### **BOROUGH OF DEAL**

### PLANNING BOARD/BOARD OF ADJUSTMENT MINUTES

## January 5, 2022

A regular meeting of the Planning Board/Board of Adjustment of the Borough of Deal was called to order by Chair Richard Cummings.

Richard Cummings asked everyone to salute the flag.

Michael Egan read the sunshine law, in conjunction with the "Open Public Meeting Law", p.l. 1975 C231, the notice required by this statute has been satisfied as per a resolution passed on December 5, 1997 at 8:00 P.M. at Borough Hall at a regular meeting of the Planning Board, Borough of Deal, Monmouth County, New Jersey. This meeting is a judicial proceeding. Any questions or comments must be limited to the issues of what this Board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.

Roll Call of those present: Ruby Antebi, Mandy Cohen, Sam Cohen, Richard Cummings, Kathleen Jannarone, Jack Kassin, David Simhon.

Those Absent: Joe Cohen, Nicole Cohen, Richard Fetaya, Max Zeevi.

A motion was made by Richard Cummings and seconded by David Simhon that the minutes of the November 3, 2021 meeting be adopted.

Moved by: David Simhon

Seconded by: Kathleen Jannarone

### **ROLL CALL VOTE**

Those in favor: Antebi, Cummings, Jannarone, Simhon

Those opposed: None

Those absent: Joe Cohen, Nicole Cohen, Fetaya, Zeevi Those not voting: Mandy Cohen, Sam Cohen, Jack Kassin

The first item on the agenda is the Annual Re-Organization of the Board.

Kathleen Jannarone made a motion to appoint Richard Cummings as Chairman to the Planning Board/Board of Adjustment, seconded by David Simhon.

### **ROLL CALL VOTE**

Those in favor: Antebi, Mandy Cohen, Sam Cohen, Jannarone, Simhon

Those opposed: None

Those absent: Joe Cohen, Nicole Cohen, Fetaya, Zeevi Those not voting: Richard Cummings, Jack Kassin

Richard Cummings made a motion to appoint Kathleen Jannarone Vice-Chair to the Planning Board/Board of Adjustment, seconded by David Simhon.

### **ROLL CALL VOTE**

Those in favor: Antebi, Mandy Cohen, Sam Cohen, Cummings, Simhon

Those opposed: None

Those absent: Joe Cohen, Nicole Cohen, Fetaya, Zeevi Those not voting: Kathleen Jannarone, Jack Kassin

David Simhon made a motion to appoint Erik Anderson Board Attorney to the Planning Board/Board of Adjustment, seconded by Kathleen Jannarone.

#### **ROLL CALL VOTE**

Those in favor: Antebi, Mandy Cohen, Sam Cohen, Cummings, Jannarone, Simhon,

Those opposed: None

Those absent: Joe Cohen, Nicole Cohen, Fetaya, Zeevi

Those not voting: Jack Kassin

Kathleen Jannarone made a motion to appoint Michael Egan, Board Secretary to the Planning Board/Board of Adjustment, seconded by David Simhon.

#### ROLL CALL VOTE

Those in favor: Antebi, Mandy Cohen, Sam Cohen, Cummings, Jannarone, Simhon,

Those opposed: None

Those absent: Joe Cohen, Nicole Cohen, Fetaya, Zeevi

Those not voting: Jack Kassin

Richard Cummings made a motion to Adopt Resolution 22-01 for the Board's meeting nights as the First Wednesday of each month at 7:30pm, seconded by Sam Cohen.

### **RESOLUTION 22-01**

**WHEREAS,** in accordance with the Open Public Meetings Act, Chapter 231 P.L. 1975, it is necessary for the Planning/Zoning Board of Adjustment of the Borough of Deal, as a public body to post and maintain a schedule of the regular meetings of the public body to be held during the years; and,

**WHEREAS**, the Planning/Zoning Board of Adjustment of the Borough of Deal will maintain the following regular meeting dates from February 2022 to January 2023 as follows:

**February 2, 2022** 

March 2, 2022

**April 6, 2022** 

May 4, 2022

June 1, 2022

July 6, 2022

August 3, 2022

September 7, 2022

October 5, 2022

**November 2, 2022** 

**December 7, 2022** 

**January 4, 2023** 

**NOW, THEREFORE, BE IT RESOLVED** by the Planning/Zoning Board of Adjustment of the Borough of Deal, County of Monmouth, State of New Jersey that it does hereby adopt the meeting schedule of the Planning/Zoning Board of Adjustment as noted above.

**BE IT FURTHER RESOLVED** that with the utmost concern for the health and safety of the public and our municipal staff due to the potential spread of the COVOD-19 virus, it is necessary that the Borough of Deal take proactive measures. The health and safety of our community remains our number one priority

**BE IT FURTHER RESOLVED** that the Board of Commissioners of the Borough of Deal will hold these meetings allowing the public to remotely access the public meeting due to the Municipal Building being closed to the public. Utilize the following call-in information:

https://zoom.us/j/96945438931

Meeting ID: 969 4543 8931

Passcode: 775069

Phone:

Call # 1-646-558-8656

Meeting ID/PIN: 969 4543 8931#

Passcode: 775069

The Preliminary Agenda will be available on the Borough's website, <a href="www.dealborough.com">www.dealborough.com</a>, 72 hours prior to the start of the meeting. The public may participate during public comment when the Chairman or his designee opens the meeting to the public. The public may also provide comments via electronic mail or in writing 24 hours prior to the meeting to be read during the public comment portion of the meeting. These comments can be sent to <a href="mailto:deputyclerk@dealborough.com">deputyclerk@dealborough.com</a>, mailed or hand delivered to Borough Hall, 190 Norwood Avenue, Deal, NJ 07723 <a href="mailto:24 hours prior to the meeting">24 hours prior to the meeting</a>.

## **ROLL CALL:**

Moved by: Richard Cummings Seconded by: Sam Cohen

Those in favor: Ruby Antebi, Mandy Cohen, Sam Cohen, Cummings, Jannarone, Simhon,

Those opposed: None

Those absent: Joe Cohen, Nicole Cohen, Fetaya, Zeevi

Those Abstaining: Kassin

The next item on the agenda is the Resolution for 128 Norwood Avenue, Synagogue of Deal, Block 31, Lot 2 and 6 approved at the October 6<sup>th</sup>, 2021 meeting.

# RESOLUTION

Whereas, Synagogue of Deal, the record owner of the property has applied to the Planning Board of the Borough of Deal for minor site plan approval at the premises located at 128 Norwood Avenue, Borough of Deal and known as Block 31, Lot 2 and 6 on the official tax map of the Borough of Deal.

The Applicant is proposing an addition to the existing synagogue of 382 square feet.

The Application for this matter was heard on 10/6/21.

Whereas, the Board after carefully considering the evidence presented by the Applicant, the Applicant's expert and the comments, if any, by the general public, has made the following factual findings:

- 1. The Applicant is the owner of the property.
- 2. The Applicant's case was presented by Jennifer Krimko, Esq.
- 3. The Applicant presented the following exhibits:
- A-1 Minor Site Plan by Ray Carpenter dated July 7, 2021, last revised July 27, 2021.
- A-2 Architectural Plan by David Feldman dated March 17, 2021, with no revisions.
- B-1 Engineer review letter by Leon S. Avakian, Inc. dated September 22, 2021.
- 4. The existing building area of the synagogue is 19,739 square feet.

- 5. The permitted Minimum Front Yard Setback is 50 feet or average alignment. Currently existing is 37.8 feet which is an existing non-conformity. Applicant proposes no change.
- 6. The permitted Minimum Side Yard setback is 34 feet. Currently existing is 6.6 feet north and 4.2 feet south which is an existing non-conformity. Applicant proposes no change.
- 7. The permitted Minimum Rear Yard Setback is 57 feet. Currently existing is 4.1 feet which is an existing non-conformity. Applicant proposes no change.
- 8. The permitted Maximum Building Height at 35 feet. Applicant proposes 33 feet which is an existing non-conformity. The new roof height will match existing adjacent roofs in the area.
  - **9.** The permitted Maximum building coverage is 20%. Current is 48.36%. Applicant is proposes 49.33%. **A variance is required.**
  - 10. The permitted Maximum impervious coverage is 40%. Currently existing is 72.64%. Applicant proposes 73.60%. A variance is required.
  - 11. The new addition will "fill in" an existing internal courtyard.
  - 12. The new addition will allow to expand the size of an existing classroom.
  - 13. Air conditioning units now in the internal courtyard will be placed on the roof.

Whereas, the Board has determined that the relief requested by the applicant can be granted as presented without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan of the Borough of Deal.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Deal on the 6<sup>th</sup> day of October 2021 that the application is approved subject to the following conditions:

- (1.) The Applicant shall comply with all promises, commitments and representations made at or during the Public Hearing Process.
- (2.) The Applicant shall comply will those applicable terms and conditions of the Leon S. Avakian review letters dated 9/22/21.
- (3.) A general note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.
- (4.) The Applicant shall be strictly limited to the plans which are referenced herein and which are incorporated herein at length. All construction shall comply with prevailing provisions of the Uniform Construction Code.
- (5.) The Applicant shall obtain all approvals necessary for this project.
- (6.) The Applicant shall in conjunction with appropriate Borough Ordinances pay all appropriate/required fees and taxes.
- (7). Any future improvements will require Planning Board Approval.
- (8). The Applicant will not direct stormwater and/or runoff from the property onto adjacent properties.
- (9). All landscaping/landscaping plans, if any, shall be subject to review and approval by the Borough's Engineer.

Moved by: Richard Cummings

Seconded by: Joe Cohen

### ROLL CALL VOTE

Those in favor: Joe Cohen, Nicole Cohen, Richard Cummings, Irwin Levine, Max Zeevi

Those opposed: None

Those absent: Mandy Cohen, Richard Fetaya, Sam Cohen, David Simhon

Those not voting: Ruby Antebi, Kathleen Jannarone

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Deal on the 5th day of January, 2022 that the Resolution be adopted.

Moved by: Richard Cummings

Seconded by:

### ROLL CALL VOTE

Those in favor: Richard Cummings

Those opposed: None

Those absent: Joe Cohen, Nicole Cohen, Fetaya, Zeevi

Those not voting: Antebi, Mandy Cohen, Sam Cohen, Jannarone, Kassin, Simhon

The next item on the agenda is the adoption of the Resolution for 72 Brighton Avenue, Block 30, Lot 4. Edward Dana approved at the November 3, 2021 meeting.

#### RESOLUTION

Whereas, Edward Dana ("Applicant"), the record owner of the property has applied to the Planning Board/Board of Adjustment of the Borough of Deal for variances at the premises located at 72 Brighton Avenue, Borough of Deal and Known as Block 30, Lot 4 on the official tax map of the Borough of Deal which premises are located in both the R-2 zone.

The Applicant is proposing a three (3) story dwelling with swimming pool, pool house, exercise building and basketballs court. The Applicant seeks side yard set-back variances to allow construction of a side porch on the eastern side of the Property, as well as construction of steps to the cellar and to allow HVAC, pool and generator equipment.

Whereas, the Board after carefully considering the evidence presented by the Applicant and the comments, if any, by the general public, has made the following factual findings:

- 2. The Applicant is the owner of the property.
- 3. The Applicant presented the following exhibits:
  - a. A-1. An architectural site plan consisting of fourteen (14) sheets prepared by Warren Meister, R.A. of Warren Meister Architects dated June 28, 2021, with the latest revisions dated August 12, 2021.
  - b. A-2. A plot/grading plan of the property consisting of one (1) sheet prepared by Charles Surmonte, P.E. & P.L.S. dated May 26, 2021, with the latest revisions dated August 10, 2021.
  - c. A-3. A survey plat consisting of one (1) sheet prepared by William J. Fiore, P.L.S., of William J. Fiore, Inc. dated February 8, 2019, with no revisions.
  - d. A-4. Color rendering of proposed improvements.
  - e. B-1. Letter from Planning Board Engineer, Peter R. Avakian dated September 21, 2021.
- 4. The property has a total lot area of 33,750 square feet.
- 5. The lot contains a tennis court, and the dwelling was previously demolished.
- 6. The Applicant is proposing a three (3) story dwelling with swimming pool, pool house, exercise building and basketballs court. The tennis court will be removed.

- 7. These uses are permitted accessory uses in this district.
- 8. The minimum lot width permitted per the R-2 Zoned District is 150 feet. The existing lot width is 125 feet, which represents an existing non-conformity.
- 9. The minimum lot frontage per the R-2 Zoned District is 150 feet. The existing lot frontage is 125 feet, which represents an existing non-conformity.
- 10. The minimum side yard setback permitted per the R-2 Zoned District is 20% of the lot width (25 feet). The Applicant is proposed an east side yard setback of 21.2 feet to the side porch. **A variance is required**.
  - The Applicant is proposing a west side yard setback of 19.2 feet to the basement entrance. A variance is required.
- 11. HVAC and generator equipment is to be located on the west side of the residence. The equipment is to be located six feet from the property line, where a setback of ten (10) feet is required. **A variance is required.**
- 12. The permitted side yard setback to the pool equipment is 10 feet. Applicant is proposing a west side yard setback of 6 feet. **A variance is required**.

Whereas, the Board has determined that the relief requested by the Applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan of the Borough of Deal.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Deal on the 3rd day of November, 2021 that the application is approved subject to the following conditions:

- (1). Applicant has agreed to move the "exercise building" five (5) feet to the east, thus eliminating the need for the side yard setback variance for the HVAC and generator equipment.
- (2). The proposed swimming pool will comply with the requirements of the Borough Swimming Pool Ordinance.
- (3). Applicant will comply with current Swimming Pool Code of New Jersey.
- (4). Applicant will plant evergreen screening per Ordinance Section 15-2.7(b).
- (5). Illumination will comply with Ordinance XV, Section 15-2.5.
- (6). The Pool House shall comply with the requirements of the Borough's Swimming Pool, Tennis Court, Recreation Area and Facilities Ordinance.
- (7). The basketball court shall comply with the requirements of the Borough's Swimming Pool, Tennis Court, Recreation Area and Facilities Ordinance.
- (8). The existing curb and sidewalk along the frontage will be replaces if found in poor condition; and
- (9). The Applicant should provide information that taxes are currently paid.

Moved by: David Simhon Seconded by: Ruby Antebi

## ROLL CALL VOTE

Those in favor: Antebi, Nicole Cohen, Cummings, Jannarone, Levine, Simhon

Those opposed: None

Those absent: Joe Cohen, Mandy Cohen, Sam Cohen, Fetaya, Zeevi

Those not voting: None

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Deal on the 5<sup>th</sup> day of January, 2022 that the Resolution of Edward Dana be adopted.

Moved by: David Simhon

Seconded by: Richard Cummings

### ROLL CALL VOTE

Those in favor: Antebi, Cummings, Jannarone, Simhon

Those opposed: None

Those absent: Joe Cohen, Nicole Cohen, Fetaya, Zeevi Those not voting: Mandy Cohen, Sam Cohen, Jack Kassin

The next item to be heard is 90 Lehman Avenue, Block 32.02, Lot 20, Ezra and Frieda Sultan. The applicant is seeking approval to construct and in-ground swimming pool, patio, fencing, pool cabana, basketball court, new driveway and related improvements. Attorney for the applicant, Jennifer Krimko.

Enter into evidence:

A-1 Topographic Survey by Justin J. Hedges, PLS of Insite Engineering dated 7/12/2021 with a latest revision dated 10/15/2021.

- A-2 Plot Plan by Douglas D. Clelland, P.E. of Insite Engineering dated 10/8/2021.
- A-3 Architectural Plan by Michael Saverese R.A. of Michael Saverese Architects dated 10/11/2021.
  - A-4 Aerial with a color rendered Plot Plan
  - A-5 Color record Plot Plan
  - B-1 Engineer review letter by Leon S. Avakian, Inc. dated 11/11/2021.

Jennifer Krimko, we have a property that is at the end of Lehman Avenue, up against the railroad tracks. Everything we are proposing fully conforms. The only thing we are seeking a variance for is for a portion of the pool to the side yard setback as it abuts the railroad tracks. Looking at A-4 we are at the end of the railroad tracks and as you can see, everything fully complies. The obvious justification for this there are no neighbors that we need to be 30 feet away. We can fully comply with Mr. Avakian's review letter.

Richard Cummings, I have no problem with this at all.

Kay Jannarone, this is no problem.

Richard Cummings, is there anyone in the public have a question. None.

Kathleen Jannarone makes a motion to accept the application. Sam Cohen seconds the motion.

Moved by: Kathleen Jannarone

Seconded by: Sam Cohen

# ROLL CALL VOTE

Those in favor: Antebi, Mandy Cohen, Sam Cohen, Cummings, Jannarone, Simhon

Those opposed: None

Those absent: Joe Cohen, Nicole Cohen, Fetaya, Zeevi

Those not voting: Jack Kassin

The next item on the agenda is 55 Brighton Avenue, Block 27, Lot 11, James and Berta Khezrie. The applicant is proposing a new cabana, with new paver patio and a raised covered porch. The applicant is proposing to remove the existing pool house, pergolas and paver patio. Attorney for the applicant, Jennifer Krimko.

Enter into evidence:

A-1 Topographic Survey by Justin Hedges, P.L.S. of Insite Engineering dated February 17, 2021 with a latest revision date of March 1, 2021.

- A-2 Plot Plan by Douglas D. Clelland, P.E. of Insite Engineering, LLC dated August 10, 2021.
- A-3 Architectural Cabana Plan by Alan Zimbler, R.A. of Zimbler Architecture dated August 23, 2021.
  - A-4 2006 zoning permit with a portion of the survey attached.
  - A-5 Color rendered overlay of an aerial.
  - B-1 Engineer review letter by Leon S. Avakian, Inc dated October 20, 2021.

Jennifer Krimko, when the designer for the owners came to me, I told them I would not take this case because there is no way to get this high of a level of coverage approved and something must have been done, so I hooked up with Alison and Stephen and I filed OPRA requests and reviewed a chunk of paperwork this thick of all of the permits issued for this property over the years and lough and behold and I can't answer it because I didn't issue the permits, all the existing improvements that are there are currently legal. They were all shown on the plans that the permits were issued, the last one being a zoning permit issued in 2006 to add a second floor over the garage, they used a survey showing exactly what is there today. Like it or not we are starting with a lot that has a very high non-conforming impervious coverage it has been that way for many decades and currently as I understand it there is no drainage problem existing. I told the client that the only way I would take this case is to reduce the coverage and we need to put in drainage structures to accommodate the overage so there is at least a benefit to this, give the board a reason to agree to grant this. So, as you are going to see as we go through the plans that exactly what we did. We have an existing lot with significant non-conformity, we are reducing the non-conformity and we are mitigating the non-conformity by adding a drainage structure. In addition to the reduced coverage, there is one variance for the setback for the Cabana, it's really a function of how your Ordinance is written, at its max height it's at 14 feet so technically it should be setback to 14 feet however at the 10 foot setback it's only 10 feet high. I call Patrick Ward, Licensed Engineer and Professional Planner in the State of New Jersey. Please walk the Board through what we are proposing.

Patrick Ward, today there are two separate Cabana structures, square in shape, slopped roofs and are set back closer to the property line than the 10 foot minimum if they were only 10 feet tall, they are taller at their maximum height than 10 feet, so from a side yard setback and a rear yard setback standpoint they are non-conforming as they stand with the zoning Ordinance.

Jennifer Krimko, these two structures are set back about 7 feet from the side and about 7-8 feet from the back. We are proposing to eliminate that non-conformity altogether.

Patrick Ward, that is correct. Attached to those Cabana structures is a perimeter Pergola that envelops the entire Pool deck area. That entire Pergola structure is coming down also and will be replaced by a much smaller covered patio on the west side of the pool. The pool itself will remain, the spa on the North end is coming out. The applicant is seeking to do is to reconstruct the entire perimeter of the pool deck and put in a new Cabana and will put in some planting beds on the perimeter. The variance is required for the Cabana. The Cabana is setback back 10 feet from the side and rear.

Jennifer Krimko, from where the Cabana is at 14 feet in height, we are actually setback at 24 feet from the side property line. When we look at the side elevations similarly the height in the back is setback.

Patrick Ward, correct. The height from the back is 16 feet setback from the rear.

Jennifer Krimko, it was designed that the height is towards the center and as far away from the property line as possible in an effort to meet the intent of the Ordinance which is to keep the massing from the property line.

Patrick Ward, absolutely, correct.

Jennifer Krimko, we are actually reducing coverage.

Patrick Ward, we are reducing coverage by about 625 square feet.

Jennifer Krimko, we could keep the coverage as it is, but we are reducing it and we're also proposing a drainage structure. What exactly is that going to do?

Patrick Ward, we are collecting runoff from certain areas on the property and the total area we are collecting equals to the excess lot area that is in excess to the maximum coverage.

Jennifer Krimko, simply, the property will drain, if this is approved, as if it is only at 40% coverage.

Patrick Ward, that is correct.

Jennifer Krimko, so today it drains at 66.7% coverage because there are no drainage structures?

Patrick Ward, that is correct.

Jennifer Krimko, but if we were to get approved, we would be reducing that coverage and the property would have the same drainage impact as if it complied with the Ordinance?

Patrick Ward, correct.

Jennifer Krimko, based on that what is your opinion as a planner as to the justification to the granting of the variances?

Patrick Ward, for the purposes of planning, we have an appropriate use here, the cabana is an appropriate accessory structure as permitted in the Borough, the application here with the reduction of coverage with the improvement of the Cabana to meet the setbacks of height, improves the layer of open space, we're adding the planting beds around the pool, we're eliminating the pergola structure that surrounds the pool deck, the pool deck will be open to the air except for the two smaller covered patios that are on the plan and again the reduction in the coverage of 625 square feet certainly provides more open space. The application also provides more desirable visual environment. The design of the Cabana it is more in line with the design of the home. Negative criteria is minimal even if it exists.

Jennifer Krimko, from a planning perspective, if the Board approves this, in your opinion this is better than what is existing there today both in way of non-conformity and well as impact.

Patrick Ward, yes this is a better application as proposed than what exists today.

Richard Cummings, when and where did this ground coverage come from? Was it approved by the Board?

Jennifer Krimko, I looked at all your records and everything that is there was approved by the building department or by your zoning officer.

David Simhon, how far back does that go as far as the permits?

Jennifer Krimko, a long time, back to the 80's.

David Simhon, what is the length of the pool house you are proposing? This area has a lot of floods that Brighton experience.

Jennifer Krimko, I can tell you that if there are floods now there won't be in the future because we are collecting all the excess.

David Simhon, it may overload our drainage system.

Jennifer Krimko, right now you have the same amount of runoff. We are reducing coverage and we are slowing down the runoff by retaining it on site. Whatever is today we are making better. It will not have an impact on the Borough.

David Simhon, what is the length of the Cabana and height?

Jennifer Krimko, 73 feet. Highest point is 14 feet and setback 16 feet.

Kay Jannarone, I've heard a lot about esthetics. Where is the hardship?

Jennifer Krimko, for whatever the reason we are grandfathered at 67% coverage. It can stay that way forever. We are willing to reduce it and add in drainage structures that

will help the town. There doesn't have to be a hardship. There are two ways to grant a variance, one is a hardship based on lot or existing structures and the other is a C2, for the purpose of furthering the Municipal Land Use Law and it makes a better zoning alternative, because you are getting less coverage and a drainage system.

David Simhon, maybe the structure of the Cabana could be reduced. we understand that there is existing conditions but you have to give back to get something.

Jennifer Krimko, the applicant believes he is giving back by getting rid of the giant Pergola in the entire backyard, putting in the drainage structure.

David Simhon, it is to his benefit to have that drainage structure.

Kay Jannarone, can you get it down to 50-55%?

Jennifer Krimko, I spoke to my client and he is willing to reduce coverage and willing to still put in the drainage. Another 10% over what we did would be about 4000 square feet. We would look at 57%. We could lose driveway or pavers.

Kay Jannarone, I would like to see the Cabana reduced.

Jennifer Krimko, the reason we are offering to reduce the coverage so we can build the Cabana we want.

Kay Jannarone, I think we should continue this next month with revisions to the plans.

David Simhon, maybe you should look at reducing the size of the Cabana as it is too overpowering to the rear.

Sam Cohen, I agree.

Jennifer Krimko, may I ask as to not lose time, assuming we are going to reduce the Cabana and reduce the coverage down to 55% would you authorize your attorney to bring a resolution so we don't lose another month, remember the prior meeting was cancelled. I see Erik shaking his head no.

Erik Anderson, I don't like doing them on the fly.

Jennifer Krimko, what if you had all the plans and everything in advance so you knew what was exactly being granted. Remember your hearing was cancelled in December and this would put us two months back. I am asking that if you adopt the Resolution on the same time so I wouldn't have to wait another month.

Erik Anderson, I will do what the Chair wants.

Richard Cummings, as long as you have the plans in front of you to do it.

Jennifer Krimko, you will. You will have the plans within a week.

Erik Anderson, I also need the Engineer to review them.

Jennifer Krimko, Stephen will you work with me to make sure Denis reviews it in time for Erik to get on it.

Stephen Carasia, yes, absolutely.

Jennifer Krimko, when is the next meeting?

Michael Egan, February 2.

Jennifer Krimko, I ask that we carry with no need for further notice and we'll see you then.

There being no further business, the meeting was adjourned.

Respectfully submitted.

Michael W. Egan Planning Board Secretary