BOROUGH HALL, 201 EAST MAIN STREET
Incorporated December 30, 1887
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GEORGE R. DEMPSEY, JR.
Mayor

BARBARA ILARIA
Municipal Clerk

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOSEPH R. DeIORIO
Municipal Administrator/
Chief Financial Officer

The Manasquan Planning Board held a Regular meeting on Tuesday, December 6, 2011 at 7PM in the Borough Hall, 201 East Main Street, Manasquan, New Jersey.

Chairman John Burke called the meeting to order stating that this meeting is published according to law and a copy of the agenda is posted on the bulletin board outside. He then asked everyone to please rise and salute the Flag.

ROLL CALL:
Board Members Present:

Mayor George Dempsey	**John Muly**	**Patrick Callahan**
Joan Harriman	**Neil Hamilton**	**John Burke**
Leonard Sullivan	**Jay Price**	**Peter Ragan**

Professionals Present:
Geoffrey S. Cramer – Planning Board Attorney
Albert D. Yodakis – Planning Board Engineer/Planner T & M Associates
Board Members Absent:
Councilman Owen McCarthy
Michael Sinneck
Bill Buble
Mark Apostolou the Mayor's Alternate was present in the audience.

APPLICATION #17-2011 – 30 North Main, LLC – 30 N Main Street – Lot: 1.01, Block: 32 – Zone: B-1 – Demolish existing buildings and structures on property and construct a three-story mixed use building with an office use on the first floor and two dwellings on the second and third floors. Site Plan and Use Variance required. Mr. Gregory Vella is the attorney representing the applicant. He said this is really a two-fold application. He asked the Zoning Officer for an interpretation as to whether there is a permitted use in the Zone for office on the first and apartments on the second and third floors. The way your Ordinance reads it says it's permitted if you are a Commercial Use. His response was Commercial Use is business that sells goods or service for profit therefore an office is not a Commercial Use. He said we needed a Use Variance but we are appealing that interpretation. We are also asking for Site Plan approval if the Board says hey, we think the Zoning Officer is right, we are asking for a Use Variance which we think we can satisfy. Or if you say the Zoning Officer is wrong we are asking for a Site Plan as a permitted use. We have very limited Variances; there is really only one variance which is lot coverage which is of any magnitude. 60% is permitted where we are asking for 66%. We are able to deal with all the technical aspects of Mr. Yodakis' letter and we were really looking forward to this hearing before the Board. We previously were advised by the Monmouth County Planning Board since one of the roads is a County Road, we submitted an application and they gave us verbal indications that they were happy with our application. We waited for the letter, we got a letter today at 12-1 o'clock which I think all the Board members have a copy of it. That letter is completely opposite of what we believe they were

going to do, what they have now requested other than the County giving us approval they have requested additional documents. They requested substantial right-of-way dedication to the County and to the Borough. To such a point that the lot is from our perspective unbuildable, unprofitable, and you can't build anything of reasonable size on that property based on what the County Planning Board is recommending. My client is a contract purchaser and we do not want to walk away with the first shot across the bat. What we are asking the Board is we don't want to just give up, the project is very good, it's an improvement of that corner he thinks it's going to be a very beautiful building. My client has built another office building in the area; it's on the corner of Park Avenue and Highway #71, which is actually his office building. I know you guys all drive down #71 it's right past Spring Lake Golf as you are coming towards Manasquan, I recommend when you drive by look at Park Avenue Partners, the sign says Privatel on it, that's my client's office building that he built. You will see from that building that it is a beautiful building, beautiful landscaping, beautifully maintained and we plan on doing the same type of quality here. He also owns a Modular Company, and that's how it's going to be built. We don't want to just get up and walk away. We've talked to the County, our Engineer was very surprised by the letter, he is going to request a meeting, and we may be having it on Monday with the County Planning Board. With their Engineer to talk about their recommendations and hope they change their mind. Mr. Yodakis you're Board Engineer, he just had a chance to talk to him for two seconds as he walked into the meeting, it's up to the Board if you think it would be helpful for Mr. Yodakis to be at the meeting, we have no problem with him joining us. I think his report is consistent with our thoughts, if the Board wants him at the meeting with the County we have no problem with that. If Mr. Yodakis wants to go or not, I'll leave that up to the Board and to the Professionals. We want to meet with the County to see if we can straighten this out and if not this property is going to be locked to a single-family home until something happens. No one is living there, it's an estate sale so we want to make it better, we will try to make it better so we need to meet with the County, so we respectfully request that I did do all the notices, sent the affidavit proof of publication in, notice to the joint property owners, the Board can set jurisdiction on this matter for notices and carry it to the first meeting in January. We should have an answer by that time from the County for either to proceed or the project is dead. Because, it's just unbuildable from what they recommend. You can see from the letter, it's pretty substantial what they want. It would be a shack if we do what the County says or recommends. That's our request Mr. Chairman, to accept jurisdiction, carry to January, hopefully we can resolve these issues with the County, I think we can satisfy your Engineer with all his aspects except for the small little one or two Variances that we have. Geoff Cramer said he thinks a request would be in order to be considered, he thinks we should let Mr. Vella know what that meeting date might be available in January so that any members of the public here tonight could also be made aware of the adjournment and to what date certain it would be made. John Burke said as far as the date goes our pre-published date was January 3rd, we have been informed by the Town Council that we cannot meet on that day. We are going to vote on that at the end of this meeting, it will be published tomorrow, Mary said no it will be sent for publication tomorrow to the Coast Star and will be in the next edition of the newspaper. John Burke said the date that we are probably going to talk about is going to be January 10th. I suggest that you call Mary and check with her at the end of the week. Mr. Villa asked if he could ask the Board to advise

the members of the general public that the next hearing is going to be January 10, 2012 at 7PM and if for some reason that date is wrong and you change it at the end of the meeting he will then have to re-notice if for some reason you vote for a new date. But, if it is the 10th we won't have to re-notice. Geoff Cramer said he thinks that's a fair request. Neil Hamilton asked if we could get this date issue out of the way right now, so he can walk away knowing exactly what we're going to do. John Burke asked if we can change hats in the middle of a case here, and talk about the date and vote on that? Geoff Cramer said you think you might want to pick a different date? John Burke said I just want to go to that, explain to the Board what happened and why we are changing and then have the Board vote on the 10th. George Dempsey said can we have a recess from this case, due the date and then reconvene. Geoff said you want to recess, do the date and then open this up again. Motion to recess made by Mayor George Dempsey, seconded by Patrick Callahan, all in favor none opposed.

John Burke told the Board members that the Town Council has changed the way they are going to do meetings next year. It first affects our January 3rd meeting. They normally would have their re-organization meeting on the first Monday January 2nd, they are not going to that they are going to Tuesday, January 3rd and the Council takes preference over this Board so the next available Tuesday for us to do the meeting would be January 10th. That is the recommendation to the Board that we change to January 10th, we will discuss this again at the end of the meeting because there are two other meeting dates involved in this new procedure from the Council. Right now let's just go with the January 10th meeting date. Mayor George Dempsey made a motion to move the already published Planning Board regular meeting date from January 3, 2012 to January 10, 2012; the motion was seconded by Lenny Sullivan, all in favor none opposed.

Patrick Callahan made a motion to re-open Application #17-2011, the motion was seconded by Mayor Dempsey, all in favor none opposed.

Mr. Vella said the only other issue is whether Mr. Yodakis wants to come to our meeting once we get it scheduled or somebody from his office to deal with this issue. Al said he doesn't have a problem attending the meeting, perhaps he should contact the County first and see what their position is, talk it over them before I make a commitment. I will also speak to Mr. Vella. John Burke said even after the meeting you will keep Al informed and up to date on everything going on. Mr. Vella said absolutely. John Muly made a motion to move the application to January 10, 2012 regular meeting, motion was seconded by Patrick Callahan.

<u>Board Members Voting Yes</u>:

Mayor George Dempsey, John Muly, Patrick Callahan, Joan Harriman, Neil Hamilton, John Burke, Leonard Sullivan, Jay Price, Peter Ragan.

No negative votes.

APPLICATION CARRIED TO JANUARY 10, 2012

John Burke asked the Board members to please keep their microphones on as there has been a problem with some turning their microphones off.

<u>APPLICATION #18-2011</u> – Datillo, Mary and Jeff – 10 Pearce Court – Block: 155 – Lot: 4 – Zone: B-3 – Geoff said the Board has jurisdiction of this application, he said he believes there was a re-publication, Mr. Datillo said they never published it the first time they were

to appear. He has published and notified all property owners within 200-feet more than 10 days ago. He proceeded to swear in Jeff Dattilo and Mary Dattilo. Mrs. Dattilo said this is a summer home for them, they live in Westfield, NJ during the winter months at 456 Birch Place, Westfield, NJ. John Burke asked them to explain what they want to do, why and why it's going to be a good thing for the Town. Mr. Dattilo said they want to put a deck on the front of the house which is facing Watsons Creek. Why they want to do it, he thinks not only it will enhance the house but it will also help it to fit in more with the shore theme, they have two fronts to the house, they have the Street side and they have the Creek side and they are right opposite, he said it will enhance the beauty of the house and be consistent with a lot of the other houses that are on the Creek there that have the decks already extended off the house. That's the main reason. He thinks the house will fit in with the neighborhood and fit in aesthetically. John Burke said the only two Variances here are the rear setback – 20-feet required, the deck is going to bring that down to 9.5-feet. Mr. Dattilo said he assumes that is correct since it is on the application. John Burke said the frontage is 40-feet and you have 35-feet, so you have a smaller than normal home. Side yard setbacks are fine. Mr. Dattilo asked John if he means the Pearce Court side when he is speaking about the front. John said Pearce Court is the front. John Burke said looking at your survey, it looks like the houses on both sides of you are in exactly the same line with your house. Mr. Dattilo said he thinks so, he is not that familiar with the survey but that end line looks pretty much like they line up on Pearce Court. John asked him if he has any idea about the rest of the houses on that Street. Mr. Dattilo said the first two houses on Pierce coming off Main Street he is sure that is a very odd setback from there, the rest of them going down have been there for years and he is sure they all pretty much fall in line he would think. John Burke asked how high the deck is going to be off the ground. Mr. Dattilo said it will be equal to the top of the existing masonry steps which is 9-feet above the high water level. Patrick Callahan said it's approximately 52-inches from the present grade we measured it up to the saddle of the door. John asked if the TRC did a report on this project. John Muly said the Committee looked at this and felt that there was no need for an Engineer's report on something as simple as this seems to be. We felt the application was in order for a full hearing with the Board. Mr. Dattilo had pictures to enter as evidence. Mr. Cramer marked them Exhibit A-1 and A-2. They were comprised of pictures of the house as it exists on the lot today, the first picture is South to North view where the deck would go, the bottom picture is the opposite which is North to South view along the lines there. The second picture is the front of the house on the top picture, and the bottom picture he was trying to show the view of what the deck would look like. Joan Harriman asked how you would get off the deck. Mr. Dattilo said they are going to keep the existing stairs, they are masonry stairs and the deck will be tied right into the stairs. The stairs will be at the end of the deck. Al Yodakis said so the deck is not going to run the entire length of the house and Mr. Dattilo answered correct. Neil asked the size of the deck they are asking for. Mr. Dattilo said its 12-feet out and give or take 19-feet long. Neil said some of his neighbors he would assume on his side of the Street also have elevated decks, is that correct? Mr. Dattilo said definitely the ones opposite, there is a fence up two down so he doesn't know what they have going on. His wife gave a description of the neighbor's property in the rear toward the water. Mr. Dattilo said his brother lives next door and he doesn't have a deck. Neil said in these past storms we have had in the last couple of months, what do you do with your furniture to protect it so it doesn't end up in the Creek?

Mr. Dattilo said even with the last storm all they had there was about 10 to 12-inches in the crawl space, the water has never come into the house, so everything goes into the crawl space and they have been lucky and then it drains out through the vents. The table outside is tied down to the railing and that was fine. Knock on wood they have been good. Neil asked if he would say that some of the decks that are there that are elevated may be elevated for that particular reason that they stay out of the flood waters that they can allow the furniture to remain high and dry or walk out there during flood times. Mr. Dattilo said he doesn't really know because a lot of those houses especially across the Creek were built before Code and were built for entrance and exit out of their houses he doesn't think it has anything to do with flood. John Muly made a motion to open the meeting to the public, the motion was seconded by Joan Harriman, all in favor none opposed.
There was no public participation.
Mayor George Dempsey made the motion to close the public portion which was seconded by Joan Harriman, all in favor none opposed.
Mr. Dattilo said he wanted to say on record that he did screw up the first time and Mary could not have been more helpful to get us through this whole process, it was an absolute pleasure and it couldn't have been easier so my accommodations to her.
Joan Harriman made a motion to approve the application as requested, Mayor Dempsey motioned a second.
<u>Board Members Voting Yes</u>:
Mayor George Dempsey, John Muly, Patrick Callahan, Joan Harriman, Neil Hamilton, John Burke, Leonard Sullivan, Jay Price and Peter Ragan
No negative votes
APPLICATION APPROVED

<u>APPLICATION #19-2011</u> – McCarthy, Daniel and Meghan – 87 Parker Avenue – Block: 60 – Lot: 77 – Zone: R-2 – Mr. Cramer found the file to be in good order and accepted jurisdiction. He proceeded to swear in Daniel McCarthy and Meghan McCarthy of 87 Parker Avenue. Mr. McCarthy proceeded to explain his proposal to the Board stating they are seeking a setback Variance. Right now they have an enclosed porch and they are looking to open it up and increase it to 30-feet long. Right now it's approximately 15-feet long and they are looking to make it open and 30-feet long but they need 11-inches for 14-feet of it. This is the only variance he is asking for. John Muly said the Technical Review Committee looked at this application and felt this was a minor thing and they didn't request an Engineer's report. They felt that they are generally pretty porch friendly so they would like to see the porch on the front of the house. Mr. McCarthy said they are one of the few on his block without a front porch and they feel like the step child, they have to run outside when the band comes down the Street, they are left out of everything. Lenny asked if the porch would remain open and Mr. McCarthy said yes right now it's closed and they want it open definitely. John Muly made a motion to open the application to the public, the motion was seconded by Patrick Callahan, all in favor none opposed.
There was no public participation. Mayor Dempsey made a motion to close the public portion; the motion was seconded by Lenny Sullivan, all in favor none opposed. Mr. McCarthy said the last guy stole his thunder, he was about to say the same thing about Mary, he was in the office about 50 times and Mary did help them out a lot and he appreciates it. Mr. Muly made a motion to approve the application, the motion was

seconded by Patrick Callahan. Mark Apostolou asked if the fact that the porch was not to be enclosed would be a stipulation of the Variance and the Board said yes it would be stipulated.
<u>Board Members Voting Yes</u>:
Mayor George Dempsey, John Muly, Patrick Callahan, Joan Harriman, Neil Hamilton, John Burke, Leonard Sullivan, Jay Price, and Peter Ragan.
APPLICATION APPROVED

John Burke said let the record show that Owen McCarthy has joined the meeting, he explained that the first case was moved and that is why the meeting is so far along.

<u>RESOLUTION #16-2011</u> – Panarello, Ralph – 231 ½ First Avenue – Block: 178 – Lot: 46 – Zone: RPM – Use and Bulk Variances – There were stipulations and conditions attached to the Resolution. Patrick Callahan made a motion to memorialize the Resolution, the motion was seconded by Peter Ragan.
<u>Board Members Voting Yes</u>:
Patrick Callahan, Neil Hamilton, John Burke, and Peter Ragan
RESOLUTION MEMORIALIZED

Minutes of Tuesday, October 4, 2011 – Mark Apostolou said there was a typo on the minutes on page 5, the word liens should be lines. Mary will make the correction on the original minutes. Motion to approve the minutes was made by Neil Hamilton; motion was seconded by Patrick Callahan, all in favor none opposed.
MINUTES APPROVED

A motion to approve the Vouchers was made by Neil Hamilton; the motion was seconded by John Muly, all in favor none opposed.
PAYMENT OF VOUCHERS APPROVED

John Burke asked Patrick Callahan to explain the letter from Gemma, attorney for the Amorosso's. Patrick said on a site visit to Dr. Amorosso's deck on the Beach side it was discovered that the paver patio area on the north side is now a raised deck. We put a stop work order on the project and told them if they wanted to put a raised deck in lieu of a pavered patio they would have to come before this Board again to seek relief. Neil Hamilton asked Patrick if from what he has heard is the reason they went to the wood deck was the fact that the DEP rejected the pavers because they said in their estimation they are not pervious. Patrick said that's what the Amorosso's told us but we have no documentation from the DEP and no one came to us with this or any documentation at all. Neil asked if DEP has jurisdiction over Manasquan's property. Owen McCarthy said on the Beachfront the do. Neil said even if it's our land? Owen said within a certain distance of a tidal weather, CAFRA trumps I think even our Land Use Ordinance. Owen said if it's within any certain distance of a wetlands, there's freshwater regulations that apply and within a certain distance of the Ocean, CAFRA regulations apply and he does know that we on the Council have been dealing with some headaches for years and I'm sure George is more familiar than I am, but for the last year that I've been on we have had disputes with DEP about what we can along the Beachfront area. He does know that there has been a

substantial amount of discussion between the Amorosso's, the Borough Attorney and the DEP about what can happen in certain areas of that property. So, if Geoff or Al talk to Mark Kitrick or Charlie about what has happened up there, what we've been told we are allowed to do, what the Amorosso's have been told they are not allowed to do and vice-versa. It's really the DEP who has been delegating what's allowed up in that area. Neil asked if they tell them that they are not going to permit the pavers, what other alternative do they have to provide some sort of a solid non sand walkway to get to the front of their house other than wood? Owen said he thinks there has also been some problems with the location of the pavers, some pavers have been on Municipal property. Neil said so have they not been removed? Owen said it's been an ongoing negotiation as to where we are and he thinks it may be better for Geoff and Al to talk to Charlie and Mark, also Pat and Dick may be more familiar with all the nuances as to where things are, but I do know that both sides have received input from the DEP as to what's allowed in that area. Patrick said we have verified that the pavers that were encroaching on Borough property were removed and then we released the Construction permits for the deck. The proper procedure would have been if someone would have come to us in writing stating that pavers are impervious according to the DEP and we need to make a modification, but that was not done it was all verbal. John Burke said he agrees with Owen, Al should definitely get together with them and find out exactly what's going on and probably Charlie too. Owen said and Pat also. Al said he has not been handling that he needs to talk to Charlie about that, he helped Charlie with some of the mapping that they had presented to the Board but he is not up to speed on specifically what took place but he will talk to him about it tomorrow. John Burke said if the DEP says they can't put pavers down at all, the only thing they will approve is this deck that they are talking about in this letter, this trek or wooden decking in the letter, do we need them to come back before this Board again? Geoff Cramer said he has to talk to Charlie Rooney and or Mark Kitrick concerning this, obviously we have an approval out here for this particular property and we want to make sure that whatever the DEP has ordained here can be made consistent with the approval the Board gave them. John Burke said if not they have to come back. Geoff said or the Resolution has to be modified to be consistent with what the understanding agreement is. John said well let's let the people get together first and then I guess we're going to have to wait until January 10th and then decide at that point. Mark Apostolou asked if it would behoove the Board to request the DEP to put something in writing so that we can memorialize and protect ourselves, because if it's only innuendo by verbal and they change it, I think due process would put us in a difficult position whereas if we mandate and say to the applicant it's your obligation would you surrender this to us, get an opinion from the DEP as to what they are doing, that way we can protect ourselves. We can't compel the DEP to do something but we can ask the applicant. Owen said he would agree that if they are told they are not allowed whatever the building structure is whether it's pavers or the like, they should get something in writing they can present to us. Mark said the reason being if we don't have a receipt of that we have no due process procedure, we have nothing to appeal from.

Next John asked Owen to address Ordinance #21-0011 – Owen said last night at the Council meeting we introduced the first reading a copy of what he thinks they are somewhat reluctant to call digital and he thinks the term is changeable because digital was felt as being somewhat too restrictive. But, this was an initial attempt by the Mayor and

Council until we can receive more input from the Sign Committee as to regulation of digital signs in the Borough, again by no means is this the final Resolution, we are looking forward to comments from the Sign Committee. This was just an initial attempt to prevent individuals from making applications and essentially being grandfathered in with digital signs throughout the Borough. George said they have a second reading on the 19th and then the Council plans to have a more comprehensive Ordinance and receive more input from the Sign Committee to include not just digital signs, but he knows there has been discussion in the past about reviewing the entire Sign Ordinance and receiving comments overall. That's our larger scale approach in analysis. The important thing is getting this approved by the Mayor and Council. The Sign Committee will become active again after the first of the year. John Muly said what would help is if there are any concerns that the Council or anybody else has, let us know so we can put it all in the pot when we are reviewing the whole thing. Owen said some of the things that were discussed were hours, illumination or brightness of the signs, where they are, what may be accepted in one location may be problematic in another if you're living in the house across the Street. John Muly said we also talked at a couple of our meetings about the size of the signs as well. Owen said and how often they can change, the colors to minimize disruption. John Muly said the existing Ordinance has 9 square-feet, well you look around Town there is nothing that small. John Burke said a lot of Towns that allow these signs are requesting that they be remotely operated because then they can be hooked up to the Amber Alert System and the Silver Alert also. John Burke said he needs the Board to recommend to the Council to go along with the vote on this; I need a motion from the Board asking the Council to go along with the second reading of this on the 19th. Leonard Sullivan made the motion, the motion was seconded by Patrick Callahan.

<u>Board Members Voting Yes for Council to Adopt Ordinance #19-2011</u>
Mayor Dempsey, John Muly, Patrick Callahan, Joan Harriman, Councilman McCarthy, Neil Hamilton, John Burke, Leonard Sullivan, Jay Price, and Peter Ragan
BOARD UNANIMOUSLY APPROVED COUNCIL MOVING FORWARD ON ORDINANCE

John Burke asked the Board members to look at the meeting dates for approval for the year 2012. He said we are already changing January 3rd to January 10th. As he said earlier tonight the Town Council has changed how they do their meetings. What they used to do is if they had a regularly scheduled meeting on a Holiday they would go to the previous or the next Monday. They decided that they did not want to have back to back meetings so they are going to a Tuesday if they have a meeting on a Holiday. That's going to affect January 17th probably and I believe February 7th and Owen McCarthy went to get the list of the Councils dates. John said he knows last night they decided there were three dates we might have to change, we've already changed one in January. John said while we are waiting for Owen to return, last month we requested the Board members to make a list of things they are concerned as far as Planning goes on the Master Plan in Town, he also found out in November that we don't have to re-do the Master Plan every six years it's now every 10 years. Owen returned and he said January 17th for Martin Luther King Day. John said so that means the 17th is out then we would have to go to the 24th. John said we should stick with Tuesdays, on Wednesdays we might run into Court, we might have trouble getting the room on a Wednesday. The January meetings will be the 10th and the 24th. John said the one on the 24th all we are doing is reserving the room, there will not be a meeting unless this

applicant requests that day. Owen said the next problematic day is February 21st which was to be a Special Meeting. John Burke said we were planning on using a Special meeting as a Planning Meeting and not hearing any applications that night, we initially talking about February 21st and now we are being told the Council is taking that day so I suggest we move it to March 20, 2012. Cancel the 21st completely no February Special meeting at all. Joan and John Muly will most likely not be here that night. John said Mary would have to publish that date also. Mary said she doesn't have a date for the November meeting, she had put open for discussion because the Municipal Convention is the 13th, Election Day is the 6th, Owen said the Mayor and Council have a meeting on the 19th, and then Thanksgiving is that week also. Lenny said you could have it the League week, not everyone goes to the League. John said he normally goes down on Wednesday. Owen said September 4th is a problem also. It was decided to keep the regular meeting date on November 13th. John said let's go back to September, Council is meeting on September 4th, the next Tuesday is September 11th so we will have to go to that date. Mary asked if you want back to back because the Special Meeting is September 18th. John said all we're doing is reserving the room for Special Meetings and we can always cancel the meeting, we don't have to meet. The meetings set for the year 2012 are as follows:

January 10, 2012 – Regular Meeting	**January 24, 2012 – Special Meeting**
February 7, 2012 – Regular Meeting	**No Special Meeting in February**
March 6, 2012 – Regular Meeting	**March 20, 2012 – Planning Meeting**
April 3, 2012 – Regular Meeting	**April 17, 2012 – Special Meeting**
May 1, 2012 – Regular Meeting	**May 15, 2012 – Special Meeting**
June 12, 2012 – Regular Meeting	**No Special Meeting**
July 10, 2012 – Regular Meeting	**No Special Meeting**
August 7, 2012 – Regular Meeting	**No Special Meeting**
September 11, 2012 – Regular Meeting	**September 18, 2012 – Special Meeting**
October 9, 2012 – Regular Meeting	**October 23, 2012 – Special Meeting**
November 13, 2012 – Regular Meeting	**No Special Meeting**
December 4, 2012 – Regular Meeting	**No Special Meeting**

We will not be publishing the January 2013 meeting for next year.
Motion to approve the meeting dates for next year was made by Mayor Dempsey, seconded by Patrick Callahan, all in favor none opposed. Geoff Cramer said he will put these dates in a Resolution that is effective tonight.
MEETING DATES FOR 2012 APPROVED

John Burke asked the Board Members to save the first application paperwork that was going to be heard tonight Application #17-2011.

John read a memo that was in the packets which stated that the Miller's who were supposed to take the shed down within a certain time period, they have not done so. One was to come down and the other was to be finished. It is in the hands of Dick Furey, Zoning Officer.

George asked if the North Main Street application would be a Use or a Bulk Variance. Geoff said the attorney was asking for a favorable interpretation that he can do what he

wants to do consistent with the Ordinance, that's a stretch as that's not what the Ordinance says. The Ordinance says you can have apartments over stores. John Burke said basically that's going to be determined and then it will be a Use Variance.

A motion to adjourn was made by Patrick Callahan; the motion was seconded by Leonard Sullivan, all in favor none opposed.
MEETING ADJOURNED AT 8:17PM

Respectfully Submitted,

Mary C. Salerno
Planning Board Secretary