that the wall will not be on the lake but located off of the lagoon. Mr. Camp stated that the waves tend to break up sooner in a shallow area. He continued stating that there is very little information of the detail and the plan with the cross-section that was submitted last month still has the boat launch on it. There is no updated plan that contains all of the information.

Mr. Disinger inquired if there is a way to provide the information and not delay the application another month as the applicant would like to get the wall installed prior to snow. He continued stating that he can submit the manufacturer detail on the blocks, but the wall will stand up to a 100-year storm event. Mr. Camp inquired if the Board is going to do another site visit with the wall staked. Chairman Tucker commented that there was a thought to go look at it again once it was staked. Member Kasper stated that we were going to do another site visit because it was unclear where it would be located, but now there are dimensions on the plan and the wall is outside of the high water mark. Member Winkelman inquired if the was in on the shoreline or in the lawn. Mr. Disinger stated that it is located in the lawn and stated that it is unclear how many feet the wall is in relation to the high water mark. The wall will be 6-7' from the shoreline. The wall would be one foot from the edge of the lawn. Member Kasper stated that it is basically a landscape decorative wall and not a retaining wall. Member Kasper inquired how deep the wall will be into the ground. Mr. Disinger stated that it will be located one foot below the water line and one foot above. Member Estes commented that engineering drawings could be submitted to the Town Engineer for approval. Showing the depth and the size of the block.

Chairman Tucker commented that if you lose land to erosion the property could go above 10% impermeable surface coverage at the lot is at 9.9%. Mr. Disinger commented that the 9.9% includes a portion of the driveway that is gravel that should be considered permeable, Member Winkelman clarified that a driveway/parking area regardless of material is considered impermeable.

A Type II SEQR determination was resolved by the Board at the October 20, 2015 meeting. The public hearing was closed at last month's meeting.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Donald Kasper and seconded by Member Elizabeth Estes, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the minor special permit, with the following conditions:

1. That the Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. That the Site Plan dated October 27, 2015, prepared by David Disinger, be followed in all respects; and
3. That detail of the design of the retaining wall be submitted that reflects the material, design, top and bottom elevations of the wall for approval by the Town Engineer prior to issuance of a building permit; and
4. That the manufacturer's specifications of the materials for the retaining wall be submitted to the Town Engineer for review prior to issuance of a building permit; and
5. An as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project.

RECORD OF VOTE

Chair	Mark J. Tucker	[Yes]
Member	Joseph Southern	[Yes]
Member	Donald Kasper	[Yes]
Member	Scott Winkelman	[Yes]
Member	Elizabeth Estes	[Yes]

Public Hearing- Special Permit/Site Plan Review

Applicant

Micheline Yuan
3692 Nelsons Walk
Naples, FL 34102

Property:
3257 East Lake Rd
Skaneateles, NY 13152
Tax Map #040.-01-04.1

Present: Robert Eggleston, Architect

No one wished to have the public notice read. The Onondaga County Planning Board stated that the proposal would have no adverse implication in their resolution dated September 30, 2015; however, commented that approvals need to be obtained from the City of Syracuse Department

of Water and the NYSDEC. The City of Syracuse Department of Water has not commented on the proposal. A site visit was conducted on October 10, 2015.

An updated narrative and site plan dated October 21, 2015 was submitted to reflect the removal of one tree by the ramped grass area as it is in poor health and to reflect access for the equipment to complete the proposal. There will be removal of various shoreline structures to bring the structures into compliance at 600SF. The gazebo and shed will be relocated outside of the 50FT setback. Erosion control measures will be installed and the bank will be planted. Geo-grid with sod on top will be used in the boat launch area. Large rocks will be set 12 inches below the bottom bank to prevent erosion. The DEC permit has been extended to the end of the year to complete the work. Impermeable surface coverage will be reduced from 11.5% to 11% and the applicant is willing to pay into the DRA Fund in the amount of \$2,291.26.

Chairman Tucker inquired if the Town Engineer had any concerns with the seawall. Mr. Camp stated that he had no comments on the seawall, however inquired on how the temporary access drive will be constructed. Mr. Eggleston stated that there geo-fabric will be placed with stone and rock on it, which will be removed at the end of construction.

Member Winkelman inquired what the reduction in impermeable surface coverage would be if the shed and gazebo were removed. Mr. Eggleston stated that it would reduce it by a tenth of a percent. Member Winkelman commented that the applicant could share the driveway access.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Southern to consider the proposed action as a Type II SEQR action pursuant to 6 NYCRR617.5(c)(7) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time, Chairman Tucker opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chairman Tucker asked if there was anyone wishing to speak in opposition, or had any other comments. No one spoke in opposition or had any other comments.

WHEREFORE, a motion was made by Member Southern and seconded by Member Winkelman to close the public hearing. The Board having been polled resulted in the unanimous affirmance of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Scott Winkelman and seconded by Member Joseph Southern, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the minor special permit/site plan review, with the following conditions:

1. That the Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. That the Site Plan 1 of 2 and 2 of 2 dated October 21, 2015, and narrative dated September 1, 2015, prepared by Robert O. Eggleston, be followed in all respects; and

3. That \$2,291.26 be submitted to the Town of Skaneateles Land and Development Rights Acquisition Fund; and
4. That the Applicant establish an escrow account with the Town of Skaneateles in the amount of \$500; and
5. An as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project.

RECORD OF VOTE

Chair	Mark J. Tucker	[Yes]
Member	Joseph Southern	[Yes]
Member	Donald Kasper	[Yes]
Member	Scott Winkelman	[Yes]
Member	Elizabeth Estes	[Yes]

Discussion-Major Subdivision

Applicant: Emerald Estates Properties, LP
 3394 East Lake Rd
 Skaneateles, New York

Property:
 2894 East Lake Rd
 Skaneateles, New York
Tax Map #036.-01-37.1

Present: Robert Eggleston, Architect

Mr. Camp stated that based on the road being regraded, the property appears to meet the requirements of the approved plan; however, recommended that the Board takes a look at it in the spring after the road has been plowed through winter. Member Estes stated that her concern is that now that all heavy construction vehicles had finished or something to that effect, and yet if anything goes forward with the project then heavy construction vehicles would be using the driveway. Mr. Camp stated that if the project moves forward then the driveway would be completely redone. If the road fell out of compliance, the Codes Enforcement office would have authority for to issue an order to remedy. Member Kasper inquired if all of the swales have been built correctly. Mr. Camp stated that they were improved and have the capacity they were intended to have and complies with the plan. Member Winkelman inquired if Mr. Camp had also inspected the property across the street to check the siltation going into the lake. Mr. Camp stated that he did not have permission to go down there and the silt that was getting down there was caused by the construction sites that were not stabilized. The developed lots are now stabilized with vegetation. Counsel Molnar stated that Todd noted that they were clearing to install grass and other vegetation and provide more sunlight to the plantings. Mr. Camp stated that it is his understanding that now that the land is stabilized that the siltation has stopped.

Member Estes stated that based on Mr. Camp's recommendation to re-visit it in the spring there is no need for anyone to do anything. She continued inquiring if the order to remedy is being closed out or is the Town leaving it open to test it next spring to see if it has been corrected. Counsel Molnar stated that the driveway is in compliance with the plan and can be closed out as it is in compliance. Member Estes commented that the improved driveway and drainage has not been tested so it should not be closed out. Counsel Molnar stated that the approval for the original 4-lot subdivision included a driveway and a grading plan that has now been achieved. There was no additional condition in that approval that said that it must be tested periodically.

Mr. Camp stated that it is a private driveway in this case; if it was a public road, you could periodically check it. Counsel Molnar stated that there is a bonding opportunity if the driveway is turned into a subdivision road based on the application that has been advancing, which he would recommend to the Board. Mr. Camp commented that if there is a problem then the same process could be done again.

Attorney Advice Session

WHEREFORE a motion was made by Chairman Tucker and seconded by Member Kasper to enter an attorney advice session. The Board having been polled resulted in favor of said motion.

WHEREFORE a motion was made by Chairman Tucker and seconded by Member Southern to return from attorney advice session. The Board having been polled resulted in favor of said motion.

The Board returned at 9:10 pm.

Discussion

Chairman Tucker updated the Board that Mr. Falso had suffered a fire on a portion of his pole barn.

As there was no further business, a motion was made by Member Southern and seconded by Member Estes to adjourn the meeting. The Board was in unanimous affirmance of said motion and the meeting was adjourned at 9:13 pm.

Respectfully Submitted,

Karen Barkdull, Secretary/Clerk