WEST AMWELL TOWNSHIP
ZONING BOARD OF ADJUSTMENT
REORGANIZATION/SPECIAL MEETING
January 6, 2011

The West Amwell Township Zoning Board of Adjustment Reorganization/Special meeting was called to order at 7:32 PM by Board Secretary Ruth Hall.

The following statement of compliance with the Open Public Meetings Law as listed on the meeting agenda was read into the record by Secretary Hall: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was noticed in the December 28, 2010 edition of the Hunterdon County Democrat and transmitted to the Trenton Times. Notice has been posted accordingly and a copy of this notice is available to the public and is on file in the Zoning Board of Adjustment Office.

The meeting was recorded via digital recording system and copy of CD is on file in the Zoning Board of Adjustment Office.

Secretary Hall led the Pledge of Allegiance to the American Flag.

APPOINTMENTS/OATH OF OFFICE:

Board Attorney Palilonis administered oath of office to the following Board members:

Ruth Hall – 4 yr. term through 12/31/14

David Sanzalone – 4 yr. term through 12/31/14

John Hoff –Alt. #2 – 2 yr. term through 12/31/12

ATTENDANCE/ROLL CALL:

Roll call on attendance: Joseph Romano-present, Dave Sanzalone-present, John Dale-present, Ruth Hall-present, John Ashton (ALT. #1)-present, John Hoff (ALT. #2)-present, Robert Fulper-present.

Absent: Cronce, Fitting

NOMINATIONS/APPOINTMENTS:

Chairperson - Secretary Hall opened the floor for nominations for the position of Chairperson. Nomination was cast by Fulper for the appointment of John Cronce. Motion was seconded by Romano. Sanzalone cast a second nomination for the appointment of Fulper. Motion was seconded by Ashton. Motion carried by paper ballot vote, 4 to 3, for Fulper. Robert Fulper II appointed as Chairperson for 2011

NOMINATIONS/APPOINTMENTS (continued):

Vice Chairperson – Chairman Fulper opened the floor for nominations for Vice Chairperson. Nomination was cast by Sanzalone for the appointment of John Cronce as Vice Chairperson. Motion was seconded by Dale. Hearing no other nominations, the floor was closed to nominations. Motion carried on roll call vote – all ayes. John Cronce appointed as Vice Chairperson for 2011.

Secretary – Motion was made by Sanzalone with a second by Dale for the appointment of Ruth Hall as Board Secretary. Motion carried on roll call vote – all ayes.

Deputy Secretary – Motion was made by Sanzalone with a second by Hall for the appointment of Donna Griffiths as Deputy Secretary. Motion carried on roll call vote – all ayes.

REORGANIZATION RESOLUTIONS:

ZBA2011-01 – CONSENT AGENDA

ZBA2011-02 – MEETING SCHEDULE

ZBA2011-03 – DESIGNATION OF OFFICIAL NEWSPAPER

ZBA2011-04 – APPOINTMENT OF BOARD ATTORNEY

ZBA2011-05 – APPOINTMENT OF BOARD ENGINEER

ZBA2011-06 – APPOINTMENT OF BOARD PLANNER

It was noted that professional services contract for the position of Board Engineer received from Van Cleef Engineering Services was received at a decrease in hourly rate ($133.per hr.) compared to 2010 ($136.per hr.) , Board Planner ($126.per hr.) and Board Attorney ($150.per hr.) remained the same hourly rate as in 2010.

Motion was made by Sanzalone with a second by Dale for the adoption of resolutions 2011-01, 2011-02, 2011-03, 2011-04,2011-05, 2011-06 by way of formal adoption of consent agenda 2011-01. Motion carried on roll call vote – all ayes.

Professionals Present: Stewart Palilonis, Board Attorney; Tom Decker, Board Engineer; Tony Mercantante, Board Planner

APPLICATION(S):

Continued Public Hearing: East Coast Colorants, LLC d/b/a Breen Color Concentrates - Block 8 Lot 23.03 - Kari Dr. - Use and Bulk Variance (7:45) Application/Site Plan Application

Steven Gruenberg, attorney for the applicant, appeared on behalf of the applicant, Breen Color Concentrates, 11 Kari Drive; Block 8 Lot 23.03. Application, checklist, and plan titled “Preliminary and Final Major Site Plan, East Coast Colorants, LLC d/b/a Breen Color Concentrates” comprised of eleven sheets and prepared by Goldenbaum Baill Associates, Inc. dated October 8, 2010, revised December 21, 2010 were received and distributed.

Mr. Gruenberg stated that he would be starting with the witnesses; Don Scholl will be arriving late due to a conflict and would be continuing in his place.

Mr. Gruenberg provided a brief history stating it was formed in 1977 and has been in West Amwell Township since that time. In 2003, the property was rezoned highway commercial. The property consists of approximately 10 acres with three building improvements totaling approximately 41,000 sq. ft.. The current application seeks to expand the site operations by adding two, one- story building improvements. Building number four, which totals approximately 9,600 sq. ft., building number five totaling

approximately 12,000 sq. ft. The first building will be primarily for storage of finished goods, the second building will be devoted primarily to production. The application is also proposing an expansion of approximately 3,000 sq. ft. in building number two, and a loading dock to building number three. The property is serviced by onsite well and septic.

Applicant is seeking the following relief: d (2) use variance to permit the expansion of a pre-existing non-conforming use, d (4) variance for floor area ratio (FAR) of 15.4% where 15% maximum is permitted, c variance for rear yard setback of 30 ft. where 100 ft. is required, and preliminary and final site plan approval.

The following witnesses present on behalf of the applicant were sworn in by Attorney Palilonis:

Scott Senour, Corporate Comptroller - 11 Kari Dr. Lambertville, NJ
Howard DeMonte, Company President - 11 Kari Dr. Lambertville, NJ
Eric Rupnarain, Engineer - 119 Douglas St., Lambertville, NJ
William Charleroy, Architect - 114 Titus Mill Rd., Pennington, NJ and
Darlene Jay, Planner - 53 Frontage Rd. Clinton, NJ

Witness #1 - Scott Senour, Corporate Comptroller - stated that Breen was established in 1977 by Vin Breen, and has been a manufacturer of color pigments for the plastic industry ever since. Originally operating in one building in the 1980s expanding twice to the current three buildings, building one is for production and administration, building two and three for storage.
Mr. Senour testified the application proposes to construct two buildings, one for storage, and one for future production, also looking to add on to current building for a modern technical center.
In 2009, the company acquired their largest competitor, all business and production was transferred to this location, future expectations for growth requires they expand current operations. The intent is to utilize the expanded storage and continue using the same raw material and processes. Anticipate hiring maybe ten people when the project is complete.
Mr. Gruenberg questioned what the driving force was behind this application, Mr. Senour replied they were very tight on storage, and have gone out to remote places for storage. Stating, they had their largest sales last year and are expecting 10 to 15% in growth next year. In order to remain in this location and be competitive, they need to construct the buildings to facilitate their operation.

Chairman Fulper opened questioning to the Board professionals:

In response to questioning by Board Engineer Decker, Mr. Senour testified that there are currently 77 employees on site.

Chairman Fulper opened questioning of the witness to the Board members:

Mr. Senour responded to Board member questions regarding current hours of operation stating they are 24 hrs, 5 days week; with anticipation of staying the same; 24/5, three shifts, 5 days a week.

Chairman Fulper opened the floor to the public for questions: Hearing no questions, the floor was closed to the public.

Witness #2 - Howard DeMonte, Company President – Mr. DeMonte stated that he started with Breen Color in 1997, the company was founded in 1977, operating at its current location since that time. Mr. DeMonte provided an overview of the company's production stating through expansion they have created opportunities in other markets that they currently cannot serve; that is a focus for growth plans for the next 3 to 5 years. Hours of operation are 24/5. Number of employees is 77 on site with a plan of increasing about 10 employees over the next three years. Number of shifts during 24/5, are three, 8 hrs. On an average of 6 to 10 tractor trailers, in the morning deliveries of raw materials and in the afternoon ship finished product. When a tractor is on site, occasionally one will wait to get into the loading dock; every effort is made not to have trucks idling on site.

In response to questioning, Mr. DeMonte testified there is a loading dock area for trucks at building two, which is receiving for raw materials, and building three which is shipping department, the office space has a separate parking area for the office employees, and the production employees park along building one.

Mr. DeMonte described the loading and unloading process of the tractor-trailer deliveries and pickups, and a description of the raw materials that the company works with. Mr. Gruenberg questioned whether there were any environmentally hazardous byproducts created as a result of this manufacturing process, anything introduced to the air, water or ground that would be deemed environmentally hazardous, Mr. DeMonte testified that there were no byproducts, stating that they were a closed loop water facility. Have dust collectors on all production lines that are permitted by the state of New Jersey. Do not store any materials on open land, all inside storage for the products. Nothing goes into the water, the air, or the ground as a result of anything that Breen does.

Mr. DeMonte provided testimony to the use of lead pigments; stating they were being phased out. Mr. DeMonte also provided testimony on the disposal of lead pigment containers as required by the EPA and NJDEP regulations.

Mr. Gruenberg questioned whether there was any history of noncompliance, citation or fines from any governmental agency, Mr. DeMonte stated, in 1980 Vin Breen, disposed of waste to a certain landfill. In the 90's it was considered a superfund site, there was no record of any of Breen products being hazardous, the suit was settled, and there was no further actions. Stating, since that time there has been no noncompliance, citation, or allegation against Breen by any governmental agency.

In response to questioning, Mr. DeMonte stated there was no radioactive impact associated with the business operations, and no visible emissions that you can see in the air as a result of the manufacturing process.

Mr. Gruenberg questioned whether there was any noise or audible sound generated as a part of the manufacturing process from the production line, Mr. DeMonte replied, there are five dust collectors located outside; motor with a fan, up close they can be heard, they are not audible from the property line.

Mr. DeMonte described the proposed site modifications as related to the application. Mr. Gruenberg questioned whether there were any efforts made to acquire property from an adjoining property owner, Mr. DeMonte testified to the surrounding properties, stating

that none was suitable for their purpose. The property to the left coming in Kari Drive is owned by Breen family, the purchase of the property was discussed. A major portion of the property is wetlands, only a small section could be used for building. The Breen's did not want to sell off a portion of it. Also looked to the east, which is owned by the Township, it is Green Acres property and cannot be sectioned off.

Mr. Gruenberg questioned why 15.4% of space is needed, when 15% is the allowed, Mr. DeMonte testified, originally 25,000 to 27,000 sq. ft. of available floor space was suggested, realizing they were going to be constricted they looked at the plans and came to a square footage number that would suit their growth plans for the next three to five years, also taken into consideration were the construction costs. Every effort was made to get as close to 15% as possible to the floor area ratio (FAR) and still being able to do what is required.

Mr. DeMonte testified that over the last five years, no complaints have been received from neighbors relating to the lights, noise, or traffic. Mr. DeMonte provided a physical description of the property borders and neighboring properties, stating that there is vegetation between the business and residential properties.

Mr. DeMonte testified there is existing lighting by the loading dock, entry and exit doors, no lighting in parking areas, and lighting in front of the office. There is lighting proposed on the overhead doors, entry and exits.

Mr. Gruenberg questioned whether, as a result of these modifications, there will be an increase in any exterior noise or lighting to any of the neighbors, or an increase in traffic. In response, Mr. DeMonte stated there would not be an increase in lighting or noise. Intent is to make more product; currently doing 10-12 trucks per day, over the next three years, increase in trucks by approx. 5 trucks per day.

Mr. DeMonte stated that the number of employees may increase up to10, the number of shifts would remain the same at three shifts; 5 days a week, the intent is to put added production into building number five, additional employees will be in one of those three shifts.

Chairman Fulper opened questioning to the Board professionals:

In response to Planner Mercantante, Mr. DeMonte stated that with the exception of a pickup truck, all of the trucks were vendor trucks. Planner Mercantante questioned whether they provide color for product that is perishable food product, Mr. DeMonte stated that their products go into packaging; they do not make anything that is considered for food contact. It is all dry plastics, no liquids.

Chairman Fulper opened questioning to the public:

Douglas Hunt, owner Kari Drive Associates adjacent to the Breen property, stated that he spoke with Howard DeMonte about the use of one of the buildings; however, it doesn't meet the square footage requirements. Mr. DeMonte stated that currently they are renting a space from Mr. Hunt because they do not have enough space for storage.

Sean Pfeiffer, 74 Rocktown-Lambertville Rd. - member of the West Amwell Open Space Committee, when referring to the Green Acres Property, Lot 36; it is preserved farmland

that has an agricultural development easement, not a conservation easement. Confirmed that the applicant did reach out to him last year to find out if they could acquire a portion of that property, it can't be subdivided because it is preserved farmland. It is an agricultural development rights easement that is held by the SADC, there is a two-acre exception area around the existing house. The house is in the rear portion of the property

Chairman Fulper closed questioning to the public:

Witness #3 - Eric Rupnarain, P.E. - Mr. Rupnarain was accepted as an expert witness. Plans seeking Preliminary and Final Major Site Plan, revised December 21, 2010 was entered as Exhibit B-1, consists of 11 sheets. Mr. Rupnarain referred to sheet 3 of Exhibit B-1, providing physical characteristics of the current site.

Mr. Rupnarain stated the majority of employees park in front of the office building, the area is predominantly paved, there is no striping. Parking is currently along the edge of the pavement with Lot 23:04, which is Kari Drive Associates, and with Lot 23:01, parking is also provided in front of buildings one and two. Breen presently has 77 employees; the maximum number of employees typically on any given shift is 40 employees.

Mr. Rupnarain testified the project proposes construction of two buildings; building number four which is 9,600sq.ft. directly behind building number three, and building number five which is a 12,000sq.ft. building directly behind building number two. In addition to those two buildings plans are to construct a gravel driveway, which is an extension of the existing gravel driveway that presently goes behind all three buildings. The driveway will be shifted and constructed between buildings number three and number four and between buildings number two and number five. The gravel driveway provides access to the rear of all buildings and also to the dumpster that's presently used with the compactor, the dumpster is located behind building number one and between building number two. The dumpster will be relocated slightly, remaining in the general area. The intent of the gravel driveway is not only to provide access to the dumpster; it will also provide access for emergency vehicles if necessary.

Mr. Rupnarain testified in order to conform to the ordinance; they were proposing to expand the parking space by six additional spaces. The new spaces will be constructed in proximity to the existing parking lot. In addition to the six new spaces, three of the existing spaces will be restriped to provide for the required handicap spaces. 72 parking spaces will be provided; 3 of the 72 will be handicap accessible as required by the ADA code.

Mr. Rupnarain provided an overview of the circulation of the site, stating that Kari Drive is the only point of ingress or egress.

Typically the largest truck coming to and from the site for pickup and delivery would be a 20ft. tractor-trailer, stating they back into the loading dock.

Mr. Rupnarain stated that a breezeway will be provided between the new buildings and existing buildings; connecting building number three and building number four, provides for employees or forklifts to move between buildings under cover. Building number two and building number five; there is also a canopy proposed.

Mr. Rupnarain provided information regarding existing lighting on site, stating all buildings have lights, the lights are generally at the location of the loading docks and the employee entrances. Lights are typical wall mount fixtures, wall packs that exist along the front of the building and also at the doors between the buildings appear to be low wattage. No lights along the back that violates the property line. The proposed lighting will be on both of the new buildings and on the rear of the existing building; they will provide downward lighting. Proposing six new fixtures between buildings number three and number four, and buildings number two and five.

Mr. Rupnarain provided testimony as to the neighboring properties stating to the north of Breen Color is Kari Drive Associates; the property that has direct access to Kari Drive to the west of the Kari Drive Associates and north of Breen is the Bender Realty site, this property has frontage on route 179. A tributary of Swan Creek bisects this property. The front portion of this property sets on route 179; the rear portion has the loading docks to the back of the building. The rear portion of this site is accessed through a common easement with the Kari Drive Associates Property.

Mr. Rupnarain testified in the area of proposed expansion, stating it was fair to say there would be no impact to the neighboring properties because this was all un-subdividable property.

To the north and east of Kari Drive is the property that was originally looked at as a lot for expansion owned by Vin Breen. The same stream that bisects the Bender Property and Kari Drive Associates also bisects this property. From the preliminary work that was done, most of the front portion of the property was encumbered with either setbacks, or riparian buffers, as only a small section of the rear of this property was usable.

(Chairman Fulper related that there would be a brief recess at this time – Meeting recessed
8:35 PM –8:44PM)

Chairman Fulper related that Board Member Sanzalone is recusing himself from the Breen Color Concentrates hearing.

Don Scholl, attorney for the applicant, filled in to finalize the hearing for Attorney Gruenberg. Questioning of Engineer Rupnarain continued, referring to sheet 4 of Exhibit B-1 showing topography and existing drainage pattern,
Mr. Rupnarain testified to the current drainage, stating the proposed application would maintain the current drainage pattern. Mr. Rupnarain stated that a collection system is proposed for runoff of the roof area from the new buildings, also the runoff that accumulates between existing and new buildings, providing detail of the discharge system.

Engineer Decker of Van Cleef Engineering was present on behalf of the Board. Technical Review letter #2, dated January 5, 2011, was received, and distributed.

The following testimony was provided; the current parking lot is setback approx. 13.1ft. from the property line to edge of the pavement. The proposal reduces the setback from 13.1 to 7.9ft.; reason for the slight reduction is to accommodate trucks. Trucks leave the pavement when backing into loading docks, proposing to add an additional 6ft. of pavement for backing into the loading areas.

The existing parking lot and driveway does not have curbing, the application does not propose adding curbing to the new parking area. The existing driveway that provides access to the rear of the building and the trash compactor presently exists as gravel. The driveway has functioned adequately as gravel. Each building has its own loading dock, not normally a backlog of trucks. On-site turnaround isn't necessary for particular functions.

There is an existing tree row between preserved land and Breen Color land; younger trees have grown over the years. Based on location of buildings and distance of nearest residence, amount of existing vegetation provides adequate buffering. Solid waste areas are currently screened. Loading areas are preexisting without the ability to screen.

No changes are proposed to the existing parking lots, proposing to stripe to delineate the parking, unable to provide the buffer strips. Dealing with existing parking lot and facility that has grown over time; it is not possible to provide screening.

Soil is classified as hydraulically restricted; project does not require any ground water recharge. Outside agency approval required. Engineer Decker offered that the recharge is limited stating that a waiver would be required, noting that approval is required by D&R.

Planner Mercantante was present on behalf of the Board. Report dated January 3, 2011 was received, and distributed.

The following plan comment(s) were addressed:

Grading along back of property provides that the water does not flow toward the building. Testimony was provided stating that a swale has been provided along the rear to direct water into the retention basin.

Chairman Fulper opened questioning to the Board:

In response to Board questioning, Mr. Rupnarain stated that the height of the breezeways are approximately 25ft.

Chairman Fulper opened questioning to the public:

Sean Pfeiffer – stated, the adjoining lot; Block 8 Lots 20 and 36 was purchased by the Township and the Hunterdon Land Trusts Alliance for 1.5 million in funding, approx. $451,000 came from the township, the plan is to auction this property. Mr. Pfeiffer commented whatever can be done with respect to screening; the township would like to recover as much as they can from this acquisition.

Witness #4 – William Charleroy, Architect - offered his credentials and testimony experience, and was accepted as an expert witness.

Composite of Building was entered as Exhibit B-2. New Warehouse Buildings was entered as Exhibit B-3 consisting of 4 sheets.
Mr. Charleroy explained that exhibit B-2 was a composite plan that shows the buildings and not the site conditions. Building number four is 9,600 sq.ft; building number five is

12,000 sq.ft. and the proposed addition onto building two is a 3,000 sq.ft. space. Referring to the exhibit, the canopies are just a roof structure with a few columns to give weather protection to forklift trucks and employees going from building to building.

Mr. Charleroy provided testimony regarding emergency vehicle access around the canopies; the elevation is tentatively set at 12ft. pending feedback from the fire marshal.

Mr. Charleroy provided testimony to the physical characteristics of the buildings; all of the proposed buildings are very similar to the current buildings, pre-engineered metal buildings, steel frame buildings, metal panel exterior walls, and metal panel roofs. The foundation wall is being extended 4ft. above finish floor for additional impact protection within the buildings. Building number four has a 26ft. high roof ridge; building number five has a 31ft. high roof ridge.

Mr. Charleroy referred to the north elevation of building four and five as shown in the plans, stating the south elevation of the two buildings are very similar to the north elevation. Grading will be done against the building; the foundation wall is higher in these locations. On the south side of the building, translucent light panels are proposed that run the length of the building to allow sunlight into the buildings.
Planner Mercantante questioned the requirement for a door on the south side of the building; Mr. Charleroy replied that the egress requirement was met by putting a door at either end.

Mr. Charleroy stated that the submitted plans do not show the roof height has been increased to 31ft. for building number five, 26ft. building number four as depicted on page A3 of Exhibit B-3

Engineer Decker questioned whether the building could be reconfigured so a FAR variance wouldn't be needed, Mr. Charleroy explained the construction economics in keeping the bay sizes uniform, and the actual space required to accommodate the equipment. Mr. Charleroy confirmed the size of the bay area as 25ft.

Engineer Decker questioned whether there was any consideration of expanding the existing buildings; Mr. Charleroy provided testimony on firewalls and ratings when expanding existing floor area, stating that it was considered.

Engineer Decker stated that he would like to see the locations of the columns on the plans.

Mr. Charleroy testified that building number five would have four roof ventilator fans; buildings will be heated and ventilated, with no air conditioning.

Site Pictures Packet consisting of 10 sheets was entered as Exhibit B-4
A summary of the photos was provided. Engineer Decker suggested that the Board pay attention to photo #8, the condition of the gravel driveway when considering the waiver for paving of the driveway.

Witness #5 – Darlene Jay, Planner - offered her credentials and testimony experience, and was accepted as an expert witness.
Planner Jay stated a d (2) variance and a d (4) variance were required.

Ms. Jay provided the following testimony for the d (2) variance:

Positive Criteria - Ms. Jay testified that the location of the p.q. is appropriate, existing on State Highway 179 and being a major employer in the Township. Ms. Jay stated that they were advancing four areas of the MLUL-40:55d-2 as supporting the positive criteria; (a) promote public health, (c) provide adequate light, air and open space, (g) provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial, and industrial, according to their respective environmental requirements, (j) prevention of urban sprawl and degradation of environment.

Negative Criteria – Ms. Jay testified that it would not adversely affect any residential or non-residential properties, due to the location and topography. Property to the south has a natural buffer; house to the west also has existing vegetation between the properties. The new buildings are proposed at the rear of the property. The business has a record of conducting activities without harm to surrounding properties or the greater municipality. The expansion will generate job opportunities.
Character of Breen is light industrial and adjacent uses to the north are similar in appearance and activities. Since the current use is consistent with the adjacent uses, there will be no substantial impairment to the zone plan. There will be no substantial detriment to the public good

Ms. Jay provided testimony for the d (4) FAR variance:
Positive Criteria - Ms. Jay stated that all typical requirements for the zone are met, height, coverage at 32.4 %, and parking. Ms. Jay also stated the MLUL-40:55d-2 (a), (c), (g), and (j) as supporting the positive criteria for the d (4) FAR variance.

Negative Criteria - Ms. Jay stated that the first prong meets the same negative criteria as the d (2) variance.
The second prong; will not impair the zone plan or the zone ordinance. Character of Breen matches appearance and activities of neighbors. Expansion is to the rear of property.

Ms. Jay provided testimony for c variance(s); stating that a front yard setback preexisting nonconforming condition and rear yard 30ft proposed;100ft required, and a preexisting minimum lot frontage variance was sought. Ms. Jay related the five tests specified by Cox to prove the benefits of the deviations that outweigh the detriments.
Hidden from public view, MLUL (a, c, g, j), without detriment to public good, will not impair the zoning ordinance, benefits outweigh any detriments.

Ms. Jay testified that the negative criteria were the same as the d variances.

In summary Attorney Scholl stated that the relief sought is a d (2) and a d (4) at .04%, 1700sq.ft. The nature of the operation of the business drives the size of the building expansion. There is financial consideration, but the operation drives the size.

The c variances; the front yard setback preexisting nonconforming condition and rear yard 30ft proposed;100ft required, and the preexisting minimum lot frontage.

Motion was made by Romano with a second by Dale to grant d (2) variance. Roll call: Romano-aye, Dale-aye, Hall-aye, Ashton (Alt. #1)-aye, Hoff (Alt. #2)-aye, Fulper-aye. Motion carried

Motion was made by Dale with a second by Ashton to grant d (4) variance. Roll call: Romano-aye, Dale-aye, Hall-aye, Ashton (Alt. #1)-aye, Hoff (Alt. #2)-aye, Fulper-aye. Motion carried

Motion was made by Romano with a second by Dale to grant (3) c variance(s) rear yard setback, front yard setback and frontage. Roll call: Romano-aye, Dale-aye, Hall-aye, Ashton (Alt. #1)-aye, Hoff (Alt. #2)-aye, Fulper-aye. Motion carried

Motion was made by Ashton with a second by Dale to waive item #'s 8, 10, 11, 16, 20, 21, 22, 23, 24, 25, 26, #6 storm water management, as recommended by Engineer Decker. #22 condition on inspection of buffer prior to inspection of c/o. Roll call: Romano-aye, Dale-aye, Hall-aye, Ashton (Alt. #1)-aye, Hoff (Alt. #2)-aye, Fulper-aye. Motion carried

OPEN TO PUBLIC:
The floor was opened to the public. Hearing no comments/questions, the floor was closed.

ADJOURNMENT:
Move for adjournment at 10:39 PM. Voice vote -All voted in favor of adjournment.

Respectfully submitted,

Ruth J. Hall.