

CALL TO ORDER: AT 7:03 P.M. by Chairman Loury
OPEN PUBLIC MEETING LAW STATEMENT OF COMPLIANCE

ROLL CALL: Chairman Loury, Peter Rathjens, Marc Harris, Brian Bosworth, Christopher Fleischman, Barbara Chiappa

EXCUSED: Mayor William J. Chegwiddden, Councilwoman Vasquez, Roshan Patel, Michelle Molde, and Lawrence Biehler

OTHERS PRESENT: Alan Zakin, Board Attorney; Christopher Borinski, Board Engineer; Jessica Caldwell, Board Planner; and Desi Ruffo, Board Secretary

Motion by Barbara Chiappa and seconded by Peter Rathjens to approve the minutes from the October 14, 2025 meeting as presented. YEA - 4 NAY - 0 ABSENT - 5 ABSTAIN - 2

Motion by Christopher Fleischman and seconded by Barbara Chiappa to approve the bills as presented. YEA - 6 NAY - 0 ABSENT - 5 ABSTAIN - 0

Board Secretary Desi Ruffo provided an update to the board on the outstanding escrow account balances.

Old Business:

Resolution of Approval – Nielsen: 150 Princeton Avenue (Block: 1202, Lots: 1 & 2)

The applicant was not present. The board reviewed the resolution of approval. Discussion between the board members, board professionals regarding revisions to the resolution occurred. Revisions to the following pages were determined: Pages: 4, 6, and 9.

A motion by Marc Harris and seconded by Brian Bosworth to approve the resolution with the revisions as noted. YEA - 4 NAY - 0 ABSENT - 5 ABSTAIN - 2

New Business:

1. Davis: 27 Church Street (Block: 1202, Lot: 15) Request to adjourn to next meeting.

The applicant was not present at the meeting and requested that the application be adjourned to the next regularly scheduled meeting in January. Discussion occurred among the Board members regarding the number of previous adjournments requested by the applicant.

A motion was made by Christopher Fleischman and seconded by Marc Harris to adjourn the application to the next regularly scheduled meeting. The applicant will be required to re-notice if another adjournment is requested.

YEA - 6 NAY - 0 ABSENT - 5 ABSTAIN - 0

2. Cesar Palacios: 183-185 South Main Street (Block: 1801, Lot: 16) – Variance and Minor Site Plan

Bernd Hefele, Esq. of Hefele Law (Lake Hopatcong, NJ), appeared on behalf of the applicant, Cesar Palacios, who was present. He stated that the application had been before the Board on three occasions and that the plans had been revised multiple times based on input from the Board, the Board’s professionals, and neighboring property owners. He further stated that the current submission reflects that input and that the application has been pending for nearly one year.

Chairman Loury clarified that, while the application had been carried on multiple occasions, it had not been formally presented to the Planning Board three times. The Board further clarified that the application had been re-noticed on several occasions and that the re-noticing was not due to actions taken by the Board, but requested by the applicant. It was confirmed that the Planning Board had formally reviewed only the version of the plans presented at the prior September meeting and that earlier discussions of alternative designs occurred outside of formal Board review. Chairman Loury directed the discussion to focus on the application currently before the Board.

Bernd Hefele, Esq., acknowledged that the application has been pending for a significant period of time and stated that multiple revisions have been made since the original submission. He emphasized that the intent is to obtain approval and move the application forward and confirmed that the most recent submission was prepared following comments received at the prior meeting and with the Board Professionals, as well as input from neighboring property owners. He confirmed that revised engineering materials were submitted, including an engineering letter dated November 18, 2025, and supplemental comments dated December 1, 2025. It was stated that the applicant's engineer has been coordinating with the Board Engineer to address all outstanding engineering comments.

Board members indicated that the December 1, 2025 letter had not yet been reviewed, and the applicant's representative agreed to provide the materials electronically to the Board Secretary.

Testimony was provided by Ken Fox, AIA PP, of Fox Architectural Design, PC, Ledgewood, New Jersey, who was sworn and accepted by the Board as an expert in architecture and planning. Mr. Fox testified on behalf of the applicant and presented both the architectural and engineering plans. He noted that the project engineer, Mr. Kandil, was unable to attend due to prior obligations; however, two members of the engineer's staff were present and available to assist with engineering-related questions as needed.

His testimony described a proposed two-family dwelling consisting of one unit over the other, with a basement dedicated solely to storage for the first-floor unit and not intended for habitable use. Both dwelling units would have front and rear entrances to accommodate street access at the front of the property and parking located at the rear. The front façade was designed to reflect the architectural character of older homes in the neighborhood and includes a full-width front porch. The proposed floor plans showed open living areas for both units, each containing three bedrooms and two bathrooms. Rear decks are provided for both units as outdoor space; the decks are stacked vertically and provide access to the rear parking area. Basement access is internal and limited to the first-floor unit and not habitable space, and attic access is shown via a pull-down stair from the second-floor unit. In response to prior Board comments, the applicant agreed to revise the plans to relocate attic access within a non-common area and to include language prohibiting the attic from being used as habitable space, as a condition of approval. The attic was described as having limited storage usability due to modern insulation methods.

Mr. Fox indicated that laundry facilities are provided within each dwelling unit. Square footage calculations were addressed, with clarification that the gross building area is 1,644 square feet per floor, consistent with the engineer's plans. Variations in unit square footage result from stairways and entry areas being included in the second-floor unit calculations, but excluded from the first-floor unit, with the overall building area accurately represented. He provided clarification regarding the front entrances, with the right-side door serving the first-floor unit and the left-side door leading to a foyer and stairway for the second-floor unit. Basement access is located beneath the stairway serving only the first-floor unit. Testimony also described revisions made following discussions with Board professionals and neighboring property owners, including shifting the building approximately three feet to the left to allow for a conforming driveway along the right side of the property and safe pedestrian access to the rear parking area. The driveway width is less than ten feet in certain locations due to site constraints and County access requirements.

Additional site improvements, include the installation of Belgian block curb along the front of the property and concrete curb along the rear portion of the driveway, which functions as a retaining element due to grade differences along the north side of the property. Five parking spaces are proposed at the rear, exceeding Residential Site Improvement Standards (RSIS) requirements for two (three-bedroom) units, with the additional space intended to reduce on-street parking.

Bulk Variances were requested due to the undersized nature of the lot, including variances for sidewalks, setbacks, building coverage, and impervious coverage. These variances were described as necessary to accommodate parking, circulation, and site constraints. A retaining wall is proposed along the south side of the property to address grade changes. Variances are requested for front yard setback (15 feet where 25 feet is required), side yard setback (7 feet where 10 feet is required), building coverage (24.71% where 20% maximum is allowed), and impervious coverage (76.82% where 40% maximum is allowed).

Ken Fox, AIA PP testimony continued

Drainage testimony described existing runoff flowing toward the rear southwest portion of the property and outlined proposed stormwater management improvements, including a rear yard inlet, roof leader connections, and a dry well system. The stormwater design was based on existing conditions. Based on the engineer's submission, the proposed system is expected to improve drainage conditions and avoid adverse impacts to neighboring properties. Grading directs runoff toward the rear yard, and a fence is proposed along the property line, with the dwelling positioned closer to the front yard to accommodate rear parking.

Additional testimony addressed the driveway configuration and grading requirements associated with providing rear parking. It was testified that the proposed design does not create any negative off-site impacts. The only potential impact identified relates to drainage; however, testimony indicated that the proposed stormwater detention system improves existing drainage conditions, resulting in a net benefit rather than a detriment. He testified that the project does not result in any significant detriment to neighboring properties or to the intent of the zoning plan and ordinance, and that the proposed design represents a planning and engineering improvement to the site.

Mr. Fox indicated that direct testimony had concluded, but remained available to respond to questions regarding paving, curbing, drainage, and other plan details.

Prior to opening the matter to the Board for questions, Chairman Loury requested clarification from Board Engineer, Christopher Borinski regarding testimony that drainage conditions would be improved compared to prior conditions.

Board Engineer, Chris Borinski discussed existing site conditions, noting that the property is currently vacant and that runoff presently flows toward the south. He confirmed that, the proposed drainage system would result in improved drainage conditions compared to prior conditions.

The applicant agreed to revise the drawings and calculations in accordance with the Board Engineer's comments. It was clarified that the applicant's engineer relied on aerial photography and historical site conditions to establish prior impervious coverage and performed calculations based on the increase in impervious coverage. It was stated that the applicant agrees to comply with all outstanding engineering comments and to continue coordination with the Board Engineer.

Board Engineer, Chris Borinski confirmed that he had reviewed the response and had no unresolved issues at that time, subject to the agreed revisions.

Board discussion then addressed the curved driveway configuration near the building. A concern was raised regarding potential vehicle impacts due to the proximity of the driveway to the structure. The applicant agreed to provide protective measures, such as bollards or other appropriate structural protection, to prevent vehicle contact with the building or deck. This measure was accepted as a condition.

Mr. Harris asked whether the proposed development is consistent with the character of the neighborhood given these conditions.

Mr. Fox AIA PP, testified, that the applicant is seeking variances based on the undersized nature of the lot, consistent with established planning principles recognizing lot size, dimensions, and topography as potential hardships. The hardship is unique to the subject property and that the existence of other similarly sized lots does not diminish that finding. It was further testified that approval of the requested variances would not establish precedent for other properties. In response to the above reference question by Mr. Harris, Mr. Fox's testimony confirmed that the proposed development is consistent with the character of the neighborhood.

Mr. Bosworth asked the Board Engineer, C. Borinski to clarify setback conditions related to the neighboring property to the south. Mr. Borinski confirmed that an existing dwelling is located on the plan and that the neighboring structure is situated very close to the subject property, with testimony indicating a setback of approximately three to four feet near the proposed driveway area. Clarification was provided that the applicant is proposing a structure approximately nine feet from the neighboring dwelling and that the requested side yard variance relates to the setback from the property line.

Bernd Hefele, Esq. noted that the structure previously located on the site, which was destroyed by fire, was larger than the proposed building. It was stated that the applicant is not overbuilding the lot relative to prior development and that the proposed structure is smaller than the former dwelling. While impervious coverage was discussed, testimony clarified that the proposed impervious coverage is less than what previously existed on the site.

Mr. Fox testified that the claimed hardship and the benefits of the proposed design outweigh any potential detriments and that the proposal represents an improvement in impacts to neighboring properties compared to prior conditions. He explained the hardship arises from the undersized nature of the lot, which resulted from subsequent zoning changes adopted by the municipality after the original development of the property. The former dwelling predated the current zoning ordinance, and the current property owner inherited a lot rendered nonconforming by municipal zoning action. As such, the hardship was described as not self-created and directly related to the lot's size and zoning status.

Bernd Hefele, Esq. testified that the applicant has taken neighboring concerns into account, including coordination with neighboring counsel and incorporation of revisions in response to comments received. The applicant testified that all planned testimony has been presented and that no further feasible design changes are available that would meaningfully reduce impacts while still allowing reasonable development of the property. Testimony concluded with a summary regarding engineering compliance. It was noted that all engineering comments have been addressed and that the applicant is in complete agreement with the Board Engineer regarding calculations, grading, and drainage. The applicant stated that all feasible revisions have been made and that the application represents a complete submission.

Mr. Rathjens asked a question to the project architect and planner, Ken Fox whether it is more consistent with neighborhood character to have a building of the proposed size on the property or to leave the lot vacant. Mr. Fox noted that a single-family dwelling constrained to meet all zoning requirements would result in a very narrow structure with minimal side yard setbacks, which could adversely affect aesthetics and proportionality.

Ken Fox, AIA PP testified that the proposed two-family dwelling, including the house width and roof proportions, is consistent with the character and streetscape of the neighborhood. The design accommodates rear parking by shifting the building approximately three feet while maintaining appropriate setbacks and visual balance. Testimony further confirmed that the proposed structure is comparable in width and scale to surrounding homes, including the setbacks thereof, most of which are developed on similarly sized lots, and that vacant lots are uncommon in the neighborhood. He further noted that even if a single-family home were proposed, the need to provide rear parking on an undersized lot would result in a narrower structure with less favorable aesthetics. Mr. Fox concluded that the proposed plan represents a substantially redesigned and cohesive solution that improves on the empty lot condition, maintains neighborhood character, and is visually consistent with existing development patterns. He further stated that the subject proposed redesign was developed with consideration of the comments and suggestions of neighbors and of the Borough technical review committee.

Board Planner, Jessica Caldwell asked about the proposed color scheme and architectural finishes and proposed garbage storage.

Mr. Fox, confirmed that the building is proposed with blue siding and honey-toned trim, a black shingle roof, and scalloped gables consistent with the design of the front porch and neighborhood character. The applicant agreed that the final construction would substantially represent the drawings and testimony as to the scheme, colors, finishings and architectural appearance of the proposed building as constructed. He testified that the site plan identifies a location for two trash cans per unit, located between the rear decks, with one for recycling and one for general waste per unit. While no enclosure is currently shown, testimony confirmed that an enclosure could be provided to secure the containers and prevent access by animals, and that its location would remain at the rear of the deck with flexibility to adjust the enclosure location as needed.

Board Planner, Jessica Caldwell requested additional testimony regarding the bulk variance C(2) positive criteria.

Ken Fox AIA PP, identified the improved stormwater management and drainage compared to prior conditions, with a net positive impact on the property and neighboring properties. He further noted that the proposed design provides a functional and visually compatible two-family dwelling that meets housing demand while accommodating site constraints, including impervious coverage, parking, and building placement. Additional on-site parking reduces on-street parking. He noted that adjacent properties along the street also provide parking in the rear, and that the Board and its professionals had previously expressed concerns regarding front-yard parking. The revised design relocates parking to the rear, which required trade-offs in site layout but advances better planning outcomes that compliments the scheme of the neighborhood. The applicant confirmed that engineering calculations and drainage design have been reviewed and are in agreement with the Board Engineer, and that all revisions requested have been incorporated into the final submission.

OPENED TO THE PUBLIC

Craig Erezuma, licensed architect from Madison, NJ, 07940, identified himself and noted prior testimony at the hearing in September. He indicated that he did not have questions and would provide comments during the public testimony portion of the hearing.

CLOSED TO THE PUBLIC

Bernd Hefele, Esq., stated that the applicant has been fully transparent with neighboring property owners regarding the application. He testified that all plans, including the most recent revisions, had been shared with the neighbors, and that he had been in communication with their attorney. Mr. Hefele stated that the most recent submission incorporates comments received and reflects the applicant's efforts to address those concerns. Mr. Hefele indicated that the applicant was prepared to hear comments from the neighbors and, prior to Board deliberation, requested that the public testimony portion of the hearing be opened.

OPENED TO THE PUBLIC

Craig Erezuma, licensed architect from Madison, NJ, 07940, identified himself and confirmed that he does not have an ownership interest in the subject property. He stated that he is an architect by profession and had previously been qualified as an expert in architecture in connection with this application. The Board confirmed that the witness remained under oath from prior testimony. Mr. Erezuma clarified he is a family member of the adjacent property owners, Ed and Diana Kehoe, but emphasized that he was not acting as a representative for them. He testified that his comments were being offered both as an interested party and, where applicable, based on his professional background as an architect, and that he was presenting his own testimony.

Chairman Loury confirmed the names of the adjacent property owners as Ed and Diana Kehoe

Mr. Erezuma stated that he appreciated the efforts reflected in the most recent set of drawings, which were revised in response to comments from the Board and from the neighbors. He further noted that the Board had given due consideration to concerns raised previously. From his review of the most recent drawing set, he testified that one remaining issue was identified, which he proceeded to discuss. He noted that the applicant had previously agreed that a fence along the shared property line would extend the full length of the property. He observed that the current plan depicts only a portion of the fence.

Ken Fox, AIA PP confirmed that the fence is intended to extend from the house to the rear property line, subject to municipal requirements that prevent fencing from extending fully to the street. The applicant agreed to revise the plans to clearly depict the full fence length, subject to review and approval by the Board Engineer. The Board acknowledged this clarification.

Mr. Erezuma raised concern regarding the proposed left-side yard setback of approximately seven (7) feet. He noted that the adjacent structure has an existing setback of approximately two and one-half (2.5) feet, resulting in a building-to-building separation of approximately nine and one-half (9.5) feet. He also noted that the proposed building width had not been reduced and that the application relies on variance relief for this condition. He referenced general building code provisions for fire protection when structures are within five (5) feet or less of a property line, and additional requirements when structures are within three (3) feet. He noted concerns regarding fire safety implications of reduced building separation. He stated that residential development of the lot is appropriate, provided the structure is compatible with the surrounding neighborhood, and commented on prior testimony comparing the proposal to a vacant lot.

Mr. Erezuma continued his testimony regarding the parking layout for a two-family structure is inadequate given the lot size and width. He noted that the proposed plan shows five parking spaces for two three-bedroom units; however, he stated that practical vehicle maneuvering renders some spaces difficult to use, effectively reducing the number of functional spaces. He indicated that a single-family home with three bedrooms would better meet parking needs, with a suggested provision of five or more spaces. He also noted that street parking is currently limited, creating additional concern for tenants and neighbors.

Mr. Erezuma referenced a diagram (Exhibit P-2, dated 12-02-25) demonstrating the parking constraints. He explained that the end spaces require additional maneuvering room to safely enter and exit, and that the rear deck may need to be reduced to accommodate adequate turning radius and maneuverability. He further noted that inclusion of a fixed area for garbage and recycling containers would impact the usability of some parking spaces. He provided additional testimony regarding technical aspects of the proposed development and noted the plans do not currently show exterior mechanical equipment. He recommended that a fixed location for mechanical equipment and garbage/recycling areas be memorialized for consistency with any approvals.

The Board acknowledged that locations could be on the front or side of the property as appropriate.

Mr. Erezuma referenced a diagram (Exhibit P-3, dated 12-2-25) showing an attic stair in a closet. He testified that the stair functions properly even when located close to the exterior wall and rafters, and clarified that prior conditions requiring relocation to a common area would not apply to this application.

Mr. Erezuma noted that the parking area includes a drainage break, as shown on the plans. He expressed concern that the overflow detail is located approximately nine inches from the drainage break, which may be insufficient. He further noted that the retaining wall detail does not show filter fabric, which could allow particulate infiltration and increase hydrostatic pressure. He observed that the parking area drawing does not clearly show manhole access or maintenance provisions for the drainage system. Mr. Erezuma stated that these factors could impact stormwater management and the effectiveness of the retaining wall, especially during heavy rainfall, and recommended clarification to ensure proper protection.

Mr. Erezuma introduced (Exhibit P-4, dated 12-02-25) existing grade conditions adjacent to the property. Mr. Erezuma testified that the exhibit depicts laser transit measurements taken from the rear corner of the property toward the neighboring lot. He stated that the measurements indicate an existing elevation difference of approximately seventeen (17) feet, and that, when accounting for the transit height, the effective retaining wall height is approximately twelve and one-half (12.5) feet or greater. He further testified that the applicant's plans depict a retaining wall height of approximately six and one-quarter (6.25) feet, and expressed concern that the existing topographic information does not extend beyond the top of the existing storm retaining wall. He stated that bottom-of-wall elevations are not fully illustrated, which may result in an understatement of the true wall height. He further testified that, in his opinion, the retaining wall as shown would require reassessment of existing conditions, updated topographic drawings, and a purposefully engineered retaining wall design, rather than a typical site wall, particularly given its role in supporting the parking area above.

Public Comments: Mr. Erezuma continued

Mr. Erezuma expressed concern that the wall appears to function as a cantilevered structure without clearly depicted footing or keying details, and that missing data could affect structural performance.

Chairman Loury responded that these concerns would need to be reviewed and evaluated by the Board Engineer.

Mr. Erezuma testified that the applicant's plans rely on an existing stone wall identified as "to be removed", and that existing elevations shown on the plans terminate at the top of that wall, without depicting bottom-of-wall elevations. He stated that, in his opinion, this results in an understatement of the actual retaining wall height, which he testified may exceed the height shown on the plans once the existing wall is removed. The retaining wall is depicted as a straight, near-vertical structure, and expressed concern that the plans do not illustrate footing, keying, or reinforcing details.

Chairman Loury and Board professionals clarified that detailed structural design of the retaining wall is outside the scope of zoning review and would be addressed during the permitting process. It was confirmed that the retaining wall will require a separate permit, including detailed engineering plans, and would be subject to review and inspection by the appropriate subcode officials.

Board Engineer, Chris Borinski confirmed that the retaining wall permitting requirement is already noted in his report and that final design details will be reviewed at that stage.

Discussion followed regarding the left-side yard setback, which is shown as approximately seven (7) feet on the current plans.

Mr. Erezuma referenced plans presented at a prior meeting and testified that earlier iterations assumed larger side yard setbacks, achieved by narrowing the building footprint by approximately two (2) to three (3) feet, in order to reduce or eliminate variance relief.

Bernd Hefele, Esq. acknowledged that earlier designs included a narrower structure and different side yard dimensions, and that subsequent revisions modified the layout to address other site constraints.

The board raised questions regarding whether the Fire Department had reviewed the proposed side yard setback and whether the current design was acceptable from a fire safety standpoint.

Boad Secretary, Desi Ruffo confirmed, that the fire department reviewed the original submission in January 2025 and identified no significant issues. The current Fire Chief reviewed the application again in or about June 2025 and indicated no changes or concerns. The Chief of Police submitted comments dated November 18, 2024, with additional correspondence on June 26, 2025

Ken Fox, AIA PP testified that the proposed side yard setback exceeds five (5) feet, consistent with applicable fire code thresholds discussed in testimony.

The Board discussed the sensitivity of fire safety concerns due to prior fire damage on the property and nearby structures. Discussion also addressed the location of exterior mechanical equipment.

The applicant agreed that, as a condition of approval, the plans would be subject to review by the Fire Chief and Police Chief. It was agreed that the final location of such equipment shall be shown on the plans and subject to review and approval by the Board Engineer and Board Planner, with this requirement memorialized as a condition of approval.

Chairman Loury noted prior testimony regarding drainage and requested further comment from the applicant and the Board Engineer. Discussion on this issue was to continue with input from the Board Engineer.

Bernd Hefele, Esq. confirmed that issues raised regarding grade height, drainage, and retaining wall design are addressed in the Board Engineer's report and will be reviewed and resolved by the applicant's engineer in coordination with the Board Engineer. He confirmed that the retaining wall will require a separate building permit, including full engineering review and inspection. The applicant agreed that all engineering concerns, including those raised during public testimony, would be addressed, regardless of whether the testimony was provided by a licensed engineer.

Vice Chairman Peter Rathjens discussed whether the outstanding engineering issues are resolvable.

Ken Fox, AIA PP confirmed that all items are resolvable, and that if any issue cannot be resolved during permitting, the application would return to the Board, consistent with proposed conditions of approval.

Board Engineer, Chris Borinski confirmed that grade and drainage issues have already been identified in his report and will be addressed through the review process. He also confirmed that his report identifies required revisions and that all comments have been deferred to the applicant for compliance.

OPENED TO THE PUBLIC

Laura White, 192-194 South Main Street, who testified at a prior meeting, stated that other residential options exist, including single-family homes and smaller residential configurations. She continued that alternative residential options could be developed on the site that would require less impervious coverage and fewer variances, including single-family homes or smaller-scale residential development. She noted that there is an existing vacant lot adjacent to the area under discussion and clarified that the neighborhood contains a mix of single-family and multi-family homes, with most properties being single-family residences. She continued that many homes in the area do not have rear-yard parking and instead rely on small driveways, which contributes to on-street parking conditions. The speaker emphasized that while off-street parking is important, not all nearby properties have rear parking arrangements.

Board Planner, Jessica Caldwell confirmed the vacant lot mentioned is open-space owned by the borough.

CLOSED TO THE PUBLIC

Bernd Hefele, Esq. stated that all concerns raised during testimony including drainage, retaining wall details, side yard setbacks, and fire code compliance have been addressed or will be addressed through conditions of approval. The applicant expressed confidence that the application satisfies the Board's requirements.

Board Attorney, Alan Zakin Esq. summarized the application as follows:

The application proposes construction of a two-family dwelling consisting of two three-bedroom units, with a driveway providing five (5) off-street parking spaces located in the rear of the property. The applicant requested C(1) and C(2) variances related to lot size and bulk requirements. The proposed parking exceeds the RSIS requirement by one (1) space. The following conditions of approval were summarized:

1. Protective measures (such as a bollard, or similar feature) shall be provided to protect the structure from vehicles, subject to approval by the Board Engineer.
2. The constructed building shall substantially conform to the architectural renderings and drawings presented to the Board.
3. Garbage and recycling facilities shall be located at the rear of the property, within a proper enclosure, subject to approval by the Board Engineer and Board Planner.
4. A fence shall be installed along virtually the full length of the side yard, extending from the front of the house to the rear property line, as shown on the plans and subject to approval by the Board Engineer.
5. Exterior mechanical equipment shall be located at the rear of the property, between the deck and the retaining wall, subject to approval by the Board Engineer.
6. Attic stairs shall be located in non-common area.
7. No exterior ingress or egress to basement.

The Board discussed drainage conditions on the site. Board members acknowledged concerns regarding the transition from an existing vacant lot to a site with significant impervious coverage.

Board Engineer, Chris Borinski confirmed that the proposed drainage design represents an improvement over existing conditions and would be adequate to manage stormwater runoff generated by the development.

The Board discussed the application in its entirety, including drainage, lot size, use, and the revised design. Board members noted that the drainage design would be subject to final engineering approval as a condition of any approval. Members indicated that outstanding technical issues had been substantially clarified and that remaining items could be addressed through conditions of approval and further engineering review prior to permitting. It was stated that the applicant had meaningfully addressed prior Board and neighborhood concerns, and that the updated design represents a significant improvement over the prior submission and is more consistent with the character of the surrounding neighborhood.

Motion was made by Marc Harris and seconded by Christopher Fleischman to approve the application with the conditions as discussed.

YEA - 4 NAY - 2 ABSENT - 5 ABSTAIN - 0

ADJOURNMENT AT 9:21 P.M.

Respectfully submitted,



Desi Ruffo
Planning Board Secretary