

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

November 18, 2010
7:30 p.m.

APPLICATION: Amar
357 Central Avenue
Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. ELLIOT FEIT
Member

MS. ESTHER WILLIAMS
Member

MR. MARK SCHRECK
Member

MR. EDWARD GOTTLIEB
Member

MR. RONALD GOLDMAN, ESQ.
Village Attorney

MR. MICHAEL RYDER
Building Department

Mary Benci, RPR
Court Reporter

1 CHAIRMAN KEILSON: We convene the Lawrence
2 Board of Zoning Appeals. We welcome, lady and
3 gentlemen. We also welcome Mr. Schreck, who is an
4 alternate who is sitting this evening because
5 Mr. Rosen was unavailable. So we always look
6 forward to having Mr. Schreck's erudite opinions.

7 MEMBER SCHRECK: Thank you.

8 CHAIRMAN KEILSON: Proof of posting,
9 Mr. Ryder.

10 MR. RYDER: Yes, Mr. Chairman, we have proof
11 of posting around the Village.

12 CHAIRMAN KEILSON: We're going to dispense
13 with Mr. Goldman's normal preamble because we only
14 have the one matter.

15 Actually, first we have an adjournment to
16 consider, the matter of Amar. They've asked for a
17 further adjournment until the next scheduled
18 meeting of the Board of Zoning Appeals which we
19 haven't set as yet, but we'll apprise them of it.

20 Everybody for?

21 MEMBER FEIT: I would give them an extension,
22 if he wants, up until the March or April meeting
23 because I don't think the problem is going to be
24 an issue. I have no problem with the adjournment,
25 but if he wants a longer time, I have no problem

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

with that.

CHAIRMAN KEILSON: I think we'll ask Mr. Ryder to reach out to them to ask them to reschedule for a more appropriate time of the year when they're prepared.

MR. RYDER: I can do that.

CHAIRMAN KEILSON: Miss Williams, your vote.

MEMBER WILLIAMS: For.

CHAIRMAN KEILSON: Mr. Schreck.

MEMBER SCHRECK: For.

CHAIRMAN KEILSON: So it is adjourned.

(Whereupon, the hearing concluded at 7:31 p.m.)

Certified that the foregoing is a true and accurate transcript of the original stenographic minutes in this case.

Mary Benci
MARY BENCI, RPR
Court Reporter

INCORPORATED VILLAGE OF LAWRENCE

BOARD OF APPEALS

Village Hall
196 Central Avenue
Lawrence, New York

November 18, 2010
7:31 p.m.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPLICATION: Malek
 7 Sunset Road
 Lawrence, New York

P R E S E N T:

MR. LLOYD KEILSON
Chairman

MR. ELLIOT FEIT
Member

MS. ESTHER WILLIAMS
Member

MR. J. MARK SCHRECK
Member

MR. EDWARD GOTTLIEB
Member

MR. RONALD GOLDMAN, ESQ.
Village Attorney

MR. MICHAEL RYDER
Building Department

Mary Benci, RPR
Court Reporter

1 CHAIRMAN KEILSON: Now, we have the matter of
2 Malek, 7 Sunset Road. Will they or their
3 representative step forward.

4 Mr. Capobianco, please introduce yourself.

5 MR. CAPOBIANCO: John Capobianco, architect,
6 159 Doughty Boulevard, Inwood, here this evening
7 on behalf of the Maleks.

8 I have a letter I'd like to put into evidence
9 of the neighbor immediately to the north, 5 Sunset
10 Road, who has no objection to her sliding the pool
11 towards their property line.

12 CHAIRMAN KEILSON: Is that the family
13 Braunstein?

14 MR. MALEK: Yes.

15 MR. GOLDMAN: That's marked Applicant's
16 number one.

17 MR. CAPOBIANCO: One of the things that might
18 have been unclear with regard to the presentation
19 that you have before you is the reasons why we're
20 moving the pool.

21 CHAIRMAN KEILSON: It was commented upon that
22 the papers are very thin in terms of what really
23 is happening. There's one allusion to the fact
24 that the kitchen or something is being pushed out.

25 MR. CAPOBIANCO: Yes.

1 CHAIRMAN KEILSON: And it would have been
2 very helpful to the Board so they can prepare
3 because you know how diligent they are. So we
4 would appreciate in the future if there's more
5 details in the file so that we can better prepare,
6 but thank you.

7 MR. CAPOBIANCO: Okay. And I know that there
8 were missing photos of the rear of the house
9 showing pictures of the rear property line or the
10 side. Because it's a corner lot their rear is
11 really their side, and their right side is really
12 the rear. And that's why we needed a variance for
13 rear yard on the 30 feet for the garage portion
14 which is over here, all right.

15 CHAIRMAN KEILSON: Is that an anatomical
16 description or a property description?

17 MR. CAPOBIANCO: That's a property
18 description.

19 CHAIRMAN KEILSON: Okay.

20 MR. CAPOBIANCO: And you can see the orange
21 area which is the extension that we were planning
22 to make onto the kitchen was the whole reason for
23 sliding the pool down. So the pool shifted from
24 this location of about 15 feet, it was located 15
25 feet south of where it is now. We slid it down

1 holding the same side-yard dimension of seven feet
2 to their rear neighbor who's had the pool for
3 quite some time, you know, next to them, and they
4 have no objection. They verbally mentioned they
5 have no objection to us sliding the pool down and
6 to the north closer to 5 Sunset, but 5 Sunset
7 actually gave the letter that they have no problem
8 with them moving closer to the property line seven
9 feet as well. Which would be, you know, bordered
10 by arborvitaes. We hope to create a nice
11 evergreen screening of six-foot high arborvitaes
12 which would run -- or red cedar, whichever live
13 more or better in the shade, or not shade, but
14 give a screen effect on both the west and the
15 north property line.

16 MEMBER WILLIAMS: The west is the house on
17 Boxwood, right?

18 MR. CAPOBIANCO: The west is the house,
19 right.

20 MEMBER WILLIAMS: And those people are the
21 same property owners, no matter where the pool is?

22 CHAIRMAN KEILSON: Yes.

23 MR. CAPOBIANCO: The one behind it, that's
24 correct.

25 CHAIRMAN KEILSON: It's the same one

1 property.

2 MR. CAPOBIANCO: That's correct.

3 MEMBER FEIT: On the one on the side, I guess
4 that's Braunstein, what is the distance from the
5 property line to the house, to the other house,
6 the Braunstein house?

7 MR. CAPOBIANCO: From --

8 MEMBER FEIT: From where your hand is going,
9 right.

10 MR. CAPOBIANCO: To Braunstein's house?

11 MEMBER FEIT: Yeah.

12 MR. CAPOBIANCO: I think it's a 15-foot side
13 yard. I'm not sure a hundred percent, but I
14 didn't check it. But it's a standard side-yard
15 width. I believe it's ten, fifteen; I'm not
16 really certain.

17 MEMBER SCHRECK: Is the pool going to be the
18 same size as the existing pool?

19 MR. CAPOBIANCO: The pool, yes, the same
20 size, sixteen --

21 MEMBER GOTTLIEB: What size?

22 MR. CAPOBIANCO: It's actually 16 by 38.

23 And the garage extension which you see is
24 lining up with the existing garage. So we're not
25 going beyond the perimeter of the existing house,

1 or past the wall of the north wall of the house or
2 the garage, but it requires a two-foot
3 encroachment into the rear yard. You see the
4 right side of the house is really the rear yard.

5 MEMBER WILLIAMS: Right, I know that, yeah.
6 So now we're pulling out the garage?

7 MR. CAPOBIANCO: We're pulling the garage
8 forward ten feet and we're lining it up with the
9 existing house.

10 MEMBER WILLIAMS: What's happening in the
11 back?

12 MR. CAPOBIANCO: Behind the garage we're
13 creating a laundry room and a bathroom.

14 MEMBER WILLIAMS: Okay. This wasn't on the
15 plan.

16 MR. CAPOBIANCO: No. You know, what happened
17 was when we put the plan in we didn't. We should
18 have put the plan, I apologize.

19 MEMBER WILLIAMS: Now we see it.

20 MR. CAPOBIANCO: Yeah, we had it. We should
21 have put it in.

22 MEMBER FEIT: Are the dimensions of the new
23 garage, the proposed garage, the same dimensions
24 as the existing garage?

25 MR. CAPOBIANCO: That's correct.

1 MEMBER FEIT: Identical dimensions?

2 MR. CAPOBIANCO: Exactly.

3 MEMBER GOTTLIEB: John, if I understand this
4 right, you need two variances for the garage? One
5 is to maintain a one-and-a-half-car garage, the
6 other a variance is because it slightly encroaches
7 in the rear yard?

8 MR. CAPOBIANCO: That's correct.

9 MEMBER GOTTLIEB: That's that portion of it.

10 MR. CAPOBIANCO: That's correct. And the
11 other variance is the pool side yard has to be
12 fifteen, or ten was it?

13 MEMBER GOTTLIEB: But you're planting
14 arborvitaes. What is the base width of an
15 arborvitae when it's fully grown?

16 MR. CAPOBIANCO: It's not wide. They're
17 about two and a half, three-foot wide. You know,
18 it depends on the kind. You know, if it's an
19 emerald green arborvitae they grow very narrow.
20 You need them like every time you take a step,
21 every three feet, you have to plant them to create
22 a screen. And you know, they don't do well unless
23 they have sunlight. That's the only problem with
24 arborvitae.

25 MEMBER GOTTLIEB: I think you once referred

1 to them as everbrowns.

2 MR. CAPOBIANCO: Yeah, you wind up with
3 everbrowns.

4 MEMBER GOTTLIEB: The reason why I asked the
5 base of the arborvitae or the base of whatever
6 shrub we're going to be using is I'm trying to
7 figure out the seven feet, less the tree, is there
8 going to be a walkway around the pool?

9 MR. CAPOBIANCO: Yeah, there will be a
10 three-and-a-half-foot walkway and a
11 three-and-a-half-foot planting strip, that's
12 correct, and you'll have room to plant in three
13 and a half feet arborvitae.

14 MS. MALEK: That's what I have now.

15 MEMBER FEIT: I noticed something on our
16 favorite block and it looks like over there the
17 front yard it doesn't meet code, and I think the
18 rear yard doesn't meet code, and they're existing.

19 MR. CAPOBIANCO: They're existing.

20 MEMBER FEIT: Did you file for a variance for
21 those two items, at least I'd like to say kosher
22 them up, because they're technically out of code?

23 MR. CAPOBIANCO: Well, it's a legal
24 nonconforming house. The code changed after the
25 house was built.

1 MEMBER FEIT: Yeah, but in other words, all
2 I'm asking is there any particular reason why you
3 just didn't ask for that variance in this
4 application?

5 CHAIRMAN KEILSON: It doesn't require it.

6 MR. CAPOBIANCO: It doesn't require it. The
7 only variance we required was a two-foot
8 encroachment. You see what happened was they
9 originally had a 25-foot rear yard and went to 30,
10 and the existing rear yard is 28. Because of the
11 corner lot their side yard, right side yard is
12 their rear yard. So what happened was the 30 is
13 what the existing house became a nonconforming
14 dwelling but it was built prior to the code
15 changing so it's a legal nonconforming dwelling.

16 MEMBER FEIT: Yeah, no, all I know, usually
17 when we see these plans and when they have one of
18 these legal nonconforming, as long as they're
19 requesting variances they throw in, you know, or
20 request to supposedly bring it within code. It's
21 not that important. I was just curious why it
22 just wasn't done here.

23 MR. CAPOBIANCO: It wasn't part of the
24 objection letter that we got from the Village,
25 otherwise, we would have made it part of the

1 application.

2 MEMBER SCHRECK: This HVAC equipment or pool
3 equipment, that's going to be moved?

4 MR. CAPOBIANCO: The pool equipment is going
5 to be fenced in and enclosed with shrubs and a
6 vinyl fence.

7 MEMBER SCHRECK: But I'm looking at a picture
8 that says side yard looking west and maybe that's
9 from the air conditioning or the heating. Does
10 that have to be moved?

11 MR. CAPOBIANCO: Let me see. Can I see the
12 picture. That's existing, right?

13 MR. MALEK: Yes.

14 MEMBER SCHRECK: When you're extending the
15 kitchen does that have to be moved?

16 MR. MALEK: It's not anywhere near the
17 kitchen.

18 MR. CAPOBIANCO: No, it's not near the
19 kitchen. It's on the other side.

20 MEMBER GOTTLIEB: John, I have to -- I don't
21 have an issue with moving the garage and I
22 understand that the 137 feet increase in surface
23 coverage is for the rear kitchen because the
24 surface coverage doesn't change with the garage
25 moving, right?

1 MR. CAPOBIANCO: That's correct.

2 MEMBER GOTTLIEB: Okay. The issues that I
3 really have to tell you that I'm not comfortable
4 with are the seven-foot side and rear yards for
5 the pool. Ten and twenty would obviously make it
6 impossible to have any sort of a pool there, I
7 think. But I sort of like to let you know in
8 advance that if we can bifurcate this and you want
9 to have the garage under one and vote on that
10 separately and vote on the --

11 MR. CAPOBIANCO: Well, I don't see why the
12 pool is an issue because it's existing, it's
13 already there and it has a seven-foot side yard.

14 MEMBER GOTTLIEB: Because it's existing I
15 can't do anything about it. It's already there.

16 MR. CAPOBIANCO: I see, right.

17 MEMBER GOTTLIEB: And you're only encroaching
18 on one side.

19 MR. CAPOBIANCO: We're encroaching on both,
20 actually, but it requires ten and we are going to
21 provide seven.

22 MEMBER GOTTLIEB: In the existing it's only
23 encroaching on one, on the side yard.

24 MR. CAPOBIANCO: On one side, right.

25 MEMBER GOTTLIEB: Now you're encroaching on

1 the rear yard and the side.

2 MR. CAPOBIANCO: And the side yard, that's
3 correct.

4 MEMBER GOTTLIEB: I'm very uncomfortable from
5 a practical point of view as to how the pool is
6 going to function as well as safety as well as
7 community. I don't think I've ever approved a
8 seven-foot.

9 MR. CAPOBIANCO: The pool functions very
10 well. It functions, you know, with a --

11 MEMBER GOTTLIEB: Well, there's function and
12 there's function. It's very tight. I don't think
13 from a safety point of view it's --

14 MR. CAPOBIANCO: We have it enclosed with a
15 fence and a retractable gate. I mean, it follows
16 all the other guidelines that you have to have,
17 all the safety issues that you have to have with
18 regards to a pool. It's been in existence for
19 quite a long time and it's something they really
20 need.

21 CHAIRMAN KEILSON: I think the only issue
22 really is the Braunstein side because the other
23 side has been existing for, whatever, decades.

24 MR. CAPOBIANCO: Yeah, I mean what happened
25 was there was -- the pool ended approximately 20

1 feet from the rear, which is what it's supposed to
2 have, a 20-foot setback.

3 MEMBER GOTTLIEB: Well, according to the
4 subsequent codes, since it was built.

5 MR. CAPOBIANCO: Well, no even the new code
6 requires 20 feet.

7 MEMBER GOTTLIEB: That's what I meant by
8 subsequent code. After it was built, then the
9 codes became what they are now.

10 MR. CAPOBIANCO: That's correct. All right.

11 CHAIRMAN KEILSON: I think if you could pull
12 it back, either move it over a little bit or drop
13 it a couple of feet.

14 MR. CAPOBIANCO: You know what, we could
15 bring it back three feet and make it a 10-foot
16 dimension which would give us a little more room,
17 a little more comfort, and the pool would be
18 shortened a little, and we'd slide it back towards
19 the yard a little, because there is a little room
20 here, but I think we could shorten the pool and
21 increase this to ten feet, that we can do.

22 MEMBER FEIT: What is the distance between
23 the pool, or will be, and the house?

24 MR. CAPOBIANCO: Right now it's four feet
25 from the pool to the house.

1 MEMBER WILLIAMS: That's not going to change?

2 MR. CAPOBIANCO: That's where it is.

3 MEMBER WILLIAMS: In other words, the two
4 sides of the pool are not changing in terms of the
5 distance?

6 MR. CAPOBIANCO: The two sides of the pool
7 will not change, right.

8 MEMBER FEIT: And on the last side there's a
9 -- well, you're running the patio all the way.
10 That's very long.

11 MR. CAPOBIANCO: This will be a patio
12 wrapping around the pool and the fence goes around
13 the pool.

14 MEMBER FEIT: So basically right as proposed
15 it's seven, seven and four.

16 MR. CAPOBIANCO: Right.

17 MEMBER FEIT: If you shift it over three feet
18 that already becomes ten.

19 MR. CAPOBIANCO: That would be ten.

20 MEMBER FEIT: Yes..

21 MEMBER WILLIAMS: And the fence will be
22 around the actual pool or only around the larger
23 area?

24 MR. CAPOBIANCO: No, it would be actually
25 around the pool and part of the walkway.

1 MEMBER WILLIAMS: And no fence around the
2 pool?

3 MR. CAPOBIANCO: Right. This would have no
4 fence. This would have the gate, it would be a
5 retractable gate, and a retractable gate. So it's
6 like enclosed.

7 MEMBER WILLIAMS: So the pool itself would
8 have what kind of -- pools scare me. Will it have
9 a cover?

10 MR. CAPOBIANCO: It will have a cover, a
11 remote, what we call an elephant cover. Actually,
12 you could run on it if you had to, or if you fell
13 in you could get up and walk on it. They show
14 elephants in the advertisement.

15 MEMBER GOTTLIEB: So now you bring up another
16 issue. The pool is only four feet from the house?

17 MR. CAPOBIANCO: The pool is four feet from
18 the house from where it is now as it exists.

19 MEMBER GOTTLIEB: Mr. Ryder, is that
20 currently to code?

21 MR. RYDER: Yeah.

22 MEMBER GOTTLIEB: You're allowed to have a
23 pool four feet off the house?

24 MR. RYDER: As long as you have safe passage
25 for emergency personnel. The four-foot

1 requirement that he's showing should be
2 sufficient.

3 MEMBER GOTTLIEB: That meets code, because I
4 know John would not bring it up if it doesn't.

5 CHAIRMAN KEILSON: No doubt.

6 Any other questions from the Board? Any
7 opposition from the audience?

8 MR. GOLDMAN: Mr. Capobianco, you have an
9 inquiry from the Board.

10 MEMBER WILLIAMS: That area --

11 MEMBER SCHRECK: That four-foot area between
12 the house and --

13 MEMBER WILLIAMS: That area there, where is
14 the door to the pool to that area? Is there a
15 sliding door or something there?

16 MR. CAPOBIANCO: No, no. The door is here on
17 the other side of the fence (indicating).

18 MEMBER WILLIAMS: They technically cannot get
19 into the pool area?

20 MR. CAPOBIANCO: They can't get into the pool
21 area. Otherwise, you would have to have a
22 retractable self-closing door from the house and
23 an alarm would go off when you left the house.

24 MEMBER GOTTLIEB: Thank you, Esther. I
25 didn't realize that.

1 MR. CAPOBIANCO: Yes, that's true, Esther.
2 That's why we kept the fence on this side.

3 MR. RYDER: Great question.

4 MEMBER GOTTLIEB: I'm sorry, I have to ask
5 you. Where the pool is proposed is there a patio
6 there now?

7 MR. CAPOBIANCO: Yes.

8 MEMBER WILLIAMS: Look at the picture.

9 MR. CAPOBIANCO: Yeah, it's on the --

10 MEMBER GOTTLIEB: The pictures that were
11 delivered just this evening?

12 MEMBER WILLIAMS: Can I ask you another
13 question. Where is the equipment now to the pool,
14 and where is it going to be moved to?

15 MR. CAPOBIANCO: The pool equipment now that
16 services the pool, the filter and the heater, is
17 back in actually the northwest corner of the
18 property.

19 MEMBER WILLIAMS: Now?

20 MR. CAPOBIANCO: Now.

21 MEMBER WILLIAMS: Where is it going to go?

22 MR. CAPOBIANCO: Now I'm sliding it up on
23 this side. It will be in the rear yard.

24 MEMBER WILLIAMS: That's that little box
25 there?

Malek - 11/18/10

1 MR. CAPOBIANCO: It will be this little box
2 which is fenced in and has shrubbery around it.
3 That will be in the rear yard.

4 MEMBER WILLIAMS: In other words, how close
5 is it now -- beforehand, it was in Braunstein's
6 backyard -- parallel to Braunstein's backyard.

7 MR. CAPOBIANCO: It was right here in their
8 backyard.

9 MEMBER WILLIAMS: Now it's parallel?

10 MR. CAPOBIANCO: Now it's just slid right
11 down.

12 MEMBER WILLIAMS: That's parallel to their
13 house. And they're okay with that?

14 MR. CAPOBIANCO: They're okay with it.

15 MEMBER WILLIAMS: And they know it?

16 MR. CAPOBIANCO: They know it.

17 MR. RYDER: John, there will be a barrier?

18 MR. CAPOBIANCO: A fence and a barrier, yes,
19 yes.

20 CHAIRMAN KEILSON: Ready for a vote?

21 MR. GOLDMAN: The Board is deliberating.

22 MEMBER GOTTLIEB: Sorry. I need to hear
23 again what was changed.

24 CHAIRMAN KEILSON: What was changed from the
25 drawing is that the pool is being moved over to

1 the left three feet.

2 MEMBER GOTTLIEB: Okay. It's being shortened
3 by three feet; is that correct?

4 CHAIRMAN KEILSON: Correct.

5 MEMBER GOTTLIEB: So the pool is going to be
6 16 by 35?

7 MR. CAPOBIANCO: No. What we're talking
8 about doing was doing a little bit of both. We're
9 going to slide the pool down south and shorten it
10 a foot.

11 MEMBER GOTTLIEB: So the pool will be 16 by
12 37?

13 MR. CAPOBIANCO: That's correct.

14 MEMBER GOTTLIEB: And you're just pushing the
15 pool closer to the patio?

16 MR. CAPOBIANCO: That's correct. And the
17 pool is approximately -- it's exactly that size
18 now, right.

19 MEMBER WILLIAMS: If you move the pool this
20 way, are you still going to have enough room to
21 walk with the gate with the fence?

22 MR. CAPOBIANCO: Yes. Because what's going
23 to happen is that the pool will slide and then
24 we'll do the pool on an angle and then take it
25 around on an angle.

Malek - 11/18/10

1 MEMBER WILLIAMS: What's the minimum amount
2 of walking space?

3 MR. CAPOBIANCO: Four feet. I wanted to keep
4 it four feet.

5 MEMBER WILLIAMS: I'm just concerned with
6 safety issues.

7 MR. CAPOBIANCO: Right, between the gate and
8 the pool.

9 MEMBER WILLIAMS: Okay.

10 CHAIRMAN KEILSON: Okay. So we're going to
11 vote. We're consulting and we're making a
12 decision. Mr. Schreck.

13 MEMBER SCHRECK: I vote for.

14 CHAIRMAN KEILSON: Miss Williams.

15 MEMBER WILLIAMS: For.

16 CHAIRMAN KEILSON: Mr. Feit.

17 MEMBER FEIT: As amended, for.

18 CHAIRMAN KEILSON: Mr. Gottlieb.

19 MEMBER GOTTLIEB: Against.

20 CHAIRMAN KEILSON: For. All right.

21 MR. CAPOBIANCO: Thank you.

22 CHAIRMAN KEILSON: How much time do you need?

23 MR. CAPOBIANCO: Eighteen months.

24 MR. RYDER: John, can I have revised plans
25 showing the conditions that the Board put on with

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

the setbacks?

MR. CAPOBIANCO: Yes.

MR. RYDER: Revised plot plans.

MR. CAPOBIANCO: Showing the new location of the pool, yes, I will. I get it.

MR. RYDER: And just note it as per the Board of Zoning Appeals.

MR. CAPOBIANCO: As per the Board of Zoning Appeals, I will.

MR. GOLDMAN: And the Board of Building Design has to be consulted. And how much time do you need to do this?

CHAIRMAN KEILSON: He said eighteen months.

MR. CAPOBIANCO: Eighteen months.

MR. GOLDMAN: The Board is retiring to Executive Session. I have a legal matter with which to discuss with them, as well as a pending matter of litigation, and the Board has voted to retire to Executive Session. We don't expect to return on the record.

(Whereupon, the hearing concluded at 7:50 p.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Certified that the foregoing is a true and accurate transcript of the original stenographic minutes in this case.

Mary Benci

MARY BENCI, RPR
Court Reporter