

Zoning Board of Appeals Meeting  
September 24, 2014

Present:	Bob Bacon	Guests:	Beverly Higgins
	Tom Brahm		Patty Sommer
	Tom Burgie, Chairman		Phil Sommer
	Bert Crofton		Carl & Susan Widmer
	Carol Dulski		
	Jon Gage		
	John Holtz		

The regular September meeting of the Town of South Bristol Zoning Board of Appeals was called to order at 7:30 P.M. following by the Pledge of Allegiance. Roll call of members was taken. All board members were present.

Chairman Burgie then called for a motion to approve the June 25, 2014 minutes as written. Bob Bacon made said motion which was seconded by Bert Crofton. The motion was unanimously accepted.

Mr. Burgie then relayed the Rules of Order. He explained that the board members were the applicants' friends and neighbors and that, as such, would grant relief whenever reasonably possible. He said the board needed to balance the needs and wants of the applicants, if granting the variance, against the potential detriment to the community-at-large as defined in the town code. He also said that the board must, by statute, only grant the minimum variance it deems necessary while at the same time preserving the general character of the neighborhood. Mr. Burgie also advised that the board may, at its discretion, impose reasonable conditions that are directly related to and incidental to the proposed use of the property.

Chairman Burgie next read aloud the Legal Notice as published for the two applications scheduled for public hearings during the meeting. They then addressed the New Business on the agenda first.

New Business

PUBLIC HEARING-WIDMER-REQUEST FOR VARIANCE-Discussion on the Widmer application began at 7:10 P.M.

Chairman Burgie: Phil, would you like to explain the rationale for why the Widmer's require a variance.

Mr. Sommer: Mr. Widmer came in and he wants to build a 14'x18' addition on his house. The existing structure has a setback now of 28 ½ feet from the easement so this

structure would not protrude any further than the existing cottage does now. The setbacks are met from the side and from the lakeside (the rear). As far as lot coverage, he is under the coverage. I don't know if it is my place or not since this is my first time attending one of your meetings, but I feel very strongly that this variance should go through.

Chairman Burgie:                    Okay, thank you. Are there any questions at this point from any of the Zoning Board members? (None) I guess I got out of order, but would you like to tell us what it is that you are trying to do and why you feel we should grant this variance?

Mr. Widmer:                         Sure. I'm not sure if you all have seen where the proposal is. It is right at the bottom of the rock cut as you approach Woodville and coming out from an 1800's seasonal cottage toward the road with 14 feet toward the road and 18 feet somewhat parallel with the addition. That structure was built in the days when balloon construction was the main way to operate and they were essentially built with no closets and no storage inside. The inside has changed very little and by adding on we could accommodate the needs of some of the little grandkids a lot easier, too. The character of the neighborhood through Woodville, in our minds, would not be impinged upon. There are a lot of structures that are much closer. As Phil mentioned, the existing structure is already 28 ½ feet from the road so the addition would not encroach any further closer to the road. I will be glad to answer any questions.

Chairman Burgie:                    Do any of you have any questions at this time?

Mr. Holtz:                            I have a question. We have had flooding recently and in the past few years. Has that part of your yard been inundated at all?

Mr. Widmer:                         Negative. The lake level comes up but the back side, unless Coyo Point Creek gets backed up, we don't have a problem.

Mr. Holtz:                            Okay.

Chairman Burgie:                    So this is down the embankment from the road?

Mr. Widmer:                         As you first get to the lowest elevation at the bottom of the rock cut we are right there. It's the first cottage.

Chairman Burgie:                    Where the actual location is that you want to put the addition, if I stand on the road looking at the house, is that down in elevation or is it level with it?

Mr. Widmer:                         It is down a little bit. Probably six or eight feet for the main floor. If you are standing on the road your eye line is probably pretty close to the second floor level.

Chairman Burgie: The floor of the second floor?

Mr. Widmer: Yes.

Mr. Bacon: I guess I have two questions for clarification. Looking at the map, it looks like there is a storage shed between the house and the road. How far is that from the road?

Mr. Widmer: The tracing of the survey map shows the shed and the dimensions. I don't have that with me. It's in the packet.

Mr. Crofton: Seventeen feet at its closest point to the road according to the site map.

Mr. Bacon: I guess the second question I have is from looking at the maps the addition is between the road and the house. Will that obstruct any view that the neighbors might have?

Mr. Widmer: Negative.

Mrs. Widmer: We have also spoken with them about what we want to do and that we were coming here. We also showed them where the stakes are indicating where the addition will be and they have no concerns.

Mr. Bacon: Thanks. That's all I have.

Mr. Holtz: I have another question. When I was down there, you have the two big trees. Are they going to come out?

Mr. Widmer: No. It will be in between the two trees. There will probably have to be a little trimming just so nothing touches the wires coming down. The trees will remain.

Mr. Holtz: Another thing that I thought about when I was down there and I don't know if you have ever had this happen but it is a possibility as you are at the bottom of the hill and then there is the turn. I was thinking of a car maybe losing it in the winter. I know your neighbors would be glad that's there maybe and maybe with trees there it would prevent that. Maybe someone can answer this question. If we grant a variance and a car does hit it, does that come back to us at all because we said it was okay and it turned out that it wasn't a safe spot?

Chairman Burgie: That's a good question but I do not believe that we would at risk in that situation. The trees actually do protect the addition.

Mr. Widmer: We've also thought about that. I've thought about it coming down the hill and if you try to feel the centrifugal force as you come down, it is not headed directly toward those trees or the addition.

Mr. Sommer: If I could just say something. The whole addition is not going to be 28 ½ feet close to the road. The way it sets, the south end of it is going to be thirty plus feet away from the road so it's not going to be out like this (pointing to site plan), it is going to be sitting kind of perpendicular to the existing house. I understand your question and I don't see where it would be any more of an issue now than the existing cottage being there sticking out 28 feet if a car did not make the curve.

Chairman Burgie: Is there any other place on the lot that may not be as desirable as where you have it planned where you could put the addition? Is there any other feasible way of accomplishing this?

Mr. Widmer: Lakeward we have a right-of-way in front. We consider the lake the front of the cottage even though it is the rear. So we could not go lakeward at all.

Chairman Burgie: You don't have much of a setback from the mean high water.

Mr. Widmer: There is an eleven setback from the sideline of the neighbors and coming into the driveway we probably would get much closer to the state right-of-way.

Chairman Burgie: In other words, there isn't any other place that would be more feasible from a standpoint of your desirability but as far as requiring less of a variance there isn't any other option.

Mr. Widmer: Right.

Chairman Burgie: Any other questions? (None) How about visitation reports? John, you said you were able to go down and see. What was your impression of this?

Mr. Holtz: I've got to agree with Phil and with the owners. In order to do this, that is the really the only place to do it. As far as the character of the neighborhood, I did ask about the trees and I don't know how important they are to the neighbors. I think going down the hill it is nice to have them there. You've got a lot of houses, especially the one on the other side, that's a lot closer. These houses were built before there were cars so they didn't think the road was going to be a big deal.

Mr. Crofton: I looked at it as well. It was remarkably well staked to show very clearly what they want to do. I saw no objections to it. It's a minor problem.

Mr. Brahm: I feel the same.

Mr. Bacon: So do I. I drove by it and don't have any additional comments to add.

Ms. Dulski: I drove by it and talked with them. I didn't see any problem with it.

Mr. Gage: I stopped in and walked around there and examined where it was and saw the spot between the two trees and thought it was a very inconspicuous spot in there and that it fit in good. I used to work two houses down from there taking care of the grounds and I know from watching the cars going down the hill that there is really no way anybody coming down would even notice where that was because you are so focused on slowing down at the bottom of that hill.

Chairman Burgie: I also stopped in on, I guess, it was Sunday. I did knock at the door and obviously you were not there at the time. I walked around a little bit and my impression was the same thing. There isn't any other feasible place on the property that I could see putting the addition and even if you try to put it in your parking lot, as you said, you might be closer to the highway right-of-way than where you are anticipating now. It would definitely require significant change to your entry and the fireplace and things of that nature on the end of the house so I agree with everything that I have heard here. Does anybody else on the board have anything further they would like to say at this point? (No one) Okay, we are required to do a review of SEQR, the State Environmental Quality Review, and according to State regulation 617.5 this is a Type II action which is an action or class identified as not being subject to review under that part. This falls under Section 617.5(c)(12) the granting of individual setback and lot line variances. So we are not required to do a full SEQR on it. The flow chart is a little bit ambiguous. The SEQR is a finding required in connection with the application. I propose a Finding #1 that a SEQR determination is not required under Section 617.5(c)(12).

Mr. Brahm: I second that.

Board Secretary: All in favor? All – Aye

Chairman Burgie: At this point, we will open the public hearing to entertain anybody else's input that has come to participate and state their feelings on the application whether it be pro or con. (Time: 7:50 P.M.) (No one spoke) It appears we have no input from anyone in

attendance so we will close the public hearing. (Time: 7:52 P.M.) Are there any related letters, contacts or anything of that nature?

Board Secretary: No. We did send out the notices to the neighbors regarding the hearing but nothing came in.

Chairman Burgie: Then I will open it up for ZBA discussion. Does anyone have anything that they would like to air before the board?

Mr. Brahm: It's pretty straight forward and pretty simple.

Chairman Burgie: Does anyone else have anything they want to say? (No one) Then it is time to determine our findings. This is a part of the official record that is required so that our decision can be supported if anybody should question the judgment of the board. I would like to propose Finding #2 that there is no undesirable change that will be produced in the character of the neighborhood or detriment to nearby properties if the variance is approved.

Mr. Brahm: I'll second that.

Board Secretary: All in favor? All – Aye

Mr. Brahm: I propose Finding #3 that there were no objections expressed by the neighbors or the neighborhood.

Mr. Crofton: Second.

Board Secretary: All in favor? All – Aye

Chairman Burgie: I make a motion that Finding #4 be that there is no feasible alternative to the variance that the applicants are asking for.

Mr. Brahm: I will second that.

Board Secretary: All in favor? All – Aye

Chairman Burgie: I would like to propose Finding #5 that the applicants are requesting a 21 ½ foot front setback variance where 50 feet is required from the edge of the roadway which is a substantial variance.

Mr. Crofton: Mr. Chairman, I am not quite clear on that. The setback will remain at 28 ½. Am I missing something?

Chairman Burgie: Which would be a variance of 21 ½ feet. Twenty-one and a half feet less than the 50 feet required.

Mr. Crofton: Oh, that's correct and the house is already at 28 ½ feet. I understand.

Chairman Burgie: So the 21 ½ foot variance is a substantial variance. Is there a second?

Mr. Bacon: Second.

Board Secretary: All in favor? All – Aye

Chairman Burgie: I would like to make a motion that Finding #6 be that the proposed variance will not have an adverse impact or effect on the physical or environmental conditions in the neighborhood.

Mr. Gage: I will second that.

Board Secretary: All in favor? All – Aye

Chairman Burgie: I propose a Finding #7 that the difficulty that the applicants have in building the addition is not self-created. This is to a very tight lot against an existing structure.

Mr. Crofton: Second.

Board Secretary: All in favor? All – Aye

Chairman Burgie: Are there any other findings? (None) Can we get a motion from the board to approve or deny the applicants' request?

Mr. Crofton: I move that we approve the variance.

Mr. Brahm: Second.

Board Secretary:

Roll call vote:

Jon Gage - Aye  
Carol Dulski - Aye  
Bob Bacon - Aye  
Tom Burgie - Aye  
Tom Brahm - Aye  
Bert Crofton - Aye  
John Holtz - Aye

Chairman Burgie:  
building project.

Congratulations. You have your variance. Good luck with the

Mr. Widmer:

You're a very cordial and reasonable group to work with.

Chairman Burgie:

We try to be.

Mr. Widmer:

We appreciate it very much.

Discussion on the Widmer application ended at 8:00 P.M.

PUBLIC HEARING-BRAHM-REQUEST FOR VARIANCE-Discussion on the Brahm application began at 8:05 P. M.

Mr. Brahm told the board that he, obviously, would be abstaining with respect to his application. Jon Gage said that he, also, would be abstaining due to the fact that he was Tom Brahm's cousin.

Mr. Brahm:

As you can see from the photos, I plan on constructing the garage at the end of the house with a 26 foot front setback where 50 feet is required. As far as whether there is any other way to do this, I guess there probably is but it wouldn't look very good for the neighborhood. The existing house is non-conforming which was built back at the turn of the century (the 1900's). I have added onto the house in the past. I have gone through this several times. This will be my third time. I did build on to the room on the east side of the existing house and I also put a second story on the east side of the existing house. The reason I had to come in twice was because I did not do the second story when I did the first story. At that time, the other road was a problem but Phil told me something that I did not realize. Tell me if I am wrong, Phil, but he said it is on the same road so it can't be a corner lot.

Mr. Sommer:

I was at the site with Mr. Brahm and it is clearly marked at the end on 21. On both ends, it does say Hicks Road. Mr. Brahm asked me to come over there and we looked at it. In my mind, there is no other place to put the garage because his driveway is

already existing off of Hicks Road and with how he wants to do it there is really no other way. The way I look at it with Hicks Road being a single road he is only asking for one setback variance because it takes the corner lot out of it.

Chairman Burgie: If it was a different named road that his driveway comes up and it was considered a corner lot, what would be the difference in what we are doing here?

Mr. Sommer: The difference is that you would have a corner lot that would require him to meet two front setbacks which he does meet on the new Hicks Road but that he does not meet on the other Hicks Road.

Chairman Burgie: So he still would need a front setback variance.

Mr. Sommer: Yes.

Mr. Crofton: I'm not following. I hear that there are two Hicks Roads.

Mr. Sommer: If I can come up, I can show you on the site plan.

Mr. Crofton: That would be helpful.

(Mr. Sommer went up to the board table and explained the road situation by pointing it out on the site plan.)

Chairman Burgie: If that were closed off and was just an entrance to his driveway, if that were not an actual roadway ...

Mr. Sommer: (Interjecting) He would still need one front setback.

Chairman Burgie: One front setback. But he has that one front setback from the new Hicks Road.

Mr. Sommer: Now you've got two different things. If it is a different road, he would still need one front setback off that road.

Chairman Burgie: I'm saying that if it was a road, if that were closed off. You said they had talked about it at one time.

Mr. Brahm: At one time, yes.

Chairman Burgie: Then a variance wouldn't be necessary.

Mr. Sommer: I think he would still need a variance because that would be a private road, correct? It would still be something. So I still think that a setback variance is needed in this case. Regardless, I believe it is only one setback and there is really no other place without putting hardship on Mr. Brahm to excavate a driveway and a way into it. It's pretty much the place to put it with the looks of the house, too.

Mr. Crofton: Who is your neighbor to the north, the 72.100 parcel?

Mr. Brahm: That's David Romeiser and I own that lot and lease that out to him.

Mr. Crofton: So you own it. So you are just getting closer to your own property.

Mr. Brahm: Right.

Chairman Burgie: To follow along with that question, if you take that all the way from the connection with Hicks Road all the way back to 21, how many other houses are on that road?

Mr. Brahm: None.

Chairman Burgie: So it is your property only that would be affected by this?

Mr. Brahm: Yes, except for a few years ago, my family gave my son part of the lot across the road.

Chairman Burgie: Okay. Do we have any visitation reports?

Mr. Crofton: I went by there. I go for a walk occasionally and that is part of my walk. I have been by it many times and I don't think it is going to be noticed.

Mr. Bacon: The only thing I can say is that I learned something because I did not realize that those two roads were both named Hicks. Then I look at the map and drive by. I drive by sight, so I looked for a red barn and take a right. Then I looked at this and wondered how this could be. If there were other homes on the road what would the fire department do? Luckily, it is just one house.

Mr. Brahm: Now this is strange, too. If I have my mailbox on the Hicks Road that goes straight up to 21, it is a Naples address. If I put it on where this garage is going to go, it's a Canandaigua address.

Chairman Burgie: On the drawing here, it shows 51 feet from the center line of Hicks Road. What is the setback for your existing house from the center line?

Mr. Sommer: It is less than what he is asking for.

Chairman Burgie: Significantly less from what I can see.

Mr. Sommer: That is correct.

Mr. Brahm: (Pointing to photo) The garage is going to go to the edge of this window right here. So then you've got from the window to the porch that is closer to the road. I think it may be 20 feet.

Mr. Sommer: Yeah, about that.

Chairman Burgie: Carol, did you get a chance to visit the site.

Ms. Dulski: Yes, and I stood there awhile trying to figure out what was the north side.

Chairman Burgie: I also had a chance to stop by and Tom explained to me what he was trying to do. I don't see any other feasible place that is going to work. If he goes back any further it is going to be disconnected from the house which certainly is not a preferable solution having to face the weather every time you want to go out to the garage. Any other questions from the board? (None) We need to discuss SEQR and this is going to be the same situation as the first application. It is a Type II action requiring no further review under Section 617.5(c)(12) of the State Environmental Quality Review regulation. I would like to make that Finding #1.

Board Secretary: Is there a second?

Ms. Dulski: I'll second it.

Board Secretary: Okay. All in favor? All – Aye

Chairman Burgie: At this point I would like to open the public hearing. (Time: 8:15 P.M.) If there is anyone here who would like to speak to this issue, pro or con, please feel free to do so.

Mr. Brahm: You can speak now.

Chairman Burgie: What was that?

Mr. Gage: He's telling me that I can speak now.

Chairman Burgie: Is there something you would like to say?

Mr. Gage: I am his neighbor to the east and I have no objection as a neighbor.

Chairman Burgie: Is there anyone else? (No one) Then I will close the public hearing. (Time: 8:20 P.M.) Has any related public documentation, pro or con, been received?

Board Secretary: No. Nothing came in.

Chairman Burgie: I will now open it up for board discussion and debate.

Mr. Holtz: It looks like the best place to me.

Chairman Burgie: Okay. It is now time for us to document our findings. We already have Finding #1. I will propose a Finding #2 that no undesirable change will be produced in the character of the neighborhood or detriment to nearby properties since there are no neighborhood properties. Is there a second?

Mr. Bacon: I will second it.

Board Secretary: All in favor? All – Aye

Chairman Burgie: Anyone else have a finding? I would like to propose a Finding #3 that the benefits sought by the applicant cannot be achieved by some other method that is feasible other than the requested 24 foot front setback variance allowing for a 51 foot setback from the center line of the roadway where 75 feet is required. Can I get a second for that?

Mr. Crofton: Second.

Board Secretary: All in favor? All – Aye

Chairman Burgie: I proposed Finding #4 that the 24 foot setback variance allowing a 51 foot setback from the center line of the roadway where 75 feet is required is a substantial variance.

Mr. Bacon: I'll second that.

Board Secretary: All in favor? All – Aye

Chairman Burgie: I propose Finding #5 that the proposed variance will not have an adverse impact or effect on the physical or environmental conditions in the neighborhood.

Ms. Dulski: I'll second that.

Board Secretary: All in favor? All – Aye

Chairman Burgie: I have one more which would be Finding #6 that the alleged difficulty was not self-created by the applicant.

Mr. Crofton: Second.

Board Secretary: All in favor? All – Aye

Chairman Burgie: Discussion of conditions. You have a lot of property along there and where you want to build the garage certainly makes a lot of sense but I think we need to limit the variance to the footprint as shown on the plans that you have submitted and not along the entire frontage. That would be one condition. Are there any other conditions? (None) Okay. Would anyone like to offer a motion to approve or deny the applicant's request?

Mr. Bacon: I will make a motion that we approve the variance for the garage with the condition that the variance be limited to the footprint as shown on the plans submitted with the application and not along the entire frontage.

Chairman Burgie: I'll second that.

Board Secretary: Roll call vote:

- |              |                      |
|--------------|----------------------|
| Carol Dulski | - Aye (Alternate #1) |
| Bob Bacon    | - Aye                |
| Tom Burgie   | - Aye                |
| Bert Crofton | - Aye                |
| John Holtz   | - Aye (Alternate #2) |
| Tom Brahm    | - Not Voting         |

Chairman Burgie: The motion carries. Congratulations. You have your variance.

Mr. Brahm: Thank you.

Discussion on the Brahm application ended at 8:20 P.M.

Old Business

BSV Resort – Withdrawal of Restaurant Special Use Permit Application-The board secretary told the board that the attorney for BSV Resort had written a letter to the board officially withdrawing their application for a special use permit for a restaurant at the old Ski Valley property. She read the letter out loud to the board. For the benefit of the recently-appointed board members she explained that BSV had applied back in 2012 to the ZBA for a special use permit for a restaurant at the old Ski Valley site but that the board chair at the time had felt that BSV had not provided the board with enough information to consider their application complete and, due to that fact, BSV’s application never ended up coming before the board. She then told the board that the reason BSV Resort was officially withdrawing their special use permit application now was due to the fact that they now have an application before the Town Board to rezone the Ski Valley property to PD (Planned Development District).

Baric-Parker Thank You Note-The board secretary then told the board that a thank you note had come in for the board from Jeanne Baric-Parker since they had their last meeting in June. She said that Jeanne wanted to thank the board for approving her request for variance allowing her to have an open-sided pavilion down by the lake on her property on Seneca Point Road. The secretary then read the note out loud to the board. She also said that Tom Brahm and Tom Burgie were serving on the board at the time of Jeanne’s application for variance.

Other Business To Come Before The Board

SEQR Letter-The board secretary told the board that she had distributed copies of a letter from the Town Board to the Zoning Board in connection with another PD application that they were entertaining for an inn and spa (Everwilde Inn & Spa). She said it was around a 16 million dollar project and that the Town Board was going to be taking SEQR lead agency responsibility for the project and that in order to establish the Town Board as lead agency the SEQR process requires that the Town Board notify all interested and involved agencies of their desire to act as lead agency. She said that would include involved town boards, DEC, Department of Health, etc. She then explained that the purpose of the letter was to see if any of the agencies notified had any objection to the town board being the lead agency with regard to the project. She also said that the board (the ZBA) did not need to do anything in response to the letter unless they had

any objection to the Town Board being the lead agency for the project. The board did not have any objection.

November/December Meeting Date-The board secretary then told the board that for many years now, due to the fact that the ZBA meeting in November and December usually fall on the night before Thanksgiving or within a day or two of Christmas, the board combines their November and December meetings. She noted that this year the regular November meeting date was scheduled for the night before Thanksgiving and that their December meeting was scheduled to take place on Christmas Eve. She then said that since it was not definite that the board would be having a meeting in October she felt that due to the fact that the board members would all be present at the current meeting that it would be a good time to select a combined meeting date. The board members had no objection to combining their November and December meetings. The date selected was Wednesday, December 3, 2014 with the understanding that if an application came in at a time before or after that date that needed the board's immediate attention they would call a special meeting for that purpose.

Board Member Training-The board secretary then reminded the board of their need to obtain four hours of annual training before the end of the year. She said that Bob Bacon had already done so and that both Bert Crofton and Jon Gage would be picking up their hours by attending the Genesee/Finger Lakes Regional Training Workshop in November which left Tom Brahm, Tom Burgie, John Holtz and Carol Dulski who would still need to get their training hours in. She then told the board that even though she had already emailed the information regarding the Genesee/Finger Lakes workshop scheduled for November she had also made hard copies for distribution to each of them at the meeting. She noted that the November workshop would probably be the last opportunity to attend a workshop for this year. She said that she had also put together and distributed to each of them a packet containing information regarding various websites that the board members could use to obtain training online. She asked that should any of the board members engage in any online training that they let her know what they have studied and how much time they spent on each topic. She also said that she would need that information prior to the end of December as she had to prepare a report to the Town Board for their meeting in early January stating whether each of them have completed their four hours of training for 2014.

Town Email Accounts-The board secretary then discussed the board's town email accounts. She said that to the best of her knowledge that Tom Brahm, Tom Burgie and John Holtz still needed to get their town email accounts set up. She said she still had the instructions on how to do so that she could email to each of them if they needed her to do so. She also gave them Jim Bachman's phone number and email address should they need assistance setting their town email accounts up. She went on to say that the reason it was important to do so was so that should the town ever be sued and the board members' emails are subpoenaed then they would only be providing town correspondence but should they have everything under their personal

email addresses then all of their personal emails would be subject to the subpoena as well. She told the board that another reason for having their town email accounts set up was that, under the new policy recently created by the Town Board for selecting board members and renewing board member terms, one of the things that a member needed to comply with was having their town email account in place.

Road Width Map-Chairman Burgie said that the board secretary had given him a copy of a map prepared by former Highway Superintendent, Larry Duel, for Jack Centner which indicates the road widths for each of the roads in the town (e.g. town, county and state). Mr. Burgie said that he had made copies of the map for each of the board members to use as reference when dealing with front setback variances. Mr. Burgie then said that regardless of the road width they would still be talking about the town's setback requirements from the edge of the road (50 feet for residential zones or 75 feet for commercial and industrial zones) and then adding half the road width to those setback requirements to come up with the setback from the centerline of the roadway. Phil Sommer then said that there had been some discrepancy in the past and for the board to keep in mind that measuring is done from the center line of the road because that is the only constant. Phil said there was an argument that the roads change; but the center line is the center line. Phil said that the center line was what was used for both the Widmer and Brahm applications because it stays constant.

There being no other business to come before the board, Chairman Burgie called for a motion to adjourn. Bob Bacon made said motion which was seconded by Carol Dulski. The motion was unanimously accepted and the meeting adjourned at 8:45 P.M.

Respectfully submitted,

Debra Minute  
Recording Secretary

