



gazebo on the space, which will be removed from the property. He is requesting a variance for side yard setbacks. There was a discussion regarding the existing fence encroaching on the neighbor's property and Mr. Bolan stated he would obtain a letter from the neighbor stating that the fence is on her property. There was a motion to open to the public but no one wished to speak on this application.

Motion to approve with conditions: Longo  
Second: Zelasko  
In favor: Kelty, Kozar, Longo, Zelasko, Walker

## **PUBLIC HEARING**

### **TD Bank – Block 70, Lot 7.02**

Damian Deluca is the attorney for the applicant and David Wisotsky is the engineer. The bank wants to subdivide a small piece of property and deed it to the Ness family at 6 Elliot Place. Mr. Deluca explained that when Commerce Bank purchased the property to build, the public alleyway was vacated because Commerce needed that property for the bank. All property owners signed off on the vacation but the Ness's wanted a piece of the property for their yard and the bank agreed. Commerce Bank never proceeded with granting the acquisition and the bank is now owned by TD.

There were concerns regarding the buffers and fences. TD Bank agreed to relocate any trees and the fences would not be removed. The property will be deeded to the Ness's and it would be consolidated with their existing property.

Motion to approve with conditions: Longo  
Second: Kelty  
In favor: Kelty, Kozar, Longo, Zelasko, Walker

**Motion to Adjourn:** Longo  
Second: Kelty  
All in Favor