



1                   MR. VENEZIA: On the Mount Drive matter,  
2                   can you come up?

3                   MR. IRENE: Alright. Mr. Chairman, the  
4                   next application is Sam Chira, 32 Mount Drive.  
5                   I've reviewed the Notice materials. They  
6                   appear be to in order. The only thing is, one  
7                   of the Notices for the property address is  
8                   not addressed to Mr. Chira. It's addressed to  
9                   an LLC. Is the property in the name of an LLC?

10                  MR. CHIRA: SNC, LLC.

11                  MR. IRENE: Sam Nathan Charles, SNC, LLC  
12                  is the property owner? Are you Mr. Chira?

13                  MR. CHIRA: Yes, I am.

14                  (Sam Chira, sworn.)

15                  MR. IRENE: Mr. Chira, you are the  
16                  principal in the LLC?

17                  MR. CHIRA: Yes, I am.

18                  MR. VENEZIA: Have a seat, sir.

19                  MR. IRENE: So as I indicated, the  
20                  Notice materials were in order. Does anybody  
21                  have any issue with the Notice? Not the merits  
22                  of the case, just the Notice. Let the reflect  
23                  no response. We are going to swear in our  
24                  Engineer Gregory Gitto.

25                  (Gregory Gitto, P.E., sworn.)

1                   MR. IRENE: With the application, Mr.  
2                   Chairman, we received a Survey prepared by  
3                   Christopher J. Blufforad, B-L-U-F-F-O-R-A-D, PLS  
4                   of Newlines Engineering and Survey dated  
5                   November 17, 2015, revised through April 28,  
6                   2018. And, Mr. Chira, that Survey continues to  
7                   remain accurate?

8                   MR. CHIRA: Yes, it is.

9                   MR. IRENE: We are going to mark that,  
10                  Chris Ann, as A-1, please?

11                  MS. DEGENARO: A-1, you got it.

12                  MR. IRENE: Ma'am, I'm sorry. I didn't  
13                  realize you were up there to testify. Would you  
14                  give us your name also, please?

15                  MS. RICHTER: Krista R-I-C-H-T-E-R.

16                  MR. IRENE: We are going to swear you in  
17                  and then you are going to tell us who you are.

18                  MS. RICHTER: Sure.

19                  (Krista Richter, sworn.)

20                  MS. RICHTER: I am the project manager  
21                  on the property with the renovations that we had  
22                  done initially purchased.

23                  MR. IRENE: You are the project manager  
24                  for Mr. Chira?

25                  MS. RICHTER: Yes.

1                   MR. IRENE:   Okay.   Who wants to go first  
2                   and tell the Board what it's all about?

3                   MS. RICHTER:   Basically, we are just  
4                   looking for a variance installing a fence that  
5                   is on the Baker side of the property.   I am  
6                   being told that would conform to the front yard  
7                   setbacks.   We've conjoined it to the neighboring  
8                   fence to go along the back end of the property  
9                   to add for privacy.

10                  MR. IRENE:   Well, couple of things, and  
11                  I don't mean to coop the conversation, but when  
12                  you raise an issue, so and I don't know where my  
13                  copy is, and I'm going to share here.   When you  
14                  are running it outside the property line, we  
15                  don't have authority to project the fence  
16                  outside of the property.   Do you know what I am  
17                  saying?

18                  MS. RICHTER:   Well, it is on the  
19                  property.   It is within the front yard setback.

20                  MR. IRENE:   I understand that.   Is the  
21                  fence going to be entirely within this property  
22                  or run into a neighboring property?

23                  MS. RICHTER:   The fence is within the  
24                  property.

25                  MR. VENEZIA:   The fence is already

1           there.

2                   MS. RICHTER:   It's already there.   It  
3           meets to a neighboring property.

4                   MR. VENEZIA:   It's done without the  
5           permits ahead of time.

6                   MS. RICHTER:   We were told we didn't  
7           need the permit.   It was the variance.

8                   MR. IRENE:    How do you get a permit, if  
9           you didn't have a variance?

10                   MS. RICHTER:   I was told that we didn't  
11           need a permit to put up a fence.

12                   MR. IRENE:    In what town?

13                   MS. RICHTER:   This one.

14                   MR. IRENE:    Who told you that?   I'm  
15           curious.   Who told you that?

16                   MS. RICHTER:   I don't recall.

17                   MR. IRENE:    Who told you that you needed  
18           a variance?

19                   MS. RICHTER:   The Zoning Officer.

20                   MR. IRENE:    He said you could put up the  
21           fence without a permit, but, by the way, you got  
22           to go and get a variance?

23                   MS. RICHTER:   Because it was within the  
24           setback.   He said we needed to go with the  
25           variance and not with the permit.

1                   MR. IRENE:   How did you put up the fence  
2                   without the variance?

3                   MR. VENEZIA:   It was all approved.

4                   MR. IRENE:   Funny how that works, huh?

5                   MS. RICHTER:   Yes.

6                   MR. IRENE:   Tell the Board what is going  
7                   on with the fence?

8                   MS. RICHTER:   We would like to have the  
9                   approval to have the fence within the front yard  
10                  setback on that.

11                  MR. IRENE:   You are going to tell them  
12                  high it is, what the Ordinance limits it to,  
13                  what the fence is made of.  Is it consistent  
14                  with the remaining fence around it?  That kind  
15                  of stuff.

16                  MS. RICHTER:   It's consistent with the  
17                  remaining fence around it.  It is a six-foot  
18                  high vinyl white fence.

19                  MR. IRENE:   And the Ordinance limits to  
20                  three feet in the front yard area; is that  
21                  right?

22                  MS. RICHTER:   Yes.

23                  MR. IRENE:   And the surrounding fence,  
24                  the remaining fence on the property is all six  
25                  feet high?

1 MS. RICHTER: Yes.

2 MR. CHIRA: Yes.

3 MR. IRENE: And it was a little  
4 confusing to me, and I don't know, maybe the  
5 Board Members figured it out, but when I first  
6 looked at this, I'm trying to figured out why  
7 you are in the front yard because I am looking  
8 at the Mount Drive frontage and that fence is in  
9 line with the front of the house. And then I  
10 realized, oh, there is another frontage.  
11 Without a 200-foot radius map, we can't tell  
12 that because we don't see any other street on  
13 that.

14 If you would, point out to them where it  
15 is. When I say, point out, describe it, so they  
16 know what section of the fence you are talking  
17 about, so it's on another frontage.

18 MS. RICHTER: On the rear of the  
19 property close to the Baker, it is the short  
20 section of the fence to the right of the  
21 property.

22 MR. VENEZIA: Stockade fence tied into  
23 existing fence.

24 MR. LAMARCA: Tied into a basketball  
25 court.

1                   MR. RICHTER: That is on the neighbor's  
2                   property.

3                   MR. CHIRA: That is the neighbor's  
4                   property.

5                   MR. IRENE: Is what the span of that  
6                   fence there? What does it run?

7                   MR. VENEZIA: On Baker, right?

8                   MS. RICHTER: That is off of the  
9                   property line. Thirty-seven feet.

10                  MR. IRENE: So it's, approximately, 37  
11                  feet?

12                  MS. RICHTER: Yes.

13                  MR. IRENE: And we should indicate for  
14                  the record that A-1 has a yellow highlighting on  
15                  it. Is that the location of the entire fence on  
16                  the property?

17                  MS. RICHTER: Yes, that we installed.

18                  MR. IRENE: That we installed. Thank  
19                  you.

20                  MS. RICHTER: That is how far it is off  
21                  the corner of the property line.

22                  MR. GIGLIO: Got it. Thank you very  
23                  much.

24                  MR. IRENE: What is the part that's not  
25                  highlighted?



1                   MS. RICHTER: That was an existing fence  
2 put up by the neighboring property owner. The  
3 neighbor's fence is also a six-foot high white  
4 vinyl fence.

5                   MR. LAMARCA: Is it just that section  
6 that is in question? Everything else is --

7                   MS. RICHTER: Yes. It's just the  
8 section in question on the Baker.

9                   MR. LAMARCA: On Baker. That is the one  
10 that is in question for the variance?

11                  MS. RICHTER: Yes.

12                  MR. VENEZIA: According to our  
13 engineering report also. But, you know, we are  
14 a little ahead of ourselves, too. There were  
15 several items that had to be taken care of  
16 through our engineering report. Going into the  
17 report dated May 17, 2019 from T&M, Item 1, the  
18 name and address, there is no objection if we  
19 feel that it is okay. I don't see a problem  
20 with that. Anybody? Do you have the --

21                  MR. IRENE: Well, that should be  
22 corrected, though, because apparently, the LLC,  
23 excuse me, the owner is actually SNC, LLC. Is  
24 that right, Mr. Chira?

25                  MR. CHIRA: Yes, it is right now, yes.

1           MR. IRENE: All of the application  
2 materials indicate you are the owner.

3           MR. CHIRA: This was done after the  
4 ownership of the house. I had this house,  
5 everything all of my permits in the house were  
6 under myself and then I switched over to the  
7 Corporation.

8           MR. IRENE: The Title was transferred to  
9 the LLC after you filed the application.

10          MR. CHIRA: Yes.

11          MR. IRENE: I am just saying we should  
12 just clarify. The item that the Chairman is  
13 referencing about the owner and address, we  
14 should clarify that's what it is.

15          MR. VENEZIA: On the record. Item No.  
16 B4, the Title block denoting the type of  
17 application, since most of the required  
18 information has been provided, the engineer has  
19 no objection to grant completeness. So that  
20 Item No. 2, B4, there is no objection, I  
21 believe, from the Board granting a completeness  
22 waiver for that item as well as three, Item B5.

23               Do you have any other exhibits to bring  
24 like the aerial photo?

25          MS. RICHTER: I did provide the aerial

1 photo. I gave copies, I believe, to either the  
2 Zoning Officer or Chris Ann.

3 MR. IRENE: Do you have a copy with you?  
4 If you do, we will mark it and pass it around to  
5 the Board.

6 MR. VENEZIA: As you are looking --

7 MR. IRENE: As they are looking, why  
8 don't we move onto that?

9 MR. VENEZIA: Item B7, which was  
10 required zone district requirements including  
11 lot area, depth, yard setback, building  
12 coverage, open space, parking. The Applicant  
13 submitted an incomplete Zoning Officer review  
14 form. I recommend the Applicant provide a  
15 completed Zoning Officer's review form prior to  
16 the application being deemed complete. I hope  
17 that that's been done.

18 MS. RICHTER: Yes. I've given a copy to  
19 the Zoning Officer which we made copies of.

20 MR. VENEZIA: And proof that taxes are  
21 current.

22 MS. RICHTER: Yes, I have that.

23 MS. DEGENARO: Here you go.

24 MR. VENEZIA: Can you confirm there is  
25 any existing easements?

1 MS. RICHTER: Yes, I can confirm that.

2 MR. CHIRA: No easements.

3 MR. VENEZIA: Item 7 is a review of the  
4 floodplain. That is no problem. Item No. 8,  
5 Item No. B25, list the variances required or  
6 requested. Since other documentations is  
7 included listing the variances, we have no  
8 objection to the Board granting a completeness  
9 waiver for this.

10 MR. IRENE: While the Board is  
11 circulating copies of what's been passed up, we  
12 have an aerial photograph of the site that we  
13 are going to mark as Exhibit A-2. Can you tell  
14 us where that aerial photograph was taken from?

15 MS. RICHTER: That was printed from a  
16 Google map search.

17 MR. IRENE: Monmouth County Property  
18 Viewer is Google maps.

19 MS. RICHTER: It was Google Ding.

20 MR. IRENE: This is not Google maps. It  
21 might be some kind of Monmouth County GIS or  
22 something like that.

23 MR. GITTO: It is the County.

24 MR. IRENE: You don't know when this was  
25 dated? Do you know when it was printed out?

1 MS. RICHTER: Yes, June 30th.

2 MR. IRENE: June 30th.

3 MR. IRENE: Mr. Chira, have you seen the  
4 aerial photograph?

5 MR. CHIRA: Yes, I have.

6 MR. IRENE: Does it fairly and  
7 accurately depict it as it exists today?

8 MR. CHIRA: Yes.

9 MR. IRENE: So, we are going to mark  
10 that, Chris Ann, the aerial as A-2.

11 MR. VENEZIA: The last item is B28 and  
12 B13, building elevation of floor plans of  
13 proposed structure. The engineer has no  
14 objection to the Board granting a completeness  
15 waiver for this item as only a pool, which I  
16 didn't know. There is a pool going in there?

17 MS. RICHTER: No.

18 MR. CHIRA: No.

19 MR. VENEZIA: Probably in error. Only a  
20 fence is proposed.

21 MR. IRENE: Is the Board willing to  
22 grant the completeness waivers which will  
23 complete the merits to deem the application  
24 complete?

25 MR. SCHULZ: I will make that motion.

1 MR. GIGLIO: I will second it.

2 MR. IRENE: Roll call?

3 MS. DEGENARO: Robert Venezia?

4 MR. VENEZIA: Yes.

5 MS. DEGENARO: Michael Schulz?

6 MR. SCHULZ: Yes.

7 MS. DEGENARO: Paul Santorelli?

8 MR. SANTORELLI: Yes.

9 MS. DEGENARO: Scott LaMarca?

10 MR. LAMARCA: Yes.

11 MS. DEGENARO: Paul Giglio?

12 MR. GIGLIO: Yes.

13 MS. DEGENARO: Mark Engel?

14 MR. ENGEL: Yes.

15 MR. IRENE: So it's deemed complete.

16 You didn't get your approval yet. You will be  
17 heard. We are still in the middle of the  
18 hearing. We had to make sure. We are back to  
19 where we were. We have your aerial. We see  
20 that. We marked the plan. We discussed the  
21 fence. What else do you have? Do you have any  
22 other questions? The Chairman is going to open  
23 it up to interested parties.

24 MR. VENEZIA: I do have a few questions.  
25 The fence in the back onto Baker has a double

1 opening?

2 MR. CHIRA: Correct.

3 MR. VENEZIA: Do you need a double  
4 opening for that?

5 MS. RICHTER: That would be to get,  
6 because it is such a large piece of property, to  
7 get a riding mower to cut the grass. There is  
8 grass on the other side of it and there is a  
9 pretty steep hill, so you are not getting a  
10 mower up there.

11 MR. VENEZIA: There is also foliage or  
12 bushes that are on the, I guess, would be your  
13 neighbor's fence right before that.

14 MR. CHIRA: That is correct.

15 MR. VENEZIA: Would you be willing to  
16 put further, you know, besides that opening more  
17 bushes?

18 MR. CHIRA: Sure. No objection.

19 MR. IRENE: More bushes where?

20 MR. SANTORELLI: To soften the blow of  
21 the white vinyl.

22 MR. VENEZIA: Yeah, for that 37 feet  
23 minus that opening.

24 MR. CHIRA: Are you talking about on the  
25 Baker side?

1                   MR. VENEZIA:   Yes.

2                   MR. CHIRA:    Sure.

3                   MR. VENEZIA:   On the outside of the  
4                   property.

5                   MR. CHIRA:    Yes, it is.

6                   MR. VENEZIA:   It's still your property?

7                   MR. CHIRA:    Yes.

8                   MR. IRENE:   We are talking about running  
9                   shrubs exterior of the fence in question but not  
10                  blocking the gate? Do we want to describe the  
11                  shrubs or the span or how they are going to  
12                  work?

13                  MR. CHIRA:    Some arborvitaes?

14                  MR. VENEZIA:   That is fine.

15                  MR. IRENE:   We don't have our landscape  
16                  architect.

17                  MR. GIGLIO:   Arborvitaes are designed to  
18                  put a wall up.

19                  MR. IRENE:   Two feet?

20                  MR. GIGLIO:   Two feet is fine.

21                  MR. VENEZIA:   That is if everything is  
22                  approved. How many on center?

23                  MR. LAMARCA:   Depends if you want to see  
24                  it or not. Three feet.

25                  MR. IRENE:   Three feet on center for the



1           entire span except for the gate.

2           MR. GIGLIO:   Yeah.

3           MR. VENEZIA:   The gate is a pretty wide  
4           gate.

5           MR. CHIRA:    It's two fours.

6           MR. IRENE:    Entire span, except for the  
7           gate.   No less than what, at height at planting?

8           MR. LAMARCA:   It is a six-foot fence, so  
9           what do you want to do?   Four to start?

10          MR. VENEZIA:   Any other thoughts on  
11          that?   From what I am gathering, all other fence  
12          that is up there already is already within the  
13          right of having it there.

14          MR. GITTO:    Correct.

15          MR. VENEZIA:   We are talking about --

16          MR. GITTO:    Thirty-seven feet that they  
17          are talking.

18          MR. CHIRA:    No problem.

19          MR. VENEZIA:   Any other questions?

20          MR. SCHULZ:   Questions for the engineer?

21          MR. VENEZIA:   Sure.

22          MR. SCHULZ:    What does the law says for  
23          six foot close to the street?

24          MR. GITTO:    No.   They are actually  
25          asking for relief for having a six-foot fence

1           within a front yard where three feet is provided  
2           or allowed by the Ordinance. So since this  
3           fence is technically within a front yard since  
4           it is on Baker, fronting on Baker, they require  
5           variance relief for six-foot fence where three  
6           feet is permitted.

7                   MR. IRENE: I think he is asking about  
8           site triangle issues.

9                   MR. GITTO: I don't know if I can  
10          testify to that based on the information  
11          provided.

12                  MR. SCHULZ: The setback for the front  
13          yard normally would be.

14                  MR. GITTO: A setback for a house would  
15          be 35 feet.

16                  MR. SCHULZ: Starts at 10 and goes to  
17          15.

18                  MR. GITTO: Correct.

19                  MR. SCHULZ: It should be 35 feet.

20                  MR. GITTO: For a single-family home,  
21          yes.

22                  MR. SANTORELLI: What is for a fence?

23                  MR. IRENE: What do you mean, what is  
24          for a fence?

25                  MR. SANTORELLI: Setback. Thirty-five

1 feet?

2 MR. GITTO: I don't believe there is a  
3 requirement for a setback for a fence, in  
4 particular. I think it is just for the  
5 single-family home and the relief is being  
6 requested for having a fence within the front  
7 yard.

8 MR. IRENE: Well, do you want to set it  
9 back X-number of feet from the street? That  
10 will soften. It's up to you. Remember, you  
11 have to have room for the plantings as well.  
12 That is naturally going to set it back to some  
13 degree, but it is up to you. My suggestion, in  
14 the future, we don't waive those key maps. You  
15 should get a tax map or something. If you will  
16 look at the aerial, you get a better visual.  
17 There is no site triangle, because there is no  
18 intersection.

19 MR. GITTO: No intersection at that.

20 MS. DEGENARO: Mike, she wants to know  
21 if this would help out.

22 MR. IRENE: It is a question if they  
23 want to set the fence back any distance, other  
24 than just to accommodate the plantings.

25 MR. ENGEL: Looking at the Survey

1           correctly, the fence is set back from Baker 15  
2           feet on one end and 10 feet at the other. Is  
3           that sufficient?

4                   MR. GIGLIO: Arborvitae are not going to  
5           grow 10 feet.

6                   MR. SANTORELLI: I have a question. The  
7           piece of fence that is on the angle coming into  
8           question right now, how long does that run?  
9           That may have dictated why we are on a triangle  
10          given the run of the fence because the fence is  
11          certain lengths. Do we know what this run of  
12          fence is here? How many feet? This section, do  
13          we know how long that section is, because that  
14          could have dictated.

15                   MR. GITTO: I believe it's 40.

16                   MR. SANTORELLI: So it's probably  
17          nominal for the fence to work. That's probably  
18          why it's at 15'6 compared to the 10 on the other  
19          side.

20                   MS. RICHTER: The 10 on the other side,  
21          that's what matches up to that existing fence  
22          where there are already shrubs planted.

23                   MR. IRENE: The point is, it's already  
24          set back off of the property line. It's already  
25          set back off of the property line. Ten feet on

1           one side and 15 on the other.

2                   MR. SANTORELLI:   Fifteen six.

3                   MR. IRENE:   That's what the Board was  
4           inquiring down here that it would be right on  
5           the property line and it is not.   Any more  
6           questions?   Let's see if there is anyone in the  
7           audience who would like to make comments.

8                   MR. IRENE:   Any interested parties who  
9           wish to question the witnesses or make comments?

10                  MR. KAPLAN:   30 Baker Drive directly  
11           across the property.

12                   (Mr. Kaplan, sworn.)

13                  MR. KAPLAN:   I've been there for 35  
14           years and when we look out my front window, any  
15           of the windows, I sit on the front porch, all I  
16           see is a six-foot white fence in my whole  
17           vision.   Nothing when you look out of my front  
18           door do you see a six-foot white fence.   I  
19           questioned a million people, when it was being  
20           installed, and everybody said, we don't know  
21           anything.   We are just the fence men.   It was  
22           other fencing put in also besides the one piece  
23           in question.   It's horrible for me.

24                  MR. IRENE:   Okay.   You are not done.  
25           The Board Members may have some questions for

1           you. Do you understand the issue is six feet  
2           versus three feet in the front yard area.

3           MR. KAPLAN: Three foot.

4           MR. IRENE: How about the screening with  
5           the arborvitae? Is a six-foot fence set back 15  
6           feet off the property line with a green screen  
7           better than three-foot fence on the property  
8           line? Just a question.

9           MR. KAPLAN: Personally, we wouldn't  
10          have to see any fence, if we have any option.

11          MR. IRENE: Well, they could put a  
12          three-foot high one right on the property line.

13          MR. KAPLAN: If that be the case.

14          MR. IRENE: So you don't like the  
15          height?

16          MR. KAPLAN: I do not like the white  
17          high fence.

18          MR. IRENE: Ma'am?

19          (Eileen Kaplan, sworn.)

20          MS. KAPLAN: Eileen Kaplan. I live at  
21          30 Baker Drive. We've lived in the house for 35  
22          years. We have always enjoyed looking across  
23          the street that was, I believe, originally zoned  
24          for a parklike setting. There were trees. It  
25          was an open span of grass.

1                   MR. IRENE: It is a residential  
2 property, ma'am.

3                   MRS. KAPLAN: Okay.

4                   MR. IRENE: It may have been a double  
5 lot. I don't know. Somebody may have bought a  
6 lot that was not developed and merged them. I  
7 think this property was merged back in common  
8 ownership or a Deed of Consolidation when last  
9 before the Board. It is a residential property.  
10 It's not a public park or anything like that.

11                  MRS. KAPLAN: Maybe years ago. I had  
12 heard that.

13                  MR. IRENE: It may have been a large  
14 parcel of which was undeveloped or an  
15 undeveloped lot, but it's not a park.

16                  MRS. KAPLAN: That's what we've looked  
17 at all of these years and without notice the  
18 six-foot white fence went up. Every window we  
19 look out, our living room, our bedroom windows,  
20 we see a white fence. When we sit out on our  
21 front porch, we see a white fence. So I'm  
22 concerned also about the fact that if you were  
23 to keep that height, you would still have the  
24 double opening that would not be planted with  
25 greenery and we really just don't want to look

1 at that.

2 MR. KAPLAN: It doesn't fit into the  
3 neighborhood. Everything is open on the whole  
4 block except that.

5 MR. GIGLIO: Question, sir?

6 MR. KAPLAN: Yes.

7 MR. GIGLIO: Are you speaking generally  
8 on the fence around the entire house?

9 MR. KAPLAN: Well, there is a fence  
10 around the whole house.

11 MR. GIGLIO: There is an existing fence  
12 that the gentleman didn't put up that runs on  
13 the other side between Baker and Mount Drive,  
14 that's been there already.

15 MR. KAPLAN: Yes.

16 MR. GIGLIO: That didn't --

17 MR. KAPLAN: We had the same issue with  
18 those folks many, many years ago and we worked  
19 something out with them.

20 MR. GIGLIO: I'm trying to understand.

21 MR. KAPLAN: When I look outside my  
22 front window, I don't see the neighbor's  
23 property. I don't see that.

24 MR. GIGLIO: Are you referring to the  
25 small section that they are referring to now or



1 are you talking about the --

2 MR. KAPLAN: Just the section on Baker  
3 Drive. The section facing my property.

4 MRS. KAPLAN: It actually spans pretty  
5 much directly across our house in the same span  
6 of our house.

7 MR. VENEZIA: I understand where you are  
8 coming from. The house is definitely an  
9 improvement. They did a great job redoing it  
10 and whatnot.

11 MR. CHIRA: Thank you.

12 MR. VENEZIA: Is it possible to move  
13 that opening for the fence?

14 MS. RICHTER: Closer to the other  
15 property line?

16 MR. VENEZIA: You know, since it's only  
17 going to be used, it's not going to be used as a  
18 driveway.

19 MR. CHIRA: No, sir. Correct.

20 MR. VENEZIA: It's just to get his  
21 equipment in. Do you know how it bends and it  
22 goes out that way straight in front of house now  
23 on the Baker side.

24 MS. RICHTER: Uh-huh.

25 MR. CHIRA: On the corner? The other

1 gentleman next-door to me?

2 MR. VENEZIA: Standing on Baker looking  
3 west.

4 MR. CHIRA: Correct.

5 MR. VENEZIA: At your double opening.

6 MR. CHIRA: Yes.

7 MR. VENEZIA: If that was moved to, it  
8 goes straight across and then it bends down that  
9 way so something can get through there.

10 MS. RICHTER: That would be on somebody  
11 else's property.

12 MR. GIGLIO: That borders somebody  
13 else's property.

14 MS. RICHTER: It's on the property line  
15 with the existing house that is also being  
16 redone.

17 MR. CHIRA: Mr. Nino's property.

18 MR. VENEZIA: Is there anywhere that you  
19 can reposition that gate?

20 MS. RICHTER: Besides in the front yard  
21 where there are trees in the front yard that we  
22 had planted, so it would be difficult to put in  
23 the double gate to get up into the front yard.

24 MR. SANTORELLI: I have a question.

25 MS. RICHTER: Sure.

1                   MR. SANTORELLI: The vinyl fence, do you  
2                   have any other color options? We can maybe make  
3                   the gate another color, so it is softer.  
4                   Instead of seeing the white, we can do the  
5                   arborvitaes for the screening on the white and  
6                   then maybe is there another color option to  
7                   soften it?

8                   MS. RICHTER: I would have to look into  
9                   that. I do not know.

10                  MR. SANTORELLI: I don't know. I am  
11                  trying to solve a headache instead of looking at  
12                  a bright white fence. Even if there was a  
13                  brown.

14                  MR. CHIRA: Even with the coverage of  
15                  the trees.

16                  MR. SANTORELLI: You are not covering  
17                  the gate. I am talking about just a gate color.

18                  MR. CHIRA: He is talking about just a  
19                  gate.

20                  MR. SANTORELLI: Just the gate color and  
21                  not the fence.

22                  MR. LAMARCA: What if the landscape was  
23                  taller instead of four footers, if they were six  
24                  footers? Would that soften the blow on the  
25                  fence?

1                   MR. KAPLAN:  When they grow, that is  
2                   fine.

3                   MR. CHIRA:  I don't mind putting sixes.

4                   MR. LAMARCA:  If you guys want the fence  
5                   and we can make this all work for these guys.

6                   MR. KAPLAN:  I am really against the  
7                   six-foot fence.  Totally against it.

8                   MR. LAMARCA:  The issue is, in reality,  
9                   it's only that section of Baker because the rest  
10                  of the fence is legal, correct?

11                  MS. RICHTER:  Yes.  And again, it  
12                  matches the fence.

13                  MR. LAMARCA:  I'm understanding.  
14                  Because, again, worst case, you could put the  
15                  three-foot section of white and we are done and  
16                  this isn't an issue, correct?

17                  MR. CHIRA:  Uh-huh.

18                  MR. LAMARCA:  Again, three-foot fence,  
19                  is it going to soften the blow, you know, or are  
20                  you going to see a three-foot white fence in  
21                  front of you?  Again, nobody wants to see the  
22                  fence at all.

23                  MR. KAPLAN:  If a fence has to be seen,  
24                  I would prefer a three foot to six foot.

25                  MR. LAMARCA:  Okay.  That is where you

1           guys are standing on that. Three-footer.

2                   MR. KAPLAN: I would not like to have  
3           any fence, but if we have to have, I would take  
4           a three.

5                   MS. RICHTER: On this Newlines Survey  
6           that I have here, their property really more  
7           covers what they would be looking at into the  
8           neighbor's piece of property more than our piece  
9           of property.

10                  MR. LAMARCA: Okay.

11                  MS. RICHTER: I get if they stand  
12           outside and look at the fence, they are only  
13           going to see a six-foot fence, but their  
14           property covers more of our neighbor's property,  
15           so they are looking at their six-foot fence  
16           that's been existing.

17                  MR. CHIRA: On the neighbor's existing  
18           fence.

19                  MR. VENEZIA: The neighbor on the point?

20                  MR. CHIRA: Yes.

21                  MR. VENEZIA: They have a four-foot open  
22           fence.

23                  MR. CHIRA: That is on the corner. All  
24           the way on the corner, but the area that is  
25           enclosed is on the basketball side of the house

1           which was granted by you.

2                   MRS. KAPLAN: I want to say the fence,  
3           you can almost take a tape measure on each side  
4           and line them up with the white fence. It's  
5           directly in front of our house.

6                   MR. CHIRA: Because they are in  
7           existence already.

8                   MR. VENEZIA: They are able to put a  
9           fence there.

10                  MRS. KAPLAN: Yes.

11                  MR. VENEZIA: The whole issue is the  
12           height. We are trying to soften the height, you  
13           know, with the trees.

14                  MS. RICHTER: Even if they don't have  
15           color options with a vinyl fence, I'm sure we  
16           can have a painter of some sort paint vinyl.  
17           I've done it before.

18                  MR. LAMARCA: You need the right paint,  
19           really.

20                  MS. RICHTER: Yes.

21                  MR. LAMARCA: That is an option.

22                  MR. SANTORELLI: That is solving an  
23           issue.

24                  MR. CHIRA: I was tying in the fence to  
25           the next-door existing fence.

1           MR. VENEZIA: There is still no area on  
2 this that you can move that opening?

3           MR. CHIRA: It goes to the property  
4 where there is an existing Pine tree there.

5           MS. RICHTER: I mean, we could try to  
6 move it closer to the property line where there  
7 is a one, eight-foot section of fence and maybe  
8 just try to put the gate where it's at the 15'6,  
9 but there are trees there.

10          MR. ENGEL: On the map, there is a  
11 straight section of fence to the right of the  
12 house that has a label six-foot stockade fence.  
13 There is no way to put the gate in that section  
14 of the fence?

15          MR. IRENE: Is that the neighbor's  
16 fence?

17          MS. RICHTER: That is the neighbor's  
18 fence.

19          MR. CHIRA: That is the next-door  
20 neighbor.

21          MR. VENEZIA: That's where the bushes  
22 are now.

23          MR. CHIRA: Yes.

24          MR. IRENE: While the Applicant is  
25 reviewing the plans, are there any interested

1 parties?

2 MR. VENEZIA: How about that little area  
3 that is 7'5?

4 MS. RICHTER: That is what I just asked.

5 MR. CHIRA: It's right on the next-door  
6 neighbor's property.

7 MS. RICHTER: There is a giant  
8 established tree right there.

9 MR. CHIRA: There is a Pine tree right  
10 there.

11 MR. GIGLIO: Yeah, Rob, if you look down  
12 at the aerial, you could see it is a good-sized  
13 Pine tree.

14 MR. CHIRA: It is at least 20 feet up.

15 MR. KAPLAN: Trees come down.

16 MR. IRENE: Anything else? Board  
17 Member?

18 MR. ENGEL: No other questions.

19 MR. SCHULZ: Comments from the Board? I  
20 drove by there and I looked at the fence and I  
21 don't understand how you just put up a six-foot  
22 fence. You said they said you could go ahead  
23 and do it. I didn't understand it. I didn't  
24 like it then and I wouldn't like it now. The  
25 promise of six-foot arborvitaes, it doesn't pass



1           my smell test, I'm sorry. The three-foot fence  
2           is fine. Six foot is too intimidating. What's  
3           West Long Branch coming to with six-foot fences  
4           in your front yard? This is what West Long  
5           Branch is falling into. I can't stand it. So  
6           you know where my vote is going to be when it  
7           goes.

8                   MR. IRENE: Anything else? Anybody  
9           else?

10                   MR. VENEZIA: It does look like a  
11          compound.

12                   MR. CHIRA: Closing it in for children.

13                   MS. RICHTER: And privacy.

14                   MR. CHIRA: And privacy.

15                   MR. SCHULZ: If everybody with children  
16          and privacy in West Long Branch had six-foot  
17          fences in front yard, I think I would sell my  
18          house in West Long Branch. That would be over  
19          with.

20                   MR. CHIRA: What do you deem a front  
21          yard because the house is facing Mount Drive and  
22          this is the rear.

23                   MR. VENEZIA: How the Ordinance reads.

24                   MR. IRENE: That is the reason for the  
25          Ordinance, so you don't have these large, high

1 fences running along the street and you get the  
2 New York City cavern affect. That doesn't  
3 really, it's up to you whether you believe under  
4 these facts and circumstances the variance  
5 should be granted. You can have six in the back  
6 and no more than three in the front. Some towns  
7 have four in the back. Was there any  
8 consideration moving it back, so it makes a  
9 straight line?

10 MS. RICHTER: Move it back where?

11 MR. IRENE: You continue the existing  
12 rear line straight across.

13 MR. CHIRA: This line?

14 MS. RICHTER: Where the 10 foot is?

15 MR. IRENE: No.

16 MR. LAMARCA: No. No.

17 MR. IRENE: Straight across to secure  
18 the yard.

19 MS. RICHTER: That is a large piece of  
20 property lost, but it also --

21 MR. IRENE: It's not lost. It's just  
22 not secured by the fence.

23 MS. RICHTER: It would no longer tie in  
24 to the ending point of the neighbor's fence.

25 MR. IRENE: You create your own ending.

1           You go from point-to-point. You go from the  
2           basketball court point to the LP set point  
3           straight across. I'm just asking. That is all.  
4           I don't know. You are still in the front yard  
5           area, right? I assume. But now, how far away  
6           are you from the property line?

7                   MS. RICHTER: Oh, you are talking from  
8           that point to that point.

9                   MR. IRENE: Yeah. So, the question is,  
10          is a six-foot high, is that mitigated by the  
11          fact you are set back from the actual street? I  
12          don't know. I am just asking. Does it serve  
13          the purpose of securing the yards where you  
14          still have a high-enough fence for the children,  
15          but the excess height is mitigated because you  
16          are set back. Somebody would have to put a  
17          ruler on there and figure out what that is, but  
18          it's going to be set back a significant  
19          difference, except for that one corner where it  
20          is closet to the basketball court.

21                   MR. ENGEL: It would still be that  
22          10-foot setback.

23                   MR. IRENE: At that point, but it would  
24          still drift away.

25                   MR. ENGEL: I am guessing the neighbors

1           would probably find it somewhat visible.

2                   MR. IRENE: Well, at some point, the  
3           Board would have to make a decision, right? Any  
4           more from the interested parties? Let the  
5           record reflect no responses. To the Board.  
6           Ma'am?

7                   MS. RICHTER: No.

8                   MR. IRENE: To the Board.

9                   MR. VENEZIA: You know how they have  
10          that on the corner on the point the see-through  
11          fence with the iron going up? Do you know which  
12          fence I am talking about?

13                  MR. KAPLAN: Very well.

14                  MR. VENEZIA: If you had something  
15          similar to that in that area.

16                  MR. GIGLIO: The aluminum?

17                  MR. KAPLAN: The flat fence.

18                  MR. VENEZIA: There is four or five  
19          inches in between and you can see through it.

20                  MR. IRENE: Like a Jerreth-style fence?

21                  MR. VENEZIA: If you all went down and  
22          saw the corner, you could see what I mean.  
23          Would you be in objection to take down the white  
24          fence and put that up and then you can even have  
25          that opening would come in pretty close.

1                   MR. CHIRA: But the fence that I have  
2                   now is being tied into the other fence that you  
3                   already granted approval on the other house for  
4                   Mr. Dwek's property. I was just using my  
5                   property line going straight into his.

6                   MR. VENEZIA: To change the material in  
7                   that 37 feet. The style of the fence.

8                   MS. RICHTER: They are saying change the  
9                   style of the fence.

10                  MR. VENEZIA: Style of the fence.  
11                  Keeping that.

12                  MR. IRENE: Making it more open?

13                  MR. VENEZIA: Yeah, it opens up the  
14                  vision so you still have the fence to enclose  
15                  the area, but at least the neighbors could see  
16                  through and not have an obstruction.

17                  MR. CHIRA: What happens in a pool  
18                  situation afterwards?

19                  MR. IRENE: That would still comply.  
20                  Jerreth fence can secure a pool. Can't? Why  
21                  not?

22                  MR. SANTORELLI: You would need  
23                  four-inch spacing. Most balustrades are spaced  
24                  four-inch on center.

25                  MR. IRENE: It's up to the Board.

1                   MR. VENEZIA:   They make it four inches.

2                   MR. SANTORELLI:   You can get it made  
3                   however you want.   They will make it custom for  
4                   you.   They will make whatever you want.

5                   MR. VENEZIA:   For that 37 feet.

6                   MR. SANTORELLI:   If you are talking  
7                   about aluminum fence, they will make it any  
8                   color you want, they will make it any height you  
9                   want, they will make it any balustrade space you  
10                  want.   It's all custom built.

11                  MR. CHIRA:   I thought put trees and  
12                  block off the area and that is all.   Put  
13                  six-foot trees there.

14                  MR. SANTORELLI:   Block it with  
15                  arborvitaes.

16                  MR. VENEZIA:   You wouldn't have to put  
17                  the trees there if you had that open fence.

18                  MR. IRENE:   You could put it on the  
19                  inside for your own privacy.

20                  MS. RICHTER:   What if we put a double  
21                  gate and put trees?

22                  MR. CHIRA:   How are you going to get in  
23                  there?

24                  MS. RICHTER:   Hand mower.   So we have a  
25                  four-foot gate opening in the front yard.   We

1 can make that a six and remove the double gate  
2 opening on the Baker side and we will be able to  
3 cover the whole thing with shrubbery.

4 MR. CHIRA: With shrubbery.

5 MRS. KAPLAN: Three foot.

6 MR. KAPLAN: Three-foot fence with the  
7 shrubbery.

8 MR. IRENE: They are objecting to the  
9 fence height. We've established that. They  
10 want a fence that is three feet. They don't  
11 want a fence that is three feet.

12 MR. LAMARCA: Happy medium.  
13 Landscaping.

14 MR. IRENE: It's up to you.

15 MR. LAMARCA: Landscaping is going to be  
16 high.

17 MS. RICHTER: It's three feet. Why  
18 would we put landscaping?

19 MR. IRENE: You wouldn't have to,  
20 assuming you got permits. Entirely up to the  
21 Board at this point. Nothing from the  
22 Applicant's case. Nothing from the interested  
23 parties, right? It's up to the Board. You can  
24 discuss further if you want or you can vote.  
25 You do whatever you like.

1           MR. VENEZIA: We have to discuss this a  
2 little further because Michael has a feeling.

3           MR. SCHULZ: If it's a three-foot fence,  
4 hear me out. If it's a three-foot fence, there  
5 is no issue.

6           MR. GITTO: Correct.

7           MR. SCHULZ: Six foot, they need a  
8 variance for a vote. How are they going to  
9 supplement the fence, if anything?

10          MR. GITTO: Right. Whatever the Board.

11          MR. IRENE: If it's three-feet high,  
12 they conform to. If it's more than three feet,  
13 they need a variance. The Board can grant a  
14 variance for more than three feet. They can  
15 impose conditions, if they choose to do that.  
16 You can deny it. You have a range of options,  
17 deny, approve, approve with conditions. Sir?

18          MR. ENGEL: The material we were talking  
19 about at the end, the narrow --

20          MR. IRENE: The Jarreth style.

21          MR. ENGEL: If they changed the fence  
22 from white vinyl to Jarreth and made that six  
23 feet --

24          MR. CHIRA: Just that section.

25          MR. ENGEL: Just that section. Would



1           that satisfy the neighbors?

2 MR. KAPLAN: The metal fence six-foot  
3 high.

4 MR. ENGEL: How would you feel about  
5 that?

6 MR. KAPLAN; I still prefer the  
7 three-foot fence.

8 MR. ENGEL: So that wouldn't mitigate it  
9 enough for you to be satisfied?

10 MR. KAPLAN: Excuse me?

11 MR. ENGEL: If they changed it to  
12 Jerreth that would not mitigate it enough to  
13 make the view?

14 MR. KAPLAN: Not six foot.

15 MS. RICHTER: I have a question,  
16 actually. If somebody were to, in the future,  
17 put in a pool, would the three-foot fence run  
18 into any issue, safety issues with the pool?

19 MR. IRENE: I don't know. If so, you  
20 would have to put another fence around the pool.

21 MS. RICHTER: Another.

22 MR. IRENE: Yes, otherwise, if you put a  
23 pool in the front yard, you magically then don't  
24 need a variance for the fence.

25 MS. RICHTER: You would need a separate

1           fence. I was asking for somebody jumping the  
2           fence.

3                   MR. IRENE: You would have to comply  
4           with the pool code, if whatever fence is  
5           approved doesn't.

6                   MR. GIGLIO: I find the last statement  
7           that Mr. Engel made a very good compromise that  
8           seems to be getting rejected. And, at this  
9           point, I'm at an impasse because both sides have  
10          attempted to try to work this out. So I think,  
11          like Mr. Irene said, we have to get down to this  
12          and make our decision.

13                   MR. ENGEL: Now, you have definite plans  
14          to put in a pool at some point?

15                   MR. CHIRA: No, not now.

16                   MS. RICHTER: We bought the property as  
17          an investment.

18                   MR. ENGEL: You're trying to account for  
19          possibility.

20                   MR. CHIRA: My daughter is looking to  
21          move into that house with her in-laws.

22                   MR. ENGEL: So there is a possibility  
23          that there might be a pool in the future.

24                   MS. RICHTER: By another owner.

25                   MR. ENGEL: But it's not in your

1 immediate plans.

2 MR. CHIRA: That is correct.

3 MR. IRENE: I won't say it has nothing  
4 to do with it, the issue is --

5 MR. ENGEL: Right. I know it has  
6 nothing to do with that, but it just speaks to  
7 whether or not they would have a need for a  
8 higher fence for some part of the property down  
9 the road.

10 MR. CHIRA: Down the road.

11 MR. IRENE: Down the road, they may, but  
12 that fence may or may not be in that front area.

13 MR. ENGEL: If I've heard everyone  
14 correctly, there is a majority feeling against  
15 the six-foot high white vinyl fence. There is  
16 enough feeling against that, that it sounds like  
17 that is not something we want to approve at this  
18 point, okay?

19 MR. GIGLIO: But the six-foot high  
20 see-through fence.

21 MR. ENGEL: Our options are either  
22 asking them to approving it if it's a six-foot  
23 high fence or propose, if they want to keep it  
24 white vinyl, leaving it at three feet. Are  
25 there any other options that anybody is

1           considering at this point?

2                   MR. GIGLIO: I think the six-foot high  
3           Jerreth was a very good option.

4                   MR. ENGEL: I think the six-foot high  
5           maintains the feel of the privacy for you folks,  
6           for your place.

7                   MR. CHIRA: Yes.

8                   MR. ENGEL: And the Jerreth material,  
9           while still being six feet high --

10                  MR. CHIRA: Is open.

11                  MR. ENGEL: -- is much more open and the  
12           dark color much more blends in with the  
13           surrounding landscape, so it's not like a  
14           contrasting eyesore for people looking at it  
15           from across the street. If you see those  
16           Jerreth fences from more than five to six feet  
17           away, the colors start to blend into the  
18           landscape and it's not anywhere near as much of  
19           an eyesore as a bright white vinyl fence. So,  
20           yeah, I think that is a -- I like that  
21           compromise and that is the one I would be most  
22           in favor of myself.

23                  MR. VENEZIA: That is if the homeowner  
24           would want to do that.

25                  MR. IRENE: He doesn't have to consent.

1           If you grant a variance for a six-foot high  
2           fence, you can impose the conditions you want.  
3           If he doesn't want to build them out, he can  
4           build it three feet. It's up to you.

5           MR. ENGEL: When we suggested that, you  
6           nodded your head like, even though it's a bit  
7           more of an expense, is that something you would  
8           want, just that one section.

9           MR. CHIRA: Just the 37 feet, but tie it  
10          into the next door neighbor.

11          MS. RICHTER: Leave it where it is.

12          MR. CHIRA: Tie it back into that same  
13          area.

14          MR. ENGEL: We're not asking you to move  
15          the fence and we are not asking for any other  
16          fencing section of your house. We are just  
17          talking about that 37 feet.

18          MR. CHIRA: How do I get a lawnmower?  
19          If I put two, 3s or two, 4-foot gates?

20          MR. ENGEL: Since it's less of an  
21          eyesore, we wouldn't have to worry so much about  
22          the planting relative to the gate. The inside  
23          of the gate is up to you. You can plant  
24          whatever you want there.

25          MS. RICHTER: Yeah, yeah.

1                   MR. LAMARCA: And, again, even if you  
2                   didn't want mismatching the fences, right, as  
3                   opposed to the white you have, a black aluminum  
4                   with a six-foot black aluminum with shrubbery to  
5                   kind of soften the blow on the neighbors, I  
6                   mean, just so you get your security, privacy and  
7                   then you reach a compromise.

8                   MS. RICHTER: Yeah, is it specific for  
9                   that one type of fence?

10                  MR. IRENE: Black aluminum, Jerreth  
11                  style.

12                  MR. VENEZIA: Or go to the three-footer  
13                  for that section.

14                  MR. CHIRA: I put the six with the open  
15                  work.

16                  MR. LAMARCA: Again, at least you got a  
17                  compromise going here. Let's move this thing  
18                  along, because it is a fence.

19                  MR. GIGLIO: Bingo. I am with you,  
20                  Scott.

21                  MR. IRENE: Is there a consensus with  
22                  the Board that you are looking for a six-foot  
23                  high black aluminum Jerreth-style fence for the  
24                  span you are talking about. What is the  
25                  consensus on the gate issue and/or the shrub

1           issue?

2                   MR. ENGEL: I think if they change the  
3 material, they can keep the gate plan as it  
4 stands now.

5                   MR. LaMarca: Was it going to be, six  
6 foot? Eight foot? Smaller? Now you've shrunk  
7 that a little bit.

8                   MR. CHIRA: Two, threes.

9                   MR. LAMARCA: Six foot.

10                  MR. KAPLAN: Why does the fence gate  
11 have to be as large? I've never seen an  
12 eight-foot wide lawnmower.

13                  MR. LAMARCA: It's going six foot, so  
14 it's not going to be eight foot anymore. But  
15 again, try and fit a 52-inch mower through a  
16 48-inch opening and you got an issue. So, if we  
17 give them 60 inches, they can get it in.

18                  MR. VENEZIA: And from your yard, you  
19 could see it through.

20                  MR. LAMARCA: And we soften the blow and  
21 you are still going to plant shrubbery, right?  
22 Six-foot arborvitaes, so we are as high as the  
23 fence.

24                  MR. CHIRA: I just had trees fall down  
25 on my own property. I am buying Leland Cypress

1 tomorrow. They are coming delivered to my home.

2 MR. IRENE: Six-foot high black aluminum  
3 Jerreth-style fence no greater than a six-foot  
4 wide gate same fence style and with shrubs  
5 running the exterior of the fence planted no  
6 less than six-foot high at planting, no less  
7 than three-foot on center for the entire span  
8 except for the gate.

9 MR. LAMARCA: Is three-foot tight  
10 enough?

11 MR. IRENE: Remember, you got the open  
12 fence now, too.

13 MR. CHIRA: It's going to abut to the  
14 neighbors.

15 MR. VENEZIA: On both sides.

16 MR. IRENE: Does somebody want to make  
17 that motion?

18 MR. ENGEL: I will make that motion as  
19 Mr. Irene said.

20 MR. LAMARCA: I will second it.

21 MR. IRENE: Hold on one second. Subject  
22 to, there was no particular conditions from T&M  
23 subject to complying with the requirements of  
24 recommendations set forth in the T&M report.

25 MR. ENGEL: I made that motion.



1 MR. IRENE: Seconded by Mr. Giglio?

2 MS. DEGENARO: Mr. Lamarca.

3 MR. IRENE: The motion is to approve the  
4 six-foot high fence for the span that we've been  
5 talking about that one section along Baker,  
6 right, six-foot high black aluminum  
7 Jerreth-style fence with the gate area no  
8 greater than six feet wide with shrubs planted  
9 of the exterior of the entire fence except for  
10 the gate area being planted no less than six  
11 foot high at planting and no less than three  
12 feet apart on center.

13 MR. CHIRA: That is just to cover that  
14 section.

15 MR. IRENE: Except for the gated, right.  
16 Yes? That was it, okay.

17 MS. DEGENARO: Ready?

18 MR. IRENE: Ready a long time ago.

19 MS. DEGENARO: Robert Venezia?

20 MR. VENEZIA: Yes.

21 MS. DEGENARO: Michael Schulz?

22 MR. SCHULZ: No.

23 MS. DEGENARO: Paul Santorelli?

24 MR. SANTORELLI: Yes.

25 MS. DEGENARO: Scott LaMarca?

1 MR. LAMARCA: Yes.

2 MS. DEGENARO: Paul Giglio?

3 MR. GIGLIO: Yes.

4 MS. DEGENARO: Mark Engel?

5 MR. ENGEL: Yes.

6 MR. IRENE: Okay. It carries. Thank  
7 you very much. Anything that's been marked,  
8 please leave with Chris Ann. Have a nice night.

9 MR. CHIRA: Thank you also.

10 MR. IRENE: So, on Dos Santos and  
11 Severio, who are they the three? Do you know?

12 MS. DEGENARO: Robert is one and Paul  
13 and Paul Giglio. Everybody else was absent.

14 MR. IRENE: Of those three, does anybody  
15 want to make the motion? Do you have any  
16 questions or changes?

17 MR. GIGLIO: I will make a motion.

18 MR. VENEZIA: Second.

19 MS. DEGENARO: Robert Venezia?

20 MR. VENEZIA: Yes.

21 MS. DEGENARO: Mr. Santorelli?

22 MR. SANTORELLI: Yes.

23 MS. DEGENARO: And Paul Giglio?

24 MR. GIGLIO: Yes.

25 MR. VENEZIA: Alright. Motion to

1           adjourn.

2                   (Hearing was concluded at 9:06 p.m.)

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