

MINUTES
TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
August 17, 2017

The West Orange Zoning Board of Adjustment held a regular meeting on August 17, 2017 commencing 8:00 PM at 66 Main Street, West Orange, N.J. in Council Chambers.

Chairman Neuer called the meeting to order at approximately 8:00 P.M. It was announced that notification of this meeting was given to the Township Clerk, the West Orange Chronicle and the Star Ledger and posted on the Township Bulletin Board in accordance with the "Senator Byron M. Baer Open Public Meetings Act."

Chairman Neuer announced that a digital tape recording system is being utilized to record the proceedings of the meeting and instructed the general public on how the audio of the proceedings may be reviewed or obtained.

Chairman Neuer asked everyone to stand for the Pledge of Allegiance.

Alice Beirne, Esq., Board Attorney, read the Opening Statement.

PRESENT: B. Buechler, D. Gabry, P. Neuer, B. Quentzel,
M. Sussman, A. Weiss

ABSENT: D. Nash (excused), F. Sanders (excused)
I. Schwarzbaum (excused), W. Steinhart (excused)
M. Straker (excused)

ALSO PRESENT: Paul Grygiel, Acting Planning Director for the Township
Alice Beirne, Esq., Board Attorney
Rose DeSena, Board Secretary
Harvey Grossman, Esq., Public Advocate

ANNOUNCEMENTS

Future Meetings: September 14, 2017 (regular meeting)
 October 19, 2017 (regular meeting)
 November 16, 2017 (regular meeting)

Chairman Neuer announced that application ZB-16-17/New Cingular Wireless PCS, LLC (AT&T) that was scheduled to be heard at this meeting has requested to be carried over to the Zoning Board meeting to be held on September 14, 2017; in so doing the applicant has extended all statutory time periods for a decision by the Board. Accordingly, this adjournment was granted and no further notice will be required.

MINUTES July 20, 2017 (regular meeting)

Chairman Neuer stated that the draft minutes from the July 20, 2017 were circulated to all of the Board Members.

Chairman Neuer said that he submitted his comments for these minutes and asked if any Board Member had any additional comments; there were none.

Ms. Gabry made a motion to approve the minutes of the July 20, 2017 meeting; Mr. Quentzel seconded the motion and all were in favor.

It was noted for the record that Ms. Weiss was present at this meeting but did not vote on these minutes because she was not in attendance on July 20th.

SWEARING IN

Paul Grygiel, acting Planning Director for the township was sworn under oath.

RESOLUTIONS

1. ZB-17-06/Alexandre

Approved on 7/20/17

Block: 139; Lot: 1; Zone: R-T

47 Franklin Avenue

Seeking 'c' variances for setbacks to enclose an existing porch

Chairman Neuer stated that this resolution was circulated to all of the Board Members and included comments from Mr. Buechler and himself.

Chairman Neuer asked if any Board Member had any other comments; there were none. Chairman Neuer asked for a motion.

Mr. Sussman made a motion to adopt the resolution as submitted and Ms. Gabry seconded the motion.

The vote was as follows:

Buechler	Yes	Schwarzbaum:	-
Gabry:	Yes	Steinhart:	-
D. Nash:	-	Straker:	-
Quentzel:	Yes	Sussman:	Yes
Sanders:	-	Weiss:	-
		Chairman Neuer:	Yes

2. ZB-16-12/McDonalds USA, LLC

Approved on 7/20/17

Block: 168; Lot: 27.03; Zone: B-2

573 Northfield Avenue

Preliminary and Final Site Plan approval with variances to demo an existing McDonalds with drive-thru and construct a new restaurant with drive-thru.

Chairman Neuer stated that this resolution was circulated to all of the Board Members and included comments from Mr. Buechler and himself.

Chairman Neuer asked if any Board Member had any other comments; there were none.

Chairman Neuer asked for a motion.

Ms. Gabry made a motion to adopt the resolution as submitted and Mr. Sussman seconded the motion.

The vote was as follows:

Buechler	Yes	Schwarzbaum:	-
Gabry:	Yes	Steinhart:	-
D. Nash:	-	Straker:	-
Quentzel:	Yes	Sussman:	Yes
Sanders:	-	Weiss:	-
		Chairman Neuer:	Yes

APPLICATIONS

1. ZB-16-11/Facey

Carried from 6/15/17

Block: 85.03; Lot: 8; Zone: R-5

233 Mt. Pleasant Avenue

Applicant re-purposed an existing garage to be used as a den

EXHIBITS

A-1 – Basement Demolition & Construction floor, RCP, Power and Lighting Plan dated 10/5/15

A-2 - Letter from applicant's attorney, Elaine Berkenwald, consisting of two pages, with tax card and assessment record for 233 Mt. Pleasant Avenue.

A-3 – Photo Exhibit prepared by Lisa Phillips, P.P.

O-1 – Aerial Photograph of Site/Survey of Property and Photographs – 4 pages.

Elaine Berkenwald, attorney for the applicant, approached the podium.

Jeffrey Kantowitz, attorney for Linda Stiles the objector, stated that Ms. Berkenwald gave him a document approximately fourteen (14) minutes ago. He said that he called the Board Secretary a few days ago and asked if any new materials had been submitted by the applicant and she replied no. Mr. Kantowitz stated that new materials are required to be submitted at least ten (10) days before the hearing.

Ms. Berkenwald stated that she filed an OPRA request on August 9, 2017 and just received the documents in her office this morning.

Chairman Neuer asked Mr. Kantowitz if he needs time to review the documents.

Mr. Kantowitz stated that this application has been going on for a long time and that his client agreed to another continuance for the applicant at the last meeting two months ago.

Chairman Neuer stated that his goal, as Chairman of this Board, is to keep the application moving. He said that if Mr. Kantowitz needs an additional fifteen (15) minutes to review the materials he will allow that.

Ms. Beirne stated that Ms. Berkenwald presented her with a letter that was dated today, August 17, 2017; she told Ms. Berkenwald that the Board will address this letter at the meeting tonight.

Chairman Neuer stated that they will go off the record for a few minutes to allow Mr. Kantowitz to review the documents that Ms. Berkenwald provided to him shortly before the meeting.

Chairman Neuer stated that we are back on record.

Mr. Kantowitz asked Ms. Berkenwald what materials she will be presenting to the Board Members; she said that she filed an OPRA request for all permits, tax cards and plans from the 2015 renovation of the house.

Mr. Kantowitz asked what is being proffered by way of documentation to this Board and to state the proffer behind that submission.

Chairman Neuer stated that they will take another slight recess so that counsel can confer.

Chairman also stated that Ms. Gabry was not present at the last hearing when Mr. Facey presented testimony without benefit of counsel. He said if the applicant would like Ms. Gabry to vote they are going to have to start over and anything that happened before this will not count.

Ms. Berkenwald stated that she is prepared to present her case from the beginning.

Chairman Neuer stated that they are going to take a five minute recess.

Chairman Neuer stated that they are back on the record.

Mr. Kantowitz said that he conferred with Ms. Berkenwald and he agreed to let her make whatever her proffer is and he will make his argument.

Ms. Berkenwald stated that she has a Planner who will submit testimony at this meeting. She said that the applicants will also provide testimony of a neighbor.

Ms. Berkenwald presented a copy of renovation plans consisting of four pages dated 10/5/15 that were marked as Exhibit A-1 for identification and a copy of a two (2) page letter with the tax card and assessment history for the property that was marked as Exhibit A-2 for identification.

Ms. Berkenwald referred to Exhibit A-1 and stated that the Township of West Orange was aware that the prior owner was converting the garage into a den because they applied for permits to do the work.

Ms. Berkenwald referred to Exhibit A-2 and stated that the tax cards show that West Orange taxes this property having four (4) bedrooms and no garage.

Chairman Neuer asked Mr. Kantowitz if he has any comments regarding the documents that Ms. Berkenwald just presented for identification; he said yes.

Mr. Kantowitz said that he objects to the documents that she presented because this is a "c" variance application and he does not see the relevance of those documents.

Chairman Neuer stated that those documents were entered for identification only.

Ms. Berkenwald stated that her client did not create this condition and when they purchased this house it did not have a garage.

Ms. Berkenwald called her first witness.

Anna Facey, applicant, approached the podium and was sworn under oath.

Ms. Facey stated that they purchased their home in May of 2016 from the contractor who renovated the home.

Mr. Kantowitz approached and stated that he objects; he said that Ms. Facey's testimony is a proffer on estoppel and asked that the applicant "cut to the chase".

Chairman Neuer stated that he is going to allow the applicant to proceed with her testimony because they have yet to make their legal argument.

Ms. Facey stated that they purchased their home as a three (3) bedroom with a spare room; she said that she did not know that there was once a garage there. Ms. Facey stated that they park both of their vehicles in their driveway. She said that the width of the door where the garage used to be is too small to park a vehicle inside and that they would have to widen that doorway. Ms. Facey also stated that they do not have the finances to convert the bedroom back into a garage at this time. She said that even if the room was converted back to a garage they would still park both cars outside in the driveway.

Ms. Gabry asked Ms. Facey if they were represented by counsel when they purchased the house; she said yes.

Ms. Gabry asked Ms. Facey if they have a survey of the property; she said yes

Vice Chairman Buechler asked Ms. Facey when they received the certificate of continued occupancy; she said the same day that they closed on the house.

Vice Chairman Buechler asked Ms. Facey who gave them the certificate of continued occupancy; she said her attorney.

Chairman Neuer asked Ms. Berkenwald if she had a copy of the certificate of continued occupancy; she said no.

Mr. Kantowitz asked Ms. Facey if she requested any documents from the Township when she retained Ms. Berkenwald; she said yes.

Mr. Kantowitz asked Ms. Facey if she requested a copy of the certificate of continued occupancy; she said no because they depended on their attorney because they did not know the proper procedure.

Mr. Kantowitz asked Ms. Facey to elaborate on her testimony regarding not having the finances to turn the bedroom back into a garage; Ms. Facey stated that they have already spent thousands of dollars during the property dispute lawsuit with the objector and they do not have the money to do the construction.

Chairman Neuer asked Ms. Facey if they have gone to a contractor to get a price on the work; she said no.

Mr. Kantowitz stated that Ms. Facey does not have the experience in construction and does not know what it would cost. Ms. Facey said that she is not a contractor but has an idea what it would cost because they have had construction work done before.

Mr. Kantowitz asked Ms. Facey to detail how she pulls into her driveway and parks her vehicle; she complied. Ms. Facey also detailed how both of their vehicles maneuver in and out of their driveway and where they park on the site noting that she cannot back her vehicle out of the driveway due to a large common tree in front of her house that impairs visibility.

Ms. Berkenwald asked Ms. Facey if they would have purchased the house if it had a garage; she said that she needed a four (4) bedroom house and that she was told that there was a spare bedroom in the house and they needed that room for their daughter. Ms. Facey said that is why they purchased that house.

Ms. Berkenwald asked Ms. Facey if they want a garage; she said no.

Ms. Berkenwald asked Ms. Facey if her driveway is on the side of Ms. Stiles house; she said no.

Mr. Kantowitz asked Ms. Facey if she or her husband testified at the last meeting that the room that was formally a garage was used as a recreation room and not a bedroom; she said that she does not remember that but she knows that they submitted the application listing it as a den but were told it was a bedroom when they purchased the house.

Chairman Neuer advised Mr. Kantowitz that the application has started over again.

Mr. Kantowitz stated that the application was submitted as a use change for repurposing an existing garage; Ms. Facey said that she does not know what was in the application because her husband submitted it.

Chairman Neuer advised Mr. Facey that Mr. Kantowitz was correct that the proposal in the application was for a use change for repurposing an existing garage and that is what they, the applicants, are bound to follow.

Mr. Kantowitz asked Ms. Facey if she looked at any of the construction plans done by the prior owner before she purchased the property; she replied no.

Mr. Kantowitz asked Ms. Facey if anyone on her behalf looked at any of the construction plans done by the prior owner of the house; she said she does not know.

Mr. Kantowitz asked Ms. Facey if she had any knowledge of what was on the construction plans before she purchased the house; she said no.

Chairman Neuer called for a recess at 9:14 pm.

Chairman Neuer resumed the meeting at 9:24 pm.

Ms. Berkenwald called her next witness.

Lisa Phillips approached the podium and was sworn under oath. Ms. Phillips detailed her educational and professional background as a professional planner licensed in the State of New Jersey.

Chairman Neuer accepted Ms. Phillips as an expert in professional planning.

Ms. Phillips presented four (4) pages of twelve (12) photos that was marked as Exhibit A-3 for identification. She stated that she took the photos of the site on Monday 8/15/17 and detailed them.

Chairman Neuer stated for the record that Exhibit A-3 will be entered into evidence.

Ms. Phillips referred to Exhibit A-1 and detailed the lower level floor plans of the house.

Mr. Kantowitz asked the Chairman if Ms. Phillips is qualified to discuss plans. Mr. Kantowitz then stated that this is not planning testimony; it is engineering testimony.

Chairman Neuer stated that Ms. Phillips can look at the plans and testify.

Ms. Phillips stated that the demolition plan shows the existing garage door being removed along with the countertops in the garage and the decking and framing.

Ms. Phillips stated that the basic floor plan proposes a recreation room with a powder room and a shower.

Ms. Phillips stated that the garage door opening was 8' and detailed the dimensions of the interior of the garage. She said that the house was built in 1927 and with today's standards, the applicants would not be able to park in that garage with an SUV; she said only a compact car could fit in there.

Ms. Phillips stated that if this application was denied and the applicants had to rebuild the garage, they would never park in it because their vehicles are SUV's which would not fit in there.

Vice Chairman Buechler asked Ms. Phillips, under the standard, if someone has a garage are they required to park in it; she replied no.

Ms. Phillips referred to the survey of the property and stated that the lot is undersized; she said that it is a non-conforming structure.

Ms. Phillips referred to the township ordinance 25-12.1 and stated that the parking requirements for a four (4) bedroom house are 2.5 spaces.

Vice Chairman Buechler asked Ms. Phillips if the township's tax records show the house as being taxed as a four (4) bedroom; she said yes.

Ms. Phillips stated that the site can easily accommodate two (2) to three (3) parking spaces; she said that no off-site or on-street parking is offered on this road. She stated that the "c" variance can be justified because it is an undersized lot which creates a hardship. Ms. Phillips stated that when the owners purchased the home they were provided with a certificate of continued occupancy from the Township. She stated that granting the variance will cause no detriment to the public good.

Chairman Neuer asked Ms. Phillips why she did not measure the height of the doorway; she said that she was not tall enough to measure the height.

Chairman Neuer asked Ms. Phillips if there was any evidence of an overhead garage door installed in this home at one time; she said no.

Chairman Neuer asked Ms. Phillips if the tree in the front of the property obstructs the view and is it an unsafe situation; she said if a car is backing out of the driveway it creates an unsafe situation.

Mr. Quentzel asked Ms. Phillips who owns the fence shown in the photos in the rear of the house; she said she does not know.

Ms. Gabry referred to Exhibit A-3 and asked Ms. Phillips if the macadam was changed in any way; Ms. Facey answered the question and said no. She said that they added crushed stone and mulch.

Ms. Gabry asked Ms. Facey if they added or removed any blacktop in the driveway since they purchased the property; she said no.

Ms. Facey stated for the record that the stockade fence in the rear of the house is owned by 17 Jones Place.

Mr. Kantowitz referred to Exhibit A-1 and asked Ms. Phillips if it was evident that the width of the garage was narrowed during construction; she said yes.

Mr. Kantowitz stated that Ms. Facey testified that they purchased the house as a four (4) bedroom but the plans state that it was going to be a recreation room.

Mr. Kantowitz asked Ms. Phillips if she went inside Ms. Facey's house; she said yes.

Mr. Kantowitz asked Ms. Phillips if there were four (4) bedrooms besides the recreation room; she said no. Ms. Phillips said that the proposed recreation room is the fourth bedroom and it is used as a bedroom.

Mr. Kantowitz asked Ms. Phillips if she ever witnessed how the two owners park their cars on the property; she said no.

Mr. Kantowitz asked Ms. Phillips if she did any analysis to see if a detached garage can be erected on the property; she said yes. Ms. Phillips said that to erect a detached garage on the property they would probably need a variance.

Vice Chairman Buechler referred to Exhibit A-2 and asked Ms. Phillips if the property tax record was current; she replied yes.

Vice Chairman Buechler asked Ms. Phillips how many bedrooms are listed on the tax record; she said four (4).

There were no further questions for Ms. Phillips.

Ms. Berkenwald called her next witness.

Nastaran Sigari approached the podium and was sworn under oath. Ms. Sigari stated that she lives at 235 Mt. Pleasant Avenue and that her property borders the Facey driveway.

Ms. Berkenwald asked Ms. Sigari if she objects to Ms. Facey keeping their house as is; she said no.

Ms. Berkenwald asked Ms. Sigari if there is a negative impact on her property when the Facey's park their two cars in their driveway; she said no.

Ms. Berkenwald asked Ms. Sigari if her property is affected by the Facey's not parking in a garage; she said no.

Ms. Sigari stated that the prior owner of the property did have a garage and that they would park their vehicles the same way that the Facey's park their vehicles now. She said that she does not know if they ever parked in the garage.

Mr. Kantowitz asked Ms. Sigari if her property has a garage; she said yes.

There were no further questions for Ms. Sigari.

Ms. Berkenwald asked the Chairman if she could have Mr. Facey testify to the height of the garage door.

Chairman Neuer asked Mr. Kantowitz if he would allow Mr. Facey to testify to this; he said yes.

Devon Facey approached the podium and was sworn under oath.

Ms. Berkenwald asked Mr. Facey if he submitted the application; he said yes.

Ms. Berkenwald asked Ms. Facey if he measured the height of the doorway; he said yes; Mr. Facey said that he used a tape measure to measure from top to bottom and the height of the doorway was 6'5".

Vice Chairman Buechler asked Mr. Facey if he measured the inside of the room; he said no. Mr. Facey said he just measured the outside and the width of the patio door was 5' wide.

Ms. Berkenwald stated that she has no further witnesses.

Mr. Kantowitz approached and called his first witness.

Peter Steck approached the podium and was sworn under oath. Mr. Steck detailed his educational and professional background as a professional planner licensed in the State of New Jersey.

Chairman Neuer accepted Mr. Steck as an expert in professional planning.

Mr. Kantowitz asked Mr. Steck if, in his opinion, hardship was demonstrated in any of the testimony provided by the applicant and their professionals; he said no.

Mr. Steck provided a handout of photographs along with an aerial view of the site and survey of the property which was marked as Exhibit O-1 for identification.

Mr. Steck referred to Exhibit O-1 and stated that the flood light mounted at the rear of the property and the vehicles lights have an impact on the Stiles property.

Chairman Neuer stated that lights are not part of this application.

Vice Chairman Buechler asked Mr. Steck if the flood lights were there when the applicants purchased the house; he said he did not know.

Mr. Steck stated that the house was conforming at one time. He referred to the paved area in the rear of the house and stated that if a car was in the garage, there would be plenty of room to maneuver a car without backing out of the driveway.

Mr. Steck stated that the stones in the rear may be impervious coverage; Mr. Grygiel stated that stone like that does not constitute impervious coverage.

Vice Chairman Buechler asked Mr. Steck if the applicant puts the garage back are they required to use it; he said no.

Vice Chairman Buechler stated that if the applicant puts the garage back and they are not required to use it then nothing will change. Mr. Steck stated that garages have multiple purposes and could also be used for storage and not for cars only.

Mr. Steck stated that because the conversion was done by the prior owner, this is not a hardship for the applicant.

Mr. Steck stated that by expanding the house to a four (4) bedroom there will typically be more cars associated with that and would need more parking to accommodate that.

Chairman Neuer stated that, according to the township ordinance, a four (4) bedroom house requires two (2) parking spaces; Mr. Steck said that it requires 2.5 parking spaces.

Mr. Steck stated that by not having a garage it limits the maneuverability in the rear of the property and encourages someone backing out on to Mt. Pleasant Avenue.

Mr. Kantowitz asked Mr. Steck what affect the current parking arrangement would have on the Stiles property; he said the stockade fence in the rear does not help the Stiles property at all. Mr. Steck said by not having a garage is less convenient to exit the property in a safe manner.

Mr. Kantowitz asked Mr. Steck if he visited the site at night; he said yes.

Mr. Kantowitz asked Mr. Steck if the extension of the stockade fence would lessen the disturbance of the lights at the back of the building; he said yes.

Mr. Kantowitz asked Mr. Steck if there is any detriment to the Stiles property from what he has witnessed in the past few months; he said it is his opinion that there is. Mr. Steck said not having a garage creates a need for additional car movements and the positioning of the lights to light the driveway.

Chairman Neuer asked Mr. Steck if he witnessed any cars coming in and out of the Facey's driveway at night; he said no.

Ms. Weiss asked Mr. Steck what would change if they had to put the garage back; he said the Town's ordinance requires a garage for different reasons.

Chairman Neuer stated that the Board is trying to figure out what the reasoning is for having a garage when you are not required to use it and it would not affect the neighborhood in any way.

Vice Chairman Buechler stated that the purpose of the Zoning Board of Adjustment is to grant relief from the Township's ordinance.

Vice Chairman Buechler stated that he does not feel Mr. Steck's testimony is credible for the following reasons:

- He did not know when the lights were installed on the Facey's house
- He did not know if the Facey's installed the lights
- He is not a traffic engineer

Vice Chairman Buechler asked Mr. Steck if he is qualified to testify about turning movements; he said yes from a planning perspective.

Chairman Neuer asked Mr. Steck if he took site measurements; he said no.

Chairman Neuer asked Mr. Steck if he tried to pull a vehicle in or out of the driveway during the daytime or the nighttime; he said no.

Mr. Kantowitz asked Mr. Steck if there are any conditions that would eliminate the spillage of car lights on to the Stiles property; he said that the construction of a 6' stockade fence would help.

Vice Chairman Buechler stated for the record that lights are not part of this application.

Chairman Neuer stated that Mr. Steck did not take any foot candle measurements and is not qualified to testify as to how much illumination is at the back of the house.

Mr. Steck stated that the rear of the Facey's house is illuminated and a solid fence can be a remedy.

Ms. Weiss asked Mr. Kantowitz if Ms. Stiles has asked the applicant to put up a fence or provide buffering; he said that the applicants refused to focus the lights downward. Mr. Kantowitz stated that those efforts were made before an application was filed.

Chairman Neuer asked Mr. Steck if hoods and focusing the lights downward would also eliminate the problem; he said yes.

Chairman Neuer asked Mr. Steck if this type of application even requires a hardship or just special reasons; he said that the applicant's testimony was only based on a "c1" argument.

Chairman Neuer stated that the Board has the power to determine if this is a "c2" variance and asked Mr. Steck if that is the case is there standard special reasons; he said that only applies to a use variance.

Chairman Neuer asked Mr. Steck how the turning movements would be any different if there was a garage; he said if there was a car in the garage there would be 28' to park and maneuver.

Mr. Quentzel asked how close Mr. Steck was to the Facey's house when he took the photos from Ms. Stiles house; Mr. Kantowitz replied and said that there is 20' from the property line to the house.

Chairman Neuer noted for the record that it was passed 11:00 pm and asked the Board Members if they wanted to stay to finish hearing this application; all Board Members replied yes.

Ms. Berkenwald asked Mr. Steck if he saw any outdoor storage on the Facey property; he said yes. Mr. Steck said he saw a wheelbarrow.

Ms. Berkenwald asked Mr. Steck if an undersized lot is a hardship; he said no because the house did have a garage.

Ms. Berkenwald summed up.

Chairman Neuer asked Ms. Berkenwald to confer with her clients to see if they are willing to put up a stockade fence or if they would do something to make sure that the lights are not spilling on to the Stiles property.

Ms. Berkenwald said that her clients are willing to change the wattage of the bulbs and turn them off when they come into the house at night; she said that they cannot afford to install a fence.

Ms. Berkenwald said that originally, in an effort to resolve this matter, the Facey's wanted to install a fence but Ms. Stiles did not want a fence. She said that the Facey's will only accept a condition regarding the lights.

Mr. Kantowitz summed up and recommended that the Facey's provide an appropriate barrier as a condition and install shields on the light so that they are directed downward and to reconfigure the light that is concealed with a curtain.

There were no further comments and Chairman Neuer declared the public hearing closed.

Chairman Neuer stated that it will cause a hardship for the applicant to bring the room back to a garage. He said that they obtained a certificate of continued occupancy from the Township when they purchase the property and that the hardship was not created by the applicant. Chairman Neuer stated that there is no purpose to converting it back to a garage because the applicant is not required to park in the garage and the same condition will exist.

Chairman Neuer made a motion to approve the application with the following conditions:

- Install hoods on the lights in the back of the house and redirect them so they are pointed downward
- Reconfigure the light that is concealed by a curtain to point downward and install hoods or shields.
- All outdoor lights at the rear of the property must be properly shielded or hooded and pointed downward to prevent them from shining directly into the Stiles property.

Vice Chairman Buechler seconded the motion to approve the application with said conditions.

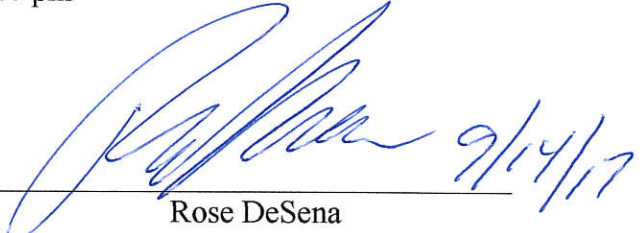
Vice Chairman Buechler stated that there is plenty of space for two cars to park on the site, the applicant's planner was credible and this does not impair the zone or the town's master plan.

The vote was as follows:

Buechler	Yes	Schwarzbaum:	-
Gabry:	Yes	Steinhart:	-
D. Nash:	-	Straker:	-
Quentzel:	Yes	Sussman:	Yes
Sanders:	-	Weiss:	Yes
		Chairman Neuer:	Yes

The meeting was adjourned by Chairman Neuer at 11:40 pm

Adopted: September 14, 2017



Rose DeSena
Zoning Board Secretary