

**REGULAR MEETING**

The following are the minutes of the Land Use Review Board of the Borough of Ship Bottom, Ocean County, New Jersey, which was held in Borough Hall, 1621 Long Beach Blvd., Ship Bottom, New Jersey on April 18, 2018.

**WORKSHOP MEETING**

Chairman Cooper stated the following:

The workshop meeting of the Ship Bottom Land Use Review Board is now open. The time is 7:00 P.M. and the date is April 18, 2018. Upon completion of the Work Shop Meeting the regular meeting will convene. Both meetings meet all the criteria of the Open Public Meetings Act.

There was discussion on the current Master Plan review.

On a motion by Mr. Hay, seconded by Mr. Basile and all in favor vote, all aye, the workshop meeting was closed.

**REGULAR MEETING**

Chairman Cooper stated the following:

The Meeting of the Ship Bottom Land Use Review Board will come to order. The time is 7:04 P.M. and the date is April 18, 2018. The time, date and location of this meeting is listed in Resolution 2017-A, which was published in the Asbury Park Press, the Press of Atlantic City and Beach Haven Times. This was also posted on the Bulletin Board in the Municipal Building.

The next regular meeting of Ship Bottom Land Use Review Board is scheduled for May 16, 2018.

The conduct of this meeting is being recorded so all testimony can be clearly heard. At the appropriate time, the meeting will open to the public for any questions and comments. Maximum time period allowed to present testimony, witnesses and other proofs are limited to one hour and may be extended only at the discretion of the board. The meeting will adjourn at 10:30 P.M. with no further testimony being taken unless otherwise ordered at the discretion of the Board. All electronic devices and mobile phones should be turned off at this time.

Will the secretary please call the roll.

Roll call of members: Councilman Butkus, Mr. Basile, Mr. Bishop, Mr. Dixon, Mr. Hay, Ms. Schmidt, Mr. Fenimore, Mr. Panetta, Vice Chairman Tallon and Chairman Cooper, present. Councilman English, Ms. Schmidt and Mr. Panetta absent.

Also in attendance were the Board Attorney, Stuart Synder, Esq., Alternate Board Attorney, Kevin Quinlan, Esq., the Board Engineer/Planner, Frank J. Little, Jr., PE, PP, CME of Owen, Little and Associates and the Board Secretary, Sara Gresko.

**CORRESPONDENCE:**

The correspondence folder was passed around for all members to review.

**MINUTES:**

The minutes of the February 21, 2018 meeting were presented to the Board. On a motion by Councilman Butkus, seconded by Mr. Bishop, the minutes were approved as submitted.

Roll Call Vote: Councilman Butkus, Mr. Basile, Mr. Bishop, Mr. Dixon, Mr. Hay, Mr. Fenimore, Vice Chairman Tallon and Chairman Cooper, all aye.

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

Docket 18:05 has been carried from March 21, 2018 meeting due to impending weather and Docket 18:04 requested to be carried to this month's meeting.

Kevin Quinlan, Esq. representing the Land Use Review Board due to a conflict between applicant and Stuart Synder, Esq., Board Attorney.

- A. DOCKET NO. 18:05  
701 CENTRAL AVENUE, LLC.  
701 CENTRAL AVENUE  
BLOCK 109 LOT 1.01

Richard Visotcky, Esq. representing the applicants.

The following were marked into evidence by Mr. Quinlan:

- A-1 The Application
- A-2 Preliminary & Final Major Site Plan, prepared by MatrixNewworld
- A-3 Architectural plans, four (4) sheets, prepared by Haley Donovan Architecture LLC
- A-4 Preliminary & Final Major Site Plane, twelve (12) prepared by MatrixNewworld
- B-1 Review letter prepared by Owen, Little & Associates
- A-5 Two (2) colored photos

Mr. Visotcky representing the applicant, requesting to construct a 4,730 square-foot office building and attached 1,060 square-foot restaurant with outdoor seating.

Sean Savage, licensed engineer, James Haley, licensed architect, William Hitchcock, environmental consultant, Edward Walters, principal of the applicant, John McCormack, professional engineer, were sworn in for testimony.

Discussion ensued between Board Members and applicant.

On a motion made by Mr. Hay, seconded by Mr. Dixon and all in favor vote, all aye, the public portion was open.

Ralph Viola, 619 Central Avenue, had concerns with 7<sup>th</sup> Street driveway and garbage.

Not recognizing anyone else from the public, on a motion made by Mr. Hay, seconded by Mr. Basile and all in favor vote, the public portion was closed.

The applicant agreed to make modifications to the plans.

Mr. Visotcky provided closing statements and discussion ensued amongst the Board.

A motion to approve this application was made by Mr. Dixon and seconded by Mr. Basile, with the following conditions:

- 8<sup>th</sup> Street driveway will be entrance only
- Hours of operation shall be between 6 A.M. to 10 P.M.
- Trash will be maintained interior of the lot

Roll Call Vote: Councilman Butkus, Mr. Basile, Mr. Bishop, Mr. Dixon, Mr. Hay, `Mr. Fenimore, Vice Chairman Tallon and Chairman Cooper, all aye.

Chairman Cooper called for a 5-minute break at 8:15 P.M.

Chairman Cooper resumed the meeting at 8:20 P.M.

- B. DOCKET NO. 18:04  
1809 LONG BEACH BLVD., LLC.  
1809 & 1815 LONG BEACH BLVD.  
BLOCK 55 LOT 1 CA, 2.01

Christopher Erd, Esq. representing the applicants.

The following were marked into evidence by Mr. Snyder:

- A-1 The Application with Master Deed for Pawsley Group Condominiums
- A-2 Minor Site Plan two (2) sheets, prepared by Dante Guzzi Engineering Associates
- A-3 Drawing Index/Project Data/ Graphic Symbols/General Notes, four (4) sheets, prepared by Adamson Riva & Lepley, Architects, AIA
- B-1 Review letter prepared by Owen, Little & Associates

Mr. Erd representing the application, requesting to construct, open and operate a bagel café in the condominium unit on Lot 1CA and use adjoining lot for outdoor seating and parking for café customers.

Donna Edwards, owner of 1809-1815 Long Beach Blvd, LLC, Joseph Adamson, licensed architect, Dante Guzzi, licensed engineer, were sworn in for testimony.

Discussion ensued between Board Members and applicant.

On a motion made by Mr. Hay, seconded by Councilman Butkus, and all in favor vote, all aye, the public portion was open.

Vernon Welsh & Verna Dickson, 1809 Pennsylvania Ave., Daniel Gentile, 1815 Pennsylvania Ave., Kathleen Crossin, 1811 Pennsylvania Ave., Mary Delarenzo, 1901 Pennsylvania Ave., Joseph Snyder, 1805 Long Beach Blvd., Blare Stiefbold, 1811 Pennsylvania Ave., had concerns regarding parking and traffic congestion on Pennsylvania Avenue.

Not recognizing anyone else from the public, on a motion made by Councilman Butkus seconded by Mr. Hay and all in favor vote, the public portion was closed.

Antony Edwards, Owner of 1809-1815 Long Beach Blvd, LLC, sworn in for testimony.

Chairman Cooper called for a 10-minute break at 9:35 P.M.

Chairman Cooper resumed the meeting at 9:45 P.M.

The applicant agreed to make modifications to the plans.

On a motion made by Councilman Butkus, seconded by Mr. Hay, and all in favor vote, all aye, the public portion was open.

Vernon Welsh & Verna Dickson, Gentile and Stiefbold had concerns with parking.

Kathleen Crossin and Delarenzo stated they were pleased the with modifications for the plans.

Not recognizing anyone else from the public, on a motion made by Mr. Hay seconded by Mr. Bishop and all in favor vote, the public portion was closed.

Mr. Erd provided closing statements and discussion ensued amongst the Board.

A motion to approve this application was made by Mr. Basile and seconded by Mr. Hay with the following conditions:

- Hours of operations shall be from 6 A.M. to 10 P.M.
- No entertainment after 8:00 P.M.
- Revised parking plans
- No deliveries on Pennsylvania Avenue and no deliveries before 7 A.M.
- 42 seats- 32 outside, 10 inside
- Variance for fence and parking
- Trash corral to be moved closer to Pennsylvania Avenue

Roll Call Vote: Councilman Butkus, Mr. Basile, Mr. Bishop, Mr. Dixon, Mr. Hay, Mr. Fenimore, Vice Chairman Tallon and Chairman Cooper, all aye.

### **RESOLUTIONS:**

A. DOCKET NO. 18:02  
 ALBERT WATSULA  
 209 WEST 27<sup>TH</sup> STREET  
 BLOCK 10 LOT 12

A motion to approve this resolution was made by Vice Chairman Tallon and seconded by Mr. Basile. It is as follows:

**RESOLUTION OF MEMORIALIZATION OF THE  
 LAND USE REVIEW BOARD OF THE BOROUGH OF SHIP BOTTOM  
 COUNTY OF OCEAN AND STATE OF NEW JERSEY  
 DOCKET NO. 2018:02**

**WHEREAS**, Albert S. Watsula has made application to the Land Use Review Board of the Borough of Ship Bottom for variances to permit the installation of a circular stairway to the decks at the rear of the single family home located at 209 West 27<sup>th</sup> Street, Lot 12 Block 10, in the Borough of Ship Bottom, County of Ocean and State of New Jersey, and to install french drains in lieu of gutters and leaders which were previously approved by this Board; and

**WHEREAS**, applicant appeared before the Board on July 16, 2014 for variance relief to demolish the then existing house upon the property and for approvals to construct a new two story elevated home. The Board approved the application which approval was memorialized on August 5, 2014 under Docket No. 2014:27 V. Thereafter applicant constructed the new house, and now appears before the Board requesting approval to install a circular stairway at the rear decks; and further to install a French drain system, in lieu of the gutters and leaders previously approved.

**WHEREAS**, the Land Use Review Board considered this application at a public hearing on February 21, 2018. The applicant was represented by Robert J. Kiss, Esq. The application dated January 29, 2018 was entered into evidence as Exhibit A-1; the plan prepared by Horn, Tyson & Yoder, Inc. titled "Variance Map Lot 12 Block 10 Tax Map Sheet #3 Borough of Ship Bottom, Ocean County, New Jersey" dated August 23, 2013 with a final revision date of November 7, 2017 under signature and seal of James D. Brzozowski, PE, PP and Robert G. de Blois, PLS was entered into evidence as Exhibit A-2; Architectural plans prepared by Craig W. Brearley Architect dated November 6, 2017 under signature and seal of Craig W. Brearley, A.I.A. titled "Watsula Residence Lot 12 Block 10 Borough of Ship Bottom, Ocean County, New Jersey", consisting of a Sheet BD-1 Floor Plans; and BD 2 Elevations was entered into evidence as Exhibit A-3; four photographs of the property were entered into evidence as Exhibit A-4. The review letter of Owen, Little and Associates, Inc. dated February 15, 2018 was entered into evidence as Exhibit B-1. Corrected Resolution of Memorialization of the Land Use Review Board of the Borough of Ship Bottom County of Ocean and State of New Jersey Docket No. 2014:27V was submitted with the Application and considered by the Board. Testimony was offered by the applicant Albert S. Watsula. There was not any public comment offered; and

**WHEREAS**, the Land Use Review Board after considering the Application, documentation entered into evidence, testimony of the witnesses and argument of counsel has made the following factual findings:

1. All jurisdictional requirements have been met.
2. The applicant is the owner of the property. The property is located in the R-2 Single Family Residential Zone. The property consists of a lot with dimensions of 25' x 80' feet containing 2,000 square feet; improved with an elevated two (2) story single family home, constructed in accordance with Corrected Resolution of Memorialization Docket No. 2014-27V adopted August 4, 2014.
3. The single family home maintains one means of access and egress; applicant is requesting permission to install a circular stairway at the rear of the property to provide a second means of access and egress.
4. The approved building coverage under the prior approval is 37.9% which currently exist at the site. The installation of the proposed stairs will increase the building coverage by 1% to 38.9%.
5. The additional stairs will provide a safer environment for the habitats of the property; and the location proposed will not impede the light, air or open space of adjoining properties.

6. Applicant also is requesting permission to install a French drain system at the house to address drainage; in lieu of the requirement to install gutters and leaders. Applicant asserts that the architectural integrity of the house will be maintained with the proposed drainage system; and that he will attend to installing pipe in the ground to assure drainage to the street and away from adjoining properties.
7. The Board adopts the contents of the February 15, 2018 letter from Frank J. Little, Jr. entered into evidence as Exhibit B-1, as if set forth herein at length; and

**WHEREAS**, the Land Use Review Board of the Borough of Ship Bottom has determined that the relief requested by the applicant, Albert S. Watsula to install a circular staircase at the rear of the property located at 209 West 27th Street, Lot 12 Block 10, in the Borough of Ship Bottom, County of Ocean and State of New Jersey; increasing the building coverage to 38.09% and to install a French drain system in lieu of gutters and leaders can be granted without substantial detriment to the public good and without impairing the intent and purposes of the zone plan and zoning ordinances of the Borough of Ship Bottom, as the proposed staircase will provide a second means of access and egress, a safer condition for the occupants of the home, and will not impede the light, air or open space of adjoining properties. The French drain system, if properly piped to direct all drainage to the street, is a satisfactory means of addressing the drainage at the property, and will now maintain not affect the architectural integrity of the house.

**NOW, THEREFORE, BE IT RESOLVED** by the Land Use Board of the Borough of Ship Bottom that the application of Albert S. Watsula to install a circular staircase at the rear of the property located at 209 West 27th Street, Lot 12 Block 10, in the Borough of Ship Bottom, County of Ocean and State of New Jersey; increasing the building coverage to 38.09% and to install a French drain system in lieu of gutters and leaders; be and hereby is, conditionally approved.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned upon Applicant's compliance with all terms and conditions of the letter of the Board Engineer, Frank J. Little, Jr., P.E., P.P., and C.M.E., dated February 15, 2018, as entered into evidence as Exhibit B-1.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned upon applicants submitting revised plans with the French drain system and piping delineated thereon to be approved by the Board engineer.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned upon Applicant obtaining all requisite permits and Applicant complying with all Federal, State and Local rules regulations and statutes and ordinances effecting this development.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned upon applicant obtaining all outside agency approvals from all agencies having jurisdiction over this development.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned upon Applicant's payment of all taxes and all other applicable assessments, and Applicant satisfying all fees and escrow fees as may be required.

**BE IT FURTHER RESOLVED** that the Applicant is required to comply with all ordinances of the Borough of Ship Bottom, and failure to specify compliance herein shall not be deemed a waiver or recommendation by the Land Use Review Board with respect to Borough Ordinances, including the Zoning Ordinances.

**BE IT FURTHER RESOLVED** that this approval is subject to all conditions and representations made by applicants and their witnesses and as placed on the record at the public hearing conducted on February 21, 2018 when this matter was considered.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned upon Applicant complying with all technical revisions and any other requirements as set by the Borough Engineer.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned upon Applicants' compliance with the Ordinances of the Borough of Ship Bottom, as applicable, with respect to bonding, guarantees, inspection costs and payment of such fees as may be related thereto, including escrow fees as to this application and as may be required by the Board Engineer/Planner and/or Construction Official and/or Secretary to the Board and/or Clerk of the Borough. Any guarantees shall be subject to the written review and approval of the Board Engineer/Planner, the Borough Attorney's office and the Mayor and Council.

**BE IT FURTHER RESOLVED** that the Board reconfirms all of the terms and conditions and their findings set forth in the Corrected Resolution of Memorialization Docket 2014:27V adopted on April 5, 2014 whereupon Applicants shall remain subject to

all of the requirements, limitations and conditions contained therein; except as modified herein permitting the installation of a French drain system in lieu of gutters and leaders, and by the installation of a circular stairway in the rear of the house, increasing building coverage to 38.9% .

**BE IT FURTHER RESOLVED** that in the event the conditions set forth herein are not met by April 1, 2019, this Application may be listed by the Board Secretary on the Land Use Review Board Agenda for the meeting of the following month for dismissal, without prejudice, unless the Applicant offers appropriate reasons for the delay, all of which may be considered in the discretion of the Board. Further, it shall be understood that this administrative time limit is not a representation or guarantee by the Board, as existing State law applies and the Board advises that it continues to be Applicants’ obligation to comply with all applicable laws.

Roll Call Vote: Mr. Basile, Mr. Bishop, Mr. Dixon, Mr. Hay, Vice Chairman Tallon and Chairman Cooper, all aye. Butkus denied the application.

B. DOCKET NO. 18:03  
 KAREN DRUCKER, JAMES BAKA  
 110 WEST 27<sup>TH</sup> STREET  
 BLOCK 15 LOT 5

A motion to approve this resolution was made by Mr. Hay and seconded by Councilman Butkus. It is as follows:

**RESOLUTION OF MEMORIALIZATION OF THE  
 LAND USE REVIEW BOARD OF THE BOROUGH OF SHIP BOTTOM  
 COUNTY OF OCEAN AND STATE OF NEW JERSEY  
 DOCKET NO. 2018:03V**

**WHEREAS**, Karen Drucker and James Baka have made application to the Land Use Review Board of the Borough of Ship Bottom for variances to raise the existing two family home; convert same to a single family dwelling; and renovate and enlarge same at 110 West 27<sup>th</sup> Street, Lot 5 Block 15 in the Borough of Ship Bottom, County of Ocean and State of New Jersey; and

**WHEREAS**, the Land Use Review Board considered this application at a public hearing on February 21, 2018. The applicant was represented by James S. Raban, Esq. The application dated January 31, 2018 was entered into evidence as Exhibit A-1; the plot plan prepared by Scope Engineering, Inc. titled “Proposed Single Family Home Elevation & Addition 110 W 27<sup>th</sup> St. Block 15-Lot 5 Borough of Ship Bottom Ocean County, New Jersey” under signature and seal of Matthew R. Martin, PE dated January 31, 2018 was entered into evidence as Exhibit A-2; architectural plans prepared by Architectural Integrity, LLC titled “Drucker Residence Block 15 Lot 5 110 West 27<sup>th</sup> Street Ship Bottom, Ocean County, NJ” dated January 30, 2018 containing Sheet A-1 Floor Plans; Sheet A-2 Floor Plans and Elevations; Sheet A-3 Floor Plans and Elevations, all under signature and seal of Sean McGovern, Jr. Architect was entered into evidence as Exhibit A-3. A photograph of the front of the property showing the existing house and detached garage was entered into evidence as Exhibit A-4. The review letter from Owen, Little & Associates, Inc., under signature of Frank J. Little, Jr., dated February 15, 2018 was entered into evidence as Exhibit B-1. Testimony was offered by Andrew Stockton, who qualified as applicant’s professional engineer, professional planner and professional land surveyor; and by Karen Drucker and James Baka, the applicants. There was not any public comment offered; and

**WHEREAS**, the Land Use Review Board after considering the Application, documentation entered into evidence, testimony of the witnesses and argument of counsel has made the following factual findings:

8. All jurisdictional requirements have been met.
9. The applicant Karen Drucker is the owner of the property. The property is located in the OR Office Residential Zone. The property consists of a lot with dimensions of 75’ x 70’ feet improved with a two story two family home and detached garage.
10. Applicants propose to raise the existing home, converting same to a single family residence, placing garage and storage at grade; and construct an addition to the side of the house.

11. The lot depth is nonconforming at 70 feet where 80 feet is required; the side yard setback is 1.54 feet where 10 feet is required; the front yard setback is 5.13 feet where 15 feet is required; the rear yard setback is 6.23 feet where 20 feet is required; the set back to the accessory building is 4.86 feet where 5 feet is required.
12. Applicants propose to raise the existing structure in place; whereupon the proposed building height is 33.5' feet where 32 feet is permitted; they also propose additional decking, stairs and an addition, as set forth on the plans submitted. Building coverage is proposed at 39.8% where 35% is permitted. Applicant proffers that a substantial portion of the increase in building coverage is generated by the stair systems to the raised house. Applicant proposes a three (3') foot rear yard setback; the deck will remain at the existing 6.23' foot setback, however the stairs and landing providing access to same will be three (3') feet from the property line.
13. Notwithstanding applicants request to raise the house in its current location, the Board finds that the building could be shifted an additional 1.5 feet from the easterly side yard; to increase the side yard setback to three (3') feet, an improvement to what exists. The Board further finds that the building may be raised to accommodate the garage and storage meeting current FEMA requirements to a building height of 32.75 feet; whereupon the building will be raised 9 inches less than originally proposed.
14. Applicant proposes to maintain the existing garage at the site; and is requesting a waiver to maintain a second 20' foot curb cut at the property. The Board finds that parking is not permitted in the street adjoining applicant's property, and the second curb cut/opening will not eliminate any on street parking spaces.
15. The garage being constructed under the house will be off set to maintain a front setback of not less than 11 feet.
16. The air-conditioning platform shall maintain a conforming set back.
17. The Board adopts the contents of the February 15, 2018 letter from Frank J. Little, Jr. entered into evidence as Exhibit B-1, as if set forth herein at length.
18. All construction shall conform to all building codes and FEMA regulations, and all grades shall conform to the requirements of the Ship Bottom Building Department: and

**WHEREAS**, the Land Use Review Board of the Borough of Ship Bottom has determined that the relief requested by the applicants Karen Drucker and James Baka for variances to raise the existing two family home; convert same to a single family dwelling; and renovate and enlarge same at 110 West 27th Street, Lot 5 Block 15 in the Borough of Ship Bottom, County of Ocean and State of New Jersey can be granted without substantial detriment to the public good and without impairing the intent and purposes of the zone plan and zoning ordinances of the Borough of Ship Bottom as the side yard setback of 1.54 feet is being expanded to three (3') feet; the property is being converted from a two family to a single family home; the house will conform to FEMA regulations, the additional building coverage is substantially generated as a result of stairs and landings to accommodate the house raise. The waiver for a second curb cut can be granted as there will not be any on street parking spaces eliminated.

**NOW, THEREFORE, BE IT RESOLVED** by the Land Use Board of the Borough of Ship Bottom that the application of Karen Drucker and James Baka for variances to raise the existing two family home; convert same to a single family dwelling; and renovate and enlarge same at 110 West 27th Street, Lot 5 Block 15 in the Borough of Ship Bottom, County of Ocean and State of New Jersey together with a waiver to install a second 20' foot curb cut; be and hereby is, conditionally approved.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned upon Applicant's compliance with all terms and conditions of the letter of the Board Engineer, Frank J. Little, Jr., P.E., P.P., and C.M.E., dated February 15, 2018, as entered into evidence as Exhibit B-1.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned upon applicants submitting revised plans reducing the building height to 32.75' feet; expanding the side yard setback from 1.54 feet to 3.00 feet; and confirming that the offset to the new garage will not be less than 11 feet. Said plans shall be approved by the Board engineer; as a condition precedent for the issuance of a building permit.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned

upon Applicant obtaining all requisite permits and Applicant complying with all Federal, State and Local rules regulations and statutes and ordinances effecting this development. Variance relief is granted for existing site conditions, a rear yard setback of 3 feet to the newly constructed stairs and landing; building coverage of 39.8%; a building height of 32.75 feet and a side yard setback of 3 feet. The air conditioning platform shall maintain a conforming set back.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned upon applicant obtaining all outside agency approvals from all agencies having jurisdiction over this development; including but not limited to Ship Bottom Water and Sewer Department.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned upon Applicant's payment of all taxes and all other applicable assessments, and Applicant satisfying all fees and escrow fees as may be required.

**BE IT FURTHER RESOLVED** that the Applicant is required to comply with all ordinances of the Borough of Ship Bottom, and failure to specify compliance herein shall not be deemed a waiver or recommendation by the Land Use Review Board with respect to Borough Ordinances, including the Zoning Ordinances.

**BE IT FURTHER RESOLVED** that this approval is subject to all conditions and representations made by applicants and their witnesses and as placed on the record at the public hearing conducted on February 21, 2018 when this matter was considered.

**BE IT FURTHER RESOLVED** that this approval is subject to and conditioned upon Applicant complying with all technical revisions and any other requirements as set by the Borough Engineer.

**BE IT FURTHER RESOLVED** that in the event the conditions set forth herein are not met by April 1, 2019, this Application may be listed by the Board Secretary on the Land Use Review Board Agenda for the meeting of the following month for dismissal, without prejudice, unless the Applicant offers appropriate reasons for the delay, all of which may be considered in the discretion of the Board. Further, it shall be understood that this administrative time limit is not a representation or guarantee by the Board, as existing State law applies, and the Board advises that it continues to be Applicants' obligation to comply with all applicable laws.

Roll Call Vote: Councilman Butkus, Mr. Basile, Mr. Bishop, Mr. Dixon, Mr. Hay, Vice Chairman Tallon and Chairman Cooper, all aye.

**BUSINESS OF THE BOARD:**

Mr. Snyder had discussion regarding the Borsellino lawsuit.

Chairman Cooper asked for volunteers to review Title 16.

**ADJOURNMENT:**

On a motion by Mr. Hay seconded by Councilman Butkus and an all aye vote, Chairman Cooper adjourned the meeting at 10:30 P.M.

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Sara Gresko, Secretary  
Land Use Review Board