

**BOROUGH OF JAMESBURG
LAND USE BOARD
MINUTES
OCTOBER 13, 2016**

Chairman John Walker called the meeting to order and announced that the same was being held pursuant to the Open Public Meetings Act and that all the provisions of the Act had been met.

Flag Salute

Roll Call: Present: Roseanna Davino John Walker
 Niki Durando Brian Wright
 Joseph Howard Atty: Michael Balint

Shannon Spillane

Absent: Kozar, Lowande, Maccaro, Rampacek, Eng. LeCompte

Approval of Minutes September 8, 2016

Motion: Wright

Second: Howard

In Favor: Davino, Durando, Howard, Spillane, Walker, Wright

Approval of Executive Session Minutes August 11, 2016

Motion: Wright

Second: Spillane

In Favor: Davino, Durando, Howard, Spillane, Walker, Wright

Approval of Executive Session Minutes September 8, 2016

Motion: Spillane

Second: Howard

In Favor: Davino, Durando, Howard, Spillane, Walker, Wright

CONTINUED APPEAL: 175 Gatzmer Ave, Also known as Block 41, Lot 1

Otto Kostbar, attorney represents Mozarts and Einsteins Preschool. Through a thorough search no paperwork regarding signage on the property was found. His client is offering to take down one of the three signs currently on the property and replace it with a new sign for the preschool. There are currently two signs on Gatzmer Ave. Mozarts and Einsteins originally wanted to put up a sign that was 4ft x 6ft, this would exceed the sign footage allowed on the property. They have agreed to replace the sign with one measuring 3ft x 4ft. The sign will be placed near the entrance located on Gatzmer Ave.

Mike Balint, attorney for the Land Use Board is granting continued use of two signs on Gatzmer Ave totaling 24 square foot. One sign will be for the Presbyterian Church, the other for Mozarts and Einsteins Preschool.

Motion to Approve Continued Use of Two Signs on Gatzmer Ave: Davino
Second: Wright
In Favor: Davino, Durando, Howard, Walker, Wright
Abstain: Spillane

APPEAL: 12 PERGOLA AVE, ALSO KNOWN AS BLOCK 27, LOT 6

The applicant Juana Barbosa did not show up. Attorney Mike Balint is asking for a motion to carry this over until next months meeting.

Motion To Carry Over: Howard
Second: Davino
In Favor: Davino, Durando, Howard, Spillane, Walker, Wright

Motion to Open Public Comment: Wright
Second: Howard
In Favor: Davino, Durando, Howard, Spillane, Walker, Wright

Richard Bemiss – North Brunswick NJ - Mr. Bemiss is looking to see if the Land Use Board has any information on what is going on with the building on 28 Lake Street. His daughter signed a lease to move in on October 1st. The building still has no CO. He has spoken to a lawyer on what can be done to get his security deposit refunded to him.

Attorney Mike Balint explained these units were originally approved as age restricted condominiums. When the original owner sold the property they were converted to non age restricted units to be sold. It wasn't until Zoning Official Maresca saw a sign saying these units were up for rental that we found out. They were not zoned to be rental units. Attorney Balint advised this is out of the hands of the Land Use Board and is being handled by the Borough Attorney. It is out of the jurisdiction of our board.

Motion to Close Public Comment: Howard
Second: Davino
In Favor: Davino, Durando, Howard, Spillane, Walker, Wright

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Attorney Mike Balint is requesting to go into Executive Session for potential Litigation.

Motion to Open Executive Session: Howard
Second: Wright
In Favor: Davino, Durando, Howard, Spillane, Walker, Wright

Motion to Close Executive Session: Davino
Second: Howard
In Favor: Davino, Durando, Howard, Spillane, Walker, Wright

Motion to Adjourn:

Motion: Howard

Second: Davino

In Favor: Davino, Durando, Spillane, Walker, Wright