

Minutes of a Chapter 54 Public Hearing held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Thursday, July 27, 2000, at 1:00 p.m.

**Present:**

Robert Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
James Lull,	Councilman
Christopher Kent,	Councilman

Leroy Barnes,	Building Inspector
Matthew White,	Code Enforcement Officer
Bruce Johnson	Fire Marshal

**Also Present:**

Dawn Thomas,	Town Attorney
Barbara Grattan,	Town Clerk

Supervisor Kozakiewicz: "I want to thank everybody for being patient. The time of 1:26 has arrived and I'd like to call the first public hearing, Chapter 54.

Public Hearing opened: 1:26 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on July 27, 2000 at 1:00 p.m. regarding Chapter 54 Unsafe Buildings and Collapsed Structures, property owned by William, John, and David Groenevelld, located at 779 Main Road, Jamesport, New York."

Supervisor Kozakiewicz: "Would the first witness be sworn in, please?"

Dawn Thomas: "State your name."

Matthew White: "Matthew C. White, code enforcement officer of the Town of Riverhead."

Dawn Thomas: "Do you solemnly swear that the testimony you are about to give will be the whole truth and nothing but the truth, so help you God?"

Matthew White: "I do."

Supervisor Kozakiewicz: "And, unless there's objection, rather than do a question and answer, why don't I just let the witness describe in a narrative how it is that you came to- well, first and foremost, we need to know what your duties are with the Town of Riverhead, how long you have been with the Town of Riverhead, and how you came to inspect the particular property that is the subject of this Chapter 54 hearing."

Matthew White: "My name is Matthew C. White and I'm code enforcement officer for the Town of Riverhead. I've been employed in the Building Department since July of last year. In addition, I'm also a police officer with the Town of Riverhead on a part time status since 1998."

On approximately June 13, 2000, at 9:37 in the morning I was on patrol, I noticed a house located on Main Road in Jamesport. The exact address would be 779 Main Road, Jamesport. The tax map number is 67, Section 2, Lot 29.01. The property is owned by William, John and David Groenevelld of 797 Meadow Road, Smithtown, New York 11787.

The house from the front looks slightly dilapidated and abandoned. I decided to check the security of the house. The police department had received several reports of suspicious people in the area, possibly vagrants had been seen as temporary residents. Upon walking up to the front of the house, I noticed two holes in the porch floor, which do pose a hazard for anybody walking up to the property. The front door was open. On entering the house, I noticed several key points throughout the entire house.

The house overall can be described as structurally unsafe as well as dangerous. The reasons for these are due to dilapidation, abandonment, obsolescence, and inadequate maintenance.

The upper portion of the house and the western portion of the house are intact. However, the eastern portion of the house has had numerous fires set inside. There's broken windows. It's- it almost looks as if a wall was removed. Therefore, there's a large amount of water damage, holes in the ceiling, shingles are missing on the inside as well as the outside of the building, plaster and sheetrock is damaged throughout. The entire building is in need of painting. The rafters in the kitchen area are sagging, causing a severe light hazard in the corner. The plumbing is in disrepair. In the backyard, there is an open cesspool. There's no heat. There is exposed wiring. As I

stated earlier, some part of the building is exposed to the elements.

In addition, there is a large sink hole- probably 24-30 inches in diameter and 12 inches deep located in the backyard near a barn and the situation poses a safety hazard.

It is the recommendation of the Building Department that the front portion of the house be secured and the back portion be either demolished and/or secured or the whole house just re-secured."

Supervisor Kozakiewicz: "I'm not sure if I know exactly where this particular piece of property is. It's on Main Road, north or south side?"

Matthew White: "It's on Main Road, south side of the road, just past-- I guess Han's Gasthaus, West Lane and Church Lane, right there, that-

Supervisor Kozakiewicz: "I know where you are now. Okay."

Councilman Kent: "This is in Aquebogue then, not Jamesport."

Matthew White: "Yeah, the tax roll says Jamesport on the computer. It is- I always thought it was Aquebogue. But the computer has it listed as Jamesport."

Supervisor Kozakiewicz: "Okay. Any questions from the Board? Is there anybody else- "

Councilman Kent: "You're leaving to our discretion whether it's just secured or whether it's demolished-- partly secured and partly demolished? Is that what- "

Matthew White: "Yeah, the back portion of the house- as I stated, the western portion of the house is secured and it's intact. However, the eastern portion of the house is wide open and there's a large hole in the side of the building. So if anything were to be done, that portion does have to be either secured or removed from the house.

The property owners would like to use the other portion of the house, if that's still feasible. However, the southern portion is not- the eastern portion is not- "

Councilman Kent: "Is the western portion occupied at all or is the entire house unoccupied?"

Matthew White: "By vagrants would be the best way to describe it."

Councilman Kent: "Oh, okay."

Matthew White: "Upon several return trips, twice we caught subjects inside."

Councilman Kent: "How structurally-- is the foundation sound?"

Matthew White: "The house seems to be built on (inaudible) or slab. We couldn't find any basement or entrance to a basement. All the walls seem to be intact for the most part."

Supervisor Kozakiewicz: "Have we heard anything from any of the property owners? Have they responded or- "

Matthew White: "Yes- "

Supervisor Kozakiewicz: "-- given any indication of what they intend to do with the property?"

Matthew White: "The attorney for the owners of the house did come in and applied for a demolition permit."

Leroy Barnes: "The owners did?"

Matthew White: "The owners did."

Councilman Densieski: "The Building Department would be happy with securing the building though. It's not going to pose a safety threat to the community?"

Matthew White: "No."

Councilman Kent: "What's the status of the demolition permit?"

Leroy Barnes: "Issued about four weeks ago."

Councilman Kent: "So if they're going forward with the demolition- we would like them to go forward with the demolition. Do we need it secured prior to the demolition?"

Leroy Barnes: "Yes."

Councilman Densieski: "Unless we know a date that they're going to start. If it's going to be immediately, that would be for naught."

Leroy Barnes: "They have four months to commence demolition under the provisions of our town code. We would like to see it done sooner."

Councilman Densieski: "Right. Have they given any indication to when they plan to do that job?"

Matthew White: "Not to myself."

Councilman Densieski: "Leroy?"

Leroy Barnes: "Soon."

Councilman Densieski: "So wouldn't that be an undue expense, doing something that doesn't need to be done if they're going to demolish the building anyway?"

Leroy Barnes: "Just for the record, Leroy Barnes, Building Department Administrator. The difficulty is-- like most situations we're facing right now to get the contractor to do the actual work. And I spoke to Mrs. Groeneveld about three weeks ago. They're trying to get a company. I even faxed them the list of people who are area businessmen that do this type of work and they just can't seem to get anybody. So, I had asked her personally to secure the building and she said they would do that. They have not done that to date. So I would think, Matthew, we should- or at least I will based on my personal observation, I would think the Town Board should at least at some point adopt a resolution within the next two weeks to secure the building until the demolition is complete. That would be my recommendation."

Councilman Kent: "So we would secure it by putting up plywood over doors and windows and- okay."

Supervisor Kozakiewicz: "And that can be done by Town personnel or do we contract it out when we have buildings quote unquote secured."

Leroy Barnes: "That would be up to the discretion of the engineer."

Supervisor Kozakiewicz: "All right. So that would be something that you would take up with the Town Engineer's Office as far as how that can best be handled?"

Leroy Barnes: "Right. The Town Board could direct the resolution to do that, to have the Engineering Department assist us if you want and we'll try to do it with either Buildings and Grounds or have it done privately. But that's another issue as well, the availability- "

Councilman Densieski: "If the property owner does the closure before the Town does it, I mean they have the right to do that?"

Leroy Barnes: "Absolutely. We try to work with them in every way."

Supervisor Kozakiewicz: "Anybody- anything else from the Board? Is there any problem with us taking two seconds. I think from what I've heard, I would be inclined to agree and concur with the Building Department's recommendation that we recommend that the building be secured and we adopt a resolution as soon as possible to see that it is secured. Any problems with that?"

Councilman Kent: "Especially since there have been no presentation of facts in opposition to the Town's application, I don't see why we can't just go forward with that."

Supervisor Kozakiewicz: "Okay. All right. I declare the public hearing closed at the time of 1:35."

Public Hearing closed: 1:35 p.m.

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Public Hearing opened: 1:35 p.m.

Supervisor Kozakiewicz: "Thank you- and at this point in time, we'll open the second public hearing, Chapter 54, the time of 1:35 having arrived."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on July 27, 2000 at 1:05 p.m. regarding Chapter 54, Unsafe Buildings and Collapsed Structures, property owned by North Fork Bank, 274 Broadhollow Road, Melville, New York."

Supervisor Kozakiewicz: "All right, who's testifying on this one? All right. We will need the witness sworn in."

Dawn Thomas: "Raise your right hand. State your name."

Bruce Johnson: "My name is Bruce, middle initial E Johnson, Fire Marshal, Town of Riverhead."

Dawn Thomas: "Do you swear that the testimony you are about to give will be the whole truth, and nothing but the truth, so help you God?"

Bruce Johnson: "Yes, I do."

Supervisor Kozakiewicz: "Mr. Fire Marshal Johnson, if you would, please, first set forth your position with the Town, how long you've been employed by the Town, and any credentials that you have as far as assessing structural integrity of buildings?"

Bruce Johnson: "I'm the Fire Marshal of the Town of Riverhead. Was employed as such since April of 1998. I've conducted hundreds of building inspections. I'm a New York State certified code enforcement official for the Uniformed Building and Fire Prevention Code. Certified State fire investigator. I've been a volunteer firefighter for 18 years and teach at the college level and for the local fire academy in issues dealing with fire safety, building construction, and related topics as it pertains to fire protection."

Supervisor Kozakiewicz: "Okay. And with regard to the subject matter or the property that's the subject of this Chapter 54 proceeding, could you in a narrative just indicate how it is that you came to the property, what you did as far as investigation, and I'll let you go with that and then if you have any questions to fill in, we'll go from there."

Bruce Johnson: "Okay. Following a fire on this property at the house that's at the front part of the lot, I became aware that there was also- "

Councilman Kent: "Before you go any further, I'm sorry, what property are we discussing?"

Supervisor Kozakiewicz: "Is this is 3994 Sound Avenue? Is that right?"

Bruce Johnson: "Yes. The north side of Sound Avenue; it's directly opposite where Doctor's Path intersects with Sound Avenue. I became aware of the barn pursuant to follow up investigations for the fire at the main house and observed that the barn is structurally unsafe, structurally dangerous, it is partially collapsed basically from inadequate maintenance, dilapidation and abandonment.

Specific observations were exterior doors open or missing, broken windows, structurally- rotten structural members, cracked floor joists and ceiling joists, holes in the floor, holes in the ceiling, missing shingles on the outside of the building, rotten fascia board, sagging and cracked rafters, and basically most of the building is exposed to the elements.

Vehicle tires and other rubbish and combustible materials were stored inside the building creating a fire hazard. And with the location on the lot and the fact that most of the building is open, we feel that it is a structural danger and it's also a safety issue because it is accessible to anybody that might happen to wander onto the property."

Supervisor Kozakiewicz: "Is there a basement in this building?"

Bruce Johnson: "There is not."

Supervisor Kozakiewicz: "Okay. And you say there were structural members that were leading to your conclusion that it was structurally unsound. Is it your conclusion that the building could come in on itself or somehow fall and if there were somebody inside it, they could be either injured severely or killed? Is that- "

Bruce Johnson: "Yes."

Supervisor Kozakiewicz: "Okay."

Bruce Johnson: "That is my position. Because, again, I felt that the building was unsafe, I made those observations from, you know, outside of the building, but there were numerous places where, you know, walls and doors were missing, so it was easy to make those observations. And I think under any kind of strong wind condition or any kind of a snow load, we could see a collapse of the building."

Councilman Densieski: "Mr. Johnson, is there any signs of vagrants or maybe kids using the barn or any indication that people are entering the premises?"

Bruce Johnson: "Not specific knowledge of the barn. There have been incidents regarding the property itself. The fire in the front house is of suspicious nature and that's under investigation right now. So we do believe that there is some activity on the property that's of concern."

I think I might add that the attorney for the bank is here and I don't believe there's any contesting the unsafe condition of the building. It's just a matter of what is the best course of corrective action. I think it's the recommendation of the Building Department that we'd like to see the building demolished, but prior to that, you know, some sort of securing or security fence to be provided until the demolition can be completed. That would be the recommendation."

Supervisor Kozakiewicz: "Now you prepared a report at or about the time you did your physical inspection of the premises, is that correct?"

Bruce Johnson: "That's correct."

Supervisor Kozakiewicz: "Counsel, do you have any objection with that report being made part of the record?"

John J. Donohue: "No."

Supervisor Kozakiewicz: "Okay. So I'd ask that it be deemed part of the record and introduced- oh, I'm sorry."

John J. Donohue: "John J. Donohue, Solferino & Donohue, attorneys for North Fork Bank."

Supervisor Kozakiewicz: "Any other evidence or any other testimony, Mr. Johnson, as far as your observation?"

Bruce Johnson: "Not at this time."

Supervisor Kozakiewicz: "Okay. Mr. Donohue, do you wish to address the Board as well? And if you do, I don't think we have to have him sworn since he's counsel. You would be giving your testimony- you affirm to the truth and accuracy under the penalties of perjury?"

John J. Donohue: "Yes."

Supervisor Kozakiewicz: "Okay."

John J. Donohue: "I don't really have testimony to offer with respect to the barn, just for the safety- bank's position that they're not objecting to an order of resolution directing that the barn be demolished. We've picked up the permit- for a demolition permit and we're going to proceed with that. The bank is just requesting a reasonable period of time in which it can get some contractors in, give them a quote and I'm not sure what the time frame, you know, for contractors are- I believe the prior case indicated some difficulty in getting them. So, they're just looking for a reasonable time to get someone out there and to actually perform it."

The former owner currently- next door, somebody was- from the bank, was inspecting the property the other day and got chased off by this individual who was unhappy that the bank had to foreclose."

Supervisor Kozakiewicz: "When you say next door, you mean the house- the stone house next door?"

John J. Donohue: "I'm not- I don't-- a stone house- "

Supervisor Kozakiewicz: "Oh, you don't know. Okay."

John J. Donohue: "But there's- "

Supervisor Kozakiewicz: "Isn't there a wooden house- a wood frame house and isn't there another house that's to the east? There's two houses on the premises if my memory serves me. Okay. Yes, stucco or stone."

Leroy Barnes: "There's still some issues (inaudible)."

Supervisor Kozakiewicz: "I know, I know. How long has the property been in the bank's hands?"

John J. Donohue: "About- I don't know exactly when the deed- "

Councilman Kent: "November 4, 1999. November 4<sup>th</sup>, 1999."

Supervisor Kozakiewicz: "Okay. We have that in the information. Okay."

John J. Donohue: "There was Jane and John Doe's in there. The Sheriff did put them out earlier in the spring. They had entered into a contract of sale with someone who was going to fix up the property. The purchasers started dragging its feet and mysteriously the night

before the closing there was a fire at the premises and magically found their way out of the contract so that's still at issue but, you know, the bank thought this was all resolved, you know, earlier in the spring. And shortly after the fire, I believe the testimony you offered, that's when we became aware of the Fire Marshal's (inaudible)."

Supervisor Kozakiewicz: "Okay. So you are not disputing the conclusions of the Fire Marshal as to the fact that the building is structurally unsound and should be torn down but you just need time?"

John J. Donohue: "That's correct."

Supervisor Kozakiewicz: "Okay. Any other questions from the Board? Being none, I declare the public hearing closed at 1:44.

And what's a reasonable time period as far as this, Leroy?"

Leroy Barnes: "Oh, we had talked about 30 days."

Supervisor Kozakiewicz: "Okay."

Leroy Barnes: "Again, after he receives the permit."

John J. Donohue: "Again, it would certainly, you know, while we're applying for the permit, we'll be trying to contact the contractors but to the extent, you know, their schedules don't fit or, you know, we may need more time than that. So, you know, (inaudible) a little bit longer, you know, 60 days, would feel more comfortable, but- "

Supervisor Kozakiewicz: "Does anybody have a problem with six weeks?"

Councilman Densieski: "Six weeks- possible?"

Supervisor Kozakiewicz: "With the understanding that you need to come in and get that demolition permit as soon as possible."

John J. Donohue: "I will. I'll have it sent over to the bank on my way home."

Supervisor Kozakiewicz: "Very good."

John J. Donohue: "Okay."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "All right. Shouldn't have called that closed so fast."

Public Hearing closed: 1:44 p.m.

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Public Hearing opened: 1:45 p.m.

Supervisor Kozakiewicz: "Now, the time of 1:45 having arrived, I'd like to declare open the third- the next to last Chapter 54."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on July 27, 2000 at 1:25 p.m. regarding Chapter 54 Unsafe Buildings and Collapsed Structures, property owned by Edward Bentz, located at 55 Laurin Road, Calverton."

Supervisor Kozakiewicz: "Mr. White, you're going to be testifying this?"

Matthew White: "Yes, sir."

Supervisor Kozakiewicz: "Okay. You're still sworn from the prior hearing, the first hearing from earlier today, and once again, if you could, just please indicate how you came to this particular piece of property and what you did."

Matthew White: "First of all, I'd like the record to reflect that this is Office Richard Downs. He's away on family emergency right now. I was with him when this investigation was conducted so I'm testifying upon his notes which I witnessed and assisted him in preparing this particular case."

Supervisor Kozakiewicz: "So both of you were out at the property?"

Matthew White: "Yes. That is true. On June 28, 2000 at 12:30 we inspected the property located at 55 Laurin Road in Calverton, Suffolk County Tax Map No. 0600-115, Section 1, Lot 6. We came across this property on routine patrol. We were notified by PO (inaudible) of the Police Department of an open house with a lawn that's extremely high."

Upon arriving at the premises, we found such house with an accumulation of grass that had not mowed and an open front door. Upon entering the house, it appeared that whoever had been residing in there no longer did reside there. We find that the house is unsafe, dangerous and extremely unsanitary. Whoever left, certain things were never done: (A) the building was never secured; (B) there's an oil tank leaking in the basement and the refrigerator and cabinets were never cleaned out so there is a severe infestation.

The reasons for these- the reasons that constitute a health and safety hazard is (inaudible), dilapidation, obsolescence and abandonment, just going down the list. As I said earlier, it is rodent infested, the exterior doors are open, there's broken windows. In the basement, there's several broken basement windows where rain water coming in has led to rotten members."

Councilman Kent: "It's owned by HUD."

Matthew White: "The rails on the stairs are missing, there are shingles missing on the outside of the building. Sheetrock and plaster is damaged throughout the building from local youths gaining access and causing severe vandalism. The interior and exterior are in need of painting. The plumbing is in disrepair, again, due to vandalism. There is no water. There's obviously no heat. Exposed wiring. There's water in the basement due to the broken windows. The interior of the building is unfit for human habitation due to vandalism and rodent infestation. And parts of the building is exposed to the elements.

It's the request of the Building Department that the property be sanitized, the building be secured."

Councilman Kent: "Matt? As part of your investigation, did you look at the record owner of this property or who- or determined who the record owner was?"

Matthew White: "Officer Downs notes say that the tax bills, the last ones, Edward Bentz, 55 Laurin Road, Calverton."

Councilman Kent: "I'm looking at the packet that was presented as- "

Supervisor Kozakiewicz: "The violation notice, I think what- the question has come up in light of the violation notice, including a deed that shows a Referee's deed going back to April, 1982 to the

Secretary of Housing and Urban Development. I think that's where the question comes up and what Councilman Kent is trying to get some clarification if we- "

Councilman Kent: "Yes. Is there a subsequent deed from Housing and Urban Development to Edward Bentz? Because it's not part of the violation packet."

Matthew White: "Honestly, Councilman, I cannot answer that question."

Councilman Kent: "This is '73."

Leroy Barnes: "The only thing I can tell you is that the Code Enforcement Officials usually rely upon the tax roll, computer electronic information."

Councilman Kent: "I understand. Somebody has presented deeds to us, though. They presented a chain of title here, a series of deeds, the last deed in the packet is into the Secretary of Housing and Urban Development. There must have been a subsequent- "

Leroy Barnes: "Edward Bentz is the latest name on the assessment roll."

Councilman Kent: "Right. There should have been a subsequent deed then. I just wondered- "

Leroy Barnes: "Should be corrected by the Assessor's Office, if that's the case."

Supervisor Kozakiewicz: "So what we need, I think, is- first and foremost we need to clarify who the owner of record is before we can proceed forward on it."

Councilman Kent: "So we can see when they took title."

Leroy Barnes: "As I said, the requires- or the Town code requires that the latest assessment roll - "

Supervisor Kozakiewicz: "Right- "

Leroy Barnes: "We will try to obtain the proper owner and re-notify them if that is what you would like."

Councilman Kent: "Looking at the Assessor's records, it shows as the prior owner as Nicholas Sanders. There's a place on here- isn't there where they show on the deed- yeah, 1982. Wait a second. Okay, so they foreclosed in '82."

Supervisor Kozakiewicz: "I'm sorry, what was that?"

Dawn Thomas: "In Chapter 54, Section 54-5, Subsection B says that- they're talking about the notice of Chapter 54- says the aforementioned notice shall be served on the owner of the premises or some one of the owner's executives, legal representatives, agents, lessees or other person having a vested or contingent interest in same, as shown by the last completed assessment roll of the town, either personally or by registered mail, addressed to the person intended to be served at the last known place of business. If the notice is served by registered mail, the Building Inspector shall cause a copy of such notice to be posted on the premises."

Leroy Barnes: "Which a copy was posted on the premises."

Supervisor Kozakiewicz: "So that was done in this case. Have we heard anything from Mr. Bentz or anybody?"

Matthew White: "In addition, I'd like to (inaudible) these pictures- "

Supervisor Kozakiewicz: "Just for the record, when I asked the question have we heard from Mr. Bentz or anybody there was a shaking of the head. But it's negative. There's been no response."

Leroy Barnes: "No response."

Supervisor Kozakiewicz: "Okay."

Councilman Kent: "I'm just concerned if the federal government is the owner, that we put them on notice. But I'm not sure if they are. There must have been some deed later on, a subsequent deed from HUD into Bentz, which we don't have a copy of."

Leroy Barnes: "Well, the residence was properly posted and notified. Certainly, as a courtesy, the federal government if they are the true owners of the property, we would notify them within the next five business days."

Supervisor Kozakiewicz: "From the pictures, it looks like

whoever left, left pretty quickly or whatever. I'll share these photographs with the rest of the Board. Is there any other questions? Then I guess we can- the recommendation of the Building Department is to sanitize and secure the property?"

Leroy Barnes: "That is true. Correct."

Supervisor Kozakiewicz: "Okay."

Councilman Kent: "So we're not doing a demolition anyway."

Supervisor Kozakiewicz: "No. It would not need to be demolished or a demolition permit would not be required in your opinion, is that what you are saying?"

Leroy Barnes: "Right."

Councilman Kent: "Okay, I would go along with that."

Supervisor Kozakiewicz: "Okay."

Councilman Kent: "Do we need a motion to have a resolution prepared? I move to have a resolution prepared to- "

Supervisor Kozakiewicz: "Secure it."

Councilman Kent: "Secure and sanitize the premises which is the subject of this hearing."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Densieski: "According to the pictures that Mr. White submitted, I think this is at the recommendation, I would second the motion."

Supervisor Kozakiewicz: "We would- I think we all agree that we would like to see a resolution (inaudible). Anything further on this one? No. That being the case, I declare the public hearing closed at 1:54."

Public Hearing closed: 1:54 p.m.

Councilman Cardinale: "How do you sanitize a place?"

Supervisor Kozakiewicz: "Lysol."

Leroy Barnes: "You have to ask my wife that one."

Supervisor Kozakiewicz: "Lysol, lots of it."

Councilman Cardinale: "While you're there, could you do my place?"

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Public Hearing opened: 1:55 p.m.

Supervisor Kozakiewicz: "The time of 1:55 having arrived. I would like to call- declare open the last and final Chapter 54."

Barbara Grattan: "I don't have anything."

Supervisor Kozakiewicz: "You don't have it?"

Barbara Grattan: "It was never published."

Leroy Barnes: "There was never a published notice and the Building Department respectfully requests that we withdraw this notice."

Supervisor Kozakiewicz: "And the reason you would like to have it withdrawn?"

Leroy Barnes: "Mr. Massoud came in and he filed for a demolition permit."

Supervisor Kozakiewicz: "Okay. Is that one of the reasons we didn't proceed forward as far as having it published and posted because that action was taken by the property owner?"

Leroy Barnes: "Correct."

Supervisor Kozakiewicz: "Okay. Unless there's objection from the Board, we'll grant your request that it be withdrawn. Thank you."

Public Hearings closed

*Barbara Grattan  
Town Clerk*