

CHATHAM BOROUGH PLANNING BOARD
November 14, 2007 7:30 p.m.

Chairman H. H. Montague called the Chatham Borough Planning Board meeting of November 14, 2007 to order at 7:30 p.m. in the Council Chambers, Chatham Municipal Building. Mr. Montague announced that all legal notices have been posted for this meeting.

Members Present: Chairman H.H. Montague, David Gerridge, Bill Jankowski, Thomas Sennett, James Mitchell.

Charles W. Foster, Esq., attorney for the Board, was present.

Members Absent: John Hague, Alison Pignatello, Alan Pfeil, Councilman Bruce Harris, Mayor Richard Plambeck.

Minutes

The meeting minutes of September 5, 2006 were approved as amended. Mr. Sennett abstained from voting.

Ogden Memorial Church – Resolution

Mr. Foster noted that he had sent the final version to Board members for their review. He has included some minor changes in language as suggested by Mr. Hague.

HSBC Bank – USA, 407 Main Street, Block 84, Lot 6 – Preliminary & Final Site Plan Approval

Michael Miceli, Esq., attorney for HSBC, was present.

Mr. Miceli reported that the applicant has returned with the information the Board had requested at the last meeting.

Mr. Montague noted that an updated report from the Historic Preservation Commission (HPC) has not been received. This report should give the HPC's views on the latest drawings. Reports are still needed from the Chatham Police Department and Fire Department. The Board also needs the Shade Tree Commission report.

Mr. Miceli said that the Board will receive these reports prior to the next meeting.

Mr. Miceli called Daniel Dougherty, the applicant's engineer, forward. Mr. Dougherty remained under oath from the previous hearing.

Mr. Dougherty noted that at the last hearing the Board had raised the issue about the proposed parking in the front yard. The Board had pointed out that the northern most parking space in the parking lot adjacent to the building extended beyond the face of the building and was technically situated in the bank's front yard.

Mr. Dougherty reported that a revised parking exhibit has been prepared. He submitted this document as Exhibit A-4. The parking space that had extended beyond the proposed building has now been eliminated. This eliminated parking space will be added to the 7 parking spaces behind the proposed bank building. The curb at the rear parking area has been adjusted to accommodate this additional parking space. The landscaping plan will remain essentially the same. Some of the plantings will be moved around to accommodate the changes in the curb lines.

Mr. Dougherty noted that at the last meeting, the Board had questions about the proposed lighting. The Board had asked that the light fixture poles be reduced in height. Mr. Dougherty stated that the pole height has now been reduced to 10 feet. Mr. Dougherty pointed out that shorter pole heights require more poles in order to provide the necessary surface light. Mr. Dougherty said the applicant is willing to work with the Board to designate which light fixtures will remain on after business hours for security reasons, and which will be turned off.

Mr. Dougherty submitted Exhibit A-5, revised lighting design. This exhibit will be incorporated into the plan set. Mr. Mitchell confirmed with Mr. Dougherty that Sheet 7 will change in accordance with the revisions shown in Exhibit A-5.

Mr. Dougherty testified that the lighting poles will now be 10 feet in height. Instead of the original three poles, now one dual-height pole will be installed. Housing shields will be installed on all the perimeter fixtures on the parking area. Mr. Dougherty noted that the lighting manufacturer does not have the electronic file for this fixture, including a housing shield. The lighting design before the Board tonight does not reflect the fact that there are housing side shields on the light fixtures. The lighting levels shown on the off-site sides of those fixtures do not reflect the actual lighting.

At Mr. Mitchell's request, Mr. Dougherty will show the external fixtures on the plans with shield symbols.

Mr. Montague questioned a notation indicating that the lighting which will remain on for 24 hours.

Mr. Dougherty pointed out the reason for the dusk-to-dawn lighting is the security aspect for primarily the use of the ATM.

Related to this issue, Mr. Dougherty brought up the proposed lighting at the front of the site where the ATM lobby will be situated.

Mr. Montague asked if the two ATMs will be open 24-hours.

Mr. Dougherty answered yes. He clarified that there will be a pedestrian ATM in the lobby of the building. HSBC is considering a remote teller kiosk with an ATM which will be self-lit. An HSBC representative will give testimony on this proposal.

Mr. Montague reminded Mr. Dougherty that if the applicant is actually proposing this kiosk, it will have to be shown on the plans. It cannot be an after-thought.

Mr. Miceli said if the Board has concerns about the proposed 24-hour lighting for this kiosk, HSBC has a representative to testify on that issue.

Mr. Dougherty stated a reason for the proposed dusk-to-dawn lighting, after hours, is that it will provide minimal lighting for a customer in a vehicle to maneuver around the bank property safely. HSBC is proposing now to have less than half of the fixtures shown at the back of the site, lit from dusk-to-dawn, to provide this safety for motorists. Shields will be put on the light fixtures. Heavy landscaping will be planted. The landscaping will reach a height where it will block any spillage of light on the neighboring properties.

Mr. Montague said he still would like to see a final proposal for this lighting situation marked on the plans. He also will check other local banks to see what type of lighting they have for ATMs.

Mr. Miceli said that HSBC is willing to work with the Borough Engineer to satisfy his safety requirements for this site.

Mr. Foster confirmed with Mr. Dougherty that the advantage of the remote ATM is that the customers won't have to get out of their cars.

Referring to the lighting diagram, Mr. Sennett asked if the average illumination at ground level for the site is listed anywhere. Mr. Dougherty said it was on the table at the lower left hand corner. He explained the table to Mr. Sennett. Mr. Sennett believed that the average illumination complies with the ordinance.

Mr. Dougherty described the proposed light fixtures to be wall-mounted on the perimeter on the north and west faces of the building. These sides will be facing the public.

Mr. Mitchell confirmed with Mr. Dougherty that the light fixtures will be colonial style. Mr. Mitchell noted that the Historic Preservation Commission did not like the original light fixtures shown in Plan 7. Mr. Dougherty assured him that the HPC has approved the more recently proposed light fixtures. Mr. Dougherty testified that all of the pole-mounted fixtures will be the same fixtures originally proposed. These fixtures were proposed by the HPC and are before the Board tonight.

There were no questions from the public for Mr. Dougherty.

Mr. Miceli called Mr. Alan Richman forward. Mr. Richman stated that he is the project manager for HSBC. He is also a licensed architect of New York State.

Mr. Richman was sworn in to testify. He submitted his educational and professional credentials. The Board accepted them.

Mr. Miceli introduced Exhibit A-6. Mr. Richman explained that Exhibit A-6 is a rendering of the proposed bank on the site. He pointed out the existing trees which will be kept, the parking, and the lighting. Mr. Richman stated that HSBC has a few building designs that they use. He testified that 3 of these designs were presented to the Historic Preservation Commission (HPC). The HPC preferred the brick scheme because it is in tune with the historic area and the residential area. HSBC adjusted the window sizes and the roof lines to make their building similar to existing buildings along Main Street.

Mr. Miceli asked Mr. Richman to describe the signage.

Mr. Richman testified that the proposed signage is within Borough regulations. The main sign on the building will be back-lit. Kings Supermarket has exactly the same size signage and lighting on their sign. Mr. Richman stated that the proposed monument sign will be typical of the monument signs currently on Main Street.

Mr. Montague questioned whether the background of the proposed signage was opaque as required by the Borough ordinance.

Mr. Richman said that the sign will have a halo-lit affect. The sign will be back-lit; however, the letters themselves will be opaque. The Board and Mr. Richman discussed the colors proposed in this sign and its lighting. Mr. Richman said that the lighting for the sign will be soft, very similar to the lighting on the Kings Supermarket sign. Mr. Richman stressed that this type of signage and lighting was requested by the HPC.

Mr. Montague asked what will be the colors for the doorway and the windows. Who selected these colors?

Mr. Richman testified that the colors around the doors and windows will be a flat grey. The roof will be a darker grey.

Mr. Mitchell pointed out that Exhibit A-6 shows the property to be flat. In reality, the property slopes up from the street.

Mr. Richman said that the property will be re-graded.

Mr. Mitchell asked what will happen to the two beautiful trees existing on the property.

Mr. Richman answered that those trees will be staying. A berm will go around the trees.

Mr. Mitchell reported that he had walked the property today and noticed a large oak tree. He noted the oak tree and two large pine trees were not shown on Exhibit A-6.

Mr. Miceli said that the goal of this rendering is to really show what the proposed building will look like. "Tree-for-tree" (every tree not marked) markings were not included.

Mr. Mitchell, who had walked the property, still felt that the rendering didn't portray what the lot will ultimately look like.

Mr. Miceli pointed out that the rendering shows an accurate representation of the building and building frontage, not necessarily the entire property.

Mr. Miceli and Mr. Richman submitted Exhibit A-8, a picture of the existing lot as it stands today. Mr. Richman pointed out the trees that will be retained and the trees which will be removed. A number of trees in the back of the property will be retained.

Mr. Montague asked what was the size of the letters on the front sign.

Mr. Richman answered 21 inches high.

Mr. Montague asked if these letters will be bigger or smaller than Kings' letters.

Mr. Richman answered that the 21 inches of the HSBC sign were "within the legal limits". He did not know the height of the Kings' lettering.

Mr. Montague said he understood that HSBC has not submitted its signage plan to the Borough Sign Committee.

Mr. Miceli stated that the applicant had submitted the appropriate number of copies to Mrs. Maramonte in the Construction Office.

Mr. Jankowski asked when the copies had been submitted.

Mr. Miceli answered that the signage plan was submitted to Mrs. Maramonte on October 11, 2007. He had a copy of the transmittal letter. He offered to re-send them.

Mr. Jankowski said that would be helpful.

Mr. Montague confirmed with Mr. Richman that the front has only 3 lights.

Mr. Richman clarified that based on the new lighting design; these 3 lights will be located up on the cornice.

Mr. Montague asked about the spacing of these 3 lights.

Mr. Richman answered that there will be a light on each corner and one in the middle.

Mr. Montague noted that the HPC had told him that they had an issue with the centering of the door. Is this the major entrance?

Mr. Richman clarified that there is a main entrance on the side and another main entrance to the ATM lobby. The ATM entrance would be open for 24 hours. The larger of the two entrances is located around the side because it is closest to the parking lot.

Mr. Montague asked about the centering of the door. Did this issue get resolved?

Mr. Richman indicated that it will get addressed.

Mr. Montague asked what color are the **pole** lights.

Mr. Richman answered that they will be black. The shield will be clear.

Mr. Montague asked about the wattage of the lights and how effective it would be.

Mr. Dougherty testified that all of the fixtures will be 175-watt. Mr. Miceli pointed out that this wattage will throw off less light than is permitted by the ordinance.

Mr. Montague reviewed all the proposed lit-up signs on the site. He was concerned about the appearance of these signs when they are all lit up. He did not want the HSBC to be the town beacon.

Mr. Miceli believed that the proposed lighting is tasteful and is in compliance with the average candle requirement, or possibly below it.

Mr. Sennett asked if the interior lights would be on all night.

Mr. Miceli answered that only the lights for the ATM lobby will be on all night. He noted that there has been a discussion on having a motion sensor.

Mr. Montague asked if there will be an ATM sign on the front.

Mr. Richman answered that there will probably be one behind the window inside. This sign will be interiorly lit. This sign will have a soft glow, semi-transparent, typical of the usual signage of what HSBC has inside. This particular sign will stay on for 24 hours. The wording on this sign will be: "24-hour ATM".

Moving on, Mr. Richman explained that Exhibit A-7 shows a typical kiosk. It will not be the exact kiosk which HSBC would have at this particular site. The kiosk shown in Exhibit A-7 is in Livingston NJ. The HSBC branch in Livingston has a drive-through teller and a walk-up ATM in the storefront bank space.

Mr. Montague asked what the material the red portion of the kiosk was.

Mr. Richman answered that the kiosk will be a fiberglass glass unit.

Mr. Montague asked if this color considered “HSBC red”.

Mr. Richman answered yes.

Mr. Richman explained that in the back of the HSBC building, there is a drive-through teller station with a window that has a direct view to the drive-through ATM.

Mr. Sennett asked if having an ATM in the same vestibule would congest traffic.

Mr. Richman answered that the Livingston HSBC has two kiosks, one is an ATM and the other is a drive-through teller. On the Chatham site, there is not enough room to have two kiosks, so a combination is being proposed. Most of the drive-through ATM traffic occurs during the night hours.

Mr. Richman said the canopies will be in keeping with the 6 inch fringe rule specified by the ordinance.

Mr. Montague asked if there will be any lights in the kiosk.

Mr. Richman testified that the HSBC lines will be back-lit or interiorly lit.

Mr. Montague confirmed with Mr. Richman that further review from the HPC and the Borough Signage Committee is needed for the kiosk.

Mr. Mitchell asked where would the utilities for the building be located.

Mr. Richman answered that the utilities would be roof-mounted and will be behind a parapet. The utilities will be fully concealed.

Mr. Mitchell noted that 5 employees are listed on the plans. What are “the pods” shown?

Mr. Richman said that the HSBC representative could better describe what those units are. The representative could also explain which employees will be full time and which will be part time.

Mr. Montague asked if a vehicle has ever run into a kiosk and knocked it down.

Mr. Richman testified that stanchions will be installed deep into the concrete to protect the corners of the kiosk. Vehicles have been known to run into the stanchions.

Regarding the combination proposed teller and ATM; the teller will only operate during banking hours.

Mr. Foster asked if testimony will be given on HSBC’s proposed hours of operation.

Mr. Miceli answered yes.

Mr. Miceli and Mr. Richman submitted Exhibit A-9, photos of the buildings across the street from the HSBC site and the buildings on either side of the site. Mr. Dougherty identified each of the six photos.

Mr. Miceli asked Mr. Richman how the proposed design is compatible with nearby buildings.

Mr. Richman testified that the majority of the neighboring buildings are colonial style with brick facades and long low roof lines. Mr. Richman reported that he and HSBC had looked at the Valley National Bank building for the window design and the scale of the windows.

Mr. Richman also testified that the proposed design will fit in with the neighborhood.

Mr. Richman's testimony was finished. There were no questions for him.

At 9:09 p.m. a break was taken in the meeting.

At 9:16 p.m. the meeting resumed.

Regarding further testimony, Mr. Miceli said he had a traffic engineer and a HSBC representative. He suggested that the traffic engineer testify first.

Joseph Staigar, a professional engineer, was sworn in to testify. He submitted his professional credentials to the Board. The Board accepted them.

Mr. Miceli asked Mr. Staigar if he could describe the proposed access and circulation to the site.

Mr. Staigar testified that there will be a single curb cut and single driveway. The driveway will be "full movement" with one lane in and one lane out. It will intersect with Main Street (Route 124). A minor access permit will be required from the NJ DOT. Mr. Staigar pointed out that the now demolished office building which had stood on the site was over 5,000 sq. ft. This proposed bank will not attract new traffic to the area. The bank will probably generate the same amount of traffic as the previous office building. During the evening peak hour, 4:30 to 5:30 p.m., the HSBC bank will have 26 trips in and 26 trips out. The second peak hour for the bank is Saturday. Counts were taken from 11:00 a.m. to 2:00 p.m. On a Saturday, 1600 vehicles traveled east and west on Main Street. Thirty-five vehicles would be entering and leaving the bank property.

Mr. Staigar testified that the proposed bank will not impact traffic conditions in the vicinity of the site.

Mr. Staigar testified that the primary circulation through the site is a one-way counter clock-wise direction. A vehicle will enter the site, drive along the westerly side of the building, and can use the parking lot at the rear of the building. If the motorist wants to,

he can use the drive-through lane around the building in a counter-clockwise direction that is accessed to the remote teller. To exit the site, the motorist would proceed in the counter-clockwise direction to exit the site. Mr. Staigar described a by-pass lane that will be circulating around the drive-through system. The drive-through facility has a total of at least 9 stacked spaces. The ordinance requires 8 spaces.

Mr. Miceli asked Mr. Staigar to describe the proposed parking lay-out.

Mr. Staigar testified that the parking lay-out will be angled and will be going in a one-way direction. It should easily accommodate parking maneuvers into the spaces and out of the spaces. The design of the angled parking spaces will have a 15 ft. aisle and will allow for those easy maneuvers in and out of the spaces. Mr. Staigar stated that the number of proposed parking spaces complies with the Borough ordinance. He testified that there will be 4 tellers; therefore, there will be 2 spaces per teller, totaling 8 spaces. The bank will have 5 employees, times 2 spaces which will yield 10 more spaces. Two spaces will be installed for the pedestrian ATM. A total of 20 parking spaces would result.

Mr. Mitchell asked when a vehicle is exiting the property, will there be any restrictions on whether the vehicle can turn left or right.

Mr. Staigar answered that he isn't recommending any restrictions. He pointed out that a low level of traffic will exist on the property, plus gaps on the Main Street traffic to help exiting vehicles. Mr. Staigar noted that the site will be reviewed in detail by the DOT. If the DOT has any views about the left turn, they will notify the applicant. It is possible that the DOT will impose rules about left turns. Mr. Foster pointed out that the Borough Police Department may have comments about left turns.

Mr. Montague noted that the Borough Engineer had requested that turning templates for trucks be included on the plans.

Mr. Staigar testified that trucks will be able to turn on the site. He will provide the necessary exhibit.

Mr. Sennett noted that the traffic study had been conducted during the summer. He asked Mr. Staigar if he had noticed a considerable difference in traffic for the other months.

Mr. Staigar stated that the main difference occurs during the morning peak hour. School dismissal coincides with the rush hour on Main Street. Mr. Staigar pointed out that the bank is not a morning peak generator. He believed the numbers in the traffic study are the correct ones for consideration.

Mr. Mitchell asked about the loading area designated in the back of the property.

Mr. Miceli answered that the loading area was required by ordinance.

Mr. Montague asked if the proposed parking will be striped.

Mr. Staigar answered yes.

Mr. Montague asked if there will be a fence in front of the shrubbery at the entrance.

Mr. Staigar explained that there will be a curb line to protect any vehicle damage to the shrubbery. No fencing will be installed in that area.

There were no questions from the public for Mr. Staigar.

Mr. Foster confirmed with Mr. Staigar that he had submitted a written report to the Board.

The Board had no further questions for Mr. Staigar.

Mr. Miceli asked Mr. Tayfun Selen forward. Mr. Selen was sworn in to testify.

Tayfun Selen testified that he is Senior Project Manager responsible for HSBC Corporate Retail portfolio in the State of New Jersey. He stated that is also a resident of Chatham Borough.

Mr. Miceli asked Mr. Selen about the bank's hours of operation.

Mr. Selen stated that the bank will be open 6 days a week. It will be closed on Sundays. The bank will be open 9 a.m. until 4 p.m. every weekday, other than Thursdays. On Thursdays the bank will remain open until 7 p.m. On Saturdays, the hours of operation will be 10 a.m. until 3 p.m.

Mr. Miceli asked Mr. Selen to testify on the number of employees and where they will be situated.

Mr. Selen testified that the bank will have 5 employees at this particular branch. There will be extra work stations at this bank to handle meetings with clients.

Mr. Montague asked if the number of employees will increase when the investment clients visit the bank.

Mr. Miceli answered that the staff will be between 3 and 5 employees. Five employees would be the maximum number when the investment clients visit.

Mr. Miceli asked Mr. Selen to explain the purpose of the ATM.

Mr. Selen testified that HSBC proposes to have one ATM in the building and one ATM in the red remote kiosk. There will be a tube installed for the remote teller station.

HSBC would like to have this ATM in full operation when this particular branch is opened. HSBC is willing to work with the Board if they have concerns about the ATM.

Mr. Miceli asked Mr. Selen if the ATM at the kiosk would be convenient for bank customers.

Mr. Selen testified that the ATM at the kiosk will be very convenient for the older customers when the weather gets too extreme and they don't want to get out of their cars.

Mr. Montague asked about the hours the cleaning crew would work in the building.

Mr. Selen stated that HSBC has a contract with a cleaning company. This cleaning company will come every night after working hours, clean and remove garbage from the site. No dumpsters are being proposed on the bank property because the garbage will leave with the cleaning crew.

Mr. Montague asked what lighting will remain on in the building after working hours.

Mr. Selen noted that the cleaning crew's work will not extend beyond an hour. After the cleaning crew leaves, some of the lights in the building will still be on but not with a great intensity.

Mr. Montague asked how many lights will remain on.

Mr. Selen said he didn't have an answer.

After further discussion, Mr. Selen and Mr. Miceli agreed to have the lights will be turned off when the cleaning crew leaves.

Mr. Montague asked about the lighting in the vestibule with the ATM.

Mr. Miceli and Mr. Selen said the vestibule will be lighted.

Mr. Montague confirmed with Mr. Miceli that there will be no motion sensor lights.

Mr. Montague and Mr. Dougherty reviewed the lighting needed for the proposed signage.

Mr. Montague confirmed with Mr. Selen that the bank tellers will be parking on the bank property.

There were no questions from the public for Mr. Selen. The Board had no further questions for him.

Mr. Selen reviewed what existing HSBC banks were in nearby towns if Board members wanted to take a look at them.

Mr. Montague asked if HSBC had a witness to testify on the proposed landscaping.

Mr. Miceli answered that the landscaping witness will be testifying at a future hearing.

Mr. Montague noted that the Shade Tree Commission still has to submit their report to the Board.

Mr. Mitchell noted that the applicant's rendering shows that the property will be made flat. He was concerned how two existing trees along the frontage will be kept.

Mr. Dougherty explained that very minimal grading will be done along the frontage. He referred Mr. Mitchell to Sheet 5. He pointed out that no grading will be done at the trunk of the beech tree. He noted the 24-inch maple tree in the front will have very minimal grading along the perimeter of that tree. Just enough grading will be done to bring the grade down to the proposed driveway. Mr. Dougherty did not anticipate any problems interfering with the trees' root systems. He pointed out that 8 existing trees at the rear will be saved.

Mr. Montague confirmed with Mr. Dougherty that the old macadam will be torn up. The mound will be cleaned up; however, no change in the elevations will be done in that section. A lawn will be planted.

Mr. Dougherty noted that Mr. Montague had earlier expressed concern about drainage from the garage on the adjacent property.

Mr. Dougherty explained that this drainage will only come onto the back of the applicant's site for a few feet. The drainage then transfers back off onto the apartment site to the west where an inlet exists. The proposed plans will not be impacting this drainage pattern. After further discussion, Mr. Dougherty also testified that the proposed plans will reduce the existing run-off to the Lafayette Garden apartments.

Mr. Montague asked about the landscaping along the King's side of the applicant's property. He noted old trees and shrubs exist in that section and understood that the applicant plans to clean it all out.

Mr. Dougherty stated that new plants will be put in that section. Any unhealthy plantings between the curb line and the property will be removed and replaced with the plantings shown on the landscape plans.

Mr. Montague reminded Mr. Dougherty that there is a deer problem in town. The applicant may want to consider deer resistant plantings.

Mr. Montague asked if the applicant had a landscape maintenance plan.

Mr. Dougherty answered typically HSBC has planting details and requirements on their plans. Landscape maintenance would be contracted and specified at the owner's request,

depending with the level of maintenance that is required. Mr. Dougherty was sure HSBC has excellent landscape maintenance contractors that they will be using on this site.

Mr. Montague said the Board would like to know more about the maintenance plan and who is responsible for the upkeep of trees and plantings. For instance, if a tree dies or falls, who takes responsibility?

Mr. Miceli answered it would be HSBC's property management's responsibility.

Mr. Foster reminded Mr. Miceli that the Board may retain oversight of future landscaping on the site.

Mr. Sennett suggested that since the applicant has sub-lighting plans, HSBC should include second story window heights of the properties which abut the applicant's property.

Mr. Dougherty noted those window heights would be for the Lafayette Garden Apartments. He pointed out that the Lafayette Garden Apartments has flood-lights mounted on their buildings to illuminate their parking areas. These flood-lights are not very well contained. Mr. Dougherty said that HSBC will comply with the ordinance requirements.

Mr. Montague felt that HSBC should give the Board an overall maintenance plan.

Mr. Dougherty discussed the proposed arborvitae close to the rear of the side. He believed this arborvitae will grow quickly. Boxwood and hollies will be planted at the front.

There were no further questions from the Board or the public concerning the landscaping.

Mr. Montague reviewed what material the applicant should bring to the December 5th meeting:

- 1) Chatham Police Department report
- 2) Fire Department report
- 3) Borough Shade Tree report
- 4) Historic Preservation report
- 5) Corrected drawings
- 6) Drawings for the sign review

The hearing was finished. The HSBC representatives left.

Old/New Business

Mr. Montague reported that the Board of Adjustment would like the Planning Board's interpretation of the front yard setback regulations. He asked the Board to focus

particularly on the definition of front yard setbacks. Mr. Montague pointed out that at the present time the Borough Zoning Officer does not count steps for front yard setbacks for some reason. Mr. Montague noted that many porticos are being constructed now on local homes. Some of these porticos measure extend 4 or 5 feet. Mr. Montague would like this front yard setback issue cleared up.

Mr. Montague discussed the height issue which also needed to be clarified. The height has to be measured to the middle of the structure; however, there is the question of what is the permitted height at the top. The height at the top is needed for FAR calculations. Currently the Zoning Officer measures to the peak, not to the median.

Mr. Montague noted that Mr. Foster will not be present at the December 12th meeting.

Mr. Jankowski informed Mr. Montague that an application for a minor subdivision was recently submitted to the Construction Office. It will probably be heard at one of the December meetings. He felt this application was very straight-forward.

On other matters, Mr. Foster said he had a resolution memorializing the Board's decision made last week concerning 221 Main Street. He reminded the Board of their decisions on the two conditions on this application. Board members should have copies of this resolution.

Mr. Sennett made a motion to approve Resolution No. PB 2007-15 regarding the Board's decisions on conditions 4 and 5 in Resolution No. PB 2007-9. Mr. Montague seconded the motion. A roll call vote was taken:

Mr. Sennett - yes
Mr. Montague - yes

The meeting adjourned at 10:25 p.m.

Respectfully submitted:

Elizabeth Holler
Recording Secretary

