

**TOWN OF PARMA
ZONING BOARD OF APPEALS
March 16, 2006**

Members Present: Patrick Buskey (alternate)
Veronica Robillard
Stephen Shelley
Dean Snyder
Tim Thomas

Members Excused: Frank Lucisano

Others Present: Jack Barton, Peter Rodgers (Town Attorney)

Public Present: See attached list

The meeting was called to Order by Chairperson, Veronica Robillard, at 7:15 p.m. She explained the function of the ZBOA and the decision-making process. She stated that this is a five-member board and that a quorum of three is required to pass a motion. Chairperson Robillard offered hearing aid devices for anyone who required them.

TABLED PUBLIC HEARINGS

1. MARI PROPERTIES, LLC – 4675 RIDGE ROAD WEST

Application was received from Mari Properties, LLC, as owners, for area variances at 4675 Ridge Road West. Applicants are proposing to construct a 40 feet by 240 feet commercial storage building which will be located in front of the existing motel units at 4671 Ridge Road West. The proposed structure will have a front setback of 55 feet from the road right-of-way and a rear setback of 10 feet on a parcel with a lot depth of 105 feet. This property is currently zoned General Commercial (GC) which requires a 100 feet front setback, a 30 feet rear setback, and a minimum lot depth of 200 feet. This purpose of this public hearing is to consider reasonable conditions that may be attached to this area variance.

Chairperson Robillard recalled that this application was tabled at the February meeting to allow additional time to obtain further information concerning fire safety and security for the proposed building and for the two affected buildings on the south side. She asked Jack Barton to provide an update. Jack announced that representatives from the Monroe County Sheriff's office and North Greece Fire Department were here tonight, along with Bill Palma, Town of Parma Fire Marshal, to answer any questions. Jack reported that he researched information on easement requirements when a fire lane is shared by two properties, but found nothing in the Town code.

Jack Barton stated that a revised site map of Mari Properties at 4675 Ridge Road West was brought into the office this morning. Mrs. Zoghlin, attorney representing Mari Properties, stated that this is a new site map. Mr. Rodgers, attorney representing the Town of Parma, noted that the Board members were looking at this site plan for the first time, pointing out that the date on the map should be changed to March 14th to reflect the revised date. He asked Mrs. Zoghlin to explain the changes made from the original site map. Mrs. Zoghlin noted that the parking spaces behind the storage building for Kirby's are 19 feet and placement of the building would leave sufficient room for a 30 feet wide fire lane. She noted they decided to move the storage building one foot forward between the storage building and the northern edge of the parking spaces, changing the rear setback to 11 feet. Jack Barton noted that a 21.2 feet rear setback was listed on the new site map. Dean Snyder asked if there was a list of changes made from the original site map, which would make it easier to review. Mrs. Zoghlin replied there was no list. Dean Snyder noted that the sidewalk was shown to be wider than on the original site map. Mrs. Zoghlin stated that a 53.8 front setback is being shown instead of the originally advertised 55 feet front setback.

The Board noted several discrepancies on the map and following discussion, Mrs. Zoghlin requested a brief recess to review the map with the engineer, Randy LaDue, who was in attendance.

Following a brief recess, Chairperson Robillard reported that there were some ambiguities on the site map and the engineer, Randy LaDieu, was going to clarify the changes to the site map. She requested that the fire and safety issues be addressed. She noted correspondence dated March 16, 2006, from Mindy Zoghlin, attorney, addressed to the Zoning Board members, that addressed fire and safety issues.

Lieutenant Sanborn, a Monroe County Sheriff, stated that as it exists now, there is a pretty clear view from Ridge Road when patrolling and monitoring activities at Kirby's motel. The proposed storage units would take away the majority of the view. Access to the motel looks to be similar to what it is now, which should not impact response time. He recalled the history of calls over the past six years from Kirby's. He reported they are not out of the ordinary type of responses to a motel. He did not feel that response to the type of emergencies for Kirby's would be impacted by the storage units, but it was difficult to speculate what changes might occur with a new structure in place. Lieutenant Sanborn recommended that the motel manager take advantage of their crime prevention specialist, who is available to provide counsel. There were no questions from the public. Jack Barton recalled that at previous meetings, neighbors have expressed concern about safety. Dean Snyder questioned Lieutenant Sanborn if his statement was made based on the original site plan, not the new site plan. Lieutenant Sanborn replied that based on the new site plan, the structure will create a severe visibility issue of the motel, most of the view will be obstructed from the roadway, from the vantage point of patrolling from the road. They would not be able to patrol from Ridge Road and when the new structure was in place would require them to drive into the motel parking lot to check for any bad activity. Lieutenant Sanborn believes that the new structure will obscure the majority of the view of the motel from Ridge Road.

The Assistant Fire Chief, Tom Grace, of the North Greece Fire Department provided his input, as follows. He reported that the proposed structure is considered a low to medium hazard, with the main concern being accessibility. Storage facilities don't normally pose problems, but the motel does. The motel is a wood frame structure, which makes it critical to maintain quick access. The storage facility may create a parking issue because they are looking for 20 feet of unimpeded access. Dean Snyder questioned if the climate controlled storage building creates an accessibility issue. He pointed out that there is only 13 feet of space between the climate controlled building and the motel unit. If a car is parked there, there would be less than a 13 feet access to the remainder of the motel. He questioned how this access is impacted by building another structure and the requirement for large equipment to access the area. Mrs. Zoghlin referred to the site plan, noting that this area is a fire lane with no parking allowed. Dean Snyder then asked if fire equipment could make the turn by the motel office. The assistant fire chief stated that he didn't see a problem with access from this area.

Chairperson Robillard asked the Town of Parma Fire Marshal, Bill Palma, to comment. Bill noted that in looking at the new site plan, he was also concerned about access and the need for 20 feet of unobstructed fire lane. He stated that storage building clients will need to park in the fire lane to access their storage units. A fire lane is never to be used for any activity. A separate lane is needed for a fire lane, with designated parking kept separate for storage clientele. No loading or unloading is allowed in front of the south side units. He stated that the north side access is also a concern. He noted that the fine for using a fire lane for any activity is \$250. He stated his concern for the safety of the motel clientele, which could include women and children. He stated that if the storage unit clientele were going to load and unload in this fire lane that a 30 feet fire lane might need to be required. Mrs. Zoghlin asked for a copy of the fire code that stated that unloading and loading were not allowed in a fire lane. Chairperson Robillard asked the applicant

if doors were planned on both sides of the storage building. Mrs. Zoghlin stated that the units will be accessed on both sides.

Chairperson Robillard requested an explanation of the revised map. Randy LaDue noted that the rear setback line was shown at 10 feet instead of 11 feet. Mrs. Zoghlin stated that they decided to move the building back one foot to meet Town code and provide a full 30 foot fire lane. Mr. LaDue explained that the storage building will be 38.8 feet wide; the front setback will remain at 55 feet. The rear setback will be 11 feet. This will assure a 30 foot fire lane behind the building. Mr. Rodgers asked Mr. LaDue to explain their plan to assure that storage building clientele do not obstruct this fire lane when loading and unloading. Mrs. Zoghlin replied that if someone is loading or unloading their vehicle, that they could move their car during an emergency. Mrs. Zoghlin noted that a 20 feet fire lane was required and they are providing a 30 feet fire lane. Tim Thomas noted that this 30 feet wide fire lane involves two properties. Mrs. Zoghlin referred to her correspondence dated March 16, 2006 to the Zoning Board, which stated under item number one, which addresses this issue, "...site plan approval by the Planning Board, which could include a recorded cross access easement for the existing fire safety lanes along the southern and eastern property lines in common with the Kirby's property." Mrs. Zoghlin added that cross access easements are common for fire lanes.

Chairperson Robillard reported that all issues had been addressed from the February meeting. Issues of fire equipment access and safety issues that were presented tonight would be addressed by the Planning Board. She asked for a Motion.

A **Motion** was made by Dean Snyder to grant the application received from Mari Properties, LLC, as owners, for area variances at 4675 Ridge Road West to construct a 40 feet by 240 feet commercial storage building which will be located in front of the existing motel units at 4671 Ridge Road West as directed by the Appellate Division. The proposed structure will have a front setback of 55 feet from the road right-of-way and a rear setback of 10 feet on a parcel with a lot depth of 105 feet. This property is currently zoned General Commercial (GC) which requires a 100 feet front setback, a 30 feet rear setback, and a minimum lot depth of 200 feet. This Board further notes that it has a concern for the issues of fire safety and especially the access of fire equipment to both the proposed structure and more importantly to the existing motel, and that this Board wishes to communicate to the Planning Board its fire safety concerns and urges the Planning Board, in viewing the site plan and before issuing a building permit, to take those steps necessary to assure adequate access for fire and emergency vehicles in the space south of the proposed structure and north of the motel and if adequate access can not be assured, that access to the building from the south be restricted or prohibited. Seconded by Tim Thomas.

Chairperson Robillard noted that the revised map was presented tonight. Mr. LaDue agreed to initial the changes made on the site map and provide a permanent revised map.

Motion Unanimously Carried (5-0) (Ayes: Patrick Buskey, Veronica Robillard, Stephen Shelley, Dean Snyder, Tim Thomas; Absent: Frank Lucisano)

NEW PUBLIC HEARINGS

2. ANTHONY DAVIDE – 30 ARMAND DRIVE

Application was received from Anthony Davide, owner, for area variances at 30 Armand Drive. Applicant is currently using all structures on the property for accessory storage and is requesting relief from Town Zoning Article 5, subsection 165-31.B. which requires a principal use, i.e., a single family dwelling, on the property. Applicant is also requesting relief from Article 5, subsection 165-31-C.2 which limits accessory storage to a single story and not exceeding 2,000 square feet. This property has 3,866 square feet of storage. Approximately 276 square feet of the storage area is on the second floor. This property is currently zoned Agricultural Conservation (AC).

Anthony explained that he bought this one-acre property four years ago, but had no intention of living there. When he bought the property, it was a mess, with 16 old vehicles, hundreds of tires and other junk scattered about the property, and the house was in terrible shape. He provided pictures of what the property looked like when he bought it and what it looks like now. He has spent years cleaning up the property. He is using the structures on the property for storage. The house was originally a garage. He noted there are only five houses on the street.

Jack Barton stated that when they were trying to close out some of the old building permits, they contacted the owner and discussion ensued that there is no dwelling on the property, which is against Town Ordinance. Because Anthony had no intention of living there, he is here to obtain an area variance.

Public Comment:

Eleanor Murdock - 31 Armand Drive: She reiterated that the house and property were in terrible condition before Mr. Davide bought the property. They are so happy that the house has been cleaned up by Mr. Davide. She stated she had no objections to anything Mr. Davide wants to do.

Art Wilcox – 47 Armand Drive: He provided a history of the house. Stated the house was a junkyard with rats and dogs. The houses are down a long private road. Mr. Davide spent years fixing up the property. He has no problem with the application.

Stephen Kress – 40 Armand Drive: Stated he has lived south of Mr. Davide for 6 ½ years. This is a dead end road and he has no problem with the application.

Don Verschage – 15 Armand Drive: Agreed with the other neighbors. Feels that what Mr. Davide has done is great.

Chairman Robillard read a letter from Ed and Eleanor Murdock – 31 Armand Drive. They described the improvements made to the property by Mr. Davide. They hoped the Zoning Board will grant his request. They are no longer embarrassed about this property in their neighborhood.

Another letter was read from Art and Suzy Wilcox – 47 Armand Drive. The letter stated they have lived there since 1979. The property was trashed with junk. There was so much trash that there was only a pathway from the roadway to the front door. Mr. Davide has cleaned up this property and is now almost like a park. They did not object to his application.

The public hearing was closed.

Board Discussion: Chairperson Robillard reported that notifications were in order and the request was returned by Monroe County as a matter of local determination. Jack Barton reported this is a Type II SEQR with no further action required.

Following discussion, a **Motion** was made by Dean Snyder to approve the application of Anthony Davide, owner, for area variances at 30 Armand Drive to allow the applicant to use all structures on the property for accessory storage and to grant relief from Town Zoning Article 5, subsection 165-31.B. which requires a principal use, i.e., a single family dwelling, on the property. Also granted is relief from Article 5, subsection 165-31-C.2 which limits accessory storage to a single story and not exceeding 2,000 square feet. This property has 3,866 square feet of storage. Approximately 276 square feet of the storage area is on the second floor. This property is currently zoned Agricultural Conservation (AC). In making this determination, I believe the benefit can not be achieved by other means feasible to the applicant. Based on assessing the photographs when the property was purchased by the applicant, it was not a residential dwelling by any means. There will be no undesirable change in the neighborhood character or to nearby properties. The owner has significantly improved the character of the neighborhood. It is substantial. There will be no adverse physical or environmental effect. It is self-created, but using the balancing test, the benefit to the applicant outweighs any detriment to the health, safety and welfare of the community. This was an existing detriment to the safety of the community. The applicant has significantly improved the property by restoring it. This is a unique property, not commonly found in our Town, therefore it requires us to look at it differently from other applications requesting a property with no family dwelling. Seconded by Patrick Buskey.
Motion Unanimously Carried (5-0) (Ayes: Patrick Buskey, Veronica Robillard, Stephen Shelley, Dean Snyder, Tim Thomas; Absent: Frank Lucisano)

3. RICHARD AND DEBORAH DICESARE – 4992 RIDGE ROAD WEST

Application was received from Richard and Deborah DiCesare, owners, for a use variance at 4992 Ridge Road West. Applicants are proposing to perform auto body repair and auto sales which are allowed uses only in the Highway Commercial (HC) zoning. The existing business currently operates under a use variance for a repair garage. This property is currently zoned General Commercial (GC).

Richard explained that he relocated his business four years ago this September. At the time he purchased the property at 4992 Ridge Road West, the gentleman he bought the property from operated it as an auto sales business under a Special Permit. Richard stated he is currently running an auto shop and does repair work. He reported that many of his customers told him they are looking for a used car, therefore, he is looking to add a used car center. He stated that with the economy the way it is, the more he can do under one roof, the better chance his business will survive.

Public Comment: None. The public hearing was closed.

Board Discussion: Chairperson Robillard reported that notifications were in order and the request was returned by Monroe County as a matter of local determination. Jack Barton reported this is a Type II SEQR with no further action required.

Tim Thomas presented a Motion to approve this application. Discussion ensued regarding the requirements to approve a Use Variance. Dean Snyder referred to Zoning Ordinance 165.20 C.1 B. He noted one of the requirements to approve a Use Variance is to address financial evidence for each and every permitted use. Jack Barton noted that his current business is operated under a Use Variance and the same situation applies to this application. Dean Snyder suggested that we table this until the applicant can produce the required financial information required to

consider approving this variance. Tim Thomas stated that based on this information, he withdrew his Motion.

A **Motion** was made by Dean Snyder to table the application of Richard and Deborah DiCesare, owners, for a use variance at 4992 Ridge Road West, without prejudice, to the April Zoning Board of Appeals meeting pending further supportive information for a Use Variance. Seconded by Patrick Buskey. **Motion Unanimously Carried (5-0)** (Ayes: Patrick Buskey, Veronica Robillard, Stephen Shelley, Dean Snyder, Tim Thomas; Absent: Frank Lucisano)

4. CHARLES KIMMEL – 1341 MANITOU ROAD

Application was received of Charles Kimmel, owner, for an area variance at 1341 Manitou Road. Applicant is proposing to construct a 10 feet by 10 feet accessory storage shed in the side yard with a setback of 4 feet from the westerly property line and is requesting relief from Town Zoning Article 10, subsection 165-82-C.3 which states in part that all detached accessory buildings shall be located in the rear yard. This property is a corner lot and considered to have 2 front yards, 2 side yards, and no rear yard. Applicant is also requesting relief from schedule 1 which requires a 20 feet side setback. This property is currently zoned rural residential (RR).

Charles explained that he only has a one car garage on this corner lot, which has no back yard. The house is built on an angle. He does not have enough room for his garbage cans and lawn equipment, which he currently stores outside. He stated he is requesting a storage shed to keep these items indoors, which will make the property look neater. He provided a picture of the proposed shed. He noted that the existing shed is filled with a garden tractor, lawn mower and garden equipment. He also has furniture stored in the sheds. He stated that his house has a finished basement which leaves no room for storage. He explained that he could not place the proposed shed within 6 feet of the existing shed, which is required by the ordinance. His proposed placement will result in less visibility from the neighbors' property. The proposed placement will be 13 feet back from the porch.

Public Comment: None. The public hearing was closed.

Board Discussion: Chairperson Robillard reported that notifications were in order and the request was returned by Monroe County as a matter of local determination. Jack Barton reported this is a Type II SEQR with no further action required.

Following discussion, a **Motion** was made by Tim Thomas to approve the application of Charles Kimmel, owner, for an area variance at 1341 Manitou Road to construct a 10 feet by 10 feet accessory storage shed in the side yard with a setback of 4 feet from the westerly property line and to grant relief from Town Zoning Article 10, subsection 165-82-C.3 which states in part that all detached accessory buildings shall be located in the rear yard. This property is a corner lot and considered to have 2 front yards, 2 side yards, and no rear yard. Also granted is relief from schedule 1 which requires a 20 feet side setback. This property is currently zoned rural residential (RR). In reaching this determination, I do not believe that the benefit can be achieved by other means feasible to the applicant. In particular, the fact that the house is on a corner lot which makes the yard unique and the opportunity to locate the proposed shed next to the existing shed is not possible because of the leach field location. There will be no undesirable change in the neighborhood character or to nearby properties. The applicant has proposed a placement of the shed that makes it less visible to the neighbor's site line to the west. It is not substantial, due to the unique nature of this corner lot. There will be no adverse physical or environmental effect. The alleged difficulty is somewhat self-created, but mitigated by the fact that it is a corner lot. Using the balancing test, the benefit to the application outweighs any detriment to the health, safety and welfare of the community. Seconded by Stephen Shelley. **Motion Unanimously**

Carried (5-0) (Ayes: Patrick Buskey, Veronica Robillard, Stephen Shelley, Dean Snyder, Tim Thomas; Absent: Frank Lucisano)

5. MICHAEL ZILLIOUX – 573 PECK ROAD

Application was received from Michael Zillioix, owner, for area variances at 573 Peck Road. Applicant is proposing to construct a 1,820 square foot accessory storage building in the front yard with a front setback of 30 feet and is requesting relief from Town Zoning Article 10, subsection 165-82.C.3 which states in part that all detached accessory buildings shall be located in the rear yard, Article 5, subsection 165-32.C.2 which limits accessory storage area on the property to 1,500 square feet and schedule 1 which requires a 75 feet front setback. This property is currently zoned rural residential (RR).

Michael explained that in addition to this 3 ¼ acre lot at 573 Peck Road, he also owns the front lot, for a total of 8 acres. The house was built two years ago, and he did not choose the placement of the house. He stated that the building that he wants to put up he originally wanted to put in the back yard, but because of the slope and the 100 year flood plain, it makes it impossible to place it in back. The side yard location is not possible because of the septic system. The proposed location, to the east side of the driveway, is the only possible location. This is actually on his side yard. In this location, the shed would not block his view of Peck Road and Route 259, which makes the most sense for placement. He provided a site map of the property which indicates the 100 year flood plain. He noted the only other possible placement for the building is his only really useable back yard. The proposed placement is in an area that is unusable. He noted that the house is several hundred feet off the road. He noted there are many similar pole barns and accessory buildings in his neighborhood. He explained that he requires this large storage building to house his tractor, large snowblower, two lawnmowers, snowmobiles, shop tools, and for the boat he plans to buy. He reiterated that he owns the property in the front and the proposed placement of the building will be in the back yard of this front lot. This placement would require the least amount of preparation work.

Public Comment:

Beverly Thompson – 584 Peck Road: Questioned the 30 foot setback. Michael explained that the 30 feet setback is from the lot line for the rear property.

John Kiereck and Sandra Fischer – 571 Peck Road: Stated their support of this application.

The public hearing was closed.

Board Discussion: Chairperson Robillard reported that notifications were in order and the request was returned by Monroe County as a matter of local determination. Jack Barton reported this is a Type II SEQR with no further action required.

Discussion was held on possible alternative locations for this shed, other than the front yard, since there is an option for placement in the side yard. Michael stated that the way his house is located, the area where he can place this building is limited. He estimated it would cost thousands of dollars to place it at the only place he could without a variance.

Following discussion, a **Motion** was made by Dean Snyder to table the application of Michael Zillioix at 573 Peck Road until the April meeting without prejudice in order to give the applicant a opportunity to provide the Board with more information concerning alternative locations for the barn and also any information that would support feasibility or lack of feasibility to put it in a more suitable location other than the front yard, such as the side or back yard, or provide a financial statement that demonstrates these alterative locations will not be financially feasible.

Seconded by Tim Thomas. **Motion Unanimously Carried (5-0)** (Ayes: Patrick Buskey, Veronica Robillard, Stephen Shelley, Dean Snyder, Tim Thomas; Absent: Frank Lucisano)

6. ANDREW AND LORELEI CICIOTTI – 1240 CLARKSON PARMA TOWN LINE ROAD

Application was received from Andrew and Loreili Ciciotti, owners, for an area variance at 1240 Clarkson Parma Town Line Road. Applicants are proposing to construct an 8 feet by 10 feet accessory storage building in their rear yard with a side setback of 10 feet from their southerly property line and are requesting relief from Town Zoning, schedule 1, which requires a 25 feet side setback. This property is currently zoned agricultural conservation (AC).

Andrew stated he doesn't have a garage. He just bought a lawn mower and needs a place to store it. The house has a 10 feet side setback and he wants to place the shed in line with the house. The house is 32 feet by 36 feet, less than 1000 square feet in size.

Public Comment: None. The public hearing was closed.

Board Discussion: Chairperson Robillard reported that notifications were in order and the request was returned by Monroe County as a matter of local determination. Jack Barton reported this is a Type II SEQR with no further action required.

Jack Barton stated this is a substandard lot due to the width. If the lot were 15 feet wider, the 10 feet side setback would be acceptable.

Following discussion, a **Motion** was made by Tim Thomas to approve the application of Andrew and Loreili Ciciotti, owners, for an area variance at 1240 Clarkson Parma Town Line Road to construct an 8 feet by 10 feet accessory storage building in their rear yard with a side setback of 10 feet from their southerly property line and to grant relief from Town Zoning, schedule 1, which requires a 25 feet side setback. This property is currently zoned agricultural conservation (AC). In making this determination, the benefit can not be achieved by other means feasible to the applicant, taking into account this is a substandard, non-conforming lot. The shed would be at the middle of the yard if placed according to code. There will be no undesirable change in neighborhood character or to nearby properties. The shed will be shielded by the house and woods. It is not substantial. This is a non-conforming lot. There will be no adverse physical or environmental effects. The alleged difficulty is not self-created. This is a substandard lot. Using the balancing test, the benefit to the applicant outweighs any detriment to the health, safety and welfare of the community. Seconded by Dean Snyder. **Motion Unanimously Carried (5-0)** (Ayes: Patrick Buskey, Veronica Robillard, Stephen Shelley, Dean Snyder, Tim Thomas; Absent: Frank Lucisano)

OTHER BUSINESS

Michael Merrill – Choo-Choo's, 5138 Ridge Road West

Jack Barton reported that Choo-Choo's 90 day extension, set at the December 2005 meeting, is getting close. The applicant is here tonight to speak with the Board. Jack reported they have made a lot of improvements but two issues remain outstanding. The applicant stated that all minor issues have been completed. A letter was received from the architect and they are waiting for another inspection. According to the architect, they are not in violation. Chairperson Robillard stated that the Board would give the applicant until the April meeting to provide an update.

Following discussion, a **Motion** was made by Dean Snyder to give a 30 day relief to Michael Merrill, Choo-Choo's at 5138 Ridge Road West, as an extension, as stated in the motion on December 2005. This will be addressed at the April meeting. Seconded by Tim Thomas. **Motion Unanimously Carried** (5-0) (Ayes: Patrick Buskey, Veronica Robillard, Stephen Shelley, Dean Snyder, Tim Thomas; Absent: Frank Lucisano)

MINUTES OF FEBRUARY 9, 2006

There being no changes or additions to the February 9, 2006 minutes, a **Motion** was made by Dean Snyder to approve the February 9, 2006 Zoning Board of Appeals minutes as submitted. Seconded by Tim Thomas. **Motion Carried** (4-0) (Ayes: Veronica Robillard, Stephen Shelley, Dean Snyder, Tim Thomas; Absent: Frank Lucisano)

ADJOURNMENT

There being no further business, a **Motion** was made by Tim Thomas, seconded by Stephen Shelley, to adjourn the meeting at 10:45 pm. **Motion Unanimously Carried** (5-0) (Ayes: Patrick Buskey, Veronica Robillard, Stephen Shelley, Dean Snyder, Tim Thomas; Absent: Frank Lucisano)

Respectfully submitted,
Diane Grundon, Recording Secretary