

Offered By: Mr. Vignola
Second: Mr. Moore
Date: 10/6/2014

Minutes of August 7, 2014 Land Use Board Meeting

Regular Meeting of the Hazlet Township Land Use Board scheduled for August 7, 2014 was called to order at 7:30PM with a Salute to the Flag followed by a moment of Silent Prayer and a Reading of the Letter of Compliance by Trish Cullen.

ROLL CALL:

Present: Mr. Pobega, Mr. Bace, Mr. Lavan, Mr. Szczuplak, Chairman Tyler, Mr. Vignola, Mr. Grossman, Mr. Moore, Mr. Skowronski

Professionals- Mr. Kittner, Mr. Vella, Mrs. Keegan

Absent: Mr. Pisano, Mr. Solomeno, Deputy Mayor Belasco, Mayor DiNardo

Approval of Minutes of the Regular Meeting of July 17, 2014

Offered by: Mr. Grossman

2nd: Mr. Skowronski

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>
Mr. Pobega	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bace	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Lavan (abstain)	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Szczuplak (abstain)	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Tyler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Solomeno (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Vignola (abstain)	<input type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Belasco (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mayor DiNardo (absent)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #1 Mr. Grossman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #2 Mr. Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #3 Mr. Skowronski	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #4 Mr. Pisano (absent)	<input type="checkbox"/>	<input type="checkbox"/>

Memorial Resolution- # 14-02L- Defined Alliance; 2880 Highway 35; Block 242 Lot 3.01; Business Highway Zone. Applicant obtained permission for Preliminary and Final Site Plan Approval to expand the existing building to incorporate a restaurant use in addition to the existing medical office use, other site improvements, bulk variance relief and design waivers.

Motion to Approve:

Offered by: Mr. Moore

2nd: Mr. Pobega

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>
Mr. Pobega	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bace	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Lavan (abstain)	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Szczuplak (abstain)	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Tyler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Solomeno (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Vignola (abstain)	<input type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Belasco (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mayor DiNardo (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Alt #1 Mr. Grossman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #2 Mr. Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #3 Mr. Skowronski	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #4 Mr. Pisano (absent)	<input type="checkbox"/>	<input type="checkbox"/>

Carry Over Case # 13-13P- 311 Laurel Avenue; Baytul- Iman, Inc.; Block 36 lot 1; R-70 Zone. Applicant is seeking Amended Preliminary and Final Site Plan approval with variance relief and submission waivers to construct a storage shed, walk-in cooler, extend schooling age to the 12th grade and to amend conditions previously granted approvals.

Mr. DeSarno- We are finishing testimony tonight. We have submitted new plans since last time I was here which was revised plans to show some of the design elements that the board was recommending or discussing.

Chairman Tyler- So we will bring back the experts from before. The public will be able to ask questions relating to this application depending on the testimony given we will consider the appropriate time.

Mr. Vella- Let's take 2 minutes and go over what is outstanding so we have a clear road map of where we are going today to expedite the process. Paul why don't you go over what you think is outstanding from recent submittals and the testimony so that they can address those issues in your updates report so we have a good straight line of what we're doing.

Mr. Kittner- There's some cleanup work and questions that I'd like to address in our January 3 letter. I know there's revised architectural plans that were submitted and we generated a letter in June on that which I think has to be reviewed. There are numerous questions and comments on that and there was also a revised traffic plan that was submitted so we'd like to review that. In terms of outstanding comments with our letter there are numerous comments that I think we still need to go over most of which are outlined in item 11 on page 8.

Mr. DeSarno- First witness is the architect.

Mr. Kittner- To start why don't you summarize the changes you made to the architectural plan and then after that we can talk about items of discussion starting with questions 1 on page 2.

Mr. Vella- Before you start we're going to mark those revised plans as A-7 plans titled Proposed Additions and Alterations last revised June 9, 2014.

Architect Ashraf Ragab has been previously sworn in

Mr. Ragab- Based on the comments of the board from the June meeting and based on our internal discussions we have agreed to eliminate the boarding space and we have revised the plans to show that change. The board was concerned about the size of the walk-in freezer and cooler so we were able to reduce the size of that by 4ft for both boxes.

Mr. Kittner- By reducing the size of the cooler, freezer and the storage area that would actually revise the variance that's being requesting for the side yard setback as well.

Mr. Ragab- It would but the storage shed is still the same size so that the set back line would remain the same.

Mr. Kittner- With the elimination of the boarding can you describe to the board what replaced it?

Mr. Ragab- We put back the one classroom where the boarding used to be and across from that we (inaudible).

Mr. Kittner- That brick wall is going to match the side of the existing structure?

Mr. Ragab- That's correct. The last revision we did was about the noise generated from the condenser units above the walk-in freezer and cooler. We were able to create a small enclosed attic space above the back staged area of the gym and we relocated the condenser units to the inside to control the noise.

Mr. Kittner- Can you show the board where the proposed equipment area is going to be?

Mr. Ragab- It's not a room it's a platform where we are trying to take advantage of the raised roof so we created a raised platform above a space in the back stage of the gym and we located the equipment on top of that area enclosed inside. We will do a fire rated enclosure with some sound (inaudible) to control the vibration and the noise doesn't travel inside and outside the building. The platform will only be accessible by a pull down ladder.

Mr. Kittner- I think the entrance was also revised on the freezer room.

Mr. Ragab- Yes we eliminated any outside access to the cooler and freezer so the only access to do it is through the back of the kitchen and there is a door facing those cooler and freezer that goes directly outside for deliveries.

Mr. Pobega- Has the Fire Commission made any comments about the setbacks?

Mr. Vella- I'm going to mark this as LUB2 which is the report by the Bureau of Fire Division which was received by us on June 25, 2014. They have not said anything about that side yard setback and their comments were that the gate on Laurel Avenue the left side of the building they need access so if the board grants anything we would require them to meet with the fire department and provide them any access that they need. Two is no fence around Laurel and side on Twelfth so the fire department says that they do not want a fence in the front or on the side of the building. Three is replace the glass outside doors with fire doors.

Mr. DeSarno- I also submitted to the board secretary tonight the list of properties.

Jeffrey Fiore traffic engineer has been previously sworn in.

Mr. DeSarno- You had submitted an updated traffic study for us based on comments from the board.

Mr. Fiore- I had prepared that analysis based on prior to my original testimony back in May and I presented that testimony at length to the board. A formal report was submitted and Mr. Kittner issued a review letter dated June 18, 2014. I didn't see any comments in his letter that would require any additional traffic testimony.

Mr. Kittner- I think that his testimony certainly comported with the traffic report. The one comment we would add is the entrance that is currently supposed to be closed by resolution on Holly Avenue, there was an issue that was discussed regarding drop offs and the time required for parents because of the Pre-K use, if the board were to act favorably on this application and if the board were to act favorably in leaving the entrance on Holly open I would recommend some sort of mechanism in the resolution that allows the township to review whether or not it's functioning properly and be able to close it down.

Mr. Vella- The last time one of the issues we discussed at length was this proposed Pre-K use and the fact that it's a different drop off mechanism than the regular school as now. We talked how there was potential queuing out to the street keeping the Holly entrance open and the board is reminding that in our original approval the board said no it has to be shut. I think the question then is we have a couple scenarios and we would like to hear from the traffic engineer on it. Let's assume that the Pre-K use is approved, can you operate the site without the Holly entrance open?

Mr. Fior- I do believe there is adequate storage area.

Mr. Vella- If it is not approved does the site still function without Holly being open?

Mr. Fior- Yes.

Mr. Vella- The biggest effect from the traffic impact is this drop off queuing with Holly being open.

Mr. Kittner- We also discussed traffic flow and how your report indicated roughly 75% of the traffic enters through Holly. If it was closed all the traffic would be going through 12th it's not to say that all the traffic would not use Holly.

Mr. Vella- And as a reminder that even though our resolution said to keep Holly closed we have heard testimony that on their website they have directed everyone through the Holly entrance.

Brian Leff Professional Planner has been previously sworn in.

Mr. Leff- I believe Mr. Kittner indicated that he would like to start with item 11 on page 8.

Mr. Kittner- If we can back up maybe we should provide some testimony on the side yard setback that's changing as a result of the freezer/cooler that's being revised and a lot of these comments I feel the engineer should address but we can try to pick out the planner issues.

Mr. Leff- For the side yard setback essentially the cooler is being reduced by 4ft so it doesn't change the setback request that we're asking for because the shed would still be closer to the property line than the cooler was before.

Mr. Kittner- And by locating the equipment over head which enabled the applicant to reduce the size, is that going to help the noise?

Mr. Leff- Yes, it was going to be outdoors over head on top of the box but now it's indoors and buffered.

Patrick Lynam Engineer has been previously sworn in.

Mr. DeSarno- So now you'll take us through page 8 paragraph 11 comments that weren't addressed before.

Mr. Kittner- Let's start with item 11:C with the kitchen use are you proposing a grease trap?

Mr. Lynam- Yes the grease trap is internal.

Mr. Kittner- Can you clarify the purposes of the sanitary sewer connections?

Mr. Lynam- Yes it is because they are converting a non-kitchen area to a kitchen area so we decided to add a second lateral to service that area of the building separately from the rest of the building.

Mr. Kittner- Item 11:H talks about prior conditions 10 and 25N which required a hedge row along Holly Avenue as approved by Hazlet Township Police Department and I think we discussed this previously has there been any thoughts on the landscaping would be proposed to buffer the head light glare from cars?

Mr. Lynam- The landscaping that was previously approved will be installed as part of this application which were hedges 2.5-3 feet. We can decide on an adequate height on landscaping for that to block the head light glare.

Mr. Kittner- Would you agree for your office to work with my office on selecting an appropriate species?

Mr. Lynam- Yes.

Mr. Vella- Is there something that we can put there to really protect the glare other than foliage that may die in the future?

Mr. Kittner- I think maybe a combination of fence and landscaping elements that may enhance the appearance from the outside but also maintain the effectiveness of headlight glare elimination.

Mr. Moore- They are proposing to put a grease trap in but we don't know how much and what kind of food is being served and what capacity that you're proposing.

Mr. Leynam- I would be inclined to comment on an external grease trap. The architect can answer the internal.

Mr. Ragab- The grease trap is usually dependent on the size of the three compartment sink that it serves so we calculated the volume of the sink and take that calculate it to get the grease trap size.

Mr. Moore- Don't you have a dishwasher there or is everything going through the 3 compartment sink?

Mr. Ragab- It's going through the 3 compartment sink.

Mr. Moore- Ok but how do you know what the capacity it if you don't know what volume is going to be pushing through that kitchen?

Mrs. Keegan- The Board of Health will be the one to review for the grease trap.

Mr. Kittner- I think item I would be the next time. Is it the applications intent to correct and properly wire the identification sign in the front?

Mr. Ragab- It should be fixed immediately.

Mr. Kittner- We noticed some of the lips and sidewalks on 12th street may not be ADA compliant, as part of the approval if the board should act favorably would you agree to correct those handicapped ramps?

Mr. Leynam- Yes.

Mr. Kittner- There is an electric conduit that is sticking out of the ground. Would you agree to fix that immediately?

Mr. Leynam- Yes.

Mr. Kittner- At the corner of 12th and Laurel there's a site triangle that's required for safety, would you agree to jog the fence out of the site triangle?

Mr. Leynam- Yes I don't think that would be a problem.

Mr. Kittner- There is a trench on the site that needs repair. Would you agree to repair that trench?

Mr. Leyman- From my understanding it wasn't related to our applicant. It may be someone who is sharing the sanitary lateral but I think the applicant will make the repairs as necessary.

Mr. Kittner- The parking space and cross walk stripping looks to be wearing, would you agree to restripe?

Mr. Leynam- Yes.

Mr. Kittner- The ordinance requires a landscaping for the trash enclosure would you agree to provide that?

Mr. Leynam- We will agree to work with your office.

Mr. Kittner- We noticed some street trees on Laurel and 12th that were missing, would you agree to supplement those trees?

Mr. Leynam- Yes.

Mr. Kittner- Can you provide the status of outside agency approval?

Mr. Leynam- Hazlet sewer we applied, Shoreland Waters same situation, Fire Official we received their comments, police we didn't have any comments, Freehold soils is not applicable, Monmouth County Planning Board we received a letter of no interest from them, NJ department of Education we've been pursuing any of those approvals for this use.

Mr. Kittner- Mr. Chairman I have no further comments for that letter.

Mr. Vella- I think there is one other issue. Based on the Fire Department report no fence on Laurel, can we have some discussion if the board follows the Fire Department's request and recommendation where would the play area be?

Mr. DeSarno- I guess Dr. Shaikh would be best to answer that but he stepped out so why don't we start with the public portion.

Chairman Tyler- This is the part of the application where we invite the public to step forward.

Swearing in Colleen Stack 107 Holly Avenue

Ms. Stack- The town was completely happy with the school as it was a K-10 school. We clearly did not see any problems except for the boarding that we witnessed. We also were relieved that it was going to be an elementary school because we didn't want to have the night classes. The reason why the town had a problem with the night classes is because of the congestion, parking issues and confusion on where to enter. We thought when Brookdale sold it we would have an end to the night traffic, an end to the congestion on Holly Avenue and we would have company. Trying to end on to that it's going worse than Brookdale because that was only adult night classes. Another issue I want to talk about is the head lights and the glare. There are people parking all the way against the fence facing the houses on Holly. You can build trees it's not going to help the glare situation for the residents on Holly Avenue. There are people showing up with suitcases on the weekend.

Mr. Vella- They are not permitted to have overnight stays and cannot have functions there if not school related. If you see any of these activities you must contact the police or code enforcement.

Swearing in Paul Albe 114 9th Street

Mr. Able- I grew up with West Keansburg and I can tell you that was a fine elementary school. If you go beyond elementary school and have older kids who are of driving age to introduce them to driving around and to school into the residential area I feel is a danger. To go beyond an elementary school I feel is a danger to that community.

Swearing in James Brodrick Chief of Police

Mr. Brodrick- Our approaches to school and our tactics changed back when Columbine happened and our officers are trained in what is called response to active shooter. You're school is as inclined to that as any other grammar school within the township. A 6ft fence is going to impede the safety of my officers to approach that school. The officers with the equipment that will be carrying they will not be able to get over a 6ft fence they will have to go through a gate which becomes a fatal funnel. I went around the county and took picture so schools you don't see any of them with 6ft fences around any of them. I've looked through our reports since the school has been open we have not have had a single incident of vandalism or intruders the only thing that we've gotten is false fire alarms.

Mr. Vella- I think that since the fire department has strongly suggested against the fence and now that the police has strongly recommended against it-

Mr. DeSarno- We've asked for a written report from the police department months ago.

Mr. Brodrick- No you haven't.

Mr. Vella- You're not entitled to a report, there's no requirement in the Municipal Land Use Law that the police department has to give you a report and the fact that the chief of the police department came in and testified is completely appropriate.

Mr. DeSarno- The board did request to get written reports from the public safety officials. We asked from the fire and the police. The fire department wrote their hand written report that we just got tonight and we've had no response from the police. The fire department wants a steel outside door in the front do you have comments with regard to the police if you would like to have a window or a solid metal door?

Mr. Broderick- No.

Mr. DeSarno- The fire department had an issue with the gates on Laurel access does the police want access to that as well?

Mr. Broderick- Yes we would.

Chairman Tyler- I have a question for the chief. There's an issue with glare from cars parking would having a closed fence in the back cause concern?

Mr. Broderick- Our concern is that we want to be able to see the building from Holly Avenue in from 12th Street.

Mr. DeSarno- Dr. Shaikh while you were out of the room the question was raised since the fire department and the police department now have finished the complaint about fencing there was a question as to whether or not there was sufficient space for play areas outdoors with the reduction of the freezer storage area or what was your plan for that?

Dr. Shaikh- The bulk of the play happens in the gym but what we have is sufficient. We strongly being in being good to our neighbors and when we first started the school in Hazlet I personally went to every neighbor in the vicinity and I talked to them. One had an issue about a certain light that was taken care of. When the hurricane's happened we went door to door with groceries and free gasoline to one of them. There was issue about the noise of the condenser so we moved them

inside, if a 4ft fence would be happy we would have gone for that so basically we tried to compromise and be good neighbors. I want to encourage appreciation for quality education.

Mr. DeSarno- The night school portion of what we are talking about was just for specific higher ed classes with regard to the advanced placement students. With that our testimony is in and we submit to the board.

Mr. Vella- Does anyone have any specific questions solely related to the play area?

Mrs. Stack- I know that play right now consists of kids running around and I can't wrap my head around that being an actual play area for like 2 to the 8th grade. If that's the play area now why aren't you using it?

Dr. Shaikh- If the cars are coned off I don't see any safety issues.

Mrs. Stack- If there night classes what time would they end because we sometimes see the glare of lights on in the building all hours of the night.

Dr. Shaikh- There was one issue with a neighbor and she asked that we shut all lights that shine outside the building and we did that. The classes we are proposing would end at 10pm.

Swearing in Anthony Briscese Holly Avenue

Mr. Briscese- A mind is a wonderful thing to waste. The thing is I'm hearing a lot about the building and the children is the main concern. You have children of a small age confined to a small building. You're going to put the older kids with the younger kids in the same building the children won't have the freedom at that now have. I would hate to see the school go past the grades they have now. I don't the school will hold anymore health wise for the brain.

Swearing in Fahim Khan 439 Middle Road

Mr. Khan- They say how award winning the school is and we should extend our corporation and help in any way.

Chairman- Do I hear a motion to close citizen hearing?

Mr. Bace- Sole offer. Voice vote- Yes

Chairman- I'm going to ask our council to review the application and then the board will discuss and hopefully we can find a motion to vote on.

Mr. Vella- We have about 5 or 6 different issues here. I think it's appropriate if we section them off and if the Chairman wants to vote on them then we will then move on. Any of the items in the CME letter would be conditions of approval. Condition application revised the plans to remove the boarding aspect, if the board deems the application favorable with respect to the storage shed the shed must match the front of the building, no exterior door to the freezer, applicant to install plantings along Holly Avenue subject to the Land use Board approval, condition that it's not for any events other than school related functions.

Mr. Kittner- You mentioned plantings but I suggest fencing as well.

Mr. Vella- They must provide the police and fire access the gate on Laurel. No fence on Laurel and side of 12th and replace the glass with steel doors. I think it may be appropriate to discuss the relief of condition or prior approval to have a kitchen. This is majority vote.

Chairman Tyler- Let's list everything then go through each one then decide if we want to vote on individual items because taken as a whole there are a number of things in here that we've questioned.

Mr. Vella- Issue 2 is the side yard setbacks for the freezer and storage. I think freezer storages is something that is attached to the kitchen area. Secondly the applicant in original approval was K-10th and the applicant is asking for 11th and 12th that is a permitted use in the zone. In conjunction with that I think we have a condition that no students drive on site. I think that's technically relief from condition.

Dr. Shaikh- I believe we expect about 5-10 for those grades.

Mr. Vella- So that's one of the issues we are going to discuss. The next one is a use variance for the Pre-K aspect and will be somewhat in conjunction with the entrance to Holly. The fourth aspect is the college courses.

Mrs. Keegan- The fence that they are proposing in the front yard you can't extend past the front setback line and they are looking to put it all the way out.

Mr. Kittner- Their plans indicate 29.8% is proposed where the existing lot coverage is 28.8%.

Mr. Vella- That lot coverage variance I'll combine with the side yard setback for the freezer and storage since it's all the same thing.

Chairman Tyler- Let's start with the college use. This is basically going to be night school which is a very different clientele. Brookdale did not work there and that is why we've voted to not allow that. It is my opinion that we got that one right.

Mr. Pobega- I'll give a motion that we deny the night school college courses.

Mr. Vignola- I'll second it.

Motion to Deny Night College Courses:

Offered by: Mr. Pobega

2nd: Mr. Vignola

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>
Mr. Pobega	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bace	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Lavan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Mr. Szczuplak	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chairman Tyler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Solomeno (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Vignola	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Belasco (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mayor DiNardo (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Alt #1 Mr. Grossman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #2 Mr. Moore	<input type="checkbox"/>	<input type="checkbox"/>
Alt #3 Mr. Skowronski	<input type="checkbox"/>	<input type="checkbox"/>
Alt #4 Mr. Pisano (absent)	<input type="checkbox"/>	<input type="checkbox"/>

Mr. Grossman- The Pre-K students that would be coming into the school I'm assuming the parent's will be dropping the kids off until they get home from work?

Dr. Shaikh- Pre-K is only until 1pm. There are few kids that stay beyond that. The Pre-K education is the most important and out of this entire application the most important for us is Pre-K.

Mr. Vella- What is the age for Pre-K? 2.5- 6?

Dr. Shaikh- 3 years old plus but very rarely 2 and a half year old. We really need that age group in because it's tremendously important for education and also for the school's intake because that's the best age to regroup students.

Chairman Tyler- What's the class size?

Dr. Shaikh- 20 students would be good enough.

Mr. Pobega- Could the Pre-K start later than the regular school?

Dr. Shaikh- Absolutely we can start 15minutes later or half hour later.

Chairman Tyler- Do I hear a motion on Pre-K?

Mr. Vella- Before you make that motion, the Pre-k revolves certainly with the relief of condition for Holly. The question then becomes if the board grants this favorable to have the Pre-K with the access on Holly what is going to happen with the traffic.

Mr. Kittner- If the board did act favorable on keeping Holly open I would keep some kind of inclusion that allows the Township the ability to close that entrance should it become a traffic issue or the residents become concerned about cars backing up.

Motion to Deny relief from prior approval to keep Holly Avenue entrance close:

Offered by: Mr. Grossman

2nd: Mr. Lavan

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>
Mr. Pobega	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bace	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Lavan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Szczuplak	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chairman Tyler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Solomeno (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Vignola	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Belasco (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mayor DiNardo (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Alt #1 Mr. Grossman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #2 Mr. Moore	<input type="checkbox"/>	<input type="checkbox"/>
Alt #3 Mr. Skowronski	<input type="checkbox"/>	<input type="checkbox"/>
Alt #4 Mr. Pisano (absent)	<input type="checkbox"/>	<input type="checkbox"/>

Mr. Vella- The applicant has applied for the approval of Pre-K with the conditions of maximum size of 20 kids, minimum age is 3 years, no drop off prior to 9am with the education component ending at 1pm.

Motion to Approve Pre-K:

Offered by: Chairman Tyler

2nd: Mr. Szczuplak

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>
Mr. Pobega	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bace	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Lavan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Szczuplak	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chairman Tyler	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Mr. Solomeno (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Vignola	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Deputy Mayor Belasco (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mayor DiNardo (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Alt #1 Mr. Grossman	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Alt #4 Mr. Pisano (absent)	<input type="checkbox"/>	<input type="checkbox"/>

Mr. Vella- That motion does not carry.

Chairman Tyler- The next item was K-10 to expand that to the 12th grade.

Vella- Just so we are clear the actual words from the condition were in the condition were applicant prohibited from having any student drivers attend the school.

Mr. Moore- Why was that made a condition at that time?

Mr. Vignola- There wasn't enough parking spots.

Chairman Tyler- It was a function of just how much the building and site could handle, fairly limited size building with young children and older kids, and the concern over student drivers. That was not a big item for them at the time though so the focus was on elementary.

Mr. Moore- How many parking spaces are there and how many are used during the day?

Dr. Shaikh- There are 60 spaces and about half are used during the day.

Chairman Tyler- Let's cover some other items and then come back to this. We've heard testimony about the fence tonight.

Mr. Pobega- I'm going to make the motion that we deny the fence in the front yard.

Mr. Bace- I'll second it.

Motion to Deny Front Yard fence:

Offered by: Mr. Pobega **2nd:** Mr. Bace

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>
Mr. Pobega	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bace	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Mr. Lavan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Szczuplak	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chairman Tyler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Solomeno (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Vignola	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Belasco (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mayor DiNardo (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Alt #1 Mr. Grossman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #2 Mr. Moore	<input type="checkbox"/>	<input type="checkbox"/>
Alt #3 Mr. Skowronski	<input type="checkbox"/>	<input type="checkbox"/>
Alt #4 Mr. Pisano (absent)	<input type="checkbox"/>	<input type="checkbox"/>

Chairman Tyler- The kitchen and the testimony is that having meals in schools is an extremely important aspect of having a school. I know some of the issues around this were creating a better setup for the kitchen.

Mr. Vella- We will grant them approval to have a kitchen but deny them the side yard setbacks for the proposed walk in freezer and cooler however grant them site plan approval to have them inside the building to operate the kitchen.

Motion to Approve Kitchen with condition freezer is inside building:

Offered by: Mr. Szczuplak **2nd:** Mr. Bace

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>
Mr. Pobega	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bace	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Lavan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Szczuplak	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chairman Tyler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Solomeno (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Vignola	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Belasco (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mayor DiNardo (absent)	<input type="checkbox"/>	<input type="checkbox"/>

Alt #1 Mr. Grossman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #2 Mr. Moore	<input type="checkbox"/>	<input type="checkbox"/>
Alt #3 Mr. Skowronski	<input type="checkbox"/>	<input type="checkbox"/>
Alt #4 Mr. Pisano (absent)	<input type="checkbox"/>	<input type="checkbox"/>

Mr. Vella- The applicant requests to have relief from prior condition and to have K- 12 adding 11 & 12 which is limited to 10 students each and no more than 5 student drivers. They to be required to park on site.

Motion to approve extending schooling to 11 and 12 grade with conditions:

Offered by: Mr. Szczuplak **2nd:** Mr. Pobega

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>
Mr. Pobega	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bace	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Lavan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Szczuplak	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chairman Tyler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Solomeno (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Vignola	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Deputy Mayor Belasco (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mayor DiNardo (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Alt #1 Mr. Grossman	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Alt #2 Mr. Moore	<input type="checkbox"/>	<input type="checkbox"/>
Alt #3 Mr. Skowronski	<input type="checkbox"/>	<input type="checkbox"/>
Alt #4 Mr. Pisano (absent)	<input type="checkbox"/>	<input type="checkbox"/>

Mr. Vella- As determined by our Zoning Officer that is a use variance and does not carry.

Motion to Deny side yard setback for storage shed:

Offered by: Mr. Pobega **2nd:** Mr. Vignola

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>
Mr. Pobega	<input checked="" type="checkbox"/>	<input type="checkbox"/>

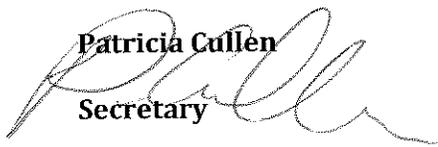
Mr. Bace	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Lavan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Szczuplak	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chairman Tyler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Solomeno (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Vignola	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Belasco (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Mayor DiNardo (absent)	<input type="checkbox"/>	<input type="checkbox"/>
Alt #1 Mr. Grossman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alt #2 Mr. Moore	<input type="checkbox"/>	<input type="checkbox"/>
Alt #3 Mr. Skowronski	<input type="checkbox"/>	<input type="checkbox"/>
Alt #4 Mr. Pisano (absent)	<input type="checkbox"/>	<input type="checkbox"/>

Mr. Vella- The 11th-12th vote passed are not use variances they are permitted uses and that carries.

VOICE VOTE: YES

Motion to Adjourn: Sole Offer

Next Meeting: September 18, 2014

Patricia Cullen

Secretary