

October 12<sup>th</sup>, 2021

BRIELLE PLANNING BOARD  
TUESDAY, OCTOBER 12<sup>th</sup>, 2021

The Regular Meeting of the Brielle Planning Board was held on Tuesday, October 12<sup>th</sup>, 2021, at 6:00 p.m., virtually. Ms. Trainor read the OPMA compliance statement. Ms. Trainor announced it was time for the Salute to the Flag and a moment of silent prayer.

Roll call was taken:

Present: Mayor Thomas Nicol, Councilman Frank Garruzzo, Corinne Trainor, Chris Siano, Karen Brisben, Stephanie Frith, Jay Jones, Charlie Tice

Absent: James Stenson, Jim Maclearie

Also present were David Clark, Board Attorney, Alan Hilla, Board Engineer, Elissa Commins, Zoning Officer and Denise Murphy, Recording Secretary.

A motion was made to approve the Minutes of September 14<sup>th</sup>, 2021, this done by Karen Brisben, seconded by Stephanie Frith, and approved by unanimous vote, all aye.

OLD BUSINESS:

Request of time extension for filing of a Minor Subdivision for Block 61, Lot 1.01, 22 Crescent Drive, owned by Michael & Lori Centrella.

Mr. Clark stated that he had received an email from Attorney John Jackson who indicated he was representing Mrs. Centrella with regard to this matter and also received a letter from Attorney Tim Middleton indicating he was representing Mr. Centrella. Mr. Clark stated that Mr. Middleton asked that the application be carried until the November meeting because of the change in attorneys and stated they needed more time to figure out their next steps.

Ms. Trainor asked if there was anyone present on behalf of Mr. or Mrs. Centrella. Not hearing anyone and based on Mr. Clark's information, Ms. Trainor asked for a motion to carry the Centrella application to the next meeting. Ms. Brisben made a motion, seconded by Councilman Frank Garruzzo, and followed by the roll call vote.

Ayes: Mayor Thomas Nicol, Councilman Frank Garruzzo, Corinne Trainor, Chris Siano, Karen Brisben, Stephanie Frith, Jay Jones, Charlie Tice

Noes: None

OLD BUSINESS:

Continuation of hearing for Application for Variance relief for Block 48.01, Lot 3, 339 Magnolia Avenue, owned by Nicholas & Emily Bilotti, to allow demolition of existing dwelling & construct a new one. Front Yard Setback —30 feet required, 22 feet proposed. Rear Yard Setback — 35 feet required, 24 feet proposed. Maximum Building Coverage — 20% allowed, 21% proposed.

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Maximum Building Height — 35 feet allowed, actual height not provided (height of 34.33 feet was measured from the grade & has to be measured from the crown of the road)

Architect Mr. Robert Dooley announced he was appearing for Mr. & Mrs. Bilotti. Ms. Trainor asked Mr. Clark if he would let the Board know where they had left off in regard to the application. Mr. Clark stated that Mr. Dooley had provided testimony, that the Board had asked Mr. Dooley questions, that there were no questions from the public and that the Board had not moved on to comments. Mr. Clark also stated that Mr. Dooley had represented at the last hearing that the applicant would be submitting drainage and grading plans and that such plans had been submitted since the date of the last meeting.

Mr. Dooley asked if he could share his screen. While Mr. Dooley was trying to share a document, he stated that at the conclusion of the last meeting, there were two issues he would like to give testimony on, the pool and the front steps. While Mr. Dooley struggled to share his documents and while trying to fix the issue, Mr. Clark stated to Mr. Dooley that he thought based on testimony from the previous meeting, the applicant was not seeking approval to build a pool. Mr. Clark stated that there was testimony that the applicant might seek to do that in the future. Mr. Dooley answered that the applicant was now requesting to receive an approval from the Planning Board for the pool now and said they had remedied the issue with the pool. Mr. Dooley stated with the changes made, the pool meets the requirement of the Ordinance.

Mr. Dooley stated the other issue he wanted to address was the front steps. Mr. Dooley was still experiencing difficulties sharing his documents, so Mr. Hilla shared a document that he had received, and Mr. Clark marked it as Exhibit A-3. Mr. Dooley described the document as a Grading Plan he received from the applicant's Engineer. Mr. Dooley stated that there would be a 10-foot setback to the pool, the pool would be 10 feet away from the foundation wall of the building and the pool would be 9 foot 1 ¼ inches away from the foundation wall. Mr. Dooley stated he had drawn the steps into the front porch 3 feet to eliminate some of the extension of the porch into the front yard. Mr. Dooley stated that he looked at other options for the stairs but determined the best solution for the house would be to bring the steps to the street.

Ms. Trainor asked Mr. Dooley, for the 30-foot front yard setback required, what was the variance he was seeking. Mr. Dooley responded that this was a variance that came up in a Board meeting, that the staircase was not an issue in the Zoning Officer's letter which is why it was not noticed. Mr. Dooley stated it was the Board that brought this up and that he felt the Board should tell him which variance he would seek. Mr. Hilla stated it was part of the principal structure so it should not have been a surprise. Mr. Clark stated that if Mr. Dooley looked at Mr. Hilla's technical review letter, he had identified different variances that he believed would be necessary in the application. Mr. Clark stated that Mr. Hilla's letter had a calculation of what the variance would be to the front steps, the way it was proposed at the last meeting, and asked Mr. Dooley what variance would he be seeking now that changes had been made. Mr. Dooley stated that they wanted to move the stairs 3 more feet from the property line. Ms. Trainor reviewed Mr. Hilla's letter, dated September 13<sup>th</sup>, 2021, paragraph 1, 4<sup>th</sup> bullet point which referenced the variance the applicant was seeking. Ms. Trainor asked Mr. Dooley if he would state the variance they were seeking, so it could be considered by the Board. Mr. Dooley answered that the actual variance they would be seeking would be 12.5 feet from the property line to the first step.

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Ms. Trainor asked Mr. Dooley if there were any other changes in the application since the last meeting. Mr. Dooley replied the only other change was the pool which he believed they remedied.

Mr. Clark asked Mr. Dooley to confirm that the applicant was not seeking any variances for the pool because they believed that the pool was compliant with the code. Mr. Dooley answered that was correct.

Mr. Dooley stated that he had revised the floor plan of the house based on the applicant's desire to take 200 square feet out of the house based on cost estimates. Mr. Dooley stated that was the reason there was a second submission of drawings. Mr. Dooley stated he redid the Zoning data and pushed the front of the house and the back of the house in by one foot.

Ms. Trainor announced it was time for questions from the Board for Mr. Dooley in regard to the updated testimony and the change in the variances the applicant is seeking.

Councilman Garruzzo asked Mr. Dooley if he was correct that where the edge of the street meets the grass to the front step was now 12.5 feet. Mr. Dooley replied that was not correct, that it was 12.5 feet from the property line, it would be 22.4 feet from the street line.

Mr. Siano asked Mr. Dooley if he was aware that the stairs and the landing could possibly also need to be 10 feet from the pool line because they are attached to the house and higher than three feet off of grade. Mr. Siano stated that he did not want to say yes to the way the pool was designed, approve the application and then the building permits get denied. Mr. Dooley answered that he did read the Ordinance, but he was not sure. Mr. Bilotti asked the Board if he could just come back to the Board later for the pool and if they could try to get the house approved now.

Ms. Brisben asked Mr. Dooley if the 35-foot rear yard setback, where 24 foot was proposed, had changed. Mr. Dooley answered that it had not changed and was in the last submission. Ms. Brisben asked if the building coverage had changed since the last submission and if it was now less than 21% since the house was made smaller. Mr. Dooley replied that everything was according to the last submission. Ms. Brisben asked Mr. Dooley what the exact height of the house would be. Mr. Dooley answered that the house was measured for crown of the road and was in the Zoning data.

Ms. Trainor asked Mr. Dooley if the applicant had submitted a grading and drainage plan. Mr. Dooley replied that they had submitted the plan and would not have to do anything further regarding the plan so long as Mr. Hilla was satisfied with it. Mr. Hilla stated that he did receive a plan dated October 5<sup>th</sup>, 2021, and stated he thought it was not clear around the pool and side yard to the east as to what would be happening there. Mr. Hilla stated there were not enough spot elevations and no indication of how the patio would be relieved down the side yard. Mr. Hilla stated the Board needed clarity that there would be no impact to the adjacent properties. Mr. Dooley stated that there was not anything that would run towards adjacent properties and that actually the adjacent property runs onto Mr. Bilotti's property.

Mr. Clark stated that if the Board voted to approve the application there could be a condition made to the approval that the applicant would give supplements in regard to grading and drainage to Mr.

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Hilla's satisfaction, so it would not necessarily have to be resolved tonight if the Board choose to move forward.

Ms. Trainor asked Mr. Dooley for some clarification to an answer he gave to a question Councilman Garruzzo had asked with respect to the street line. Mr. Dooley explained to the Board how he had come up with his measurements.

Ms. Trainor announced it was time to hear questions from the public for Mr. Dooley. Hearing none, Ms. Trainor asked Mr. Dooley if had any other testimony to present. Mr. Dooley stated he wanted to make sure that Mr. Hilla had received their engineer's topography report of the existing house and grading. Mr. Hilla replied that he had received it.

Ms. Trainor announced it was now time to hear comments from the Board in regard to the application.

Mayor Nicol asked if the Board was being asked to approve the application with or without a swimming pool. Ms. Trainor replied that it was her understanding that the applicant had withdrawn that portion of the application.

Councilman Garruzzo stated he felt that removing the pool made it a much cleaner, easier application, that he thought the applicant had addressed the front steps and he did not have any issues with the application.

Ms. Brisben stated that the property was on a lightly traveled street, that she did not have any problems with the front steps and would be for approval of the application.

Ms. Trainor stated that the lot is undersized, so the property itself has conditions which she thought would warrant the issuance of setback variances. Ms. Trainor stated she appreciated the applicant's efforts to mitigate the impacts in respect to the front steps and with respect to the pool.

Ms. Trainor announced it was time to hear comments from the public with respect to the application. Hearing none, Ms. Trainor asked Mr. Clark to review any conditions that the applicant had agreed to and that the Board had discussed. Mr. Clark stated that he wanted to clarify that the applicant had withdrawn the request for the pool so the application would be for the site plan without the pool. Mr. Clark stated besides the regular conditions that would be in any resolution, there was testimony that the applicant was willing to screen the HVAC unit with plantings, so there would be a condition that any HVAC screening would be satisfactory to the Board Engineer. Mr. Clark stated another condition would be that the applicant would submit supplemental grading and drainage plans that would also be satisfactory to the Board Engineer. Mr. Clark stated he wanted to clarify that the setback the applicant is requesting from the front steps is 12.5 feet according to testimony.

Ms. Trainor asked for a motion to approve the application with the conditions Mr. Clark had listed. Councilman Frank Garruzzo made a motion, seconded by Karen Brisben, and followed by the roll call vote.

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Ayes: Mayor Thomas Nicol, Councilman Frank Garruzzo, Corinne Trainor, Chris Siano, Karen Brisben, Stephanie Frith, Jay Jones, Charlie Tice

Noes: None

OLD BUSINESS:

Continuation of variance relief hearing for Block 43.01, Lot 17, 623 Green Avenue, owned by Ryan Burlew, to allow construction of a new home. Minimum Lot Width — 75 feet required, 58 feet existing. Front Setback (principal to Homestead Road) — 25 feet required, 15 feet proposed. Front Setback (accessory garage to Green Avenue) — 25 feet required, 14.0 feet proposed. Front Setback (accessory pool to Green Avenue) — 25 feet required, 13.2 feet proposed. Front Setback (principal/deck to Green Avenue) — 25 feet required, 16.3 feet proposed. Rear Setback (accessory garage) 16 feet required, 12.1 feet proposed. Accessory Building Height (garage) — 18 feet maximum allowable, 24 feet proposed. Lot Coverage — 20% maximum allowed, 20.9% proposed. Two-car Garage — 600 square feet allowable, 1,500 square feet proposed.

Attorney Evan Zimmerman, from Giordano, Halleran & Ciesla, announced he was stepping in for Mr. Giunco who was originally representing the applicant, Mr. Burlew.

Ms. Trainor stated that at the last meeting, the Board had heard all of the testimony and that she had asked for a motion from the Board to approve the application. Ms. Trainor stated that although a motion was made, no member of the Board seconded the motion. Ms. Trainor stated that she then asked Mr. Giunco if there was a different motion, he would like to present to the Board to consider and Mr. Giunco responded by asking for an adjournment. Ms. Trainor asked if Mr. Zimmermann agreed with Ms. Trainor's recap of the previous meeting and stated since the last meeting the applicant's team reviewed the plans further and made a couple of additional revisions, most notably, to the garage.

Mr. Zimmermann stated that they were able to move the garage about 15-feet so it would be located outside of the required setback to Green Avenue and had reduced the garage to 30 x 35 feet. Mr. Zimmermann asked the Board if the applicant's architect, Mr. Millemann could explain the changes made to the Board. Ms. Trainor asked Mr. Zimmermann if he was asking to reopen the testimony to address changes they had made. Mr. Zimmermann replied that that was correct.

Ms. Trainor asked for a motion to reopen the hearing and allow additional testimony. Councilman Frank Garruzzo made a motion, seconded by Chris Siano, and followed by the roll call vote.

Ayes: Mayor Thomas Nicol, Councilman Frank Garruzzo, Corinne Trainor, Chris Siano, Karen Brisben, Stephanie Frith, Charlie Tice

Noes: None

Not eligible to vote: Jay Jones

Mr. Zimmermann called Mr. Millemann to testify and stated that Mr. Millemann had already been sworn in. Mr. Millemann display a Plot Plan, labeled SKS, dated September 20<sup>th</sup>, 2021, marked as

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Exhibit A-8. Mr. Millemann stated that this plan reflected the changes made to the garage. Mr. Millemann shared and described a document referred to as the Garage Elevation, dated September 20<sup>th</sup>, 2021. Mr. Zimmermann asked Mr. Millemann if there were any other changes made to the Plans or were the revisions limited to the garage. Mr. Millemann responded that the scope of the revisions were limited to the size and location of the garage on the property. Mr. Zimmermann stated he had no further questions.

Ms. Trainor announced it was now time to hear questions for Mr. Millemann from the Board.

Mr. Jones asked what the proposed height of the garage would be. Mr. Millemann responded it was proposed at 20-feet to the top of the ridge.

Ms. Trainor asked Mr. Millemann if the variance for the accessory structure the applicant was seeking was now 20-feet. Mr. Millemann stated that was correct. Ms. Trainor asked Mr. Millemann what the proposed square footage of the garage was. Mr. Millemann answered it would be 30 x 35, 1050 square feet. Ms. Trainor asked Mr. Millemann if they had made any changes to the driveway curb cut, they were seeking. Mr. Millemann replied that there were no changes made.

Ms. Trainor announced it was time to hear questions for Mr. Millemann from the public.

Charlotte Madison, 206 Homestead Road, was sworn in by Mr. Clark. Ms. Madison asked Mr. Millemann how the driveway on Green Avenue would be controlled going one way when no one controls the entrance of Waypoint or people driving the wrong way onto Homestead Road. Mr. Zimmermann stated he could not speak on the off-site condition but that they were proposing to limit the driveway to be one way and that it could be enforceable by the Planning Board by making a condition for its approval that the driveway be limited to one way and also by code enforcement. Ms. Madison asked if the two trees on Green Avenue would remain. Mr. Zimmermann answered that his client stated that they were not proposing to remove the trees. Ms. Madison referred to the traffic letter submitted by the Brielle Police department, dated June 1<sup>st</sup>, 2021, and stated that the traffic study was not done at the height of the season as opposed to the Tuesday after Memorial Day weekend. Mr. Zimmermann stated to Ms. Madison that the Police did not conduct traffic counts on the street, they simply reviewed the Plans and reported back that the traffic safety officer, Lieutenant Stephen Boyd, did not see a safety concern with the driveway exiting on to Green Avenue. Ms. Madison asked Mr. Zimmermann if he felt that a traffic study should be done. Mr. Zimmermann answered that he did not believe that it should be required when developing a single-family home. Mr. Zimmermann stated the applicant had taken steps to respond to comments and made it a one-way driveway.

Ms. Trainor announced it was time to hear comments for Mr. Millemann from the public.

Margaret Herman, 208 Homestead Road, Brielle, NJ was sworn in by Mr. Clark. Mr. Herman expressed her concerns about the traffic on Green Avenue.

Hearing no other comments from the public, Ms. Trainor announced it was time to hear comments from the Board with respect to the application.

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Mayor Nicol stated he felt it was an improvement over last month and that it was a good application.

Councilman Garruzzo stated he agreed with Mayor Nicol, that the changes were more palatable, and better for the area.

Mr. Siano stated he agreed with Mayor Nicol and Councilman Garruzzo.

Ms. Brisben stated she did not approve of the application, felt the garage was too large, and did not approve of the driveway going out onto Green Avenue. Ms. Brisben stated she agreed with everything Ms. Madison and Ms. Herman said and would prefer if the driveway was cut off before Green Avenue and made into a parking area for the applicant.

Mr. Jones stated he felt the height of the garage was too high.

Ms. Trainor stated that with the respect to the garage, she had not heard anything about the property or any hardship that would justify granting an application with respect to the height variance. Ms. Trainor stated that she also did not agree with the size of the garage and had not heard anything about any hardship that would uniquely permit or justify the square footage increase that she would be willing to give credit to. Ms. Trainor stated that for those reasons, even though she felt the applicant had made good efforts to mitigate the concerns, she had not heard testimony that would properly support the variances they are seeking.

Mr. Zimmermann stated he wanted to address the comments heard during the public portion and the Board. Mr. Zimmermann stated he thought there might be some confusion as to what variances they were actually requesting with regard to the driveway and the garage. Mr. Zimmermann stated that there were no variances being sought with regard to the driveway and two variances associated with the garage. Mr. Zimmermann asked that the Planner be allowed to address the Board. Ms. Trainor stated to Mr. Zimmermann that the Board had already heard his comments and that he had stated he did not have any other testimony. Ms. Trainor stated that Mr. Zimmermann could tell the Board what variances were being sought but there was not a need to re-open testimony to have one of his experts to address it. Ms. Trainor stated to Mr. Zimmermann that she understood there was only one curb cut permitted and that it must be on the less traveled road, so it did seem that a variance would be needed to have a second curb cut. Mr. Zimmermann stated he believed that it would be a Design Standard Waiver condition, not a variance. Mr. Hilla stated that it was not a Design Waiver, it was Variance condition and was in the Zoning Ordinance. Mr. Hilla stated that driveways are supposed to be to the roads of lesser traffic classification, that it would be Homestead Road in this case, so the fact that they are requesting a driveway on Green Avenue makes it a non-conforming condition and because it is in the Zoning Ordinance, it is not a Design Waiver condition.

Mr. Zimmermann asked if he could poll the Board to see if there was anything that the applicant could do to amend the application, that would be permissible and meet the Board's approval. Ms. Trainor stated that her suggestion, rather than taking a poll, would be to proceed variance by variance that the applicant is seeking and then the Board could identify the ones that are troublesome, but the Board would have to take a vote. Mr. Zimmermann stated he felt that was

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fair and stated the first variance would be the height of the garage. Councilman Garruzzo asked for clarification as to what the reasoning was for Mr. Zimmermann would be listing variance by variance. Ms. Trainor stated Mr. Zimmermann requested to poll the Board to determine whether there was anything the applicant could do to help the Board approve the application. Mr. Clark stated that the Board could vote on a variance-by-variance manner as long as everyone understood what they would be voting for. Mr. Clark stated that what was before the Board now is an entire package with several variances but could be voted on a variance-by-variance manner. Ms. Trainor asked Mr. Clark if she could ask for a motion to approve the application as it is and if it did not pass by majority, could a member of the Board make a second motion be made for something short of all the variances. Mr. Clark answered that yes but that the only issue would be is the applicant pressing something short of all of the variances or is the applicant seeking all or nothing. Ms. Trainor stated to Mr. Zimmermann that she wanted to provide that information so that he could decide as to what they would like to do. Ms. Trainor stated she could ask for a motion for the entire package, the Board could vote and if he would like to advocate for something lesser than the entire package, he would be able to do that. Mr. Zimmermann asked for the Board to vote on the entire package.

Mr. Clark asked Mr. Zimmermann what variances they were requesting based on their redesign. Mr. Zimmermann replied one was for the height of the garage, 20 feet proposed, 18 feet required and another one was the setback to the rear property line, 12 feet proposed, 13.3 feet required. Mr. Zimmermann stated that the setback to Green Avenue complies, and the lot coverage was now compliant with the reduced garage size. Mr. Clark asked Mr. Zimmermann if his position was that even though the accessory structure would be 1050 square feet, the code did not have a particular size limitation, it just says two-car garage. Mr. Zimmermann answered yes, that was correct.

Ms. Trainor asked Mr. Clark to go through the conditions that the applicants agreed to that would be attending to the entire application.

Mr. Clark stated that other than the general conditions that would be in any Resolution, one condition discussed was that the proposed driveway would be a one-way only driveway with two curb cuts, one would be that there would be adequate screening around the pool equipment to the satisfaction of the Board Engineer, and another one would be that the applicant would be willing to give an easement to the Borough of Brielle, allowing the Borough access to extend sidewalks and public improvements along the road.

Ms. Trainor asked for a motion to approve the application with the conditions Mr. Clark had listed. Mayor Thomas Nicol made a motion, seconded by Councilman Frank Garruzzo, and followed by the roll call vote.

Ayes: Mayor Thomas Nicol, Councilman Frank Garruzzo, Chris Siano, Charlie Tice

Noes: Corinne Trainor, Karen Brisben, Stephanie Frith

Not eligible to vote: Jay Jones

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It was questioned why Mr. Jones was not called to vote on the application. Mr. Clark replied that when a Board member misses a meeting involving an application, unless the Board member listens to the record of the missed meeting, the Board member would not be able to participate in the vote.

**OLD BUSINESS:**

Zoning Officer's Appeal for Block 60, Lot 17, 9 Crescent Drive, owned by Peter & Katelyn Cappiello, to allow construction to continue on a single-family dwelling.

Application for Variance relief for Block 60, Lot 17, 9 Crescent Drive, owned by Peter & Katelyn Cappiello, to allow renovations & addition to a single-family dwelling (this will be heard if Zoning Officer's Letter of Denial is upheld by previous appeal application). Side Yard Setback — 10 feet required, 6.2 feet proposed to west side & 9.7 feet to east side. Maximum Building Coverage — 20% allowed, 26% is existing & 30% is proposed.

Ms. Trainer stated that at the last meeting, Mr. Zimmermann had requested an adjournment so that he could submit some briefing for Mr. Clark's review and advice to the Board about the Board's jurisdiction. Ms. Trainor stated since then the Board had received correspondence, among other things, with respect to a group of objectors, represented by counsel.

Ms. Trainor asked who was here on behalf of the application. Attorney Evan Zimmerman, from Giordano, Halleran & Ciesla stated he was appearing for the applicant but said the rest of their professionals had not come anticipating that the application would be adjourned.

Attorney Edward Liston, Toms River, NJ was appearing on behalf of the objectors. Mr. Liston read the following names and addresses into the Record, Grillo-1 Crescent Drive, Petracco-7 Crescent Drive, 8 Crescent Drive, LLC-8 Crescent Drive, Farinacci- 11 Crescent Drive, Vertullo-13 Crescent Drive, Keating- 15 Crescent Drive, Knapp- 16 Crescent Drive, and Brehm- 19 Crescent Drive. Mr. Liston stated he had spoken to Mr. Clark yesterday and sent him a letter and copied Mr. Zimmermann and Mr. Giunco. Mr. Liston stated that it was his understanding on his conversation with Mr. Giunco that the applicant was going to withdraw his appeal of the decision of the Zoning Officer and proceed with the variances. Mr. Liston stated that he had spoken to Mr. Zimmermann and Mr. Giunco today who advised him that they were going to ask for an adjournment. Mr. Liston stated that hopefully next week he and his clients would be meeting with Mr. Giunco and Mr. Zimmermann to discuss what the applicant is trying to do and then based on that, they will see where they go from there.

Mr. Zimmermann stated he had spoken with Mr. Liston and Mr. Clark earlier in the day and asked that the application be adjourned to give them time to meet and confer with Mr. Liston and his clients and then hopefully return at the next available meeting date with a plan that would be satisfactory to all.

Mr. Clark asked Mr. Zimmermann if they would be withdrawing their appeal and just moving ahead with the variance. Mr. Zimmermann replied yes, they would be just focusing on the variance application. Mr. Clark said it would be noted for the Record that the appeal is withdrawn and that they were requesting to carry the variance application to the next meeting

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Ms. Trainor asked for a motion to carry the application to the next meeting. Karen Brisben made a motion, seconded by Stephanie Frith, and followed by the roll call vote.

Ayes: Mayor Thomas Nicol, Councilman Frank Garruzzo, Corinne Trainor, Karen Brisben, Stephanie Frith, Jay Jones, Charlie Tice

Noes: None

Not eligible to vote: Chris Siano

Mr. Liston asked the Board to require the applicant to send notices again if they would be making changes. Mr. Zimmermann answered he did not understand the request if they did not say they would be revising the plans. Mr. Zimmermann stated that at this point the application is for the variances that were submitted, and he believed the Board had the authority to carry it with no further notice being required. Mr. Zimmermann stated that if the plans did change then they would renotice. Ms. Trainor stated that the Board would not take any position with respect to whether new notice is required and that the Board had already adjourned the application to next month.

Ms. Trainor stated if there were no other business, she would ask for a motion to adjourn. Councilman Frank Garruzzo made the motion, seconded by Karen Brisben, and unanimously approved by the Board, all aye.

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Denise Murphy, Recording Secretary  
Approved: November 9<sup>th</sup>, 2021