



**LAKE COMO BOROUGH
1740 MAIN STREET
LAKE COMO, NJ 07719
(732) 681-3232
AGENDA**

**DATE: JULY 20, 2021
REGULAR MEETING IMMEDIATELY FOLLOWING THE WORKSHOP**

MEETING CALLED TO ORDER

SALUTE TO FLAG AND MOMENT OF SILENT REFLECTION

SUNSHINE LAW

Introduction as required under the Sunshine Law: Adequate notice of this meeting has been provided by the adoption of a Resolution by the Mayor and Council on the fifth day of January 2021 in which Resolution the time and place of Agenda and Regular Meetings commencing with January 5, 2021 were set forth. Notice of same was delivered to the Asbury Park Press the Coast Star and TAPinto and a copy of the notice was posted on the borough website at www.lakecomonj.org and on the bulletin board in Borough Hall. All meetings are open to the public.

ROLL CALL

Douglas Witte
Hawley Scull
Christopher D'Antuono
Nick DeMauro
Peter Ventrice
Heather Albala-Doyle

APPROVAL OF MINUTES

Minutes from the July 6, 2021 meeting

COMMUNICATIONS

REPORTS OF COMMITTEES

UNFINISHED BUSINESS

PUBLIC COMMENTS ON NEW BUSINESS & CONSENT AGENDA

CONSENT AGENDA

All items listed under this section are considered to be routine by the Borough Council and will be enacted by one motion. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

Raffle Application 2021-01
Spring Lake Fire Co. – Gift Auction

Resolution 2021-109
Extending Tax Grace Period

Resolution 2021-110
Refund of Street Opening Escrow

NEW BUSINESS

Resolution 2021-108
Payment of Bills
Offered by Councilwoman Albala-Doyle

Ordinance 2021-962
Prohibiting the Operation of Any Class of Cannabis Businesses and Amending Chapter 17-5 of the Code of the Borough of Lake Como
Second Reading and Public Hearing
Offered by Councilman Witte

Ordinance 2021-963
Amending Chapter 17-9 of the Borough Ordinances – Land Use Regulations
First Reading and Introduction
Offered by Councilman D'Antuono

PUBLIC COMMENTS

NEXT MEETING

The next regular meeting of the Mayor and Council will be held on Tuesday, August 3, 2021 immediately following the 7:30 PM Workshop meeting in the Lake Como Meeting Room, 1740 Main Street, Lake Como. All meetings are open to the public.

MOTION TO ADJOURN

Part E - Officers of Applicant

(1) Office	Name of officer	Age
President	Matthew Palmer	46
Residence address	Telephone No. (include area code)	
1007 Fifth Ave, SL	Day 201-522-5960	Evening same
(2) Office	Name of officer	Age
Vice President	David Villeta	38
Residence address	Telephone No. (include area code)	
1007 Fifth Ave, SL	Day 732-449-7010	Evening same
(3) Office	Name of officer	Age
Secretary	Gayle Brown	65
Residence address	Telephone No. (include area code)	
1007 Fifth Ave, SL	Day 732-449-7010	Evening same
(4) Office	Name of officer	Age
Treasurer	Peter Meade	73
Residence address	Telephone No. (include area code)	
1007 Fifth Ave, SL	Day 732-449-7010	Evening

Part F - Members of Applicant who will be in charge of the games

Name of member in charge	Residence address	Telephone No. (include area code) Day / Evening	Age
Frank Ciufo	1007 Fifth Ave, SL	732 245 5445 /	61
		/	
		/	
		/	
		/	

Part G - Members of Applicant who will assist in conducting the games

Name of member	Residence address	Age
Frank Ciufo	1007 Fifth Ave, SL	61

Part H - Names of other organizations whose members will assist in conducting the games

Name and address of organization	How related	Identification No.

If more space is needed in any section of this application, insert extra sheets of paper.

Part C - Schedule of Purposes

1. The specific purpose(s) to which the entire net proceeds of the games listed in this application are to be devoted, and the manner in which they are to be so devoted, are:

To Support The Tunnel To Towers Foundation.

2. If any part of the net proceeds are to be devoted to a purpose allowed by the Raffles Licensing Law by turning the same over to another organization which is exclusively devoted to such purposes, secure the signature of its president or other executive officer to the following certificate:

"It is hereby certified that Tunnel to Towers Foundation

Name of organization

will accept from the licensee any part of the net proceeds of the games listed in this application to be turned over to it."

Date:

7/8/21

Signature:

signature: Kathy Cunningham

Part D - Schedule of Prizes

A description of all prizes to be offered and given in all of the games listed in this application is as follows. For merchandise, describe the article and state the retail value; if prizes are to be donated, indicate that fact and estimate as accurately as possible the information requested below.

[illegible]

Part I - Statement of Applicant and member(s) in charge

State of New Jersey

} ss.

County of Monmouth

We do hereby each make the following statement, under oath, with respect to the foregoing application:

1. The applicant (is) (is not) limited in its activities to the furtherance of one or more authorized purposes as defined in the Raffles Licensing Law.
2. Prior to the issuance of any license to it to conduct games of chance, the applicant was actively engaged in serving one or more "authorized purposes."
3. The applicant has received and used, and in good faith expects to continue to receive and use, to further one or more authorized purposes, funds from sources other than games of chance.
4. The conduct of the games on the occasion or occasions for which this application is made will be to raise and devote the entire net proceeds to the authorized purpose described in the application.
5. For each occasion for which a license is sought, one or more of the members listed who are familiar with the Raffles Licensing Law and the Rules and Regulations, will be in full charge of, and primarily responsible for, the conduct of the games.
6. No commission, salary, compensation, reward or recompense will be paid to any person for holding, operating or conducting or assisting in the holding, operation or conducting, of the games, except to bookkeepers or accountants for professional services not exceeding the amounts fixed by the Schedule of Fees, as well as the compensation for the Licensed Compensated Workers pursuant to N.J.A.C. 13:47-6A. No prize may be offered and given in cash, except as otherwise provided by the Raffles Licensing Law (N.J.S.A. 5:8-50 et seq.). If a cash prize under certain circumstances is permitted by the law, the amount of the cash prize may not exceed the limits prescribed by the Raffles Licensing Law.
7. All statements in the foregoing application are true.

Sworn and subscribed to before me this

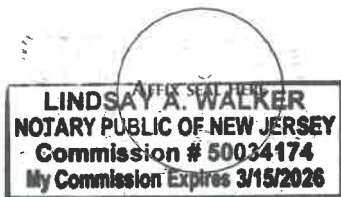
9th day of July, 2021.

Lindsay Walker

Notary Public (Print name)

[Signature]

Signature of Notary Public



Signature of Officer and Title

Signature of Member-in-Charge

Signature of Member-in-Charge

Signature of Member-in-Charge

Signature of Member-in-Charge

TREASURER

Deputy Chief

If more space is needed in any section of this application, insert extra sheets of paper.

Applicant's registration slip from the *Legalized Games of Chance Control Commission* must be presented to the Municipal Clerk with this application.



**Tunnel To Towers Foundation and
Team Shamrock FUNDRAISER**

SAVE THE DATE

Thursday, August 26

6PM to 10PM

Bar Anticipation, Lake Como, NJ

Pat Roddy Band

Delicious BBQ

Fabulous Gift Auction



\$50 at Door

NEVER FORGET



Pat Roddy Band on Summer Stage
at Bar Anticipation, Lake Como, NJ



Delicious BBQ
Fabulous Gift Auction

Join us, and support a great cause!

THURSDAY
August 26
6PM to 10PM

\$50 at Door

To pre-purchase tickets online go to:
<https://bit.ly/3dMCLX4>



The mission of the Tunnel to Towers Foundation is to honor the sacrifice of firefighter Stephen Siller who laid down his life to save others on September 11, 2001. We also honor our military and first responders who continue to make the supreme sacrifice of life and limb for our country.

Join us on our mission to DO GOOD
www.Tunnel2Towers.org

scan me!



Pursuant to N.J.S.A. 13:27-6, a Legalized Games of Chance Control Commission Registration is hereby issued to:

Effective date: 01/01/2022 Expiration date: 12/31/2023 Registration identification: 475-9-25090

Spring Lake Fire Co #1 Inc
1007 FIFTH AVE
SPRING LAKE, NJ 07762



New Jersey Office of the Attorney General
Division of Consumer Affairs
Legalized Games of Chance Control Commission
Registration

Neither registration nor the assignment of an identification number shall entitle any organization to hold, operate or conduct, or assist in the holding, operating or conducting of, any game or games of chance without the approval of the issuing authority of the municipality in which the game or games are to be held, operated or conducted.

Name of organization on application and license must be the same as it appears on this registration.
This Registration Certificate may only be utilized by the above-named organization.

Mail to: Spring Lake Fire Co #1 Inc
1007 FIFTH AVE
SPRING LAKE, NJ, 07762
Attn:

Edward F. Barrett, Secretary
Legalized Games of Chance Control Commission

RESOLUTION 2021-109
RESOLUTION OF THE BOROUGH OF LAKE COMO, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY EXTENDING THE GRACE PERIOD FOR TAX DUE
DATE

WHEREAS, the Municipal budget has been adopted, and the Tax Rate has been struck, and

WHEREAS, pursuant to N.J.S.A.54:4-66.3, if tax bills are issued after the statutory mailing dates, the bills must include notice of the payment date after which interest will be charged back to the statutory due dates, and

WHEREAS, no interest may be charged for 25 days after mailing, and

WHEREAS, the Council of the Borough of Lake Como to provide adequate notice to property owners of the amount of taxes owed for the third quarter of 2021 believe that the grace period for the payment of taxes should be extended.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Lake Como that the grace period for the payment of property taxes in the Borough of Lake Como for the third quarter of 2021 be and the same is hereby extended to twenty-five days after the mailing of the tax bills.

BE IT FURTHER RESOLVED that interest shall only be charged on third quarter property taxes by the Tax Collector for payments received after the twenty-five-day grace period.

Dated: July 20, 2021

Kevin G. Higgins
Mayor

Louise A. Mekosh, RMC, CMC, CMFO
Borough Clerk/Administrator

RESOLUTION NO. 2021-110

WHEREAS, Keri Pagnoni, resident of 2113 Margerum Avenue, Lake Como, NJ, also known as Block - 36; Lot - 24, applied for Street Opening Permit #21-06 for a driveway and apron; and

WHEREAS, Ms. Pagnoni paid the \$90.00 Application Fee, as well as the \$600.00 Escrow Fee which is refundable upon satisfactory completion of the job; and

WHEREAS, Brendan Maas, Superintendent of the Department of Public Works, did visit the above property address for the purpose of inspecting the street after the completed job and found the street to be in satisfactory condition.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lake Como that the \$600.00 Escrow Fee posted with Check #260 be refunded to Keri Pagnoni.

Date: July 20, 2021

Kevin G. Higgins
Mayor

Louise A. Mekosh, RMC, CMC, CMFO
Borough Clerk/Administrator

Resolution 2021 – 108

Be it resolved by the Mayor and Council of the Borough of Lake Como that the proper officers be directed and authorized to make payment from the following accounts:

CURRENT ACCOUNT:

Per Attached Bill List	\$86,332.10
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WATER/SEWER ACCOUNT:

Per Attached Bill List	\$58,990.88
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PAYROLL ACCOUNT:

5087	Employee Payroll Dated 7/7/21	\$41,529.13
2400	Employee Payroll Dated 7/7/21	6,636.28
1450	Employee Payroll Dated 7/7/21	<u>149.64</u>
		\$48,315.05

TOURISM ACCOUNT:

1450	Lake Como Payroll Account	\$ 149.64
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Dated: July 20, 2021

Kevin G. Higgins, Mayor

Louise A. Mekosh, RMC, CMC, CMFO
Borough Clerk/Administrator

July 16, 2021
02:11 PM

Borough of Lake Como
Purchase Order Status Report by P.O. Number

Page No: 1

Range: First to Last
P.O. Type: All
Format: Condensed
Include Non-Budgeted: Y
Include Revenue: Y
First Enc Date Range: to 07/16/21
Open: N Rcvd/Aprv/Held: Y Paid: N Void: N Deleted: N
Bid: Y State: Y Other: Y Exempt: Y As of Date: 07/16/21

PO #	PO Date	Vendor	Description	R/A/H Amount
21-00320	06/21/21	VAN WICKLE AUTO SUPPLY, INC.	Blister Pack/wiper Blades	88.94
21-00345	06/01/21	TAYLOR HARDWARE	June Purchases	26.37
21-00373	06/07/21	GARDEN STATE LABORATORIES, INC	water analysis	207.00
21-00397	06/15/21	JEANNETTE JIMENEZ	Cleaning Service June	450.00
21-00411	06/23/21	Quill LLC	windex	121.43
21-00414	06/25/21	AMCO PEST SERVICES, INC.	Pest Control June	110.00
21-00416	06/28/21	RELANCE GRAPHICS	Design&print Primary Ballots	397.00
21-00417	06/28/21	JUNGLE LASERS, LLC.	Nat Geomaticia May	630.00
21-00418	06/29/21	Quill LLC	Brother Printer	199.99
21-00420	06/30/21	STATE OF NJ PENSIONS&BENEFITS	Employee Group Ins July	17,798.20
21-00421	07/01/21	DELISA WASTE SERVICES	Tipping Fees June 16-30	3,299.88
21-00422	07/01/21	BOROUGH OF BELMAR	Purchase Fuel June 2021	628.25
21-00423	07/02/21	LAKE COMO PAYROLL ACCOUNT	Employee Payroll 7/7/21	48,315.05
21-00426	07/06/21	SHAIN SCHAEFER PC	Borough Attorney July	2,125.00
21-00428	07/06/21	Marco Technologies LLC	Copy Machine Lease	422.75
21-00429	07/06/21	HOLMAN FRENIA ALLISON, PC	Audit Year Ended Dec 2020	13,260.00
21-00430	07/06/21	THE COAST STAR	Legal Advertising	201.20
21-00431	07/02/21	CME ASSOCIATES	NJDOT Trust Fund	821.75
21-00432	07/02/21	CME ASSOCIATES	IMPTS to 17th Avenue	173.00
21-00433	07/02/21	CME ASSOCIATES	IMPTS to 17th Ave PH2	346.00
21-00434	06/30/21	ONE CALL CONCEPTS	One Call Service	28.60
21-00435	07/06/21	Quadtient Finance USA, Inc.	Postage	301.00
21-00438	07/08/21	ATLANTIC SECURITY & FIRE	Qty Monitoring/Cell/Fire	809.40
21-00439	07/09/21	DELTA DENTAL OF NEW JERSEY	Dental	1,066.18
21-00440	07/09/21	HOME DEPOT	Railings for Gazebo	531.86
21-00441	07/12/21	NORTHERN SAFETY CO., INC.	Safety gloves & Vests	315.78
21-00445	07/12/21	TREASURER, STATE OF NJ	Marr Lic/Civil Union April-Jun	100.00
21-00446	07/12/21	VERIZON	Police Dispatch Telephone	78.64
21-00449	07/13/21	HOME DEPOT	Drill Kit	159.00
21-00450	07/13/21	ReadyRefresh by Nestle	water/rental	44.48
21-00451	07/14/21	US DEPT OF AGRICULTURE	USDA Phase II Interest&princip	52,119.00
21-00453	07/14/21	Quadtient Leasing USA, Inc.	Lease Payment Postage Meter	214.83
21-00458	07/16/21	HOME DEPOT	Material repair Gazebo	38.99
21-00459	07/16/21	VERIZON WIRELESS	Building Cell Phone	43.05

PO #	PO Date	Vendor	Description	R/A/H Amount
Total Purchase Orders:				
	34		Total P.O. Line Items:	81
Total R/A/H Amount:				
	145,472.62			

July 16, 2021
02:11 PM

Borough of Lake Como
Purchase Order Status Report by P.O. Number

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	1-10	86,332.10	0.00	0.00	86,332.10
	1-20	58,990.88	0.00	0.00	58,990.88
	1-74	149.64	0.00	0.00	149.64
Total of All Funds:		145,472.62	0.00	0.00	145,472.62

**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

WHEREAS, Section 31b of the Act authorizes municipalities by ordinance to adopt

regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times of operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, Section 31b of the Act authorizes municipalities to prohibit by ordinance the operation of any one or more classes of cannabis establishments, distributors, or delivery services, but not the delivery of cannabis items and related supplies by a delivery service anywhere in the municipality; and

WHEREAS, Section 31b of the Act stipulates that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (i.e., by August 22, 2021) and any municipal regulation adopted prior to the effective date of the Act is void; and

WHEREAS, pursuant to Section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Council of Borough of Lake Como has determined that, due to present uncertainties regarding the potential future impact of allowing one or more classes of cannabis businesses might have on New Jersey municipalities in general, and on the Borough of Lake Como in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Borough’s residents and members of the public who visit, travel, or conduct business in the Borough of Lake Como to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Borough of Lake Como;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Lake Como, in the County of Monmouth and State of New Jersey, as follows:

Section 1. 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, cannabis distributors or cannabis delivery services, but not the delivery of cannabis items and related supplies by a delivery service, are hereby prohibited from operating anywhere in the Borough of Lake Como.

Section 2. Chapter 17-5 of the Township Code is hereby amended to establish Chapter 17-5.1 to add cannabis establishments, cannabis distributors or cannabis delivery services as 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.

LOUISE A. MEKOSH, Borough Clerk

MAYORAL APPROVAL

APPROVAL BY THE MAYOR ON THIS ____
DAY OF _____, 2021

Kevin Higgins, Mayor

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

ORDINANCE NO. 2021-963

**ORDINANCE OF THE BOROUGH OF LAKE COMO
AMENDING SECTION 17-9.1(e)1 OF THE BOROUGH CODE**

WHEREAS, the Planning Board of the Borough of Lake Como has advised the Borough Council that clarification of the Borough Code's Lot Coverage Ordinance is necessary; and

WHEREAS, the Borough Council of the Borough of Lake Como believes it to be in the public interest to amend the relevant code section;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Lake Como that § 17-9.1(e)1 of the Borough Code of the Borough of Lake Como be amended to read:

17-9.1(e)1 Maximum Lot Coverage.

Building area coverage shall be limited to a maximum of 40% of the total lot area for buildings, including the principal building, accessory buildings and decks. ~~Building area coverage shall be 35% on undersized lots or 40% with a garage.~~

KEVIN G. HIGGINS, Mayor

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.

LOUISE A. MEKOSH, Borough Clerk

MAYORAL APPROVAL

APPROVAL BY THE MAYOR ON THIS ____
DAY OF _____, 2021

KEVIN G. HIGGINS, Mayor



Borough of Lake Como

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

Kevin G. Higgins
Mayor

Louise A. Mekosh
Borough Clerk/Administrator

July 15, 2021

The Borough of Lake Como
1740 Main Street
Lake Como, NJ 07719
Attn: Mayor and Council

Re: Repeal 35% Maximum Building Area Coverage on
Undersized Lots Without Garages

Dear Mayor and Council:

At a Planning Board Meeting held on Monday, July 12, 2021, a brief discussion took place regarding our zoning ordinances.

One of the items discussed at past meetings, was the maximum building area coverage of thirty-five percent (35%) allowed on undersized lots without garages, Section 17-9.1e,1. Board Members agreed that it no longer serves its purpose and should be removed.

Originally, it was implemented to discourage excessive paving in front yard areas for off-street parking. However, Section 17-9.1e,3, addresses impervious area coverage in front yard areas and limits coverage to a maximum of fifty percent (50%) of the required front yard area, leaving a minimum of fifty percent (50%) open for landscaping area. This section achieves the Board's intent.

Board members concluded that removing the thirty-five percent (35%) Building Area Coverage maximum on undersized lots remains consistent with the Master Plan for The Borough of Lake Como and recommend that section be repealed.

Respectfully,

Viveca H. Graham,
Planning Board Secretary

(1)*	25 feet	20 feet	20 feet
Rear Yard Setback			
	10 feet	10 feet	10 feet
Side Yard Setback	5 feet and 10 feet	5 feet (each)	3 feet (each)

- (1) The front yard setback for properties on North Boulevard between Main Street and Fernwood Road shall be a minimum of sixty (60) feet.

NOTE:

Front yard setback for all zones (including zones R-60, R-50 and R-40) shall be as above or the average of the front yard setbacks for this block from intersection to intersection on the same side of the street, whichever is less. In addition, first floor covered open porches and/or uncovered decks may extend a maximum depth of eight (8) feet into the required front yard area as long as the distance from the front edge of the open porch/deck to the front property line maintains a minimum setback of ten (10) feet, but in no case shall the front edge of any steps be closer than two (2) feet to a Borough sidewalk. (Note: The average setback measurements shall be the responsibility of the applicant and shall be certified by a surveyor, engineer, architect or Zoning Officer. Said front yard setback measurements shall be taken from a permanently enclosed living area to the front yard property line. Example: In order to have an eight (8) foot deck or open porch, a front yard setback of at least eighteen (18) feet from the permanent living area to the front yard property line would be required.)

c. Maximum Lot Coverage:

- Building area coverage shall be limited to a maximum of forty (40%) percent of the total lot area for buildings, including the principal building, accessory buildings and decks. Building area coverage shall be thirty-five (35%) percent on undersized lots or forty (40%) percent with a garage. ** Remove Highlighted sentence.*
- Impervious area coverage shall be limited to a maximum of sixty (60%) percent of the total lot area including buildings, decks, sidewalks, driveways, patios, etc. (Note: Dry-laid brick pavers, gravel and open "boardwalk" decking over a pervious sub-base shall for this definition be calculated as fifty (50%) percent impervious.)
- In addition, the impervious area coverage for any required front yard area shall be further limited to a maximum of fifty (50%) percent of the required front yard area, leaving a minimum of fifty (50%) percent open for landscaping area. (Note: Dry-laid brick pavers, road gravel and open "boardwalk" decking reduction listed above shall not be valid for the required front yard calculation). The required front yard area shall be measured from the required front yard setback line to either the front property line or the edge of any existing Borough sidewalk, whichever is closer.

(Ord. No. 90-535; Ord. No. 94-599; Ord. No. 2005-753; Ord. No. 2010-842; Ord. No. 2011-861; Ord. No. 2011-865; Ord. No. 2012-871; Ord. No. 2014-894 §§ 2-4)

17-9.2 Multi-Family:

a. Principal Permitted Uses on the Land and in Buildings.

- Garden apartments (see subsection 17-10.3 for additional standards).
- Townhouses (see subsection 17-10.12 for additional standards).
- Single-family detached dwelling units.

b. Accessory Uses Permitted.

- Playgrounds, conservation areas and parks.
- Off-street parking (see subsection 17-10.7).
- Fences and walls (see subsection 17-10.4).
- Public swimming pools designed to be used collectively by persons for swimming and bathing purposes as part of any garden apartment or townhouse development.

c. Maximum Building Height. See Section 17-7 "Building height."

d. Area and Yard Requirements.

- The minimum tract size shall be one (1) acre including the areas of existing streets and water areas within the tract boundary lines provided they total no more than two (2%) percent of the tract area. All plans shall delineate the boundaries of the portion(s) of the tract devoted to each use:

Lot Area	1 acre
Lot Frontage	350 feet
Lot Width	350 feet
Lot Depth	N/A
Side Yard	25 feet

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July 15, 2021

Louise Mekosh, Administrator
Borough of Lake Como
1740 Main Street
Lake Como, NJ 07719

Re:

Dear Ms. Mekosh:

I am writing to you in my capacity as the attorney for the Lake Como planning board. The issue of a retail cannabis operation was referred to the board for a determination of its consistency with the master plan. The matter was reviewed in conjunction with the board engineer Al Hilla Jr., and then with the board in public session at the July 12, 2021 meeting. It was agreed that the prohibition of a retail cannabis operation by the governing body of the borough would be consistent with the master plan. If further explanation is required or any other information is required from the board or me please feel free to ask

Very truly yours,

Adam Schneider, Esq.
Planning Board Attorney

AS/pcs