

In compliance with the Open Public Meetings Act of the State of New Jersey adequate notice of this meeting has been mailed to The Daily Record and posted at the municipal building.

ROLL CALL:

Members Present: Joe Fleischner, Rene Gadelha, John Mania, Nelson Russell, Mayor David Scapicchio, Jim Staszak, Scott Van Ness, Steve Bedell (7:41), Howie Weiss

Members Excused: John Cavanaugh, Dan Nelsen

Professionals Attending: Chuck McGroarty, Planning Consultant, Eugene Buczynski, P.E., Tiena Cofoni, Esq., John Miller, Esq., Catherine Natafalusy, Planning Administrator

Professionals Excused: Edward Buzak, Esq.

APPLICATION #PB 11-12 – ADAM & JANINE NORRIS

MR. WEISS: Thank you actually before we start if there's anyone here this evening for application PB 11-12 that will be carried until next week. No further notice.

RESOLUTIONS

Resolution #PB 11-07 – Steve Vermeulen

Motion: Jim Staszak
Second: Scott Van Ness

Roll Call:

Joe Fleischner - yes
Nelson Russell - yes
Jim Staszak - yes
Scott Van Ness - yes
Howie Weiss - yes

Resolution #PB 10-33 – Blue Sky Land & Building LLC

Motion: Joe Fleischner
Second: Scott Van Ness

Roll Call:

Joe Fleischner - yes
Rene Gadelha - yes
Nelson Russell - yes
Jim Staszak - yes
Scott Van Ness - yes
Howie Weiss - yes

Resolution #PB 11-02 – Wicklow & Laurano

MR. WEISS: And ladies and gentlemen of the Planning PB 11-02 Wicklow & Laurano will be on for next week there was some questions from the attorney so we'll address that next week.

COMMITTEE REPORTS

MR. WEISS: Committee reports Mr. Mayor do you have anything for us?

MAYOR SCAPICCHIO: Yeah I'm not sure if I talked to this Board or not about the 57 acre out parcel that BASF owned over in the Trade Center.

MR. WEISS: I don't think you did.

MAYOR SCAPICCHIO: Okay well we finally signed the contracts there were multiple parties that needed to buy into this concept so the contract is signed, the process is well along and hopefully this opens up that old Dynapac site for some additional ratable growth. So that's done.

MR. WEISS: Terrific Mayor and I know that was a long time project so I appreciate the effort to make that happen.

MAYOR SCAPICCHIO: And I'd like to thank you and Rene for your help.

MR. WEISS: Pleasure. Mr. Mania do you have a Council report?

MR. MANIA: The Mayor just said it for me.

MR. WEISS: Thank you.

MR. MANIA: Thank you Mayor.

MR. WEISS: Environmental Commission report Nelson?

MR. RUSSELL: It meets Wednesday.

MR. WEISS: Okay Ordinance Committee Jim?

MR. STASZAK: Nothing at this time.

MR. WEISS: Street Naming Committee, nothing. Open Space Rene?

MS. GADELHA: Open Space met this past Monday and I have an announcement in that we're working on blazing and maintaining the Phase I trails. So the next two Saturdays if anyone is interested from 9:00 to 12:00 any volunteers bring your tools, bring some bug spray and some water and we're meeting at the parking lot behind the High School and working on the trail that goes from there to Turkey Brook Park.

MR. WEISS: Wonderful that's over by the pond right?

MS. GADELHA: Correct.

MR. WEISS: Okay any other reports? Chuck, Gene, Catherine? Nothing? Legal report Tiena?

MS. COFONI: Nothing thank you.

MR. WEISS: Catherine or maybe Tiena I have a question, I know we had a tentative discussion matter scheduled about maybe a little educational conversation about conversion from . . .

MRS. NATAFALUSY: Next week.

MR. WEISS: It's on next week? Okay I didn't see it I wanted to make sure we don't forget about it. Okay I got that answered.

MR. VAN NESS: The individual sitting next to Gene?

MR. WEISS: Oh yeah I'm sorry that's . . . I thought everyone met Mr. Miller.

MR. MILLER: John Miller from Ed's office.

MR. VAN NESS: Thank you.

MR. WEISS: Sorry about that did everyone else get to meet Mr. Miller?

MAYOR SCAPICCHIO: Yes.

MR. MANIA: Yes.

MR. WEISS: Okay except for Scott and we'll make a note of that.

EXTENSION REQUEST

APPLICATION #08-03 ZBA – GLASSON & CAREAGA

MR. WEISS: All right the first item on the agenda is an extension request 08-03 Zoning Board of Adjustment Glasson & Careaga. It's an extension of a variance approval on 17 Courtney Drive Block 5300, Lot 27 and 28 and in front of us tonight is Mr. Jim Glasson. Jim good evening.

MR. GLASSON: How are you doing?

MR. WEISS: I had come before you May 18, 2010 for an extension for a property that I own with my ex-partner Jeffrey Careaga in Mt. Olive. It's on the back side of the Bennington Preserve subdivision it's about a 7 acre lot we had come before the Board for a variance for insufficient lot frontage. We meet or exceed all of the RR-A requirements the only thing we didn't have was frontage on the cul-de-sac bulb where 150 feet was required we had 58. We had a Highlands exemption granted in 2007, we have public water, we have an approved septic although it must be renewed. We are actively pursuing the sale of that property when I appeared before you last year you asked me if I wanted a longer extension and I said no if I didn't sell it by now I thought I would be . . . we didn't sell it by now. So we have it relisted with another broker and I'm looking for an additional extension.

MR. WEISS: Does anybody have any questions for Mr. Glasson? Unfortunately you're not the first person coming before us with an economic situation. I think everyone is aware of the economic position that we're in and hopefully it's getting better. Jim do you have a specific extension that you're going to request?

MR. GLASSON: I'll take as long as you can give me. Last time you were mentioning more time than I asked for I think last year I asked for a year but I would like another year at least if you want to give me more I'll take more, put it that way.

MR. MANIA: Is there any problem giving him a year extension?

MR. WEISS: I don't think there's a problem I guess the question is you know do we go longer just to . . .

MR. STASZAK: How long can we go Tiena?

MS. COFONI: There's no limit in the ordinance.

MR. MCGROARTY: Well is this his final or preliminary?

MS. COFONI: No this is a variance.

MR. MCGROARTY: Oh this is a variance.

MR. GLASSON: So it's a single-family lot it's just . . .

MR. MCGROARTY: Right I'm thinking of a subdivision.

MR. GLASSON: Yeah.

MAYOR SCAPICCHIO: I'd recommend we give him at least two.

MR. MANIA: Yeah I'd make a motion to make it two years.

MAYOR SCAPICCHIO: Why make him come back after twelve months.

MR. GLASSON: I'm actively pursuing the sale of it it's now listed with a new agent now so hopefully maybe something will happen.

MAYOR SCAPICCHIO: It's a difficult site I know it.

MR. GLASSON: Yeah.

MR. MANIA: Two years and if he sells it before God Bless.

MR. WEISS: And let me just ask, is there a problem if in two years Mr. Glasson needs additional time?

MS. COFONI: No the ordinance does not provide a limit on the extensions the Board can give.

MR. MANIA: Okay I make a motion for two years.

MR. WEISS: Thank you Mr. Mania anybody else?

MR. STASZAK: Second.

MR. WEISS: Thanks Jim. Any conversation? Seeing none Jim you have nothing else?

MR. GLASSON: No.

MR. WEISS: Anybody from the public have any questions for Mr. Glasson? Seeing none Catherine would you give us roll call please?

MRS. NATAFALUSY: Joe Fleischner - yes
Rene Gadelha - yes
John Mania - yes
Nelson Russell - yes
Mayor Scapicchio - yes
Jim Staszak - yes
Scott Van Ness - yes
Howie Weiss - yes

MR. WEISS: Jim I'd like to say have a good night but I'm sure we'll see you.

MR. GLASSON: Thank you very much.

MR. MANIA: And good luck.

APPLICATION #PB 11-08 – JUAN PEREZ

MR. WEISS: All right we're going to get right into our developmental matters. The first one this evening is PB 11-08 Juan Perez which is a variance encroachment within the front yard setback at 16 Grove Street, Block 3200, Lot 2. Good evening and I take it your Mr. Perez?

MR. PEREZ: Yes.

MR. WEISS: Mr. Perez I think what we're going to do and I'll explain the process is we're going to swear you in this evening, our attorney, and you have a witness?

MR. PEREZ: No just myself.

MR. WEISS: Just a little support for you?

MR. PEREZ: Yes.

MR. WEISS: Okay. So the attorney will swear you in and then I'll ask you a series of questions.

MR. PEREZ: Oh okay.

MS. COFONI: Will you both be testifying?

MR. PEREZ: No me well he's my (inaudible) in case I need an interpreter or something.

MS. COFONI: Oh he's just going to interpret for you?

MR. PEREZ: Yes.

MS. COFONI: Okay that's fine then you can be sworn in.

(JUAN PEREZ SWORN IN FOR THE RECORD)

MS. COFONI: If you could just state your full name spelling your last name and giving your business address for the record please.

MR. PEREZ: Juan Perez address 16 Grove Street, Budd Lake, New Jersey.

MS. COFONI: Thank you.

MR. WEISS: Okay Mr. Perez what we'll do this evening is for the record I want you to explain to the Planning Board why you're here tonight and tell us a little bit about the situation that you have.

MR. PEREZ: I have an existing porch I would like to build a roof on the porch.

MR. WEISS: Okay. Now maybe tell us a little bit about your property what we try to do Mr. Perez is just create a record so I want you to tell us about maybe why you want to do this, the problems that you're having, the reason why you're here tonight.

MR. PEREZ: I mean I just want to build a roof I want to make the house look nicer I think it needs a porch.

MR. WEISS: Okay and apparently you're here because by building (inaudible) your porch you're going to encroach into the side yard setback?

MRS. NATAFALUSY: Front yard.

MR. WEISS: Front yard setback.

MR. PEREZ: Yes.

MR. WEISS: Do you understand the concern?

MR. PEREZ: Yeah.

MR. WEISS: Okay I want to make sure. And so, I'm just trying to think of a way of . . .

MRS. NATAFALUSY: Howie do you want me to go over it?

MR. WEISS: That might be a good idea Catherine.

MRS. NATAFALUSY: Okay. This is PB 11-08 the property is located at 16 Grove Street, otherwise it's known as Block 3200, Lot 2. It's a nonconforming lot within the R-4 zone district where a minimum lot size of 10,000 square feet is required. The minimum front yard setback for the principal structure is 35 feet, the house as it sits today is a nonconforming structure with regard to its placement on the lot. The applicant is seeking a variance to construct a roof measuring 17 feet in length by 4 feet in depth above the existing front porch. The construction of the front porch would have required a variance approval but I couldn't find anything in our records to find that they received that so I don't know who constructed the front porch it could have been him or the prior owner.

MR. PEREZ: The prior owner.

MRS. NATAFALUSY: So as I said before in the R-4 zone is subject to a setback of 35 feet, at its closest point the existing front porch will be, and the new roof will be situated 12 feet from the front lot line. I did calculations for lot and building coverage and both exceed the maximum permitted in that zone district, 26 percent is building coverage which is over the 20 percent maximum, and lot coverage is at 36 percent where 30 percent is the maximum permitted. That's also because of the size of the lot and all of the improvements that have been done on the lot.

MR. WEISS: Okay Mr. Perez have you attempted to design different types of front porches? As you maybe understood what Mrs. Natafalusy was saying is that the porch that you presented is large?

MR. FLEISCHNER: The porch is already there.

MRS. NATAFALUSY: The porch is there he just wants to put a roof over it.

MR. FLEISCHNER: He just wants a roof.

MR. WEISS: I know I'm sorry I meant the roof. The roof that you're presenting is large and not to say that a smaller roof wouldn't put you over the limits but have you tried different variations of the roof?

MR. PEREZ: Not really.

MR. WEISS: Do you have any pictures? Scott?

MR. PEREZ: Yes I have . . .

MR. VAN NESS: Is it 4 feet from the roof edge out? That's how it's going to be from the existing home?

MR. PEREZ: Yes.

MR. VAN NESS: The porch you want to build it's going to be 4 feet from the edge of the existing roof right?

MR. PEREZ: Yeah it's basically going to match up exactly with the porch.

MR. VAN NESS: And it's going to be wider . . . it's just going to be wide but it's only 4 feet deep right?

MR. PEREZ: Yeah it's going to be the same size of what I have.

MR. WEISS: Do you have any pictures Juan?

MRS. NATAFALUSY: Mr. Chairman the house sits 16 feet from the front lot line so anything will require a variance.

MR. PEREZ: I've got some pictures.

MR. WEISS: Bring them up here, are those copies for us or are those your own copies?

MR. PEREZ: Copy for you.

MR. WEISS: Okay.

MRS. NATAFALUSY: Are they all the same? They're all the same.

MR. WEISS: Okay.

MS. COFONI: Okay so why don't we mark that A-1 with today's date if you would. Thank you.

MR. WEISS: Tell us Mr. Perez about your property I'm looking at your map it appears that you have . . . do you have a neighbor on each side of you?

MR. PEREZ: On one side, the right side.

MR. WEISS: Okay I'm looking at that. What's to the left?

MR. PEREZ: My yard.

MR. WEISS: Who's the property to the left?

MR. PEREZ: Well that's like my yard but my neighbor's got some part there in the corner.

MR. WEISS: Okay. Does anybody on the Planning Board have any questions for Mr. Perez?

MAYOR SCAPICCHIO: It's just going to be a slanted roof?

MR. PEREZ: Yes.

MAYOR SCAPICCHIO: And it's just going to go over that porch.

MR. PEREZ: Exactly.

MAYOR SCAPICCHIO: Not across the whole house.

MR. PEREZ: No.

MAYOR SCAPICCHIO: (inaudible) nice detail.

MR. PEREZ: Yeah.

MR. WEISS: Mr. Perez while the pictures are being passed do you know if other homes on your street have covered porches, do they have roofs on the porches?

MR. PEREZ: Yes they do have roofs.

MR. WEISS: So if you were to put a roof on your porch it wouldn't be any different than other homes on your street.

MR. PEREZ: No.

MR. WEISS: So it wouldn't be a detriment to the neighborhood.

MR. PEREZ: No.

MR. WEISS: Anybody else on the Planning Board have a question?

MR. MCGROARTY: Just I have a thought Mr. Chairman. Just to maybe make sure this thing doesn't come back and become a problem for this property owner later. The porch apparently was built with no permits or no approvals and Mr. Perez did I hear you say it was the prior owner who did that?

MR. PEREZ: The prior owner did that.

MR. MCGROARTY: So I don't know the Board might give an approval for a roof but it's over another structure which has no approvals. Is there some way then it can incorporate both into what you're doing this evening even though you haven't had testimony on the porch itself. It's just a thought.

MR. WEISS: Can we do that even though it wasn't noticed as such?

MS. COFONI: I haven't seen the notice but typically they'll say any other variances deemed necessary. Does that have that Catherine?

MRS. NATAFALUSY: Yeah it has any other variances, and it also says addition to residence so it just didn't say just roof specifically it says additions to the residence.

MS. COFONI: Okay.

MR. MCGROARTY: So it's a nonconforming structure that's there now and I guess the question to Mr. Perez if I may Mr. Chairman.

MR. WEISS: Sure please.

MR. MCGROARTY: Is the porch in good condition structurally?

MR. PEREZ: It's in good condition.

MR. MCGROARTY: And does that make it easy to access the house? I imagine it does you get access to the front door from the front porch?

MR. PEREZ: Yes.

MR. MCGROARTY: It's a little unorthodox but it would be peculiar to do the roof and not the front porch.

MR. WEISS: That's a good point Chuck. That front door is your main access into the house?

MR. PEREZ: Yes.

MR. WEISS: So understand Chuck is suggesting that we also grant the variance for the construction of the porch.

MR. BEDELL: Do we need to have the porch looked at to make sure it's worthy?

MAYOR SCAPICCHIO: The Construction Code Official will look at it when they file for a permit for the roof.

MR. MCGROARTY: Yeah I think that's right I think the porch ought to be inspected for your own sake as well as the Mayor said if the Board were to approve it it would have to . . .

MR. BEDELL: And the house is only 16 feet from the street I mean no matter what you do you're going to be in the hot seat.

MR. WEISS: Rene you had a question?

MS. GADELHA: I was just going to ask what the liability of the town would be if we approved it sight unseen but I'm happy to hear that it would be looked at and inspected before . . .

MRS. NATAFALUSY: The Construction Code Official will . . .

MS. GADELHA: I think it's a great point to go ahead and tie up a loose end.

MR. MCGROARTY: Yeah I mean it's always subject to . . . the burden is on them to make sure they get the proper permits to do it to Code yes.

MR. WEISS: It would require from Mr. Perez a revised construction permit? Or no.

MRS. NATAFALUSY: Well when he applies he's going to have to . . . the resolution will say for the porch as well so he's going to have to do both.

MR. WEISS: Tried to make that a little easier for you Mr. Perez as you have . . . then everything that you have will be approved. Do you understand?

MR. PEREZ: Yeah but do I have to go through more permits or stuff?

MAYOR SCAPICCHIO: Well you've got to get a permit.

MR. WEISS: You'd have to get a permit regardless. You'll need a permit once . . .

MR. PEREZ: Well I got a permit already I applied for a permit when I give the deposit for the escrow account. So I have to get another permit?

MR. WEISS: No the way it works is once you have, if this Board tonight is to grant you the variance then with that variance approval you'll go get a building permit.

MRS. NATAFALUSY: From the Construction Code Official.

MR. STASZAK: But that porch is going to have to pass inspection right?

MR. WEISS: Correct and it's better for everybody.

MR. STASZAK: It has to be up to Code.

MR. WEISS: See right now you don't technically have a building permit to build your roof.

MR. PEREZ: No I did pay for a permit.

MR. BUCZYNSKI: From the Building Department?

MR. PEREZ: Yes I paid \$100.00 for a permit and \$500.00 for an escrow account.

MRS. NATAFALUSY: No that's for this application. That has nothing to do with the building permit.

MR. PEREZ: What's for the application \$100.00?

MRS. NATAFALUSY: The application fee was \$100.00 and the \$500.00 is the escrow.

MR. PEREZ: Yeah.

MRS. NATAFALUSY: So that's this.

MS. COFONI: If I may. This process is to approve what you want to build. To say okay you're allowed to build it. Then you go to the Construction Department and they look at the details the cement, the measurements, the frame, all the kind of construction aspect of it and they then issue you a building permit and allow you to actually build. So it's kind of a two step process.

MR. WEISS: But what we're talking about does not make any extra work for you.

MR. PEREZ: It's just going to cost me more money.

MS. COFONI: It would either way.

MR. MCGROARTY: If the Board didn't do this then you'd get, if the Board was to approve it you would have a roof over a porch and the porch you have no approvals for. And if the porch were damaged you would not have the right to replace it without coming back and going through this. So this way I think the Board is trying to work with you here particularly since you were not the one, you testified you were not the one who built the porch someone else did. I think the Board is trying to help you here to take care of both things at once.

MR. BEDELL: Just kind of legalize the porch basically.

MRS. NATAFALUSY: Right.

MR. WEISS: And maybe to follow Mr. Perez's question there's no added cost per say that . . .

MRS. NATAFALUSY: Well whatever building permit costs would have been for the roof anyway.

MR. MCGROARY: Not here.

MR. WEISS: No, no I understand not here when he goes to the Construction Office you don't have any added cost you're going to get a construction permit to build a roof and at that point they will make sure your porch is satisfactorily built.

MR. PEREZ: And they're going to inspect it?

MR. STASZAK: Sure.

MR. WEISS: Yes.

MR. MCGROARTY: Probably at the same time when they're doing the other thing I would imagine. They'll do one inspection for both I would think.

MR. PEREZ: All right.

MR. WEISS: All right do you understand?

MR. PEREZ: Yeah.

MR. WEISS: Well let me at this point does anybody else on the Planning Board have any questions? Does anybody from the public have any questions for Mr. Perez based on the testimony that's been given this evening? Seeing none I don't have any other questions. Chuck or Gene, the attorney or anybody else on the Planning Board? Okay let me entertain a motion for PB 11-08.

MR. RUSSELL: I'll move that PB 11-08 be approved.

MR. MANIA: Second.

MR. WEISS: Thank you gentlemen. Any conversation? Roll call Catherine.

MRS. NATAFALUSY: Joe Fleischner - yes
Rene Gadelha - yes
John Mania - yes
Nelson Russell - yes
Mayor Scapicchio - yes
Jim Staszak - yes
Scott Van Ness - yes
Steve Bedell - yes
Howie Weiss - yes

MR. WEISS: Okay so now Mr. Perez what happens is you have your approval now to build a roof and you will wait, Catherine about a month?

MRS. NATAFALUSY: Yes.

MR. WEISS: In about a month we'll have a resolution prepared that you could take to the Building Department and then you can start your construction.

MR. PEREZ: Oh all right I'm going to receive it in the mail?

MRS. NATAFALUSY: Yes I'll mail it out.

MR. PEREZ: All right.

MR. WEISS: And at that point you take that approval from this Board to the Construction Office and then you'll find your process should go much smoother. You don't have to come back to this Board and as Mr. McGroarty said now you have a perfect right if you need to repair your deck or your porch at any time.

MR. PEREZ: All right.

MR. WEISS: But it's now considered to be an approved addition to your home.

MR. PEREZ: All right.

MR. WEISS: Okay?

MR. PEREZ: Yeah.

MR. WEISS: perfect have a good evening.

MR. PEREZ: Thanks.

APPLICATION #PB 11-03 – DOUGLAS & SUSAN TACK

MR. WEISS: Okay our last application PB 11-03 Douglas & Susan Tack preliminary & final site plan with a variance Block 8400, Lot 2 at 4 Naughtright Road. It looks like Mr. Selvaggi is here this evening Michael welcome.

MR. SELVAGGI: Yes thank you Mr. Chairman.

MR. WEISS: Nice to see you again.

MR. SELVAGGI: Thank you and same here. And Mr. Glasson is back he serves as the engineer for Doug and Susan Tack. This is an application that has been brought by the Tack's for the property they own on Naughtright Road in that portion of Mt. Olive Lot 2, Block 8400. It's if you were coming down Naughtright Road off of Route 46 it's directly adjacent to the Johnson Dodge the back of their property and also in between the church, directly across the street from the A&P. The application has been necessitated in large part by virtue of the Highlands Act. The property is in the Preservation Area; Dr. Tack who is a Veterinarian had purchased the property originally back 7 years ago with the idea of building or opening up his Veterinarian Clinic. There was a better opportunity made available to him and he purchased the Black River Veterinarian Clinic in Chester. This property went on the market, Highlands kicked in, and the economy went down the toilet and it's been like luggage, you just can't get rid of it. But there has been some activity however every time someone asks do you have an approval, what can you use it for because the property's last use was actually residential. So what we've decided to do in order to make the property marketable whether it's for sale or for even lease is to see if we can secure a site plan. And we've built or designed the project as Mr. Glasson will testify to in accordance with your C-2 standards that would accommodate whether it's a retail use or probably more likely an office type use and the expectation is that with that approval if somebody comes, a potential buyer, they can have assurances that the property is in fact approved. Simultaneously with this we do have an application waiting to hear back from the Highlands Council for an exemption. The application was deemed administratively complete by the Highlands Council, God months ago now, we've continued to try to call just to see where we are with that obviously any approval would be contingent on the Highlands Council doing likewise. And you'll see from the proposal there's really not a lot of change that we're doing here. So I believe that under the Highlands Act the property is eligible for an exemption but again that would be a decision that would be made by them. Just for purposes of clarifying, some of you may have heard that there was a potential tenant a gentleman on Route 46 Michael McCort who's across the street from Budd Lake. Sandy's Liquor which is soon to be a CVS but because of the uncertainty of this the timing of this and the fact that CVS is about ready to pull it's building permit Mr. McCort could not avail himself he really couldn't afford to wait to see what the outcome was of here as well as the Highlands Council. So we're really just as I said we're looking for site plan approval allowing the use for commercial/retail in accordance with your C-2 standards. We do need some relief as you'll see as we go through it but what I'd like to do is have Mr. Glasson sworn I know he's appeared before you numerous times but if necessary for the record Mr. Weiss we can run through his qualifications.

MR. WEISS: And perhaps what we'll do is we'll swear Mr. Glasson in.

(JAMES GLASSON SWORN IN FOR THE RECORD)

MS. COFONI: If you could just state your full name spelling your last name and giving your business address for the record please.

MR. GLASSON: James Glasson (G-L-A-S-S-O-N) Civil Engineering Inc. 1 Cove Street in Budd Lake, New Jersey.

MS. COFONI: Thank you.

MR. WEISS: Mr. Selvaggi I'll make this real easy for you. Does anybody on the Planning Board have any questions or concerns about Mr. Glasson's ability to testify as an engineer? We'll accept Mr. Glasson as an engineer then.

MR. SELVAGGI: Okay. Thank you Mr. Chairman, Jim you kind of heard my schpele but why don't we just start with an overview of the property, where it's located and you know what Dr. Tack and his wife are trying to do here.

MR. GLASSON: What I have out here is sheet 2 of 9 it is a 60 scale drawing of the existing conditions so that's why I have my glasses on so I can see it. It's rather small my blow up my second sheet and I'll show you . . . should I mark that?

MR. SELVAGGI: Yeah mark it A-1.

MR. WEISS: We're going to title that Sheet 2 it says Existing Conditions?

GLASSON: 2 of 9 yes Existing Conditions.

MR. SELVAGGI: That was in the package that you guys had received it's just a colorized version.

MR. WEISS: With today's date.

MR. GLASSON: Okay the property Lot 2 Block 8400 from sheet 84 of the township tax maps located on the west side of Naughtright Road it's about 420 feet from the intersection of Route 46 located in this area. The property is shaded. It has 200 feet of frontage along Naughtright Road, the property is actually measured to the deed centerline of Naughtright which is a 66 foot wide right-of-way so part of the process that we're going to do is do a formal dedication of 33 feet. The property has about 200 feet of frontage and it has a depth of about 750 feet. It's in your C-2 zone which requires a minimum lot size of 2 acres, the property right now by deed is 3 acres but after our dedication it would be 2.85 acres giving that 33 feet up for about that 200 foot distance. Lot width requirement 200, lot depth 250, impervious coverage 60 percent, building coverage 20 percent both of which you'll see we're well under and the front yard setback 90, side 60 and rear of 50. This particular property is as Mike had said in the Highlands Preservation Area and because of that we have had to apply for what is known as Exemption Number 4 which is an increase in the footprint of our coverage up to 125 percent and also under an acre of disturbance on the property and I'll get into that when I get to my second sheet. But basically that allows us to get a Highlands exemption because we are in that Preservation Area. The home itself is a 1,494 square foot footprint it's a one and a half story dwelling if you noticed recently out there the garage has been recently removed so the numbers I'm referring to are incorrect on my plan but the garage on the right side of the dwelling has been removed as well as the breezeway. It's about 610 square feet so the building that we're actually proposing is going to get smaller than what exists out there now. But it's a one and a half story single-family dwelling. It's located about 68 feet from the front street right-of-way with the new right-of-way line so it is nonconforming in its front setback. It's right side is 45.2 to where that garage was, with the elimination of that garage we make the right side conforming with the 60 foot setback so that's one of the advantages of what we're doing we're eliminating a variance that presently exists as nonconforming in the C-2. The left side 73 and the rear is 620 so it has a large distance to the rear. The majority of the property this first 200 feet is the area that is developed (inaudible) it's the area that has the green on it showing the grass. There is a somewhat large driveway area of 2,665 square feet to the right, there's some parking spaces out there in the driveway area of the driveway that did access that two-car garage that has been removed. Our lot coverage that presently exists is only 3.8 percent where 60 percent is allowed and our building coverage that presently exists with that footprint of 1,494 is 1.14 where 20 percent is allowed. So you can see we're well under that and our building coverage would actually decrease with what we're proposing. Floor area ratio is .021 there is a first floor there is a very small second floor with a half story and there is a full basement only under a small portion an 880 square foot section of the building. So our floor area ratio also decreases. Our negatives are that we're served by a well which we cannot find records on the well we could not find any casing depth and we are serviced by a cesspool in the rear yard behind the deck. There's a deck that exists that's about 593 square feet, a portion of which we're also removing in the rear yard. We are served presently by overhead utilities, adjacent to us as Mr. Selvaggi said to the north side is Johnson Dodge that's on Lot 1 that's a 5.2 acre piece, to our other side or our left our south side is The Mountaintop Church on a 7.6 acre parcel, behind us is a single-family property in the C-2 on Lot 7, Block 8400 on 2.9 acres, and directly across the street is the new PNC Bank. On the plan you'll notice an area of wetlands shown. Wetlands were delineated on this property back in 2005 because the litigation that Mr. Tack actually had gotten involved in because the neighbor in the rear had done filling of the wetlands. So originally the DEP thought it was, the onus was on Mr. Tack because they thought it was . . . he who had done this or his property so he did a delineation by Mr. Wade Wander in 2005 and that's shown on the plan and this is a 150 foot buffer which that would be subject to and I'll explain to you on my proposed plan why we conform with that with what we're doing. This shows to the right of my drawing here shows the shaded area is actually the portion of the dwelling the 610 square feet that is being removed that's the two car garage space as well as that breezeway so we're only left with a building 36 feet long in length as well as we're removing the 23 foot long garage area as well as the 11.45 foot long breezeway.

MR. SELVAGGI: And Jim why was that done as we move on to A-2?

MR. GLASSON: Let me just mark A-2. This is A-2 and this is sheet 4 of 9 this is a 20 scale blowup of the area of disturbance. That was done for a number of reasons, basically it was done for our coverage mostly because of the fact that we are under the Highlands exemption we needed to pick up parking in an area where coverage already existed and the garage really was no use in what we were looking to do which was to take this site and convert it from single-family to a commercial use which

would be retail or professional office space. So the garage and breezeway really were not in great shape to start with so they really had no value but we had the coverage value which we've used. You can see we left the main footprint of the home here and then we've added a parking lot to the right hand side we've expanded that parking area from what was previously about 2,600 square feet to 4,255 square feet. We have this same entrance/exit off of Naughtright Road and then we have 8 parking spaces, we have 7 spaces at 9 by 20 and then we have a handicap space at 8 by 20 with a van accessible spot. We also have provided a handicap ramp for access into the building to meet handicap requirements and the main entrance to the building would now be along the side line out of the parking lot. The parking lot has a 25 foot two-way aisle that's required by the town. We've removed that portion of the deck that was previously behind the breezeway that was in this area so the deck has been reduced to 491 square feet. Our parking works for both office space where we would be required to have 6 spaces as well as retail where we would be required to have 8 so we have 8 total spaces so we tried to make this work either way.

MR. WEISS: Hey Jim let me stop you for a second. The deck is going to be reduced to 491?

MR. GLASSON: The deck is going to be reduced to 491 square feet.

MR. WEISS: What is it now? It looks like it's about that now.

MR. GLASSON: If you look at the deck on the existing conditions you'll see a portion of the deck behind the breezeway.

MR. WEISS: Right.

MR. GLASSON: That's 593 right now so about 102 square feet of the deck is being taken off. Actually it already has been taken off.

MR. WEISS: Okay I got it so you're going to be left with that deck of 20 by 23?

MR. GLASSON: Yeah the deck now will be the piece that's directly behind the home that's left not the breezeway or towards the garage. With regard to loading space we do have a 9 by 20 loading space that is one of the waivers that we are going to request. We are required to have a 10 by 60 WB50 or whatever that would be but we don't feel there's any need for that in the fact that if this is a small retail store or more likely a professional office space it would have small deliveries. I have an office probably commensurate to this in size and I have UPS trucks and FedEx trucks but it's not an 18 wheeler site nor do we intend it to be. So we have a 9 by 20 space here and that's also shown adjacent to a new dumpster area that we propose to screen with stockade fencing as well as plantings. Our utilities we propose a new septic system and a new well. The size of the septic system to handle both retail or office space, we proposed the septic system I penciled it in on this drawing in the back left hand corner here we did soil logs in March for this septic system it would have two 1,000 gallon tanks its presently before the Board of Health for approval. They sent me a memo today that they've received our plans and logged them in that we have concurred with the requirement. We had met with them and they asked that we replace both the well and the septic system because the well there were no records on.

MR. BUCZYNSKI: Where is the well going to go Jim?

MR. GLASSON: We're going to move the well . . . the well presently is in a concrete area to the right of the existing building, I'm going to move the well all the way out front 14 feet off the right-of-way and 57 feet off of the left side line.

MR. BUCZYNSKI: Just a question for the Board. I mean the Board is looking at a plan the plans were submitted to us, the submitted plans do not show the location of the septic system and the location of the well.

MR. GLASSON: Right.

MR. BUCZYNSKI: So the Board has to decide if you want to act on it without seeing the location of the septic system and the well, I'm sure they're going to submit revised plans showing it but as far as tonight there's no plan in front of the Board showing a feasible septic system or a well.

MR. GLASSON: Well the only thing I can present to you is today I received from the Board of Health just a memo . . .

MR. BUCZYNSKI: Yeah I have that they say it's acceptable. But I'm just saying the Board doesn't have a picture of a plan that shows it so we're approving a site plan for a septic system and well that aren't shown on the plans.

MR. WEISS: Gene would it be unusual to make that a condition of an approval subject to your review?

MR. BUCZYNSKI: Well usually the well and septic is subject to review of the Health Department but quite honestly for commercial buildings we usually have a plan that shows the septic system.

MR. GLASSON: Well I can put that on a revised plan.

MR. BUCZYNSKI: You can put it on it's just you won't have it tonight and I'm sure you want to take action tonight. You know maybe what we can do is a condition to submit . . . the fact that it was approved by the Health Department for water and septic and prior to the resolution being adopted next month the revised plans should be submitted for review and approval showing the septic system and the well. This way we can take care of it tonight if the Board would like to . . .

MR. WEISS: Is that acceptable to you?

MR. BUCZYNSKI: Yeah that's acceptable to me.

MR. GLASSON: And I'll also add on before next month too Mr. Buczynski had asked, one of his comments to do a soil log in the area that we're proposing a storm water management system. I submitted him results of that test but I had not had time to put them on the plans so I'll also put that on the plans before the resolution.

MR. BUCZYNSKI: Right.

MR. GLASSON: Getting further into that storm water management we do have some storm lines running along Naught Road but our property slopes from what is the east to the west at about 3 percent so actually the back of this parking area is about 3-1/2 feet lower than the road so we couldn't get a pipe, this is a very shallow storm line, we couldn't get a pipe that would feed into this so we had to have our own on-site storm water management. And what we did was we proposed a swale to sheet flow this parking lot (inaudible) parking area to a swale that would run to an A inlet and then we would have as shown on my utility plan we would have a dry well system. The A inlet would have a sump so as not to let debris into the drywell system and then we would have an 8 foot diameter, 9 foot deep dry well. And that was the thing I was eluding to the fact that I did testing for that at the same time I did the septic system testing. I sent the results to Mr. Buczynski but again I didn't have the opportunity to update the plan with those results on it so I would put them on the revised plans. With regard to lighting we have our lighting plan shows one pole mounted light and building mounted light to cover our lighting patterns as required to meet our township requirement. Landscaping you can see just from the colored up version here you see the areas that are in the orange/pink look we've planted some . . . we've got some minor plantings out front only because we are . . . we do have sight triangles here in both directions so we kind of limited our planting in the front. We planted along the back of the parking lot and along the face of the building. This site if you know it, it has a lot of decent mature trees those are shown as the darker greens around here. We're really not intending to disturb any of those. Signage we have not proposed any building mounted sign. We have one proposed freestanding sign out by the road 12 feet off of the right-of-way just behind the sight triangle it would be to the left of our existing entrance. And that sign will be a two-sided sign, a single sign two-sided 6 feet above the ground with the top of the sign being at 11 feet so if you were to pull out of that thing you would actually look under the sign but it also is just outside of the sight triangle.

MR. WEISS: Chuck is that a conforming sign?

MR. MCGROARTY: I was just checking again the sign area each one is 45 square feet for a total of 90 so yes.

MR. WEISS: Okay.

MR. MCGROARTY: And the height is 11 feet?

MR. GLASSON: 11 feet. We were going to leave it lower but we actually figured it would be better to elevate it somewhat so that if there was any problems seeing as you pulled out you'd look right under the sign.

MR. MCGROARTY: 15 feet is the maximum height so it's within the height limit.

MR. WEISS: Okay thanks Chuck.

MR. GLASSON: Our permits we have Morris County Planning Board we've been exempted from, we have our Highlands application in now again our Highlands application was for the 125 percent footprint being that our coverage we're allowed to increase up to 125 percent of what lawfully existed in 2004 and disturb up to 1 acre. You see on this plan there's a darker line showing below this 150 foot wetlands buffer that is the area that we've designated to the DEP as our limit of disturbance and the remainder of the site would be put in a conservation easement and that covers that area that would cover the 150 foot wetlands buffer. So we basically took the wetlands out of the picture this whole area would be put into a conservation easement as part of our Highlands approval.

MR. BUCZYNSKI: Just (inaudible) add if I could Mr. Chairman?

MR. WEISS: Sure go ahead.

MR. BUCZYNSKI: Regarding that I guess once you finalize it with Highlands you'll submit the deeds for the conservation easement.

MR. GLASSON: Yeah they require review of the deed and the filing of the deed. So this whole back portion of the property will be put in a conservation easement. The actual area of the 3 acres that will not be . . . or the 2.85 acres is only 33,247 so the majority of the property we'll put in a conservation easement. But basically this whole wooded area in the back will be in the conservation easement. We did a revision already for the Morris County Soil Conservation District that is pending we're waiting approval from them. Again our Health Department application is in presently for our well and septic and we're here before the Board tonight. Our waivers are for a loading space as well as an EIS we did ask for a waiver from an Environmental Impact Statement. The existing residential nonconformity of the . . . well presently the existing residence or the existing property is used as a residential we're proposing to eliminate that nonconformity and make it commercial which conforms to the C-2. We're eliminating a right side line variance where the 60 feet is required, it was 45.2 and we're increasing that by taking that portion of the building off we're increasing that to 79.3. We still have that front yard nonconformity but the structure still remains in the same space.

MR. SELVAGGI: And the front yard setback nonconformity is exacerbated but it's by virtue of the road dedication correct?

MR. GLASSON: Correct.

MR. SELVAGGI: And we would, Mr. Buczynski in his February 21 report says we should submit a deed which we would certainly do to confirm that.

MR. WEISS: Jim you know you testified earlier about the overhead electrical power, how is the property going to be serviced eventually?

MR. GLASSON: We are going to run all of our utilities underground. We are going to take our overhead electric right now it is served by overhead electric in the same location (inaudible) you're going to run that underground. There is presently a gas service that serves to the left of the existing driveway that's going to remain but we are going to run our electric and telephone underground.

MR. WEISS: Okay.

MR. GLASSON: Our coverage is the only other thing I was going through originally I would like to go through. We're increasing our impervious coverage from 3.8 to 4.7 but we're reducing our building coverage from 1.14 to .7 and we're reducing our Floor Area Ratio from .021 to .017 because the building actually got smaller. So both of those are well under, 20 percent is the building coverage allowed and .3 is the Floor Area Ratio allowed in that zone. So the building is actually very small in size for what would be allowed under the zoning not under the Highlands.

MR. WEISS: Okay does anybody on the Planning Board have any questions for Mr. Glasson? I think Gene before I turn it over to you let me just because Jim testified quite a bit, is there anybody from the public that has any questions for Mr. Glasson based on the testimony that he presented? And seeing none what I'd like to do then is turn it over to Gene do you want to complete your report?

MR. BUCZYNSKI: Sure. The report is dated February 21 I think the main issues that Jim has discussed are under the waivers, I'll go to page 2 under B1 – Just for the record they did also request a waiver from the EIS Environmental Impact Statement. I think, you know I don't see a problem with it because the main concern would be the wetlands with the Highlands and the Highlands approval is going to cover a conservation easement for that whole area. Unless you have anything to add as far as why you're requesting a waiver.

MR. GLASSON: Yeah we requested a waiver basically because we weren't proposing a tremendous amount of improvements or reconfiguration of the building we were basically just eliminating a building and making the structure more conforming with the zone so I just listed a couple of reasons in my . . .

MR. SELVAGGI: And the other thing is to and I think you kind of eluded to it I mean the fact that we're in the Preservation Area and have to comply with those standards would almost in and of itself suggest that there's not going to be very much of an environmental impact.

MR. BUCZYNSKI: You're speaking to the choir here.

MR. SELVAGGI: Yeah.

MR. BUCZYNSKI: And the other item regarding conservation easement I think Highlands takes care of it anyhow but there should definitely be monuments for the corners for the conservation easement.

MR. GLASSON: Yeah they don't make you do it we can do it for . . .

MR. BUCZYNSKI: We should have at least the two . . .

MR. SELVAGGI: Closest to the home?

MR. BUCZYNSKI: To the home yes. So that's delineated because the rest of the property is going to be conservation but just so we delineate it where it is.

MR. SELVAGGI: Okay.

MR. BUCZYNSKI: Mr. Glasson mentioned about the dry well which is an acceptable design. The roadway dedication he noted and we just need deeds for approval to the attorney and the engineer. I think that's really about it at this point other than the permits from Highlands and from Soil Conservation District. And that's all I have and of course putting the septic and the well and soil logs on to a revised plan.

MR. WEISS: Now I'm just going to ask a simple question. The fact that you don't have a real definitive use of the building we don't have elevations is that something that comes in the final approval?

MR. MCGROARTY: We wouldn't really need elevations if there's no change to the structure.

MR. WEISS: Oh okay so you're not proposing to change the structure.

MR. SELVAGGI: No.

MR. MCGROARTY: Typically we don't ask for them if . . .

MR. GLASSON: We have resided it and if you've gone by it looks 100 percent better than . . .

MR. WEISS: I didn't know if you were going to maybe find an occupant and then change the building.

MR. GLASSON: The occupant or they would come back if they were going to do something.

MR. SELVAGGI: Yeah.

MR. GLASSON: We're looking for either a tenant or a new buyer to purchase it to use it.

MR. SELVAGGI: Yeah but we can only get to that step by getting some approval because everybody hears Preservation Area, no approvals and they run.

MR. WEISS: Highlands they run.

MR. SELVAGGI: Yeah.

MR. WEISS: Anybody else have a question? Go ahead Rene.

MS. GADELHA: I'm just curious why locate the well by the road?

MR. GLASSON: Because I have a 100 foot setback distance to the septic tanks it was kind of like a puzzle I had to push it out here because I have a 100 foot distance required to both of the septic tanks as well as the septic bed so to make that gravity which would normally be in the back because we're downhill I also have a setback distance from the storm water management feature. So believe it or not there was very little room, it looks huge but there was very little room to move it when you put a 100 foot radius on that.

MS. GADELHA: Okay thank you.

MR. MCGROARTY: Mr. Chairman just one more.

MR. WEISS: Sure Chuck.

MR. MCGROARTY: Jim if I could just . . .one question on the detail for the light on sheet 7 the wall mounted fixture. It looks like the bulb is exposed or the illumination area the front porch it's (inaudible) downward directed could you just clarify that?

MR. GLASSON: I don't have an answer for you I'll have to look at that.

MR. MCGROARTY: Okay.

MR. GLASSON: I don't have an answer.

MR. WEISS: Tiena has a question.

MS. COFONI: Under the parking provided on sheet 4 it says 10 by 18 space I can't figure out what that is. Because I see that there's one 8 by 20 handicap space and then the seven 9 by 20 standard spaces and then the loading space 10 by 18 space is that something additional or . . .

MR. GLASSON: No that's a typo.

MS. COFONI: Okay.

MR. GLASSON: It should be total spaces that's a typo.

MS. COFONI: Right okay that really should just be deleted then.

MR. SELVAGGI: That should just be deleted.

MS. COFONI: Yeah okay.

MR. WEISS: Chuck did you have anything else?

MR. MCGROARTY: No I don't Mr. Chairman thank you.

MR. WEISS: Okay Planning Board anybody have any questions for the applicant? Okay Jim it sounds like we have nothing else for you. Mike?

MR. SELVAGGI: No you know I mean I think it's an improvement over what's there both aesthetically and even from a zoning standpoint since we've eliminated some nonconforming conditions we've made a formal roadway dedication you know you always hate to tell them win/win but I think the town benefits and obviously a property owner who's been stuck with this for a number of years. This may be able to help him get out from underneath this albatross so we would appreciate you know a positive vote and subject to obviously the conditions of Gene and Chuck and . . .

MR. WEISS: We will certainly read those shortly thank you Mike. Is there anybody from the public have any comments, questions based on the testimony on anything that was presented this evening? Planning Board any other questions, Steve do you have a question?

MR. BEDELL: No.

MR. WEISS: So before I ask for a motion perhaps if we were to grant such a motion let me ask Tiena to review the conditions that we discussed this evening.

MS. COFONI: The first condition is Highlands approval for their Highlands exemption application, dedication of frontage for additional roadway, the monuments closest to the home for the conservation easement that will be granted, deed submission for the roadway dedication which would be included in that other condition, satisfaction of the development fee and affordable housing contribution.

MR. MCGROARTY: Yeah we'll if I may?

MS. COFONI: Yes please.

MR. MCGROARTY: I'm not sure they need that but it's worth putting in if needed kind of thing.

MS. COFONI: Yes let me just put that "if needed" okay. Certification from Morris County Soil Conservation District so that's a condition as well, and then it won't be listed in the resolution but I believe they will be modifying the plans prior to adoption of the resolution the plans will be modified to add the location of the well and the septic system and to include the soil log results.

MR. GLASSON: Right for the dry well. One other thing sight triangle description you want those too.

MR. BUCZYNSKI: Right.

MS. COFONI: I'm sorry?

MR. BUCZYNSKI: Sight triangle descriptions.

MS. COFONI: Prior to . . .

MR. BUCZYNSKI: No just to be submitted.

MS. COFONI: Okay.

MR. MCGROARTY: If I may Mr. Chairman? Any others Tiena?

MS. COFONI: Not that I have.

MR. MCGROARTY: I would just as long as your modifying the plans Jim then either put a shield or some detail or a note that that light on sheet 7.

MR. GLASSON: Okay.

MR. MCGROARTY: Okay that's the wall mounted. The poles are fine.

MR. GLASSON: Okay.

MS. COFONI: Chuck is that prior to the adoption of the resolution or just as a condition of the resolution?

MR. BUCZYNSKI: Well they will submit the plans prior to so it could just be included I think right?

MR. MCGROARTY: Yeah that makes sense then you don't have to worry about it.

MS. COFONI: Okay.

MR. WEISS: Okay Steve?

MR. BEDELL: Yeah was it mentioned, I know the remainder of the property in the back I guess was going to be gifted I guess to the town?

MR. WEISS: Conservation easement.

MR. BEDELL: Yeah I'm not sure if that was mentioned?

MR. MCGROARTY: No it's not dedicated to the town.

MR. GLASSON: It's just a conservation easement.

MR. BEDELL: Okay, okay I don't know if that needs to be . . .

MS. COFONI: That's going to be a condition of Highlands but I will include it because we want to make sure the monuments are included so I'll include that language.

MR. WEISS: Anything else to go with those conditions? John?

MR. MANIA: I'd just like to make the motion.

MR. WEISS: Well I'll accept that motion anybody want to second that? John that would be a motion to approve?

MR. MANIA: Motion to approve and to the conditions set forth by our esteemed attorney.

MR. WEISS: Thank you John and then who was it Nelson?

MR. RUSSELL: I'll second it.

MR. WEISS: Nelson second. Any conversation to be had about this application? Go ahead.

MS. COFONI: Mr. Mania your motion includes the granting of the requested variances and waivers as well?

MR. MANIA: Yes.

MS. COFONI: Okay.

MR. WEISS: Okay at this point lets have roll call Catherine.

MRS. NATAFALUSY: Joe Fleischner - yes
Rene Gadelha - yes
John Mania - yes
Nelson Russell - yes
Mayor Scapicchio - yes
Jim Staszak - yes
Scott Van Ness - yes
Steve Bedell - yes
Howie Weiss - yes

MR. SELVAGGI: Thank you very, very much we appreciate it.

MR. WEISS: Thank you gentlemen. We have no further business that we had on our agenda this evening if anybody has any business to discuss? Anybody from the public has any questions? Please come up to the microphone and just state your name if you would.

MS. CRAIG: Erica Craig.

MR. WEISS: Okay hello Ms. Craig.

MS. CRAIG: Hello thank you for seeing us.

MR. WEISS: What's on your mind?

MS. CRAIG: We own a property on 6 North Road in Flanders and we would like to put an addition on we've lived there for a little over six years and it's a very small one bedroom home and now we have two children. We've tried to sell it several times over the past several years and that hasn't worked and we'd really love to stay so we thought an addition was kind of our solution but we come to find out that there's some sort of rule about the amount of space between your property line and the home. And we want to just continue out the back of our home 16 by 20 feet and the current property is 20 feet wide and I guess we need some approval for that.

MR. WEISS: Go ahead.

MS. COFONI: I, and correct me if I'm wrong, the process that you would need to follow would be to actually go see Catherine in the Planning Office and submit an application.

MS. CRAIG: Okay.

MS. COFONI: As you see the other applications that went before you that's what you would have to actually submit an application which would be reviewed by our professionals and then the Board would be able to hear you. You can't just show up and hear it because we don't know if you need notice to the public.

MS. CRAIG: We didn't know the zoning people told us come here tonight and talk to you guys.

MS. COFONI: Oh okay.

MS. CRAIG: So we're following orders.

MRS. NATAFALUSY: Excuse me the Zoning Officer told you to come tonight?

MS. COFONI: Is that who told you that?

MS. CRAIG: Yes.

MRS. NATAFALUSY: Or did he just say that you'd have to file an application with the Board? I don't .
..

MR. WEISS: Regardless I think what we can do we can help you with the process. You're entitled to ask for a request a relief from the established laws that are on the books and you have every right to come and say I want to build an addition. And by doing so I'll go over my setback or I'll encroach my neighbor, you have the right to request that. There is a process and this is the process. So the best advice we can tell you is to go back to Catherine's office, maybe Catherine you can give them your contact information.

MRS. NATAFALUSY: Sure. Just come into the Planning Department come tomorrow I'll be in the office.

MR. WEISS: And what you'll do is you'll submit an application you'll let us know through this application what you want to build, your process will then continue you'll notify your neighbors within 200 feet we'll give you that detail as to who needs to be contacted, you'll need to place it in the newspaper you'll publicly announce it and you'll then get a date where you can come back in front of the Planning Board and essentially do what you saw this evening. Explain what you want to do, tell us why you can't build it within the established zone and the regulations that are in those zones and we'll go back and forth we'll have a conversation like you saw tonight, we'll listen to any objection from the public and if we feel that your justified and have a possible hardship this Board can grant you a variance to go ahead and allow you to build your addition.

MS. CRAIG: Okay.

MR. WEISS: So it's a process it's not an overwhelming process I think you were here for the first application and you see you don't need to be represented by an attorney, you're certainly entitled to do so but you can come and represent yourself as the homeowner.

MS. CRAIG: Okay so come see Catherine tomorrow.

MRS. NATAFALUSY: Right.

MS. CRAIG: Bye.

MR. WEISS: All right thank you.

MS. CRAIG: Thank you.

MR. WEISS: Any other business? All you know what I'm looking for.

MR. MANIA: Motion to adjourn.

MR. WEISS: All in favor?

EVERYONE: Aye.

MR. WEISS: Thank you everybody.

(MEETING ADJOURNED AT 8:37 P.M.)

Transcribed by:
Lauren Perkins, Secretary
Planning Department