

**Planning Board Minutes  
Borough of Kenilworth  
March 8,, 2018**

The meeting began with an affirmation of the Open Public Meetings Act. The schedule of meetings is on file in the Borough Clerks' office, was posted on the bulletin board, and has been mailed to the Local Source, and the Star Ledger.

Pledge of Allegiance was led by Vice-Chairman David.

**Roll Call: Present: Mr. Schielke, Mr. Cuppari, Mr. David, Mr. Grimaldi, Mr. Ladauti, Mr. Callelo, Mr. Mazzeo, Mr. Jones. Also present were Board Attorney, Kevin O'Brien, Louis Rago, Planning Board Attorney and Mr. Christian Cueto, Planning Board Engineer. Chairman Picerno, Mr. Pantina and Mr. Pinto were excused.**

**Approval of January 11, 2018 Minutes**

Motion was made by Mr. Grimaldi, seconded by Mr. Ladauti. All in favor.

**Communications:** None

**Resolutions:** Appointing Louis Rago as Planning Board Attorney

**RESOLUTION NO. 1**

Introduced by Mr. Ladauti, adoption moved by same.

Seconded by Mr. Schielke. Upon roll call all in favor.

**WHEREAS**, pursuant to the Fair and Open Process Rule advertisements for proposals were published in the Local Source and posted on the Borough of Kenilworth's Web Site and proposals were received and reviewed For Planning Board Attorney for year 2018, and

**WHEREAS**, after review of said proposals, **LOUIS P. RAGO, 25 LINDSLEY DRIVE, SUITE 200, MORRISTOWN, NJ 07960** was appointed by the Planning Board on January 11, 2018.

**NOW, THEREFORE, BE IT RESOLVED** after review of said proposals, that the Planning Board's appointment **LOUIS P. RAGO** as **PLANNING BOARD ATTORNEY**

for the Year 2018 at a rate of \$1,000 per month and \$135.00 per hour for litigation matters, as deemed necessary by the Planning Board, be and the same is hereby confirmed, effective January 1, 2018.

**New Business:** Application #367, 5-19 – Site Plan/Variance  
Wanderli Fonseca  
618 North Michigan Avenue  
Block 2, Lot 12

Secretary confirmed notice of publication for Application #367 & #5-19.

Meredith Marcus, Hehl & Hehl appeared on behalf of applicant Wanderli Fonseca. This application is for preliminary and final site plan with some bulk variances which will be described by our engineer Ed Dec. Ms. Marcus she met with the Borough's Engineer and Planner and went over the plans and made some changes which Mr. Dec will go through. Ms. Marus said they have worked out some of the kinks and the plans are in pretty good shape.

Kevin O'Brien and Christian Cueto were sworn in.

Ms. Marcus advised they have 3 witnesses, David Buckman, Architect, the engineer and the applicant. Mr. Buckman is on his way here from another hearing. If for some reason Mr. Buckman does not get here in time then Mr. Fonseca can provide testimony on the architecture.

Mr. Dec was sworn in by Mr. Rago.

Edward Dec said he is a licensed professional civil engineer and surveyor in the State of New Jersey and he has appeared before the Board many times. Mr. Dec said the plans are for 618 North Michigan Avenue, Lot 13, Block 2 and is a preliminary and final site plan. On sheet 1 of 4 there is an aerial photo and a key map with 200 ft. radius and the list of adjoining property owners within 200 ft. Sheet 2 is a map that shows the existing conditions and the structures within 200 ft. of the property. The main entrance is on North Michigan Avenue and we have approximately 5 parking stalls with paved area and a small picnic recreational area on the north corner of the property. In the back there is a paved driveway with a stone area. There is access to our site which we are proposing to use through Columbus Avenue. There is also a paved area from Atlas Street that is not used by the applicant however it does exist and in the proposed condition we eliminate that point of ingress and egress. Mr. Dec said that what is on the easel in front of the Board has not been changed and is the exact same as what the Board Members have in front of them. Sheet 3 is where we are proposing all of the improvements. We are proposing a widened parking area to have 9 stalls in the front

and one handi-cap accessible parking stall. We are moving the location of the entrance a little further north in the center of the property so that way the ingress and egress can easily be accessed to either the left or the right as the cars enter the site. The rear of the property is where the majority of the work is going to take place. We are proposing a one-story masonry building which will become part of the existing building. In the front of the building there is an office and behind it is the warehouse building which is approximately 5,700 sq. feet. In today's condition the office space has 1700 sq. ft. with a total of 7500 sq. ft. and we are proposing to add approximately 4400 sq. ft. of additional warehouse. To accommodate the additional increase in sq. footage as far as parking is concerned and plus reloading, we are proposing to construct a paved asphalt parking area to the rear of the proposed addition. In total the additional parking stalls in the back and in the front... we are proposing to have an additional 16 spaces and the requirement is 14 so we meet that minimum requirement. We are also proposing to have one loading space which meets the requirement of the code and we are eliminating the access point to our site from Atlas Street and the ingress/egress point would be from Columbus. We are proposing two underground detention systems in the back and we are proposing one smaller retention system in the front to collect the run off in the front parking area. All the run off generated from the building existing and proposed will be directed towards the 2 rear detention systems. Sheet 4 is the landscaping and lighting plan and we are showing the visual barrier for the cutoff from Atlas Street proposing a row of arborvitaes and that will serve as eliminating any type of egress/ingress from Atlas Street. The rear area will be lit by wall-mounted LED lights in the back and also in the front. We are proposing a different variety of low lying plants in the front of the property and the higher ones on the sides of the parking area. We have met with both the Borough Engineer and Borough Planner to make this plan meet all of the Borough's ordinances and to make sure we are following the intent of what the Borough wants for their Gateway Zone area. What have taken their recommendations into consideration, of importance is that when we initially came before both Mr. O'Brien and Mr. Vinegra, we had 2 variances, lot coverage and open space which are reciprocal of each other so we were able to eliminate those two variances that we were requesting. He said right now as you can see on sheet 1, which has the zoning chart, we are only asking for.....well first of all we have 2 existing non-conforming conditions which is tree width and frontage and that is the existing condition the width of the lot, the other variance we are looking for and one existing non-conforming is for the existing building in the front on either side, the side or set-backs do not meet the minimum of 5 ft. , that is an existing condition and that is not changing. The new variance that we are asking for is for the side yard setback of the new addition and the reason for that is we are keeping the building line of the existing building and projecting it further back so that is the reason for the additional side yard set-back on the new building. The total of the setbacks still do not add up to the minimum of 15 ft. The first variance we are asking for is the total, the existing doesn't really change for the total, we are asking for 2, one side yard existing and one total side yard proposed. On Sheet 3 the proposed loading dock is located along the rear of the building and we are proposing to take care of what is

stored now on the upside of the building put inside the new building and clean that area up. Trash will be held inside the warehouse building. He said that explains what we are proposing here and the variances we are requesting.

Ms. Marcus addressed a couple of follow up items that were in the Planning Report of 3/6/18.

### Shamrock Enterprises Report

Mr. O'Brien asked if the econolights were being replaced or removed and Mr. Dec replied that the old lights are being replaced with new LED type of lights and the old ones will be removed. Mr. Dec said they submitted the County application and he does not know if they have received approval or not. He said he has received comments from the County and have addressed those comments.

Mr. O'Brien said there was a letter of November 14, 2017 from the County directing the applicant to take a number of steps.....he asked Mr. Dec if he has taken all those steps? Mr. Dec said yes they are shown now in the plan in the County details...the curb replacement and the pavement replacement and the site easement.

Mr. David asked Mr. O'Brien and Mr. Cueto if they had an additional questions or comments before he opens to the Board for questions?

Mr. O'Brien said to Mr. Dec, the landscaping plans shown for the front of the property has unidentified plants on either side .....there hollies and the junipers but there is a symbol on the plan that is not shown on the legend on the right hand side. Mr. Dec said he does not have that labeled.....at the Board's recommendation he can put something in there that is acceptable to the Board. Mr. O'Brien said the azalea that is being proposed can get rather high if it is not trimmed and he asked Mr. Dec if he would be willing to revise that front landscaping to something much lower that would allow the building to be visible so that passing motorists can see the location of the business and be able to get in. Usually we like more landscaping but in this case, it has to be visible from the street and what they are proposing are too high plus the unidentified plant that could be anything. Mr. Dec said they would take any recommendations from the Planner. Ms. Marcus asked if Mr. O'Brien would like just grass? Mr. O'Brien said this is in the gateway overlay district which this Board feels deserves special attention because it is the gateway to the Borough and we wanted to landscape the properties as they came before the jurisdiction of the Board and this is an opportunity to make it look nice with an appropriate low cost to the applicant while maintaining visibility. He said if the applicant is willing to revise the landscaping, the Board may want to put that as a condition to which he has no objection. Mr. Dec said he will revise according to your recommendation. Mr. O'Brien said with a two year guarantee.....there is no objection to that? Ms. Marcus said no objection. Mr. O'Brien said he also brought up the front façade in his report, page 4 item F and that was the existing entry door which is a

garage door shown to remain on the south side of the façade or the left side of the building, forward of that garage door currently is a loading zone, it makes two parking spaces unusable but that is being eliminated, with just grass in front of the garage door he did not see the need for the garage door and perhaps the applicant wishes to discuss that. Mr. Dec said he and the applicant can both give the Board their idea of the operation and why they want to leave the door there. The idea is that the door serves a means of being able to bring in and take out the displays that are used in the office show room and it is easier to take it from this area than to take it through the office and the showroom. Mr. O'Brien said he will leave that to the Board as to whatever their pleasure is. The last comment he had was that the revised site plan shows access to Columbus, Mr. Cueto may have some comments on that but he said the back area would be landscaped with either grass or perhaps another row of arborvitae back there. He asked what is beyond that? Mr. Dec said to the west of the property is an open gravel type of area. Mr. O'Brien said there are trees along that boundary. Mr. Fonseca said the trees do not belong to his property. Mr. O'Brien said he will leave that for further discussion.

#### Harbor Consultants Report

Mr. Cueto asked who will be accessing the building from the front and who will be using the rear entrance on Columbus? Mr. Dec said the front will be used by the people who will be coming to look at the products that the applicant has to offer. The amount of people that will come there would be about 1 an hour at most. Mr. Dec said the employees use the rear door. On #3 of his review letter, Mr. Cueto asked if there would be any objections to putting up a stop bar and stop sign at both Columbus and along North Michigan and Mr. Dec said there is no objection to that. #4 of his report asks what type of trucks does the applicant use? Mr. Dec answered a single unit 20 or 30 ft. type or a unit truck like a van. Mr. Cueto asked if they had any objection to putting a truck turning template on the revised plan? Mr. Dec said he will put it on there but it will be a K turn type of configuration. #6 would there be any objections to putting all the proposed and existing doorways on the site plan? Mr. Dec said yes he will put that on the plan but he believes they are on the architectural plans, the existing and the proposed. Mr. Cueto said scale on sheet if that could just be revised...it says 30 and should be 20. Mr. Cueto said Sheet 3 doesn't show that all the roof runoff is going into the detention, that would lower your post so that the runoff would be less after construction, if that could be revised ...Mr. Dec said yes. Mr. Cueto said for the seepage pits he would recommend some sort of overflow pipe. Mr. Dec said we have one in the front that was recommended by Mr. Vinegra and in the back we will have the system with bubble up over through the inlets. Mr. Cueto said the one in the corner.. if that filled up wouldn't it go toward Atlas? Mr. Dec said the plans have a curb in there but not putting the concrete Belgium blocks curbs so that you would not have the concrete in between the blocks so they would have the opening in the blocks so that the water would be able to find its way out there and go down Atlas. Mr. Dec said he thinks that would be the best way because he does not have the change in elevation to put an overflow pipe out in

any other direction. Mr. Cueto asked if you can do a soil log? To make sure that everything could drain in the back parking lot. Mr. Dec said OK. Mr. Cueto asked if they could show all existing utilities on the plans. Mr. Cueto said as Mr. O'Brien said there appears to be some additional trees along the rear of the property, it is not shown on the existing conditions plan but he is recommending a row of landscaping along the rear part of the property be installed. Mr. Cueto said as far as the lighting ...it looks like not all of the isometric foot candles extends to the rear. Mr. Dec said the program does it by ½ foot so that is covered. Mr. O'Brien said if you go back there in the evening there is a lot of lighting back. Mr. O'Brien said he does not see a reason to add anything more than what they are proposing. Mr. Cueto said to Mr. Dec, you noted that your application to the County is pending and he asked if he has submitted to the soil conservation? Mr. Dec replied not yet. He said they also should submit an application to the RVSA.

Mr. Mazzeo asked if there is a right of way on the property line and he asked if there would ever be an issue with access? Mr. Dec said no, that is the right of way and it's our property and there is a depressed curb. Mr. Mazzeo said on the Atlas Street side, are we just improving ... but the right of way still remains? Mr. Dec said the right of way is up against our property and that whole area is paved. Mr. Mazzeo asked would an emergency vehicle be able to get access or would they have to turn around? Mr. Dec said they would have to turn around. Mr. Dec said he doesn't think anyone uses the road, he knows the applicant does not use it. Mr. O'Brien said you can go through it but there was a question on the site plan, there is that little triangular area to the east of Atlas right of way which we were not quite positive belonged to the applicant but if it doesn't, it belongs to the neighbor to the south so the actual access from the right of way of to Atlas Street to this property is a couple of feet so legally there is no right of way going through and by closing that entry off with the arborvitae and the pavement that Mr. Cueto was talking about stops that and delineates this applicants property and keeps all of his operations on his lot.

Mr. Rago said as far as new variances, not the ones that are existing and are not going to be aggravated, as far as new variances it is his understanding that side yard setback to the south and combined setbacks are the new variances. Mr. Dec said that is correct, one side yard setback and total side yard setback. Mr. Rago said the total looks to be improving over what was there and the side yard setback on the south is slightly...

Mr. Grimaldi said he would like to agree with our professionals since there is a question about what is going on in that 5 ft. paving area, the greenery that is there right now, whether it is on this property or not.....if it is not it could it be taken away by the neighbor so he would agree with them to have some landscaping across that back lot. Mr. Dec said in the form of grass? Mr. Grimaldi said the planting that would match what is on the south side. Mr. Dec said yes to the arborvitae. Mr. O'Brien questioned whether arborvitae would grow there but with Mr. Grimaldi's permission maybe the Board will make a condition that they revise the landscaping plan and we will work with

the applicant on that. Mr. Grimaldi asked if irrigation would be provided? Mr. Dec said nothing other than naturally irrigated as most landscaping areas are. Mr. O'Brien said we should take a look at the plants that are proposed and those that need irrigation....you can put in your resolution that irrigation would be provided if necessary but they will try to do more drought and shade resistant plants.

Mr. Wanderli Fonseca was sworn in by Mr. Rago.

The applicant, Mr. Fonseca is the owner of the building and of ASW Kitchens & Baths.

Mr. Fonseca said he sells kitchen cabinets and counter tops. He buys the slabs and they are cut in the back of our location. The cabinets are just stored between the delivery from factories and delivery to our customers. The most shipments we get into our property are small flatbed trucks that deliver slabs of stone. After the stone is cut it is delivered in small pick-up trucks or box trucks that we have. Mr. Fonseca said during the day we keep the pick-up truck inside the building and that is the reason we would like to have a bigger building with taller doors. The box trucks we keep on our property, right now they are on the side but our idea is when we have the parking space completed for them to park in the back. Mr. Fonseca said the reason for paving the back is for more parking spaces for our employees. The parking in the front will be used for visitors/customers.... people who come in to see our product and the rear of the building will be used for employees. The hours of operation are Monday thru Friday, 8AM to 5PM and Saturdays only the front store/Showroom operates 9AM to 3PM, we close on Saturdays for the winter and reopen in the warm weather. He said he has 6 full time employees and 2 part time employees. Mr. Fonseca said one of the reasons for the addition is that we need more space for storage and we would like to park one of our trucks inside. He said it is easier to load the truck inside the building. Mr. Fonseca said whatever the town requires as far as landscaping he is OK with. Mr. Fonseca said there are two trees in the back on his property but the trees way in the back are not on his property. Ms. Marcus asked Mr. Fonseca if he had any problems with putting a row of trees or shrubs in the back and Mr. Fonseca said whatever the town requires he is OK with that. Mr. Fonseca said legally we do not have access to Atlas Street. Mr. Fonseca has been at this location since 2010.

Mr. O'Brien had no further questions.

Mr. Cueto said you mentioned that you had one truck you want to store inside and how many box trucks do you currently have? Mr. Fonseca said we have 2 pick-up trucks and 1 box truck, most of our deliveries are done in pick-up trucks.

Mr. Cuppari said after the proposed changes are we going to see a significant amount of traffic? Mr. Fonseca said no.

Mr. Rago said to Mr. Fonseca, in the event the Board approves this.....you mentioned you have 6 full time employees and two part-time employees and that you want to grow. Do you anticipate having more employees in the not too distant future? Mr. Fonseca said he is at his max right now because he was hoping to have a lot of employees but he does not have the business for that at the moment. Mr. Rago asked if the parking he is proposing is it anticipated for some sort of mild increase in employees., is that built into your plan? Mr. Fonseca said he does not intend to have more employees.

Mr. Grimaldi said you have 7 spots now and 6 employees and two trucks unless you are parking the trucks in the loading zone? Mr. Fonseca said the trucks are parked on the side of the building, we do have parking in the back, it is gravel it is not paved. Mr. Fonseca said in the proposed parking in the rear will be another 8 parking spaces. Mr. Grimaldi said you are not knocking down the building, you are knocking down 2 sides and adding to it. Mr. Fonseca said he is not planning on knocking down the building but at the same time he has to see if the existing foundation is in good condition. Mr. Grimaldi said going by your drawings, you are knocking down parts of the existing building and he is asking if you are knocking the building down because it is drawn as existing block and new block to match existing but this building has been there a couple of years and codes from then to now have changed. He does not want the Board and or the Zoning Officer to be surprised all of a sudden if this building comes down and gets rebuilt as it is shown on these drawings because the Board may, at that point, would have liked to ask the question if we suspect it has to come down, can there be any more eliminations of the setback issues. We are glad you are here improving your building in the gateway and making it better but we would also like to know the answer. You may not have the answer right now as to if the building has to come down but we need to ask the question. Mr. Fonseca said it is not in his plan to knock down the building, he hopes he does not have to do that but if the issue comes up we will have to address that. Mr. Grimaldi said sometimes it is easier to knock it down than to reinforce what you have but your architect can address that.

Mr. David asked Mr. Rago if it's in the Boards right to put a condition in the approval, assuming it would be granted, that if it is knocked down they would have to come back.

Mr. Rago said if it is knocked down and they are doing something.....we are going under the assumption that this is going to remain and be tweaked, if it comes down, at a minimum you may have to come back to the Board if you are going to change anything on site, if you are going to build the exact same thing we are still probably going to want to see what it is going to look like and maybe you can reduce some of the setbacks. Mr. Rago asked Ms. Marcus if they don't have a problem with us adding that just as a safety measure. Ms. Marcus she does not, she thinks it would be impossible to build it exactly how it is. Mr. Rago said there may be no variances needed or there may be more depending, if you have to knock it down. Mr. Rago said the Board may want to condition it if that happens, in the unlikely event that it happens, revisit us and we will see where we go.

Mr. Grimaldi said we had a building down the street that ended up in that fashion and the Board, before most of us were here, approved it and then the building ended up getting knocked down because of structural concerns that they uncovered during construction and it got rebuilt in the same spot with no ability of this Board to say anything so we don't want to see that happen again.

Mr. Fonseca said based on our proposal the only wall we are planning to take down is the rear wall.

Mr. David said he did not want to see the trucks parked in the front of the building when they are not in operation so that all weekend long we are seeing box trucks and pick-ups along the front façade of the building. He would like some assurance that you would always have your company vehicles either parked on the side or the rear of the property.

Mr. Fonseca said our proposal say that our loading door will be in the back. Mr. David said, for convenience people may just decide to park the truck in the front and when they come in on Monday morning it's right there in front and they can get in and go. He said these things tend to happen. Mr. Fonseca said he can assure the Board that they will not be parking in the front. Mr. David said only when they are not in operation.....company vehicles will not be parked in the public view. Mr. O'Brien said no commercial vehicles in the front will be added as a condition.

Mr. David Buckman was sworn in by Mr. Rago.

Mr. David Buckman said he graduated Pratt Institute in 1985 and he is licensed in about 20 states, one of which is New Jersey, #11802. He said he has testified at many Planning/Zoning Boards. Ms. Marcus said she is offering Mr. Buckman as an expert witness in architecture.

Mr. Buckman said PB1 shows where the existing building is and then the new portion. To answer the question that was asked about keeping existing walls, he said we intend on keeping them, they look like they are in good shape, we will have to do some reinforcing based on code changes. If they have to come down they will but we hope at least to keep the footings. He said he has a feeling we will be able to keep the walls and they will do their best to keep them. He said the warehouse area will be in the back, we are not touching the front on Michigan Avenue and the showroom area will remain the same. Most of the changes will be toward the rear of the building. The height will remain the same which is 25 .6 ft. and there will be a new overhead door in the back and that is where all the action will be. The customers will come in off Michigan Avenue going into the showroom and the work and cabinetry and granite work will be in the back. He said that is basically it, you have the chart with the coverages.

We will continue the north end wall to keep going straight and it is an existing side setback variance so we will continue to have that. Mr. Buckman said they will be replacing the existing lights with new LED lighting and adding an additional light and they will be shielded to protect neighbor's yards.

Mr. O'Brien said his questions were answered previously. Mr. Cueto's questions were also answered.

Ms. Marcus said her experts did a great job, this is a great project, Mr. Fonseca is wants to invest in his property, grow his business in the gateway overlay entrance. He is in agreement with the recommendations of the Board's professionals as to landscaping.

#### Meeting Open to the Public

Motion made by Mr. Ladauti seconded by Mr. Callelo to open the meeting to the Public. All in favor.

No one wished to speak.

Motion made by Mr. Schielke seconded by Mr. Cuppari to close the meeting to the Public. All in favor.

Mr. Rago said we have an application for preliminary and final site plan approval with two new variances, there are existing variances shortcomings that are not going to be aggravated, the two new variances involve side yard setback to the south and the total side yard setback which is actually improving, while it is deficient it is less deficient then it was.

Mr. O'Brien said there is a new variance for parking because we are increasing the square footage of the building. Mr. Rago said he thought they needed 16 and are providing 16?? Mr. O'Brien said his mistake.

With regard to conditions, we have the reports from Shamrock and Harbor and both consultants went through those reports and he did not hear any no's from the applicant, they focused on flexibility in landscaping toward the rear with a 2 year guarantee, irrigation only if necessary, they would leave the landscaping to the review of the Board consultants. If the building comes down, the Board would like to take another look if it at all was going to change but that is down the road. If commercial vehicles are not in operation they should not be parked in the front. There are a number of other conditions set forth in the report and the applicant needs to obtain the appropriate approvals from the County, Somerset Union Soil Conservation, the building department, and RVSA and he said he usually puts conditions in that are very general in terms of if those conditions change this plan significantly they need to come back.

Mr. O'Brien said in the past this Board has delineated conditions specifically to keep in the resolution so that it is all in one spot, if the Board wishes to change that, of course you are free to do that. Mr. David said no he doesn't believe we would change that.

Mr. Rago said he will pull out gems from the report and put them specifically in the resolution rather than just say this report and that report. Mr. David said yes. Mr. O'Brien said he can note them on the record if the Chair wishes and then between Mr. Rago and Mr. Cueto and himself we will get them in writing.

Ms. Marcus said she has a question.....Mr. Rago just said irrigation if needed. Mr. Rago said he thought that is what he heard, he heard natural irrigation aka rain but he also heard "if needed". Ms. Marcus said she would like that clarified, how would we determine that.

Mr. O'Brien said the Board members mentioned, if needed, he happens to think that is a good idea at the very bottom of everything but Mr. Cueto and I have designed these things over the years to try and take advantage of drought resistant, shade resistant plants and we will do our very best to make something work there for the applicant that will not be excessive and will not add to the loan that he has to take out. He said it would be good to have that language in there and if the applicant does not approve of what we propose, they can come back to the Board and say what they are suggesting is unreasonable and we would like you to reconsider, so there is an appeal to that. Ms. Marcus said fair enough.

Mr. Rago said do you want me to say if absolutely necessary rather than necessary, he is sure that would make Meredith feel better....it is up to you Kevin. Kevin said you are the esquire fire away.

### **Conditions**

Mr. O'Brien said the other conditions are to provide truck turning template, provide the curbing detail on Columbus, place all entries on the site plan, revise the scale on sheet 2, provide soil log, show existing utilities, provide soil erosion application, provide stop signs/stop bar on Columbus and North Michigan, provide pit calculations, drainage to Atlas shown to the engineers satisfaction.

Mr. Rago said he has Mr. O'Brien's report and he asked if Mr. O'Brien could flag those in the report, he thinks they are already flagged but he wants to make sure we are on the same page, if you could just flag those and get that to me within the next couple of days he will make sure he plugs them in. Mr. O'Brien said yes.

Mr. O'Brien said those are the conditions and it is up to the Board whether you wish to consider them or not.

Motion was made by Mr. Grimaldi, seconded by Mr. Ladauti to approve Application #367, #5-19 based upon the conditions just read into the record.

Roll Call: Mr. Schielke voted yes, Mr. David voted yes, Mr. Cuppari voted yes, Mr. Grimaldi voted yes, Mr. Ladauti voted yes, Mr. Callelo voted yes, Mr. Mazzeo voted yes and Mr. Jones voted yes.

Mr. David said application is approved and he congratulated the applicant.

Comments for the Good of the Board - None

Motion was made by Mr. Schielke, seconded by Mr. Cuppari to open the meeting to the public. All in favor.

No one wished to speak

Motion was made by Mr. Schielke, seconded by Mr. Cuppari to close the meeting to the public. All in favor.

Adjournment

Motion to adjourn was made by Mr. Ladauti , seconded by Mr. Schielke. All in favor.

Respectfully submitted by:  
Kathleen Moschitta  
Recording Secretary