

**BOROUGH OF LAKE COMO
1740 MAIN STREET
LAKE COMO, NJ 07719**

PLANNING BOARD AGENDA

**JULY 12, 2021
REGULAR MEETING**

**7:00 PM
LAKE COMO**

I. CALL TO ORDER

II. SUNSHINE LAW:

THE NOTICE REQUIREMENTS OF R.S. 10:4-18 OPEN PUBLIC MEETINGS ACT HAVE BEEN SATISFIED BY THE PUBLICATION OF THE REQUIRED ADVERTISEMENT IN THE ASBURY PARK PRESS ON JANUARY 29, 2021, AND BY POSTING IT ON THE BULLETIN BOARD IN BOROUGH HALL. A COPY OF THE SAID NOTICE HAS BEEN FILED WITH THE BOROUGH CLERK AND SENT TO THE COAST STAR. NOTICE OF THE MEETING WILL ALSO BE POSTED ON THE BULLETIN BOARD AT BOROUGH HALL AND POSTED ON OUR WEBSITE. ALL MEETINGS ARE OPEN TO THE PUBLIC.

**** FLAG SALUTE ****

III. ROLL CALL

**IV. RESIGNATION LETTER
BEVERLY FIERRO**

**V. FORMAL VARIANCE APPLICATION
ROME, ELAN S, TRUSTEE OF THE ELAN ROME LIVING TRUST
(CONT. CHRIS MOTT BUILDERS)
407 17TH AVENUE
BLK – 6 LOT - 36**

**VI. CONSISTENCY DETERMINATION FOR MAYOR AND COUNCIL REGARDING:
ORDINANCE 2021-962 PROHIBITING THE OPERATION OF ANY CLASS OF
CANNABIS BUSINESS WITHIN THE GEOGRAPHIC
BOUNDARIES OF THE BOROUGH OF LAKE COMO**

**VII. PLANNING & ZONING DISCUSSIONS
REDEVELOPMENT COMMITTEE JOE CAVALUZZI & ALAN HILLA
(WILL UPDATE AS NEEDED)**

**VIII. FUTURE MEETING DISCUSSIONS
2ND-STORY DECKS/BALCONIES, OUTDOOR LIVING SPACES (TVs ETC.), STONES IN
DRIVEWAYS, GRADING PLAN**

**IX. MINUTES TO BE APPROVED
MINUTES TO BE APPROVED AS TYPEWRITTEN AND/OR E-MAILED.**

X. MOTION TO ADJOURN

THE NEXT REGULAR MEETING OF THE LAKE COMO PLANNING BOARD WILL BE HELD IN PERSON AT LAKE COMO BOROUGH HALL ON MONDAY, AUGUST 09, 2021, AT 7:00 PM. ALL MEETINGS ARE OPEN TO THE PUBLIC.

Beverly Fierro
2 Ripley Lane
Lake Como, NJ 07719

Dear Chairman Cavaluzzi,

Please accept this letter as formal notification that I am resigning from my position on the planning board. I am unavailable for the July meeting so this notice is effective immediately.

If you have any questions, please do not hesitate to call.

Beverly Fierro

Ck# 8989 s 70⁰⁰ Rec'd by MH Date 12-22-08 Permit # 20-91

* A NON-REFUNDABLE \$70.00 FEE MUST BE SUBMITTED WITH THIS APPLICATION*

Borough of Lake Como

Zoning Application for Residential and Commercial Properties

1. Address of Property: 407 17th Ave., Lake Como

Block: 6 Lot: 36 Zone: _____

2. Property Designation: Single Family ☒ Multi Family _____ Commercial _____

3. Applicant's Name*: Chris Mott Custom Builders, LLC

Address: PO Box 37, Ocean Grove, NJ 07756

Phone Number: 973-945-3818

*Applicant is: Owner _____ Contractor ☒ Other _____
(If other, please describe) _____

4. Owner's Name: Elan S. Rome, Trustee of the Elan Rome Living Trust

Address: 6 Robin Circle, Princeton Junction, NJ 08550

Phone Number: 609-558-6312

5. Type of Proposal: (please check)

New Home ☒ Alteration to Existing Home: 1 - 1 1/2 Story _____ 2 - 2 1/2 Story ☒

Pool: Above Ground _____ In-Ground _____

Shed _____ Fence ☒ Deck ☒ Other *If other, please describe: New 1st & 2nd floor addition,
new outdoor shower, patio, covered porch, grill, see attached

Water Line: Existing ☒ New _____ Upgraded _____

Sewer Line: Existing ☒ New _____ Upgraded _____

Dimension of New Building/Addition: 9' 3 1/2" x 11' 6 1/2" Height of New Building/Addition: 20' 1"

Area of New Building/Addition: see below sq. ft. Number and Types of Rooms: 1st floor addition =

Master Bathroom, walk-in closet, covered porch. 2nd floor addition = Bedroom, Bathroom

* If multiple additions are being applied for, itemize the additions and provide all pertinent information for each addition as requested above. * If addition is a pool, please indicate type and height of fencing.

Additional Information:

1st floor addition = 110 sq ft, 2nd floor addition = 384 sq ft. 494 sq. ft total.

ZONING

6. *** Must Submit Two (2) Copies of Plot Plan/Survey Indicating Proposed Structures with Dimensions and Setbacks from Property Lines ***

7. Applicant certifies that all statements and information made and provided as part of this application are true to the best of their knowledge, information and belief. Applicant further states that all pertinent municipal ordinances, and all conditions, regulations and requirements of site plan approvals, variances, and other permits granted with respect to said property shall be complied with.

Ces Muth
Signature of Applicant

12.1.20
Date

Office Use Only

Zoning Reviewer: MARK FESGLER Date: 12/10/2020

Application Complete: Yes ☒ No ☐

Approved: ☐ Rejected: ☒ AS NOTED

Planning/Variance Board action needed: Yes ☒ No ☐

Proposed Work Needs Construction Permits: Yes ☒ No ☐

Mercantile License Needed? Yes ☐ No ☒

Notes: ☒ SEE ATTACHED ZONING REVIEW SHEET

GRANDFATHERED CONDITIONS ☒ VARIANCES REQUIRED FOR:

NEW VARIANCES REQUIRED

- (1) BOTH EXISTING FRONT YARD SETBACKS & SIDE YARD SETBACK.
- (2) REDUCED FRONT YARD SETBACK FROM WOOLEY LANE.
- (3) ACCESSORY STRUCTURES IN FRONT YARD AREAS.
- (4) POSSIBLE NEW SIDE YARD VARIANCE IF 2ND FLOOR ADDITION IS NOT RECESSE
- (5) POSSIBLE PARKING VARIANCE.
- (6) BUILDING COVERAGE VARIANCE 43.2% V.S. 40% MAX.
- (7) IMPERVIOUS LOT COVERAGE 71.5% V.S. 60% MAX.

Mark Fessler
12/10/2020

**ZONING REVIEW for Walker Residence, 407 Seventeenth Avenue, Lake Como
(Revised 2/12/2021 and again on 3/29/2021)**

The property is presently a one-story single family residence on a triangular shaped 5656 sq.ft. lot, which fronts on two streets (Seventeenth Ave. & Wooley Lane) and therefore requires two front yard setbacks of 20'-0" (or average of the block) and one side yard setback of 3'-0".

The existing front yard setback on Seventeenth Ave. is 19.5ft.; the existing front yard setback on Wooley Lane is 9.1ft.; and the existing side yard is 2.3ft. These are existing conditions and are therefore considered "grandfathered" conditions which are allowed to remain.

The average front yard setback from Seventeenth Ave. is 20ft. (or the average existing setback for the block). The existing house is setback 19.5ft. (which is a 'grandfathered condition) and the proposed one-story 'open' front porch on the Seventeenth Ave. side projects 7.5ft. at its furthest point, leaving a setback of 12'-0" which complies (a minimum of 10'-0" is required). However, the proposed one-story front porch on the Wooley Lane side projects out to a point leaving only a 2.0ft. setback from Wooley Lane, where a minimum of 10'-0" is required. Additionally, there is a proposed addition to the master bedroom that reduces the front yard setback at that point to only 7.1ft., where 20'-0" (or the existing average of the block) is required.

The West side property line is only 2.3ft. from the existing house, this is a 'grandfathered' condition, and the proposed second floor addition is recessed 1'-4" from the existing wall below to conform to the required 3'-0" minimum setback, and the proposed front porch facing Seventeenth Ave. has been recessed 3.1ft. to also conform to the required 3ft. side yard setback.

The proposed dwelling is to have four bedrooms, which requires two 9'x19' on-site parking spaces. There are no parking spaces delineated on the submitted plans; and their proposed location and number still needs to be clarified.

There is a proposed outdoor shower located directly on the property line in the Wooley Lane front yard area, which is not allowed.

There is still a proposed pergola structure with an outdoor grill (approx. 250sq.ft.) located directly on the Wooley Lane property line and extending to within about 7.7ft. off of the Seventeenth Ave. property line. This is an accessory structure, which much like the outdoor shower is not allowed within the front yard setback area.

Unlike what is noted on the submitted drawings, the proposed building coverage is actually 2445 sq.ft. or 43.2%, which exceeds our 40% maximum. If the 250sq.ft. pergola was removed the coverage would be reduced to 2195sq.ft. or 38.8%, which would conform.

The total 'impervious' lot coverage is shown as 71.5%, which exceeds the 60% maximum allowed. (Note: If the proposed concrete patio & some of the existing concrete on the site were removed and/or replaced with dry-laid pavers, this variance could possibly be eliminated .

In summation, as presently proposed there are at least 6 variances required as follows:

- 1) The proposed one & two story bedroom additions project into and reduce the size of the Wooley Lane front yard setback to 7.1 feet, where 20.0 feet is required.
- 2) The outdoor shower is either an accessory structure which is not allowed to be in the front yard area, or it is an extension of the principal building with a 0'-0" setback. In either case a variance would be required.
- 3) The proposed 'pergola' outdoor kitchen is an accessory structure located within the front yard area, which is not allowed, and is virtually 'on' the front property line of Wooley Lane, both of which would require a variance.
- 4) The proposed one-story 'open' porch conforms on the Seventeenth Avenue side, but projects within 2 ft. of the front property line on the Wooley Lane side, which would require a variance.
- 5) The proposed building coverage of 2445 sq.ft. (including the pergola) is 43.2% where a maximum of 40% is allowed, and therefore would require a variance.
- 6) The proposed impervious lot coverage is 71.5% which exceeds the 60% maximum allowed, and would require a variance.
- 7) Two 9'x19' on-site parking spaces are required and none are delineated, which could require a variance.

Mark Fessler, Zoning Officer



Borough of Lake Como

1740 Main Street, [REDACTED] • Lake Como, New Jersey 07719-
(732) 681-3232 • FAX (732) 681-8981

Kevin G. Higgins
Mayor

FORMAL
PLANNING BOARD APPLICATION

Louise A. Mekosh
Borough Clerk/Administrator

For Municipal Use Only

Application No. 21
Received by Clerk: _____
Fees Collected: \$1200.00 App / \$1250.00 ESC
Hearing Date: 7-12-21/APP
Resolution Adopted by Board: _____
() Granted () Denied

=====

If something is not applicable to application being submitted, please specify with N/A.

1. Applicant(s) Name
& Address

Telephone No.

Elan S. Rome (AKA "Steve")
6 Robin Circle
Princeton NJ 08550
973-768-1969

2. If the applicant is being represented by an attorney, please state name, address, and telephone no.

3. Applicant is:
Corporation
Partnership
Individual
Other

Individual

NOTE: If applicant is a corporation or a partnership, please attach a list of the names and addresses of persons having a 10% interest or more in the corporation or partnership.

4. The relationship of applicant to the property in question is: X Owner _____ Lessee

1.

1740 Main Street, [REDACTED] • Lake Como, New Jersey 07719-
(732) 681-3232 • FAX (732) 681-8981

5. If applicant is not Owner, please state name and address and telephone number of Owner:

6. Application is a request for the following:

() Preliminary Site Plan
() Final Site Plan
() Joint Preliminary and Final Site Plan
() Minor Subdivision (3 or less lots)
() Preliminary Subdivision
() Final Subdivision
() Joint Preliminary and Final Subdivision
(X) Variance requests - please specify _____
including Bulk or Use Variances _____

() Informal Hearing

7. Give brief description of application: Permission & permits to proceed with a series of home improvements => See Attached #1

8. Street Address of Property: 407 17th Ave, Lake Como
Block: 6 Lot(s): 36 ****Must be Current Blk/Lot**

9. Use of Property: Existing Residential, Single Family
Zone _____ Proposed Residential, Single Family
Lot Area: 5656 sq ft Building Area: 35.22 proposed

10. Map Information: Map Dated 9/28/20
Prepared by Charles Infante
Map Entitled _____

11. Additional comments by applicant which may be relevant to hearing: Since zoning application eliminated 2nd floor, side yard setback, 2nd floor bedroom is now a loft, overall lot coverage has decreased

I certify that the statements and information contained in this application are true.

2/8/21
Date

EL S. Rome
Applicant/Agent

I authorize the applicant to submit this application and process for approval.

EL S. Rome, 2/8/21

Elan S. Rome

**ANTHONY M. CONDOURIS, A.I.A.
ARCHITECT**

**20 BINGHAM AVENUE
RUMSON, NJ 07750**

March 15, 2021

Zoning Department
Borough of Lake Como

Re: 407 17th Avenue
Lake Como, NJ

Block 6, Lot 36

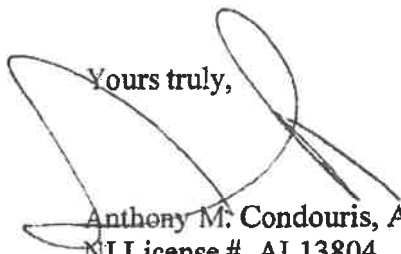
To whom it may concern:

The following revisions will be made to the above project in response to requests made by the zoning board:

1. The front porch will be set-in on the west side of the house to conform to a 3.1' side setback.
2. The proposed bedroom window on the west side of the house will be removed and the existing will remain at the rear.

Please feel free to contact our office if you have any questions.

Yours truly,



Anthony M. Condouris, Architect
NJ License # AI 13804

TEL: 732-842-3800

FAX: 732-842-7777



architects + engineers

4810 Belmar Boulevard, Ste 201
Wall Township, NJ 07753 | tel 732.414.2661

ENGINEERING NJ #24GA28019100
LAND SURVEYING NJ #24GA28019100
LANDSCAPE ARCHITECTURE NJ #24GA28019100

June 2, 2021

Lake Como Planning Board
c/o Viveca Graham, Board Secretary
1740 Main Street
P.O. Box 569
Lake Como, NJ 07719

**Re: Completeness/Technical Review
407 17th Avenue (Mott)
Block 6, Lot 36
H2M Project No. LKCP 2103**

Dear Chairman and Board Members:

I am in receipt of an Application package for the referenced project. The package includes the following documents:

- Architectural Plans, including site plan information (four sheets) prepared by Anthony M. Condouris, R.A., dated November 13, 2020, latest revision March 23, 2021; and
- Various other support documents.

Based on my review of these submitted documents, I find that this application is substantially complete and may be scheduled for a public hearing. Based on my review of the submitted documents with the Borough Zoning Ordinance, a site visit, and good engineering practice, I offer the following comments for your use through the public hearing process.

General

The property in question is located on south side of 17th Avenue and the north side of Wooley Lane. This location is within the Borough's Single-Family Residential District R-40. The triangular shaped property currently hosts a 1 story frame dwelling and miscellaneous accessory structures. The Applicant wishes to construct a new first floor addition, second floor loft, outdoor shower, paved patio, covered porch, wall, and pergola. The existing/proposed use are conforming to the zone; however, the existing lot and existing and proposed principal dwelling are all non-conforming for the zone.

Land Use/Site Planning Issues

My review of the proposed plan identified the following issues that should be addressed through the public hearing process:

1. Code Section 17-19.1d sets forth the yard, area and building requirements for the R-40 Zone. My review of these requirements in conjunction with the subject application identified the following inconsistencies:
 - Minimum Lot Depth – 100 feet required, 42 feet existing;
 - Minimum Front Yard Setback (17th Avenue - Principal Dwelling) – 20 feet required, 19.5 feet existing;
 - Minimum Front Yard Setback (17th Avenue - Pergola) – 20 feet required **7.7 feet proposed**;

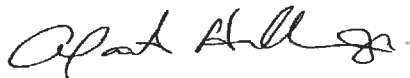
- Minimum Front Yard Setback (Wooley Lane – Principal Dwelling) – 20 feet required, 9.1 and 9.6 feet existing, **7.1 feet proposed (to one story addition), 17 feet proposed (to second story addition), 0 feet proposed (to outdoor shower), and 2.0 feet proposed (to porch);**
- Minimum Front Yard Setback (Wooley Lane - Pergola) – 20 feet required; **0.0 feet proposed;**
- Maximum Building Coverage – 40% maximum allowable, **43.7% proposed;** and
- Maximum Lot Coverage – 60% allowed, **71.5 % proposed.**

The existing non-conforming conditions are provided for the Board's information as no variances are required for them to remain. Bulk variances will be required for the proposed non-conformities **bolded** above.

2. Code Section 17-10.4 limits fences in front yards to no more than 4 feet in height. The site visit revealed that there is an existing concrete wall along a portion of Wooley Lane, and the site plan indicates a wall along the Wooley Lane property line but does not include any information regarding this wall. The Board should elicit testimony regarding these features and further require the plans to be revised to show the height, material, and limits of these walls, and consider variance relief if warranted based on the Applicant's testimony.
3. Code Section 17-10.7 sets forth the off-street parking requirements for all properties throughout the Borough. The architectural indicate that with the proposed addition, the dwelling will have four (4) bedrooms, thus requiring two (2) 9'X19' off street (on-site) parking. However, the site layout only appears to provide a single off-street parking space. The Board should elicit testimony regarding this issue and the proposed impervious surfaces immediately adjacent that do not appear to provide any function. Regardless, a variance will be required for the proposed non-conformity.
4. The site plan provided does not provide any topography and is silent with regard to how the increased stormwater to be generated on the proposed impervious surfaces will be discharged. The Board should elicit testimony regarding this issue and consider requiring the Applicant to develop a Grading Plan with stormwater mitigation to eliminate the possibility of impacting the adjoining properties or the adjacent roadways.
5. The application package did not include a survey prepared by a licensed land surveyor. This matters as approximately 10 years ago, the Borough Engineer was asked to develop a way to loop the existing water main in Wooley Lane to that in 17th Avenue. One of the options was to seek an easement across the subject property. While the survey information provided does not indicate an easement (nor does it depict the fire hydrant along Wooley Lane at the subject property), the Board should (1) elicit testimony regarding the easement, and (2) require the Applicant to provide a signed and sealed version of the survey submitted.

I trust this report is suitable for your purposes. If you have any questions regarding this application, please contact me.

Very truly yours,
H2M ASSOCIATES, INC.



Alan P. Hilla, Jr., P.E., P.P., CME
Planning Board Engineer

cc: Chris Mott Builders, LLC., Applicant
Adam Schneider, Esq., Board Attorney



NEW BEDFORD ROAD
(40' R.O.W.)

LOT 31

BLOCK 6
LOT 36

LOT 29

LOT 30

LOT 35

WOOLEY LANE
(22' R.O.W.)

LOT 30

N 24°58'00" E 83.15'

S 83°32'00" W 158.44'

WOOD FENCE

1 STORY DWELLING

1 STORY DWELLING
N.O. 407

WOOD FENCE

PIPE
FIND
Q.37N
1.7E

ASPHALT

484.49'

CONCRETE SIDEWALK

S 65°02'00" E 136.04'

SEVENTEENTH AVENUE
(80' R.O.W.)

THIS SURVEY IS CERTIFIED TO:

- ELAN S. ROME, Trustee of the Elan Rome Living Trust dated November 5, 2018
- OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
- ALL AHEAD TITLE AGENCY, LLC (AAT-2015356)
- ADVISORS MORTGAGE GROUP, LLC (ISAOA/ATIMA)
- THE BEEKMAN LAW FIRM, LLC
- JEFFREY P. BEEKMAN, ESQ.

DEED REFERENCE:
DEED BOOK 9371, PAGE 5229 et seq.

DEED DESCRIPTION:
BEING KNOWN AND DESIGNATED AS LOTS 10 AND 11 IN BLOCK 2 AS SHOWN ON A MAP ENTITLED, "PLAN OF LOTS IN SOUTH BELMAR, MON. CO., NEW JERSEY," WHICH MAP WAS FILED IN THE MONMOUTH COUNTY CLERK'S OFFICE ON MARCH 28, 1945 AS CASE 14-13.

NOTES:
1. ALSO KNOWN AS LOT 36 IN BLOCK 9 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE BOROUGH OF LAKE COMO, MONMOUTH COUNTY, NEW JERSEY, SHEET No. 2.

2. UNDERGROUND UTILITIES NOT LOCATED BY THIS SURVEY.

3. A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L. 2003, c.14 (N.J.S.A. 45:8-36.3) AND N.J.A.C. 13:40-5.1(d).

NO ATTEMPT WAS MADE TO DETERMINE IF ANY PORTION OF THE PROPERTY IS CLAIMED BY THE STATE OF NEW JERSEY AS TO LANDS ENVIRONMENTALLY SENSITIVE AREAS, IF ANY ARE NOT LOCATED BY THIS SURVEY. THIS SURVEY IS SUBJECT TO CONDITIONS WHICH MUST BE DISCLOSED BY AN ACCURATE TITLE SEARCH. OFFSETS AS SHOWN HEREON ARE NOT TO BE USED TO ESTABLISH PROPERTY LINES.

SURVEY OF PROPERTY
407 SEVENTEENTH AVENUE
LOT 36 BLOCK 6

BOROUGH OF LAKE COMO MONMOUTH COUNTY

NEW JERSEY

Charles Surmonte P.E. & P.L.S.

New Jersey Professional Engineer and Land Surveyor
License No. 35885

301 Main Street, 2nd Floor
Allenhurst, New Jersey, 07711
Phone 732-660-0606
Fax 732-660-0404

PROJECT No.

20-1205

DATE:

09-28-20

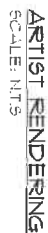
SCALE:

1"=20'

SHEET:

1 OF 1

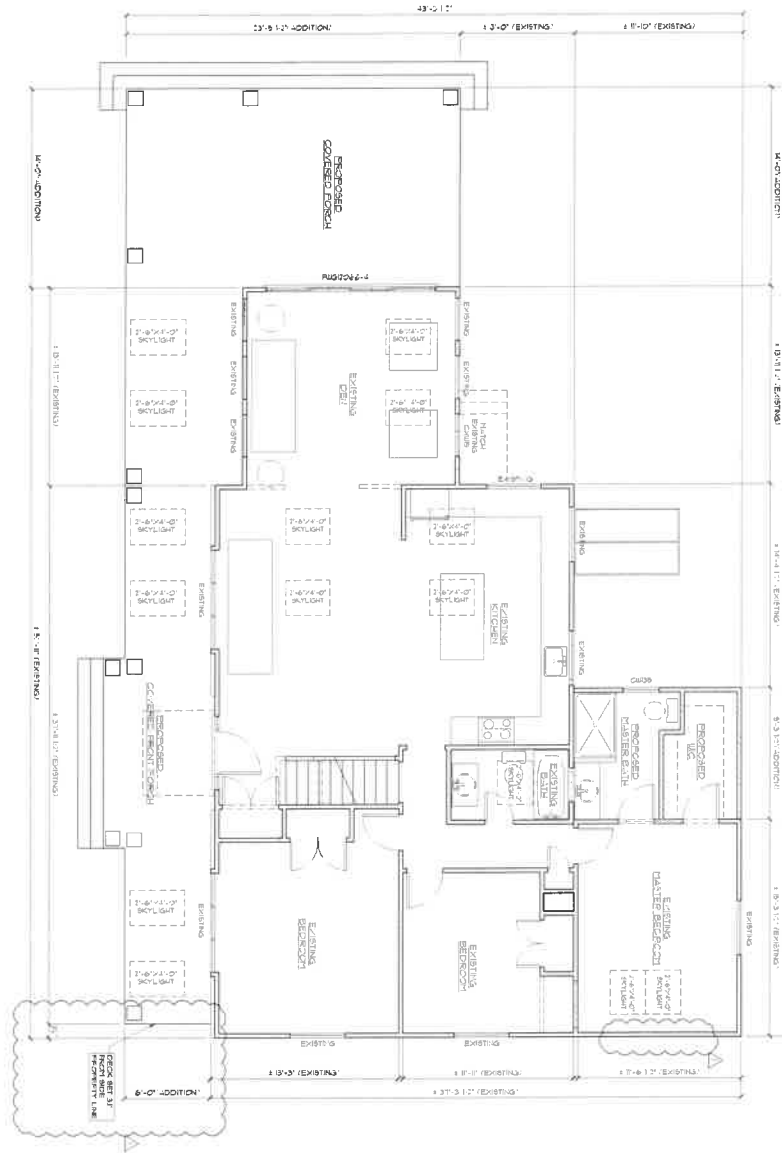
407 SEVENTEENTH AVENUE
LAKE COMO, NEW JERSEY
BLOCK 6 ~ LOT 36



	EXPENSE	ADDED	CHARGED
1-1/2" DIALE RF-CER			
FRONT PL CORN	0.75 SQ FT	80 SQ FT	1-1/2 SQ FT
REAR CORN	0.50 SQ FT	0.50 SQ FT	3/4 SQ FT
TOP PL	0.75 SQ FT	400 SQ FT	0.65 SQ FT
VOLUPE	1.75 SQ FT	4 IN. DIA. FT	
CONSTRUCTION CL-155			
USE GROUP 2		80	
		R-8	

* NOTE: SQUARE FOOTAGE DATA NOT TO BE USED FOR CALCULATING CONSTRUCTION COSTS

FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



NOT TO SCALE
FOR INFORMATION ONLY
DO NOT CONSTRUCT ON THIS
DRAWING WITHOUT THE
APPROVAL OF THE ARCHITECT

DATE: 1/13/20
DRAWN BY: JM
CLIENT: WALKER RESIDENCE
ADDRESS: 401 SEVENTEENTH AVENUE
LAKE COMO, NEW JERSEY
JOB NUMBER: 20-111 BLOCK: 6 LOT: 36

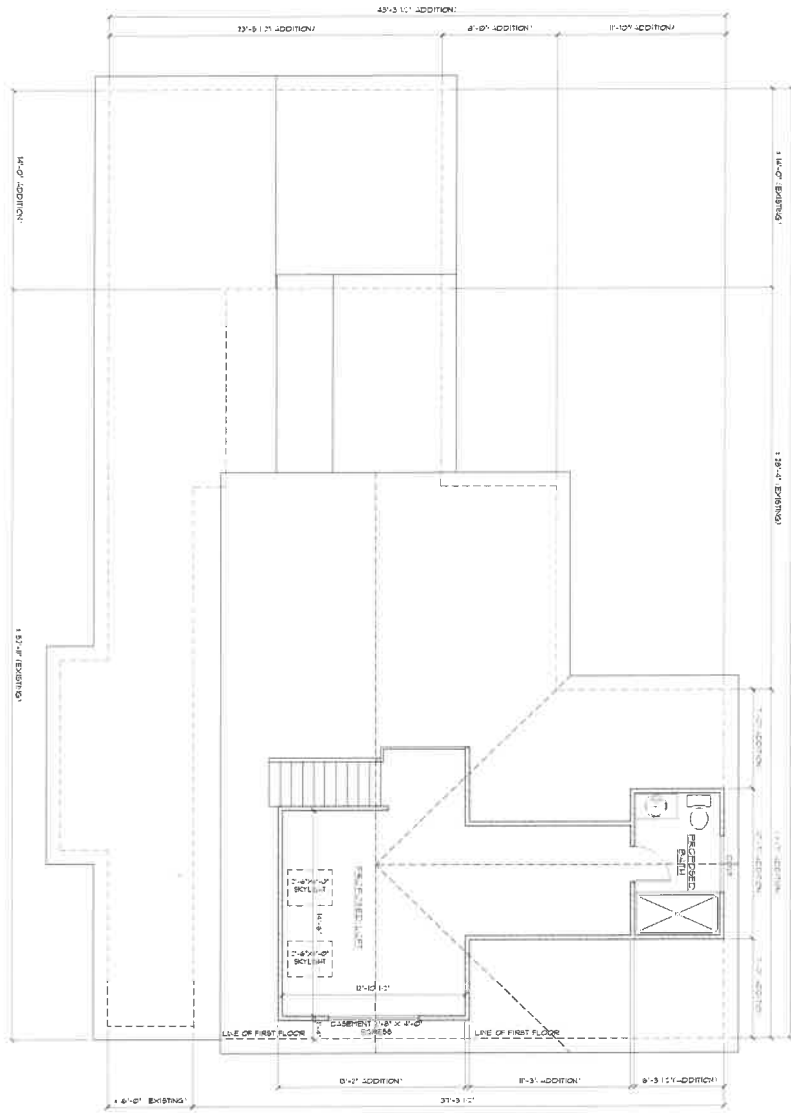
Z-2

REVISIONS DATE
-AS PER RESOLUTION 3/12/01

ANTHONY M. CONDOURIS
ARCHITECT
20 BINGHAM AVENUE SUITE 107
ROSELAND, NJ 07068
telephone - 732-642-3800 - fax 732-642-7777 - www.amcarchitect.com

INC
NJ STATE LIC# 411 104

SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

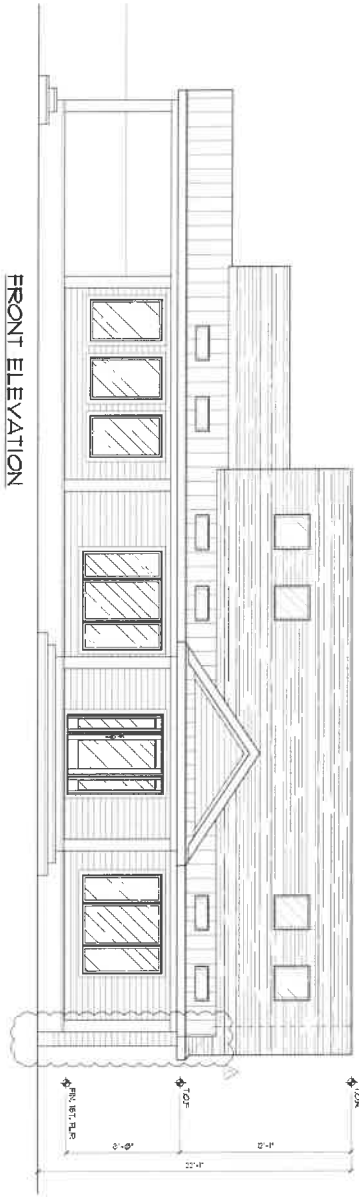
DATE 11/13/20	DRAWN BY JM	CLIENT WALKER RESIDENCE
ADDRESS 401 SEVENTEENTH AVENUE LAKE COMO, NEW JERSEY		
JOB NUMBER 20-111	BLOCK 6	LOT 36

REVISIONS	DATE
1. AS PER RESOLUTION	3/12/18

ANTHONY M. CONDOURIS
ARCHITECT
20 BINGHAM AVENUE, SUMMIT, NJ 07760
Telephone - 732-642-3600 - Fax 732-642-7777 - www.amarchitect.com



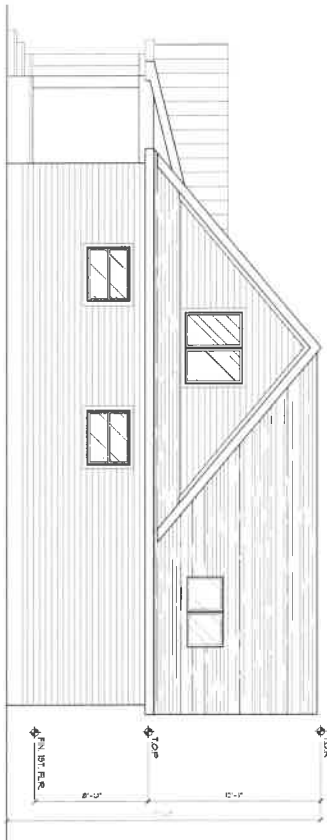
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



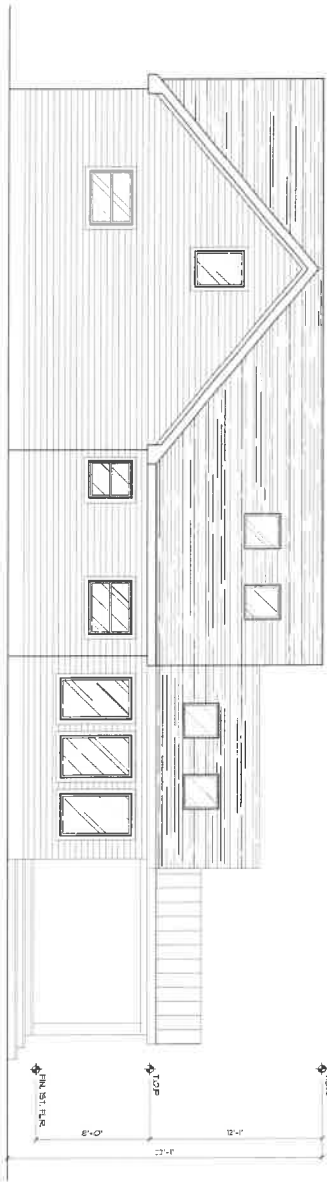
LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



ALL DIMENSIONS ARE IN FEET AND INCHES.
DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

DATE	11/13/20	DRAWN BY	JM	CLIENT	WALKER RESIDENCE
SHEET NO.	Z-4	ADDRESS	461 SEVENTEENTH AVENUE LAKE GORGE, NEW JERSEY	JOB NUMBER	20-111
		BLOCK	6	LOT	36

REVISIONS	DATE
1. PER RESOLUTION	2.12.21

ANTHONY M. CONDOURIS
ARCHITECT
INC.
20 BINGHAM AVENUE SUITE 200 NEW JERSEY, NJ 07750
telephone - 732-842-3800 - fax 732-842-7777 - www.amcarchitect.com



**BOROUGH OF LAKE COMO
MONMOUTH COUNTY, STATE OF NEW JERSEY**

ORDINANCE NO. 2021-962

**AN ORDINANCE PROHIBITING THE OPERATION OF ANY CLASS OF
CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL
BOUNDARIES AND AMENDING CHAPTER 17-5 OF THE CODE OF
THE BOROUGH OF LAKE COMO**

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), N. J. S. A. 24:6I-31, *et. seq.*, which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributor license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer; and

prohibited uses in all zones within the Borough of Lake Como.

Section 3. The adopted Chapter 17-5.1 shall read as follows:

§ 17--5.1 Cannabis establishments, cannabis distributors and cannabis delivery services prohibited.

A. Purpose. Pursuant to Section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), N.J.S.A. 24:6I-45b, all cannabis establishments, including a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer, cannabis distributor or cannabis delivery service are hereby prohibited from operating anywhere within the Borough of Lake Como.

B. Definitions. As used in this chapter, all classes of cannabis establishments, including a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, a cannabis retailer, and a cannabis distributor or cannabis delivery service shall have the meaning as defined in section 3 of P.O. 2021, c. 16, N.J.S.A. 24:6I-33, *et seq.*

C. General prohibition. All classes of cannabis establishments including a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer, and a cannabis distributor or cannabis delivery service, but not the delivery of cannabis items and related supplies by a delivery service, as said terms are defined in section 3 of P.L. 2021, c. 16, N.J.S.A. 24:6I-33 are hereby prohibited uses or activities within the Borough of Lake Como.

Section 4. If any provision or portion of a provision of this Ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this Ordinance shall not be invalidated.

Section 5. All Ordinances, or parts of Ordinances, which are inconsistent with any provisions of this Ordinance are hereby repealed as to the extent of such inconsistencies.

Section 6. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED, as aforesaid.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Lake Como Borough Council held on _____. Said Ordinance will again be read and considered for final passage at a meeting of the Lake Como Borough Council to be held at 7:00 p.m. on _____ at 1740 Main Street, Lake Como, New Jersey 07719. At said time and place, all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.