

AVON-BY-THE-SEA PLANNING BOARD MINUTES APRIL 12, 2018

A REGULAR MEETING OF THE AVON-BY-THE-SEA PLANNING BOARD was held on the above date at the Avon Elementary School, Fifth Avenue, Avon.

PRESENT: Vice Chair Teresa Egan, Marie Kenny, Chair Richard Maloney, Frank McGovern, Sandra McLaughlin, Cal Talmage , Board Engineer Charles Rooney, Board Attorney Mark Kitrick

ABSENT: Michael Davey , Vincent Ernst, Mayor John Magrini, Commissioner Robert Mahon, Steve Mazouat, Joseph Oldakowski, John Ryan

Chair Richard Maloney opens the meeting at 7PM and reads the Public Statement in compliance with the Open Public Meetings Law. Mr. Maloney leads the Pledge of Allegiance to the Flag.

MOTION by Maloney second by McGovern to approve the March 8, 2018 meeting Minutes as written.

THE VOTE:

AYE: Egan, Kenny, Maloney, McGovern, McLaughlin, Talmage

NO: 0

MOTION PASSED

Reiter application will not be heard and will need to be renoticed.

Chair Maloney clarifies that there are only five eligible voters for tonight's meeting.

Vice Chair Egan is recused.

Applicant Paul Amato's attorney Mr. Timothy Middleton calls Mr. John McDonough as a witness.

Mr. McDonough is a sworn in. He is a Title Officer. His credentials are accepted.

Mr. Middleton enters into evidence **A37-chain of title for Block 54 and A38- chain of title for Block 54**

Mr. McDonough testifies to the description of the Title background for Block 11. Refers to deed booklet and chain of Title. Mr. McDonough gives history of Deed ownership.

Attorney Gary Hall for objectors discusses the Deed summary with Mr. McDonough.

No questions from the public at this time.

Mr. Paul Amato testifies to Exhibit A39-letter from State Department of Regulatory Office from Mary Monteschio Esq. . Attorney Craig Gianetti for objectors discusses the letter dated 3/27/18 from Mary Monteschio

No questions from the board or public at this time.

Mr. Middleton states that one of his professional witnesses could not appear this evening. However he will rest under the condition that he will be able to call his absent witness.

Mr. Gianetti would prefer to hear from the absent witness before he and other objector's attorney's proceed.

Discussion follows with Mr. Kitrick, Mr. Middleton and Mr. Hall as whether to proceed or not.

Decision is made to hear Mr. Middleton's absent witness at next meeting before objectors will start their presentation.

Motion by Maloney second by McLaughlin to carry Amato application to the May 10, 2018 meeting.

THE VOTE:

AYE: Ernst, Kenny, Maloney, McGovern, McLaughlin, Talmage

NO: 0

MOTION IS PASSED.

MOTION to Adjourn by Maloney.

AYE: All

MOTION PASSED.

Minutes of the above meeting were approved at the May 10, 2018 board meeting.

MOTION by _____ second by _____ to approve the April 12, 2018 meeting minutes as written.

THE VOTE:

AYE:

RECUSE:

NO:

MOTION PASSED

SHEILA SULLIVAN/PLANNING BOARD SECRETARY AVON-BY-THE-SEA