

Meeting called to order by the Chairman Mr. Bell at 7:30 pm

All saluted the flag & the Presiding Officers Statement was read.

Roll Call:

Present: Bell, Moran, Cooperhouse, Dodge, Teller, Gardella, Martinelly, Carroll
Donato - Attorney

Absent: Waterbury, Siciliano

Mr. Bell announced that Mr. DiBello has submitted his resignation from the Planning Board due to personal commitments.

There was a brief discussion on the classification of the new appointment for Mr. DiBello Mr. Cooperhouse advised that he will look into the appointment.

Minutes:

A motion was made by Mr. Moran, seconded by Mr. Teller to adopt the minutes & transcript of the August 19, 2009 meeting minutes as amended. All approved

Correspondence:

- Letter received from K Hovnanian requested the application be carried to the ***October 21, 2009*** agenda. New notices will be served, and granted an extension of time until November 30, 2009.

PB Business:

- Mr. Bell, Ms. Donato & Mr. Cranmer have received their overviews of Chapter 94 and they will be reviewing it, and will be listed on the **October 21, 2009** agenda.
- **Reminder:** November meeting will be held on **November 12, 2009** due to convention
- Brief discussion on the possibility of a special meeting, further discussion will take place at the 10/21/09 meeting.

A motion was made by Mr. Moran, seconded by Mr. Dodge to open the meeting to the public for any general questions on items not before the board. All approved

No questions/no comments

A motion was made by Mr. Teller, seconded by Mr. Dodge to close the meeting to the public. All approved

Unfinished Business: None - K Hovnanian carried to 10/21/09.

New Business:

Mr. & Mrs. Louis Mustillo:

Certificate of Appropriateness

913 Broad St

Bl: 60, Lot: 38

Mr. Louis Mustillo, 913 Broad St., advised that he has resided in Shrewsbury for 47 years. He is seeking permission approval for an existing fence that he constructed last year and was denied an approval from the Zoning Officer, since he lives in the Historic District. He stated that he was unaware that he needed a permit for the fence.

Mr. Bell referred to the pictures that Mr. Mustillo provided which shows the new fence along Broad Street that was replaced with the new fence. He explained that he has put a mesh wire in the back of the fence to help keep the debris from the highway off his property.

Ms. Donato referred to the "chain link" that Mr. Donlon refers to which is across the driveway at the house and along the property line. Mr. Mustillo explained that the fence has been there for a few years to keep his grand children from going out into the street. The fence cannot be seen from the street.

Mr. Bell asked Mr. Mustillo to verify that the fence has already been replaced and that that the chain link gate is approximately 13'.7 from the property line, and runs along the distance of his property.

A motion was made by Mrs. Martinelly, seconded by Mr. Cooperhouse to grant the application for a Certificate of Appropriateness to M/M Louis Mustillo for:

- 2 rail - split rail fence along Rt. 35
- mesh wire along the bottom of the fence for debris
- black chain link gate/fence along the property line

Roll Call:

Affirmative: Bell, Moran, Cooperhouse, Dodge, Teller, Gardella, Martinelly, Carroll

Negative: None

Mr. Bell asked Ms. Donato if the Finance Qualifications have been submitted?

Ms. Donato said that she has not seen anything, only the Financial Report and the document that he is referring to should go to the Borough Council for approval. A copy of the Financial Report was given to all board members. Mr. Bell asked if that report would satisfy the requirement. Ms. Donato feels that is a determination of the board and subject to Council approval.

Mr. Bell advised the board that Mr. Kurland is no longer the attorney for the application. Ms. Donato stated that the new attorney is Michael McCannish, who is an in house attorney. Mr. Bell wants to make sure that the new attorney will agree to what Mr. Kurland has agreed to and procedure of this board. Ms. Donato feels that there will not be any problems, he is very cooperative, and she will advise him of any procedures that are in place.

A motion was made by Mr. Teller, seconded by Mr. Gardella to adjourn the meeting at 8:10 pm all approved.