

The Keyport Unified Planning Board held a Regular Meeting on June 24, 2021 which was called to order at 7:02 PM via zoom conference call. The meeting was called to order by Mark Sessa, the Sunshine Law Notice was read followed by the Flag Salute.

ROLL CALL: K. Howe, D. Pacheco, M. Sessa, N. Vecchio, W. McDermott, G. Kotzas

ABSENT: Mayor Kennedy, Councilmember Davidson, H. Aumack, J. Oviedo, J. Royster

Mayor and Councilmember are at the high school graduation and will attend when it is completed.

MINUTES: May 20, 2021 and May 27, 2021

Motion to approve minutes was made by W. McDermott, second by D. Pacheco

Ayes: D. Pacheco, M. Sessa, N. Vecchio, W. McDermott, G. Kotzas

Abstain: K. Howe

APPLICATION: ROBERT DEVINO
KUPB # 21-06
5 THERESE AVENUE
BLK 9, LOT 35 & 36
VARIANCE RELIEF (Applicant consent to an extension of time to act on the application)

Mr. Leckstein explained that no action needs to take notice since this applicant never noticed. They will notice when the applicant is ready to appear before the Board.

APPLICATION: KEYPORT FOOD MINISTERIUM (Carried from previous meeting)
KUPB 21-05 Variance Relief
BLK 77 LOT 1

Mr. Herbert spoke about the need for the Ministerium to have an emergency generator so that the Ministerium would be able to keep the food cool in case of an emergency. They went back and did some additional sketches of the site and they have published notice for the application. Mr. Herbert asked the Board to find that the notice is acceptable to move forward with the application.

He mentioned that present on the call was Dennis Fotopoulos and Justin Auciello.

Mr. Sessa mentioned that the Board was emailed a sketch; Mr. Herbert stated that sketch shows the location of the generator.

Mr. Leckstein explained that at the last meeting they had noticed everyone within the 200-foot list but the newspaper notice was not accurate. The Board had them re-notice the newspaper which the applicant did the public was advised at the last meeting that the application would be carried to this meeting so there was no need to re-notice to the 200-foot list. Mr. Leckstein reviewed the notice and everything looked in order, so the applicant can proceed.

Exhibit A2 – the application which include the generator specs

Exhibit A2 – sketch of generator location

Exhibit B1 – T&M letter dated May 6th

Exhibit B2 – the original resolution approving the building extension

Mr. Leckstein stated it was his understanding that the only variance that is necessary for this application is the front yard setback variance. The required is 5.84 feet and the generator will encroach approximately seven (7) inches into that set back. Mr. Mullan confirmed that was the only variance that was needed.

Mr. Mullan mentioned that the sketch being presented at the meeting is an accurate location of the proposed generator and as a result the generator has to stick out approximately seven (7) inches further than the projected building line and therefore they are suggesting there is about a 7-inch encroachment into the required set back.

Mr. Leckstein thanked Mr. Mullan for the clarification. Mr. Leckstein stated he was going to enter the original resolution approving the building extension into evidence to that Mr. Mullan was referring to with the 5.84 feet with the setback, this would be Exhibit B-2.

Mr. Herbert asked for confirmation that the Board had jurisdiction to hear the application; Mr. Leckstein stated that was correct.

Dennis Fotopoulos, 77A Beers Street stated that he is one of the Board of Trustees with the Keyport Ministerium Food Pantry.

Mr. Fotopoulos explained that they have had several black out where the food spoiled, it was decided by the Board that they would need an accessory structure generator. The generator that they are proposing is the smallest generator that they could find that would be effective. The area that they are proposing they felt would be the safest place for the generator to be installed away from clients and volunteers in the food pantry. They are hoping to be able to install the generator soon given the nature of the storms that the Bayshore receives during the summer and spring seasons, that normally ends up with black outs for an extended period of time which causes them to lose food products. They do understand that it is a slight encroachment. Mr. Fotopoulos believes that it isn't much of the encroachment line that was established in the last Board approval, they are hoping that after tonight it would finally start the process in getting the generator installed.

Mr. Justin Auciello, Planner explained that the applicant is seeking one bulk variance for the front yard setback. Mr. Auciello explained that the yard setback is 5.84 feet is required and proposed is 5.7 inches. This is a unique use; it is a use that fits with criteria A under the MLUL. There was discussion regarding the applicant needing the generator with the power outages that happen frequently in the shore area. By allowing the generator it will serve the community and advance the Master Plan. It is his opinion that the generator is needed in the times COVID there were people that needed the help.

Mr. Auciello explained that this is a slight encroachment approximately seven inches that projects out from the building line. Mr. Auciello spoke about the negative criteria, he doesn't see this rising to the level of being a substantial detriment to the public. Mr. Auciello stated that it is his professional opinions that the detriments are minimal and that the benefits are much greater.

Mr. Howe asked if he knew what the sound ratings are for the generator; Mr. Auciello stated he would have to defer that to the attorney or the applicant. It is his understanding that this generator will meet all state sound codes. Mr. Auciello mentioned that this is a standby generator. It will only be operational when it is needed. Mr. Herbert stated there is a weekly test that is done during the day so not to bother anyone.

Mr. Howe understands that it is a standby generator he asked if the generator would run 24/7 when needed; yes.

Mr. Howe asked if there were any plans for shrubs or fencing around the generator; Mr. Herbert stated that the applicant is willing to put shrubbery to obscure it from the public.

Motion to open to the public at 7:22PM made by N. Vecchio, second by K. Howe with ayes by all present.

Elmer J. Graham Jr., 22 St. Peters Place stated that it is opinion to approve the application because it would help when the power goes out so that the food doesn't spoil.

Michael Lane, 51 First Street, asked if the applicant would agree as a condition of approval that they would only perform the weekly test during the hours of 9AM to 5PM; yes. Mr. Lane asked as another condition of approval would they agree that the generator would not be detected by the neighbors; Mr. Herbert stated that they didn't bring a sound engineer so he can't consent to something he has no idea of what is being asked.

Mr. Fotopoulos stated that if there was a need for a generator by the food pantry there is probably going to be other people using their generators as well. Mr. Lane stated he was speaking about the weekly testing. Mr. Herbert stated that they wouldn't know unless they have a sound engineer, they will stay within the state guidelines.

Mr. Lane asked if they considered locating the generator on the south side of Elizabeth; Mr. Fotopoulos said they did consider that and the decision of the Board was that it would cost a lot more money to run the electric to that location. Further discussion regarding the location of the generator and the cost to place it somewhere else. Mr. Herbert stated that he objects to that comment.

There was discussion regarding the front yard regulations and the setbacks. Mr. Leckstein stated that this was discussed at the last meeting and the Board voted on it. Further discussion regarding the setbacks.

Mr. John Fahey, 121 First Street, stated that he is a Genrix dealer spoke about the decimal reading is 67 decimals which is as loud as laughter or a weed wacker, during the test which is once a week which is a ten minute run time it runs at 58 decimals which is lower than laughter. He feels that the levels are pretty good and wouldn't have an issue with the neighbors.

Mr. Herbert would like to offer Mr. Fahey as a generator expert. There was further discussion regarding housing around the generator.

Isaiah Cooper, 135 Atlantic Street, mentioned that they don't own the property they lease the land for \$1.00 a year. All the people that run the food pantry are volunteers and there has been at least four times that they lost power. Mr. Cooper stated that once they find the problem they identify and try to fix the problem without costing a fortune.

Mr. Leckstein asked what his position at the Ministerium; he is the Executive Director and a trustee.

Motion to close to the public at 7:42PM was made by N. Vecchio, second by W. McDermott with ayes by all present.

Motion to approve application was made by G. Kotzas, second by N. Vecchio

Ayes: K. Howe, D. Pacheco, M. Sessa, N. Vecchio, W. McDermott, G. Kotzas

**APPLICATION: DOMINIQUE FEMIA
 123 CHURCH ST
 KUPB#21-09
 VARIANCE RELIEF**

Exhibit A1 – Application

Exhibit A2 – Survey with location showing proposed pool and patio

Exhibit A3 – Plans in detail for the pool

Exhibit B1 – T&M letter dated 6/22/2021

Mr. Leckstein stated that the only variance that the applicant is that the pool would be within the 6 feet of the front yard setback; Mr. Mullan stated that was correct.

Mr. Mullan outlined the review letter that was written, they don't have any big objections on the application. He does have some questions for clarification. Mr. Mullan asked if the applicant installed the existing 6-foot-high white vinyl fence; Ms. Femia explained that they purchased the property with the fence already there. Mr. Mullan asked if the fence completely surrounds the pool area; yes.

Mr. Mullan asked if they have considered other locations for the pool. Mr. Mullan was concerned about the distraction for the pool deck from the street; Ms. Femia stated that the corner Mr. Mullan was speaking about is also considered a front yard. They have three front yards on the property. They would like to maximize the yard space as possible in their yard they are going to plant trees behind the deck.

Mr. Mullan asked how far back were they planning on placing the pool; Ms. Femia stated that the pool would be set back eight feet from the fence line, they do have additional two feet from the fence which is a grass area. Mr. Mullan clarified that the pool would not be any closer than 8 feet from the right of way. Mr. Mullan stated that he had no further questions. Mr. Sessa stated that one positive is that there are no neighbors the street is the neighbor. Further discussion regarding other possible locations for the pool.

Motion to open to the public at 7:55PM made by K. Howe, second by W. McDermott with ayes by all present.

Elmer J. Graham Jr., 22 St. Peters Place feels the application should be approved.

Motion to close to the public at 7:56PM was made by K. Howe, second by N. Vecchio with ayes by all present

Motion to approve application as presented was made by K. Howe, second by N. Vecchio

Ayes: K. Howe, D. Pacheco, M. Sessa, N. Vecchio, W. McDermott, G. Kotzas

Ms. Femia asked if it was possible if the resolution could be done. Mr. Leckstein stated that he couldn't promise since the special meeting was on Tuesday. Mr. Sessa stated it would definitely be on the July agenda.

**APPLICATION: KUPB 21-02
174 CHURCH STREET, LLC
174 CHURCH STREET
BLK 85 LOTS 4-10 & 13
USE VARIANCE RELIEF**

Mr. Leckstein reminded the Board and the Public that the Mayor and Councilmember couldn't participate in this application because it is a use variance. Also for clarification the alternates do not rise up to serve for the Mayor and Councilmember in their absence because they do not exist in this application. The Alternates can participate for any Boardmembers that are missing. Mr. Leckstein confirmed with the Board secretary that the alternates would be voting tonight.

Mr. Sessa stated that the applicant should not they have six voting members of the Board and they do need five to approve the application. Mr. Leckstein asked Mr. Alfieri if he wants to go forward with the application; yes, they would like to present their case and they will decide if they want to conclude it or not as things progress.

Mr. Leckstein explained that this application is a two-part application, the land use law allows an applicant to come and only present the use variance aspect of the application to see if the Board would allow them to have the use. Once the Board grants them the ability to have the use they then come back to the Board with the site plan application portion. The reason the applicants do this is so that they don't have to completely design the project without knowing if the use variance would be approved. Further explanation regarding a bifurcated application.

Exhibit A1 – Application
Exhibit A2 – Use Variance Plan
Exhibit A3 – Colorized Use Variance Plan
Exhibit A4 – Aerial Exhibit of Property
Exhibit B1 – T&M Review Letter dated 3/22/21
Exhibit B2 – Police Department Review

Mr. Leckstein stated the police review stated that they would like a stop sign on the south bound side of Osborne Street at the intersection of Hurley Street; Mr. Alfieri replied that was fine. Mr. Leckstein asked that during the application process that would be something the applicant would agree upon.

Mr. Alfieri stated that the applicant is only before the Board for the use variance portion of the application for the Boards approval. They have submitted a concept draw for the Board to consider. If the Board was to grant this approval the applicant would be back with a full site plan. Mr. Alfieri stated that he had three witnesses, the property owner John Fahey, the Engineer Walter Hopkins and the Planner Christine Cofone.

Mr. Fahey stated that he is the principal of 124 Church Street. Mr. Alfieri stated that Mr. is a resident and a business owner in Keyport; yes. There was discussion regarding the length of time that Mr. Fahey owned the property. Mr. Alfieri asked what is currently on the property; a single family dwelling and a commercial warehouse for his business. Mr. Alfieri asked if the application was approved what would happen to the two structures; they would be erased. There was discussion regarding the size of the warehouse and the use of that structure.

Mr. Alfieri asked Mr. Fahey understood that the property is in a RA zone and they are proposing eight (8) duplexes what happened in the area that makes the duplexes more appropriate then single family houses. Mr. Fahey after they purchased the property the town granted the property across the street a tow yard. When he looks at the property he sees tow trucks coming in an out and cars. He doesn't feel a single family home warrants the area. He feels that this property would now be more of a transitional home. Mr. Alfieri spoke about the concerns for fire vehicles accessing the duplexes without a turn around. Mr. Fahey stated that he did speak with the fire official Mr. Olsen and there was a section where they could use the two driveways as well as a grass area for the vehicles to turn around. There was further discussion regarding the fire trucks accessing this property.

Mr. Alfieri stated if the Board grants the variance application they would work more formally with the fire officials to come up with a plan for the site plan; correct.

There were no questions from the Board.

Walter Hopkins, Engineer placed on the screen a colorized version of the Variance Plan; Mr. Leckstein marked this in as Exhibit A3.

Mr. Hopkins explained that the lot size is 40,500 square feet on it is a single family residential and the warehouse. There is also a two family that will be subdivided on their own lot. There was further description of the property and the surrounding area.

The applicant is proposing to redevelop the site to bring it more into code would be eight (8) buildings, each being two duplexes for a total of 16 units, 12 would front Osborne Street and 4 would front Church Street. The lots would be consolidated to one lot and that would be owned by a homeowners' association that would own and maintain he common area as well as a stormwater management facility that they propose. There would be series of underground pipes that would run

in the back yard and tie into the Boroughs stormwater system. There would be new curb and sidewalks with an ADA ramp on the corner of Hurley and Osborne. Osborne would be expanded and improved. Further discussion regarding the stormwater system and what the Borough requires.

The property will be serviced by public water and sewer, refuge would be bringing the cans to the curb and there would be new street trees and miscellaneous landscaping along the roadway. That design would take place with the site plan application.

Mr. Alfieri spoke about the request in the police report regarding the stop sign; Mr. Hopkins stated that it could be done. Mr. Hopkins mentioned regarding Osborne Street there is no opportunity to extend that street because of the Henry Hudson Trail is on the border.

Mr. Mullan stated that the engineer hit a lot of the topics, he asked if Mr. Hopkins knows what the calculated density that would be allowed by zone based on the square footage of the lot if single family dwellings were proposed; Mr. Hopkins explained he did not but would get him that answer.

Motion to open to the public at 8:14PM was made by W. McDermott and second by K. Howe by all present.

Michael Lane, 51 First Street, since there is going to be a homeowner's association does that mean they units are going to be sold; Mr. Alfieri replied yes. Mr. Lane confirmed that they are asking for a D1 use variance; yes. Mr. Lane asked why there were not asking for a D5 density there was discussion regarding the amount of units on this property. Mr. Alfieri stated that they are asking for the number of units so they are seeking the D variance relief for the number of units.

Mr. Lane asked if they are going to be two bedroom or three bedroom units; Mr. Hopkins stated that they are three but has not been confirmed at this time. Mr. Fahey said they were looking at three. There was discussion regarding the density per acre. Mr. Leckstein stated that they believe the Board should have the density before the Board votes on the application. He also mentioned that he agreed with Mr. Alfieri that it assumed within the D1 variance but feels that the Board should have the information when making the decision, what the applicant is actually asking for and what the ordinance provides.

Mr. Slachetka stated he feels it is important or the planner to testify on this issue. He did want to clarify that Mr. Lane mentioned the density recommendation in the Master Plan. However, the density that is permitted in the RA district is defined by the zoning that is permitted. There is a minimum lot size of 5,000 square feet, so the density would be about 8.7 dwelling units per acre. The applicant is asking for twice the amount that is permitted, Mr. Slachetka stated he was sure that Ms. Cofone would speak about it.

Further discussion regarding the density on the lot.

Motion to close at 8:23PM was made by W. McDermott, second by N. Vecchio with ayes by all present.

Christine Nazzaro Cofone, Licensed Planner – stated that they are seeking D1 use variance because property is located in a single family zoning district. The use of the 16 duplexes are not permitted the applicant has to prove the following: the site is particularly suited for the proposed use, there are special reasons for the land use law to exist; then they have to establish the negative criteria indicating that there is no substantial detriment on the impact of the zone plan or public good and then to reconcile the governing body continued omission and provide some color to the Master plan as to the project consistency with the Master Plan.

Ms. Cofone stated that she reviewed all the plans and T&M letters as well as the Masterplan. She went over to the property to review the surrounding area. Exhibit A4 was marked in and was shown on the screen.

Ms. Cofone described the Exhibit A4 and the surrounding area of the subject property. Ms. Cofone spoke about the positive criteria of the property. Ms. Cofone stated that she doesn't see any negative criteria to the public good or the zone plan if the Board was to vote for this variance.

Ms. Cofone spoke stated that they are above the density for a single family zone; her opinion from a planning point of view there was no reason to hide that. When dealing with D1 variance there is a higher standard of proof then if you had a high density variance. Ms. Cofone spoke about what needs to be satisfied on a D5 variance as well as the case law regarding density.

Further discussion regarding the density, Mr. Leckstein asked if they had figured out the density. Ms. Cofone stated that it was 8.7 permitted and what is being proposed is 17.2. That is the density on the property.

Ms. Cofone spoke about the goals of the master plan that she felt was appropriate for this application. Ms. Cofone felt that the area was not only for single family homes but also for commercial use. Ms. Cofone stated the Master Plan called for a variety of housing option, that gives a Planner to balance all the goals and she feels that is exactly what Mr. Fahey did in his application. Further discussion regarding the Master Plan goals.

Regarding the open space exists in the vicinity of the project there is the Henry Hudson Trail as well as Marie Cottrell Park which is for everyone which is walkable to the project.

There was further discussion regarding the application and why it should receive approval for the use variance.

Ms. Cofone feels that there will no negative impact on this application.

Mr. Vecchio stated that Ms. Cofone mentioned low income housing. Mr. Vecchio asked if this was going to be low income housing; Ms. Cofone stated she did mention low income housing was the wording of the Master Plan. They are proposing 16 market value town homes that will owner occupied, she didn't mean to mislead anyone, Ms. Cofone just wanted to read the statement exactly how it appeared in the Master Plan.

Mr. Leckstein stated that they would have to follow the Borough Affordable housing ordinance; Ms. Cofone stated that they would definitely comply. They could deal with that as part of the site plan approval.

Mr. Vecchio stated that she mentioned the pre-existing non conformities. Mr. Vecchio stated he is aware of this specific properties there is a boarding home, a tow yard and a multi-family dwelling but throughout the entire Borough there are pre-existing non conformities, he doesn't feel that there are any RA zones in town that doesn't have a pre-existing non conformities throughout the entire area. Mr., Vecchio doesn't feel that is an exclusive issue for this project. Ms. Cofone stated that she thinks there are more non conformities around this property than some of the other RA zones. She feels that there are quite a few non conformities because they have them around all four sides of the property.

Mr. Vecchio mentioned the last subdivision in that are that came before the Board was Majors Lounge and they built single family houses.

Mr. Slachetka asked if the applicant was proposing a single family residential development pursuant to the requirements and standards in the district would it be your opinion that such a development would be completely consistent with the Borough's Master Plan and completely consistent with regards to the Master plan as it relates to the various goals and objectives that she sited that has a relationship to the RA district. Ms. Cofone stated that if have single family homes would it be consistent with the zoning ordinance, yes. You may need some dimensional variances not sure regarding how many lots. There was further discussion regarding the types of housing types in this area as well as what the character of this location in regards to the Master Plan.

Mr. Slachetka asked what the Borough is getting from a planning perspective with the duplexes versus the single family development that would be permitted pursuant to the Master Plan. Ms. Cofone stated she had two answers one the Borough is getting elimination of a non-conforming use which isn't permitted in the RA zone and the Borough is also getting a transitional use and a redevelopment of a site that will be attractive new housing that is consistent with the duplex on the corner of Hurley and Atlantic and some of the other homes.

There was discussion regarding having a single family detached development instead of town home development.

Mr. Slachetka asked if the applicant is locked into the density, could it possibly be duplexes and single family. Ms. Cofone stated that yes it could be done. She would have to speak to their client regarding that.

Mr. Slachetka made sure for the record if the Board grants the use variance foundationally you dot want to undermine the very clear foundation of the Master Plan as it relates to housing. The Master Plan and the zone plan of the community does provide for the diversity of houses within the Borough.

Motion to open to the public at 9:05PM was made by K. Howe, second by N. Vecchio with ayes by all present.

Michael Lane quoted from page 29 from the Master Plan under proposed land use residential. Mr. Lane read that section from the Master Plan.

Mr. Lane stated he agree with planner insight that it is a tough area for a profitable development it would have to take density higher than the 6.8.

Mr. Leckstein explains that they are guided by the Ordinance not the Master Plan. There was discussion regarding what appears in the ordinance. Mr. Mullan stated the straight line math is one dwelling unit per 5000 square feet and that calculates out at 8.7 dwelling units per acre. They compare that to the 16 units to the 40,500 lots they don't deal with the roads just the privately owned property. That comes to 17.21 dwelling units per acre, simply compare 8.7 dwelling units per acre is the maximum allowed for single family homes on this 40,500 square foot property compared to the 17.21 that they are proposing. That is his recommendation to the Board what is the maximum allowed.

Mr. Slachetka spoke about the straight line math is exactly what Mr. Mullan is speaking about. You area getting doubling density what is permitted by zoning.

Mr. Lane agrees that this is not the finest area to develop he feels with the right style of duplexes it could fit in harmony, which would come more when they return with site plan and architectural.

Motion to close to the public at 9:15pm was made by K. Howe, second by N. Vecchio with ayes by all present.

Mr. Alfieri stated that he believes Ms. Cofone has heard some of the concerns and they have a comprise to Mr. Slachetka concerns. The would eliminate the two duplexes on Church and have two single family homes in that area and then have six townhomes on Osborne. Mr. Leckstein asked if the two family homes would be part of the association or on their own. Ms. Cofone stated that would be up to the applicant. Mr. Alfieri asked that they would reserve that if they come back before the Board with site.

Mr. Leckstein confirmed that they are amending the application to eliminate the two duplexes on Church and build two single family homes; yes.

Mr. Sessa stated that thing that concerns him is the lack of space for each unit; Ms. Cofone stated they are proposing an outdoor area for each unit. They are not built to the light line.

Mr. Leckstein stated that they should open to the public with the change that was made.

Mr. Hopkins stated that with the amendment to the application that the density would go down to 15.05 per acre.

Mr. Howe stated his personal feeling on this application is that everyone within the 200-foot radius was notified about the application and they didn't hear anything from the neighborhood. He was more concerned about the Osborne Street possibly removing one unit. He feels that this fits in the neighborhood.

Motion to open to the public at 9:23PM was made by K. Howe second by N. Vecchio with ayes by all present.

Michael Lane, stated he likes the revised plan. Mr. Lane stated that some of the homes on Church street are very nice and he feels the two single family homes would fit in nicely.

Motion to close to the public at 9:24PM was made by K. Howe, second by N. Vecchio with ayes by all present.

Mr. Pacheco stated that he believes they hit a lot of things that exemplified the neighborhood. He appreciated them going back and to change the two single family homes. Mr. Pacheco thanked them for all their time and effort.

Mr. Vecchio liked the two single family homes on Church Street, feels it is a big step for tonight,

Mr. Sessa liked the two single family homes, he was a little leafy about the open space. Ms. Cofone assured him there would be space for each unit. He is thinking a little more positive since he first saw the plan.

Motion to approve application with the revised plan made by D. Pacheco, second by G. Kotzas Ayes; K. Howe, D. Pacheco, M. Sessa, N. Vecchio, W. McDermott, G. Kotzas

Mr. Alfieri thanked the Board.

PLANNING BOARD PROFESSIONALS: No update

The following is what is on the future agendas for the Planning Board

The Special meeting on June 29th 357 West Front Street

July Agenda – 31 West Front Street and 108 Broad Street

Two additional application Hudson pointe and 5 Therese

There was discussion regarding simple application like the pool applications that we have had. Mr. Leckstein explained those applications would still have to come before the Board. Mr. Leckstein explained with some of the other boards like a pool application the engineer and planner look at the application but they don't have to come to the meeting. Mr. Pacheco stated is there a way to streamline the applications to move through the process without holding them up. Mr. Howe stated that they are putting a lot of money.

Mr. Leckstein isn't sure if there is any way to have it quicker not sure if they can do that. If there is a variance they have to come before the Board. Regarding the escrow if the Board wants to they don't have to have the planner and engineer review them.

Further discussion regarding stream lining the application for the residents. The zoning officer in other towns tells the Board what the variances would be. Mr. Leckstein stated they would still have to notice the 200 feet so it wouldn't open to litigation is the neighbor had any concern regarding water run off they would send the application to the professionals to review.

D. Nellis stated that they have not held up any applications for the residents and it has been turned around as soon as possible and the resolutions have been done asap.

Mr. Mullan stated that they are interested in doing what the Board prefers. They can do a lot of things that are being suggested they don't have to submit a written letter. If they are at the meeting they can give a verbal they can lower the cost for residential applications. If there are only pool applications on the agenda, they don't have to attend.

Mike Lane stated that the site plan subdivision ordinance has two levels of information required in the level of a single family home is significantly less than the level of the other applications. He was surprised at the amount of pages the review letter was for the pool.

Mr. Lane feels that we should have two levels of applications, one for a single family residence not involving any use variances and then he one we have now.

Mr. Lane stated that the Board has been told by the Planners that the land use ordinance we have defines the parking requirements to the GC district is in conflict with other sections of the Land Use ordinance. Land use ordinance 25:1 through 17 was adopted on 12/12/18, the rest of the Land Use ordinances were never updated and last adopted back in 1997. Unfortunately, the professional that was working on the ordinance was released half way through the project. There is a major inconsistency between the first half of the land use ordinance and the second half.

Mr. Sessa thanked Mr. Lane and asked that Mr. Lane send him the information so that he can forward this concern to Council.

Mr. Howe would like to have the professionals at the meeting but maybe if they are okay with a verbal instead of the letter. Further discussion regarding simplifying the process for single family applicant.

Motion to adjourn the meeting at 9:48PM was made by N. Vecchio, second by D. Pacheco with ayes by all present.