

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

August 11, 25

**The City of Cortland Planning, Zoning & Building Commission met on Monday, August 11, 2025 at 6:40 P.M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Donald Fatobene, Curt Moll, Frank Daugherty and Robert Wilson. Also present were Mayor Deidre Petrosky and the following individuals:**

<b>Toma Leveto</b>	<b>2389 Bianca Ln</b>	<b>Cortland</b>
<b>Joe Nader</b>	<b>7011 E Market</b>	<b>Warren</b>

Don Fatobene called to order the **28-25 Public Hearing** – The purpose of the hearing is to consider a variance request at 569 S. High St. to allow a sign area of 53.78 sq ft which exceeds the 32 sq ft maximum and 20’ height which exceeds the 12’ maximum and also a variance request to exceed the number of allowable wall mounted signs and pole mounted signs.

**Don Fatobene:** Is there anyone here that would like to speak in regard to this?

**Toma Leveto:** That is what Ace suggested putting on. Obviously, we need our 2 post signs and both of our building signs. It is not a deal breaker for the 3x6 signs but it would be nice to have a couple of them. I don’t know that I need 4 of them.

**Curt Moll:** Where are they going to be located exactly?

**Toma Leveto:** They would be on the front of the building, probably further down where the diamond windows are. I didn’t love the way that they had it in the picture anyway. There was something that I turned in.

**Robert Wilson:** Those are lit up right?

**Toma Leveto:** They would be 3’x 6’ lit signs, yes.

**Don Fatobene:** The pole mounted signs would just be going over the existing.

**Toma Leveto:** Correct.

**Don Fatobene:** The Lakeview Ace will be backlit as well? (referring to the wall signs)

**Toma Leveto:** Correct. Everything proposed there would be lit.

**Don Fatobene:** Any other questions? It’s pretty self-explanatory.

**Robert Wilson:** The amount of signs, the small ones, I’ve seen other companies do it like Cabela’s, with all of their brands. It’s actually a pretty cool look.

**Don Fatobene:** Yes, and Bass Pro Shop, the same.

**Robert Wilson:** They are all the same size and match.

**Curt Moll:** As long as we don’t end up with a mish mash of posters and ...

**Toma Leveto:** No, I’ve lived here for 22 years; I’m going to take a lot of pride with everything that I’m doing over there.

**Robert Wilson:** Is part of the public hearing also the request for outdoor storage?

**Don Fatobene:** No, it’s not on.

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**Toma Leveto:** I thought that it was but there wasn't a great answer.  
(Don Fatobene explained the reason for public hearings, how it works and that the outdoor storage will be on the regular meeting agenda.)

**Mayor Petrosky:** This total footage is 143? (Referring to picture 32-25 in the packet.)

**Don Fatobene:** That's how I read that. You need a variance for 2 building signs. It reads, 'building wall mounted signs shall be no larger than one and one-half (1- 1/2) square feet per lineal foot of ' blah, blah.

**Frank Daugherty:** Did you say 3'x 6'? (referring to 34-25)

**Toma Leveto:** Yes, those all are 3x6.

**Mayor Petrosky:** I was looking at this one (32-25).

**Curt Moll:** The other 2 are 143 sq ft. individually.

**Robert Wilson:** That 143 (32-25) must include the space below because the sign itself, the square that is lit, is only 88" x 88" (referring to 30-25). That distance is a little misleading.

**Toma Leveto:** The bottom is channel lettering that we are going to replace. Put them up yourself.

There was confusion between which signs were being discussed.

**Don Fatobene:** Is there anyone here to speak against this? We'll be back at 7:00.

**Robert Wilson:** To save time before the next public hearing, would you mind if we talked about your outdoor storage now?

**Toma Leveto:** Sure, absolutely.

**Robert Wilson:** We'll talk about it officially in the meeting. What are your plans?

**Toma Leveto:** I was looking to get 1 or 2 one-way containers which look new, they aren't all beat up, they are the same color and they'll match.

**Robert Wilson:** Compliance boxes?

**Toma Leveto:** Um, yeah for transport but, they are one-way, so they are like new, painted and clean. I'm hurting there. We have a giant parking lot so I have a couple of avenues to go on positioning them. Inside is not as giant. Our other 2 stores are 18,000 and 15,000 sq ft, this one is a total of 11,000. I'm trying to maximize what we can do in the store. So, it is either that or I'd have to do something with building out the drive-thru. The taxes were crazy before, I'm waiting to see where they go before I do anything with building outside.

**Robert Wilson:** You don't know where you're going to put them yet?

**Toma Leveto:** If you are at Speedway, looking across the street, it would be on the left side. There are parking spaces there that are the farthest in the left back corner. Otherwise, I would probably have to tear off the drive-thru and put them on that side.

**Curt Moll:** Is there a loading dock back there? A rear entrance?

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**Toma Leveto:** There is no loading dock. There is a rear door, it's very small. I have a dumpster area and enough room to pull out; no room for a truck. We are probably going to be unloading on the road.

**Robert Wilson:** What size boxes?

**Toma Leveto:** 40.

**Robert Wilson:** Typical double 12 x 40?

**Toma Leveto:** Yes, that's about what they are. I've got a couple of them out in Struthers and they are still clean. We opened in '19 and they still look new. I'm looking for somewhere to keep extra things out there, seasonal or what have you.

**Curt Moll:** They're not fastened down? You can have them hauled away if you wanted?

**Toma Leveto:** Right, just a roll off, they could be hauled out.

**Robert Wilson:** What color? Just curiosity.

**Toma Leveto:** The ones that I have are like a military beige. Nothing loud, just a neutral color that looks new. If you look up a one-way, you will see how clean they are. They come one time and then they sell them for double the price. (Laughter) I don't want to junk anything up.

**Robert Wilson:** I definitely would be okay with it on that corner but not on the corner with the drive-thru.

**Curt Moll:** It's a visibility issue there as well.

**Toma Leveto:** It would set back; it wouldn't be on the road. The drive-thru is set back quite a bit.

**Robert Wilson:** The best part about that back corner is that when you drive by, no matter which way you go, it's hidden in the tree line a bit.

**Toma Leveto:** I like that area too but I definitely disagree with the other side because it would totally be behind the building. It would not be in front of the building at all. It's a pretty large lot.

**Don Fatobene:** The lot next door is for sale.

**Robert Wilson:** Where you have the dumpster now, is that where you would put them?

**Toma Leveto:** I wouldn't have it all the way over there; it would be closer to the building. It wouldn't be in front of the building at all, more towards the back. I don't have a problem with putting it in the other area, but we are a hardware store, we'll have pallets of goods. We are going to fill up quick, we're trying to figure out how we are going to do it. We are going to pump propane and different things. I would love to put a greenhouse in at some point, but we'll see if I have room for it.

**Don Fatobene:** We will close this first public hearing and open the second public hearing. **27-25 Public Hearing** - The purpose of the hearing is to consider a zone change request for the Replat of Lot 108-A and 110-A of Walnut Run Estates III, on Dornoch from Service to R-12. Is there anybody here that would like to speak on this?

**Joe Nader:** Good evening, I'm Attorney Joe Nader. How are you today?

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**Don Fatobene:** Good. Give us a brief description of they are looking to do.

**Joe Nader:** I'm here representing Walnut Resources. They are requesting a zoning change from Service to R-12. The purpose is, if they are able, is to replat it and sell a 50' buffer to the south, to the neighbors.

**Robert Wilson:** How many lots are they buying?

**Joe Nader:** They bought the lot to the east. It's just this 50' buffer right here (pointing to the map in the packet), just the two lots.

**Mayor Petrosky:** Yes, that's what it's showing.

**Don Fatobene:** Great, seeing that there is no one here to speak against it, at 7:00 we will start the regular meeting, you will come up, we will go over that again and that is when we will actually vote.

**Joe Nader:** Thank you.

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**The City of Cortland Planning, Zoning & Building Commission met on Monday, August 11, 2025 at 7:00 P.M. at the City Administration Building, 400 N. High Street, Cortland, Ohio for a Regular Meeting. In attendance were the following board members: Donald Fatobene, Curt Moll, Frank Daugherty and Robert Wilson. Also present were Mayor Deidre Petrosky, and the following individuals:**

<b>Toma Leveto</b>	<b>2389 Bianca Ln</b>	<b>Cortland</b>
<b>Joe Nader</b>	<b>7011 E Market</b>	<b>Warren</b>
<b>Lindsey Morrison</b>	<b>110 Windsor</b>	<b>Cortland</b>
<b>Deb Riddle</b>	<b>180 S High St</b>	<b>Cortland</b>
<b>Doug Riddle</b>	<b>180 S High St</b>	<b>Cortland</b>

Chairman Donald Fatobene opened the meeting, welcomed the attendees and asked for a roll call.

**Roll Call: Robert Wilson, here; Brian Hodor, absent; Don Fatobene, here; Curt Moll, here; Frank Daugherty, here.**

**Don Fatobene:** Can I get a motion for the approval of minutes from July 14<sup>th</sup>.

A motion was made by **Curt Moll** and seconded by **Frank Daugherty**.

**Roll Call: Curt Moll, yes; Frank Daugherty, yes Robert Wilson, yes; and Don Fatobene, abstain. MOTION APPROVED.**

**Don Fatobene: 29-25 Zone Change -** a zone change request for the Replat of Lot 108-A and 110-A of Walnut Run Estates III, on Dornoch from Service to R-12. Motion please.

A motion was made by **Frank Daugherty** and seconded by **Curt Moll**.

**Don Fatobene:** Please state your name.

**Joe Nader:** Good evening, Attorney Joe Nader representing Walnut Resources. Walnut Resources is requesting a zone change. The plat is currently zoned as Service, requesting the change the zoning to R-12. Should that zone change be granted, the plan is to eventually sell a 50' buffer to the south of the property line, back to Walter Jarusiewicz and Nanette Peterson.

**Curt Moll:** Those lots are both zoned R-12? They both have to conform.

**Joe Nader:** Right, correct.

**Don Fatobene:** Any questions or discussion? We had a public hearing on this before this meeting and there were notices sent out to the adjacent property owners. No one came to speak in opposition to this. Any discussion? No, roll call.

**Roll Call: Curt Moll, yes; Don Fatobene, yes; Robert Wilson, yes; and Frank Daugherty, yes. MOTION APPROVED.**

**Don Fatobene: 28A-25 – Variance Request -** A variance request at 569 S. High St. to allow a sign area of 53.78 sq ft which exceeds the 32 sq ft maximum.

A motion was made by **Curt Moll** and seconded by **Frank Daugherty**.

**Toma Leveto:** Toma Leveto, 2389 Bianca Ln.

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**Don Fatobene:** This is the pole sign that exceeds the square footage.

**Toma Leveto:** Just looking to replace the panels to the new updated store panels.

**Curt Moll:** Make a note that there was a variance approved for this sign when it was Rite Aid. We have to have another variance because of the change of ownership. We had a public hearing for that and no one came to speak against it.

**Don Fatobene:** Any more discussion from the board, Mayor? No, roll call please.

**Roll Call:** Robert Wilson, yes; Frank Daugherty, yes; Don Fatobene, yes; and Curt Moll, yes. **MOTION APPROVED.**

**Don Fatobene:** I apologize but we have to do these individually because they are separate issues, different signs. **28B-25 – Variance Request** - A variance request at 569 S. High St. to allow a sign of 20' height which exceeds the 12' maximum.

A motion was made by **Robert Wilson** and seconded by **Curt Moll.**

**Toma Leveto:** This is the second pole sign, we will just replace the panels.

**Don Fatobene:** As Curt previously stated, we had a previous variance approval on this. Any discussion?

**Roll Call:** Robert Wilson, yes; Curt Moll, yes; Frank Daugherty, yes; and Don Fatobene, yes. **MOTION APPROVED.**

**Don Fatobene:** **28C-25 – Variance Request** - A variance request at 569 S. High St. to allow the number of allowable wall mounted signs and pole mounted signs.

A motion was made by **Frank Daugherty** for 28C-25 and seconded by **Robert Wilson.**

**Don Fatobene:** Perfect, and again just tell us what you are looking to do here.

**Toma Leveto:** Just displaying 4 lighted, 3x6 signs on the building.

**Don Fatobene:** Once again, we sent out notices to adjacent property owners. We did not get anybody here in opposition. Any questions? I know that we talked quite a bit on this.

**Roll Call:** Don Fatobene, yes; Robert Wilson, yes; Curt Moll, yes; and Frank Daugherty, yes. **MOTION APPROVED.**

**Don Fatobene:** Item **30-25 Pole Sign – Lakeview Ace Hardware** – 569 S High, 53.78 sq ft and 20' high. Can I get a motion for this?

A motion was made by **Robert Wilson** and seconded by **Frank Daugherty.**

**Toma Leveto:** I would just like to replace the panels in the sign.

**Don Fatobene:** Any discussion on this?

**Roll Call:** Robert Wilson, yes; Don Fatobene, yes; Curt Moll, yes; and Frank Daugherty, yes. **MOTION APPROVED.**

**Don Fatobene:** Moving on, item **31-25 Pole Sign – Lakeview Ace Hardware** – 569 S High, 49 sq ft and 20' high.

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A motion was made by **Curt Moll** and seconded by **Robert Wilson**.

**Don Fatobene**: Any discussion? No comments, a roll call please.

**Roll Call**: **Curt Moll, yes; Robert Wilson, yes; and Frank Daugherty, yes; Don Fatobene. MOTION APPROVED.**

**Don Fatobene**: **32-25 Wall Sign - Lakeview Ace Hardware** (northeast) – 143 sq ft, internally lit. This is on the side of the building. Any questions on this?

A motion was made by **Curt Moll** and seconded by **Robert Wilson**.

**Roll Call**: **Curt Moll, yes; Don Fatobene, yes; Robert Wilson, yes; and Frank Daugherty, yes. MOTION APPROVED.**

**Don Fatobene**: Can I get a motion on **33-25 Wall Sign – Lakeview Ace Hardware** (north) – 143 sq ft, internally lit.

A motion was made by **Frank Daugherty** and seconded by **Robert Wilson**.

**Roll Call**: **Robert Wilson, yes; Frank Daugherty, yes; Don Fatobene, yes; and Curt Moll, yes. MOTION APPROVED**

**Don Fatobene**: Moving on to the end of the signs; **34-25 Wall Signs** - 4 smaller signs along the northeast side, 3' x 6', internally lit.

A motion was made by **Curt Moll** and seconded by **Robert Wilson**.

**Don Fatobene**: We had discussion on this prior to this meeting at the public hearing. Any discussion on these? I think that it was explained pretty well. Roll call please.

**Roll Call**: **Robert Wilson, yes; Curt Moll, yes; Frank Daugherty, yes; and Don Fatobene, yes. MOTION APPROVED.**

**Don Fatobene**: Can I get a motion for **35-25 Outdoor Storage Container – Lakeview Ace Hardware** – allow outdoor storage on the property at 569 S High St.

A motion was made by **Frank Daugherty** and seconded by **Curt Moll**.

**Don Fatobene**: Give us a reason for the outside storage.

**Toma Leveto**: Sure. We are looking to maximize the space. We are definitely going to need additional outdoor storage for seasonal goods and whatnot. We plan to get a one-way container that will look new.

**Curt Moll**: That is going to go in the north area of the parking lot?

**Toma Leveto**: It can.

**Don Fatobene**: There was discussion on where we would like to see that located on the parking lot and as Curt stated, hopefully that is where you decide to put it.

**Toma Leveto**: Yeah, that could definitely be a possibility. I asked for a 40. I may not end up with a 40. It might be a 20, it may be smaller.

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**Don Fatobene:** This is just for the allowance for the outside storage unit.

**Robert Wilson:** It is only for Ace Hardware; it's not for renting the space out.

**Toma Leveto:** No, no, we need the space.

**Don Fatobene:** Any other discussion? Mayor?

**Mayor Petrosky:** I just want to minimize the impact to the environment.

**Roll Call:** Don Fatobene, yes; Robert Wilson, yes; Curt Moll, yes; and Frank Daugherty, yes. **MOTION APPROVED.**

**Don Fatobene:** Moving on with the last item on the agenda, **36-25 New Business – 110 Windsor Dr.** - Little Sprouts Learning Adventures, Daycare.

A motion was made by **Frank Daugherty** and seconded by **Curt Moll.**

**Lindsey Morrison:** My name is Lindsey Morrison and I am opening a childcare center at 110 Windsor. There is a lot of discrepancy about the address. Some say that it's Windsor, some say that it's State Route 46. Anyway, it will be small. We will not have no more than 40 kids and that would be at maximum. It will be infants, toddlers, preschool, and some school aged.

**Curt Moll:** Will there be an outdoor play area?

**Lindsey Morrison:** There is, I am getting my zoning permit for a fence. It will be attached to the building.

**Don Fatobene:** I don't have any other questions on this.

**Curt Moll:** This is licensed.

**Lindsey Morrison:** Oh yes, we've been doing a buildout since April. This has been a very slow process. We had to redo the inside with the Building Department of course and you have to get licensed and that takes forever to go through.

**Curt Moll:** We can't make a judgement based on licensing.

**Lindsey Morrison:** Yes, I know, ODJFS will do that.

**Robert Wilson:** What is ODJFS?

**Lindsey Morrison:** Ohio Department of Jobs and Family Services.

**Don Fatobene:** Any other questions? Hearing none, can I get a roll call please.

**Roll Call:** Robert Wilson, yes; Don Fatobene, yes; Curt Moll, yes; and Frank Daugherty, yes. **MOTION APPROVED.**

**Don Fatobene:** Thank you, welcome to Cortland.

**Lindsey Morrison:** Thank you.

**Curt Moll:** There is a high demand for that.

**Mayor Petrosky:** Absolutely.

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**Lindsey Morrison:** There is. I'm a foster parent and every time that they call me for somebody, I have to call the daycare to make sure that there is enough room.

**Don Fatobene:** Mayor, you have another item that you would like to have a discussion on or at least brought to our attention.

**Mayor Petrosky:** Yes (passes out papers to members regarding 180 S. High St.). The adjacent property owner owns pretty much all around them. The only idea that Sean, Chris Tolnar and I could come up with is a curb cut so they could pull straight in.

**Curt Moll:** So, someone is allowing you to use one driveway or the other at this point?

**Deb Riddle:** We bought the property 38 years ago, there was never an easement and it was never brought up. There is a driveway on either side, and you always could just drive in and out for 38 years. Now, Steve Martin has acquired all of the property around us, apartment buildings. His insurance company sent him a letter that said they are going to cancel his insurance because he is sharing a driveway with a commercial entity. He said that it is very hard to get insurance for an apartment building and he can't afford to get cancelled. His insurance company said if he put a fence up on both sides, it would be okay. Good for him, but not good for us.

**Curt Moll:** He is the one that will have to put the fence up.

**Deb Riddle:** Correct, he is putting it up by September 2nd.

**Don Fatobene:** So, you are thinking a cut out at the curb and...

**Mayor Petrosky:** I don't know. If you guys have any other ideas, we're willing to listen.

**Deb Riddle:** Back when the properties were sold, there were no easements.

**Don Fatobene:** If you tried to apply for an easement, his insurance company won't allow it?

**Deb Riddle:** Well no. They won't insure him if he shares the driveway. I have a copy of the letter.

**Don Fatobene:** No, it's okay.

**Curt Moll:** There is no room on the south side to put an easement there? The drive looks to be 2 lanes wide.

**Deb Riddle:** That is his property. They aren't letting us drive there.

**Curt Moll:** I don't know if we can do it. Do we have a limitation of curb cuts on Rt 5 or do we control that?

**Mayor Petrosky:** I'm going to say that it's a state road in a city so we control it?

**Robert Wilson:** The frontage has no access.

**Don Fatobene:** Right and you have to have access.

**Curt Moll:** I'm not sure how you would do that. You have to get in and out somehow.

**Deb Riddle:** If we pulled straight up; you would be able to back up, pull out, and turn around.

**Don Fatobene:** You are not going to have people in and out constantly.

**Deb Riddle:** Exactly. Someone comes in, buys some filters, and then are gone.

**Mayor Petrosky:** Would they have to apply for a variance in order to do this?

**Curt Moll:** No, we don't control that, the Service Department for the State of Ohio does. I don't know who has jurisdiction. They have told us over the years, in different places that we couldn't put a curb cut on a state highway mostly because of intersections. Since this doesn't have an intersection adjacent, it might not even be an issue.

**Don Fatobene:** And you have a property that is kind of landlocked. I'd think that they would have to grant that.

**Curt Moll:** You have to give access to someone's property so that they can use it.

**Doug Riddle:** We just stopped, and I took a good look. There is no pole or storm drain there. It's a solid curb and it's only 30 feet long. We will probably move the sign once he gets the fence in.

**Robert Wilson:** Did the other landowner already make a fence permit request?

**Christine Dorma:** No.

**Robert Wilson:** Because this is so tight here, if the other landowner asks to put the fence right on the property line, I would be very concerned about it.

**Curt Moll:** They would need a survey to get it in the right place. If they put it in wrong place, then they've got a problem.

**Deb Riddle:** I spoke to the property owner, Steve Martin, doesn't the fence have to be so many feet from the property line? He told me no; they can go right on the line.

**Curt Moll:** It can go on the property line, but you have to know where that is.

**Don Fatobene:** You would have to have a survey.

**Deb Riddle:** They found a couple of pins. I don't know if he is going to have it re-surveyed. He showed me a survey from 1998.

**Curt Moll:** Your property has metes and bounds descriptions too. Another thing is, how close can he go to the road with the fence?

**Deb Riddle:** He talked to Sean, and I talked to Sean and he said up to the sidewalk.

**Curt Moll:** What? I don't think so.

**Mayor Petrosky:** Well, a lot of this will depend on high does the fence have to be.

**Deb Riddle:** I asked Steve Martin, what kind of fence are you putting up. He said metal poles. I don't think that he's going tall.

**Mayor Petrosky:** And you can see through it.

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**Don Fatobene:** You can't create a situation that obstructs the view to pull in and out.

**Curt Moll:** I still don't know that you can put a fence right up to the sidewalk.

**Deb Riddle:** He knows that he has to get a permit.

**Don Fatobene:** How close he can come to the sidewalk? I'm not 100% sure.

**Curt Moll:** The distance might depend on what it's zoned. I know that it's Service.

**Deb Riddle:** My main concern is that he is going to do it on September 2<sup>nd</sup> and your next meeting is not until September 8<sup>th</sup>.

**Mayor Petrosky:** By you telling us today, you don't need to come back in front of this board.

**Don Fatobene:** For what *you* are looking to do. The process of doing a curb cut, I don't know if that's something that the city actually approves.

**Curt Moll:** That is something that the state's Service Department... we can't even comment on it.

**Mayor Petrosky:** Alright. I'll talk to the Law Director to find out whose responsibility it is. That's not something that we would normally do. Would he want us to contract it for you or give you the name of someone that could do the work for you?

**Deb Riddle:** You mean I would have to pay to have it done?

**Mayor Petrosky:** Yes, probably.

**Deb Riddle:** Who puts the curbs in for all of the other houses and businesses in the city? Like you said, I have to be able to have access to my property.

**Don Fatobene:** That is probably a question for Patrick as well.

**Curt Moll:** Right, we can't comment on that.

**Mayor Petrosky:** Normally he is here, he not here this evening.

**Deb Riddle:** Every other individual didn't pay for their own curb cuts, did they?

**Curt Moll:** Depending on whether they wanted a new one, replacing what was there.

**Deb Riddle:** Well, I don't have one.

**Curt Moll:** It's a unique situation.

**Don Fatobene:** I'd be guessing.

**Deb Riddle:** It's not your fault but it's not my fault either. I have to be granted access to my property.

**Don Fatobene:** That is certainly a Patrick and Service Director question. If they would have you come back to this board, I don't think that they would...

**Mayor Petrosky:** I wouldn't think so either, but we'll figure it out. I don't have your contact information.

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There is some talk of fence stipulations and variances.

**Don Fatobene:** The question here is how close to the sidewalk can he go and the type of fence, because he can't have any obstructions of either property. Good luck and I hope that they get this resolved quickly for you.

**Mayor Petrosky:** I'll send an email to the Law Director.

**Deb Riddle:** I wait to hear from him or you?

**Mayor Petrosky:** Yes.

**Deb Riddle:** Thank you. Thanks for listening.

**Don Fatobene:** Any other topics, discussion, anything? Can I get a motion to adjourn.

**Curt Moll** made a motion to adjourn seconded by **Frank Daugherty.**

**Roll Call:** **Curt Moll, yes; Frank Daugherty, yes; and Robert Wilson, yes; Don Fatobene, yes. MOTION APPROVED.**

**Meeting Adjourned: 7:29 pm**

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Chairman

\_\_\_\_\_  
Date

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Secretary