

March 12, 2012
Regular Meeting
7:00p.m.

STATEMENT:

PUBLIC NOTICE of this meeting pursuant to the Open Public Meetings Act has been given by the Riverside Township Planning Board in the following manner:

1. Posting written notice on the official bulletin board at the Township Municipal Building on January 15, 2012.
2. Written notice was delivered to the Burlington County Times and mailed to the Courier Post on January 15, 2012.
3. Filed written notice with the Clerk of the Township of Riverside on January 15, 2012.

The Regular Meeting of the Riverside Township Planning Board was held on the above date at the Riverside Municipal Building.

Roll Call: Mrs. Jack, Mr. Cicali, Ms. Hatcher, Mr. Epperly, Mr. Hart, Ms. Avery, Ms. Carruthers, Mr. Kenney and Chairman Kane. Mr. Daley and Mr. Stottlemire were excused.

APPROVAL OF MINUTES:

Motion made by Ms. Carruthers and Mr. Cicali that the minutes of the February 13, 2012 Regular Meeting be approved as written.

Ayes – Mrs. Jack, Mr. Cicali, Mrs. Hatcher, Mr. Epperly, Mr. Hart, Ms. Avery, Ms. Carruthers and Chairman Kane.

Nays – None.

Abstentions – Mr. Kenney.

Motion Carried.

RESOLUTIONS:

Motion made by Mr. Epperly and Mr. Hart to adopt Resolution 2012-7 concerning the application of Carlos De La Roca for Bulk Variance.

Ayes – Mrs. Jack, Mr. Cicali, Mrs. Hatcher, Mr. Epperly, Mr. Hart, Mr. Avery, Ms. Carruthers and Chairman Kane.

Nays – None.

Abstentions – Mr. Kenney.

Motion Carried.

Motion made by Mr. Cicali and Ms. Carruthers to adopt Resolution 2012-8 concerning the application of Kevin and Jessica Silva for Bulk Variances.

Ayes – Mrs. Jack, Mr. Cicali, Mrs. Hatcher, Mr. Epperly, Mr. Hart, Ms. Avery, Ms. Carruthers and Chairman Kane.

Nays – None.

Abstentions – Mr. Kenney.

Motion Carried.

NEW BUSINESS:

- 1) Teicher Organization at Riverside, LLC
Block 3202, Lots 1, 2, 3 & 3.01
Block 3206, Lots 1 & 2
Amended Site Plan Approval

Lawrence Sachs came forward on behalf of the Teicher Organization at Riverside, LLC (TOR). Mr. Sachs explained that the applicant was before the Board seeking an amendment to site plan approval that was obtained in 2009. In 2009, TOR received preliminary and final site plan approval for the construction of twenty-four (24) two-family homes. TOR is proposing to amend the site plan approval to permit the construction of thirty-four (34) single townhouses on Block 3202, which is bound by Taylor, Clay and Kossuth Streets, and Block 3206, which is bound by Filmore, Clay and Harrison Streets. This amendment requires preliminary and final site plan and subdivision plan approval, as well as one bulk variance.

Mr. Sachs called upon Mark Thompson, Engineer for Taylor, Wiseman and Taylor, to testify on behalf of TOR. Mr. Thompson offered his qualifications and Mr. Sachs asked that he be sworn in to testify as an expert. Solicitor Cappelli swore in Mr. Thompson.

Mr. Sachs asked Mr. Thompson to explain what was marked as Exhibit A-1. Mr. Thompson presented Exhibit A-1 as a site plan of 3202 and 3206 upon which thirty-four (34) fee simple townhomes would be built. 3202 would have thirteen (13) units and 3206 would have twenty-one units (21). Mr. Thompson explained that in addition to site plan and subdivision approval, a variance would be required for the percentage of coverage calculation, as five (5) lots are in excess of the 80% maximum coverage allowed. The project as a whole, however, does not exceed the 80% maximum. This variance is necessary due to the urban nature of the project and its location, as well as to accommodate off-street parking.

Mr. Sachs asked Mr. Thompson to explain what was marked as Exhibit A-2. Mr. Thompson presented Exhibit A-2 as the architectural plans. Sheet 1 depicts the architectural elevations,

sheet 2 depicts the floor plan for the first floor, sheet 3 depicts the floor plan for the middle floor and sheet 4 depicts the floor plan for the top floor.

Mr. Sachs asked Mr. Thompson to address parking. Mr. Thompson offered that the amended plan will be reducing the traffic impact in the area. Each unit contains a one-car garage and a driveway that will hold two (2) cars. Under RSIS, 2.4 parking spaces are required for each unit and a total of eighty two (82) spaces are required for the entire project. The plan as presented provides for one hundred (100) spaces, as the goal is to get the parking off of the streets and on to the lots. The additional parking spot in the driveway is necessary to meet the RSIS requirement, and there is insufficient room on the street to allow for the required number of spaces. Mr. Thompson further noted that proposed plans contain an inherent request to change the no parking side on Kossuth Street.

Mr. Sachs asked Mr. Thompson to address the Environmental Issues. Mr. Thompson noted that Phase I and Phase II environmental studies have been carried out on 3202 and no contaminants have been found. Mr. Sachs stated that he believes that a No Further Action (NFA) order has been issued by the DEP, but that the applicant is still looking for the order. Mr. Thompson continued that 3206 contains ground water contamination. Remediation will be necessary, per the results of the Phase II environmental study, and an NFA will be provided prior to construction.

Mr. Sachs asked Mr. Thompson to address the Stormwater. Mr. Thompson stated that on 3202, the plans are reducing the original impervious surface coverage, which will reduce the total runoff. The stormwater system will run through the rear of the properties and tie into the existing system on Clay Street. On 3206, the plans are slightly increasing the amount of impervious coverage, but that the increase will only have a minimal impact upon the 100 year flood event. Again, the stormwater system will run through the rear of the properties and tie into the existing system on Clay Street.

Mr. Sachs asked Mr. Thompson to address the lighting and landscaping. Mr. Thompson explained that the applicant plans to utilize the existing infrastructure in the neighborhood by simply adding additional cobra heads to existing lighting. All the units, however, will have security lighting. Mr. Thompson stated that the applicant plans to add shade trees on Clay Street and is amenable to screening and fencing on the properties that abut the existing homes on both blocks. All units will also have additional landscaping and mailboxes.

In summation of Mr. Thompson's testimony, Mr. Sachs (S) asked Mr. Thompson (T) to clarify the following:

- S, single-family, no condos; T, yes
- S, basements; T, no
- S, decks; T, yes, will be offered in the rear
- S, balconies; T, no
- S, HVAC system; T, yes, but all housed in the interior
- S, Architectural; T, not provided by TWT, but by Ryan Homes

Mr. Sachs explained that TOR has an agreement with Ryan Homes and that they will comply with the SD-3 architectural requirements.

Chairman Kane stated that he has concerns about the stormwater report that was submitted, particularly the amount of coverage and, thus, the amount of runoff that will be emptying into the existing stormwater system. Mr. Kane asked Mr. Thompson if there was sufficient infrastructure for a 100 year event and if they have looked at the entire system. Mr. Thompson stated that they have not run a full system projection, but that the creek is a tidal water body, so detention is not required on site and, as a result, the best advantage is to get the water into the system and downstream. Chairman Kane asked if swales would be provided. Mr. Thompson indicated they would, swales and inlets. Chairman Kane asked if there would be downspouts on the buildings. Mr. Thompson indicated that there would be, and Mr. LaRossa clarified that the spouts would not be piped directly into the system. Chairman Kane asked Mr. Thompson if, in his professional opinion, there would be a detrimental impact on the overall system. Mr. Thompson indicated that he did not believe that there would be, and Mr. LaRossa indicated that there is an overall reduction to the amount of runoff, but the question remains as to how quickly the system can absorb the additional runoff. Mr. Sachs stated that they can provide the full system analysis.

Chairman Kane stated that he has concerns about the parking, particularly that the parking provided relegates the front of each unit to almost complete concrete coverage. Mr. Thompson affirmed that it is a fair statement, and Mr. Sachs added that it was a trade off; they exchange green space for parking spaces because there is a known parking issue in the neighborhood.

Chairman Kane questioned the subdivision and who was maintaining the properties, particularly the end properties, which appear to be significantly larger. Mr. Thompson indicated that each property owner is responsible for their own property and that the end properties are larger than all others.

Mr. Cicali indicated that the original approvals contained the provision that the garages were not converted into units. Mr. Sachs stated that there is no objection. Mr. Cicali asked where the gas meters would be placed. Mr. Thompson stated that he did not know at this time, as that is the jurisdiction and decision of PSE&G.

Ms. Carruthers asked what type of fence would be installed. Mr. LaRossa stated that it is regulated by the Ordinance, and Mr. Sachs stated that the applicant would install whatever the Board saw appropriate.

Chairman Kane asked where the trash and recycling would be placed for collection as well as stored. Mr. Thompson indicated that they would be placed curbside for collection and in the garage for storage. Mr. LaRossa noted that placing the receptacles curbside blocks a portion of the driveway. Chairman Kane asked how much space there is in the rear between the properties and structure, particularly if a deck is constructed. Mr. Thompson stated that on 3202 there is ten (10) feet between decks and on 3206 there is thirty four (34) feet between decks. Mr. LaRossa noted that a minimum of five (5) feet is required by Ordinance.

Mr. Cappelli asked Mr. Sachs how they would address COAH. Mr. Sachs indicated that the applicant would like to provide the obligated number of units on the Hospital site. Engineer Anthony LaRossa reviewed the Engineering Report as follows:

- A. Submission Information – all required information submitted. Mr. LaRossa noted outside approvals that are required, as well as waivers requested.
- B. Zoning Requirements – meets all requirements with the exception that a variance is required for percentage of coverage, as explain in testimony by Mr. Thompson. Mr. LaRossa stated that although the applicant meets the minimum parking requirements under RSIS, that he has concerns over guest parking. Mr. LaRossa asked as to the status of acquiring any of the transit lots. Mr. Sachs indicated that it was a dead issue.
- C. No Comment.
- D. Review Comments – several comments are important to note. Mr. LaRossa stated that the plans should be reviewed by the Fire Officials. Mr. LaRossa stated that the new curbs should wrap around the entire properties. Lastly, Mr. LaRossa questioned what portion of the Roadways would be milled and paved.

Fred Teicher was sworn in by Solicitor Cappelli. Mr. Teicher indicated that they are planning to mill and pave Kossuth, Clay, Filmore and Harrison Streets to the full line of disturbance. Chairman Kane asked about the sidewalks and ramps. Mr. Thompson indicated that they are keeping the ramps, to the greatest extent possible, but that the sidewalk will be replaced. Mr. LaRossa indicated that the notion was sufficient, but that ramps cannot go to grass, they must go to sidewalk.

Mr. LaRossa continued with the review comments. Mr. LaRossa asked if they still planned to widen Kossuth Street. Mr. Sachs indicated that there was no need to, with which Mr. Thompson concurred. Mr. LaRossa noted that certain streets are one-way and that parking is restricted, so he asked Mr. Thompson to comment on the requested changes to the traffic pattern. Mr. Thompson stated that the only change necessary would be on Kossuth Street and that parking would now be in front of the existing homes. Mr. Thompson stated, however, that he is not sure how that change would impact the succeeding blocks. Mr. LaRossa indicated that the inlets would all have to be upgraded in accordance with DEP requirements. Mr. Sachs indicated that they will comply with the requirement. Mr. LaRossa indicated that the boundary/topography survey has been updated, the EMR plan has been reviewed and that the design plans were submitted this evening, but that the NFA order(s) must still be submitted. Mr. Sachs indicated that they will submit the one they have for 3202 and get the one for 3206 and submit. Mr. LaRossa asked Mr. Sachs if the applicant still intended to give 3207 to the Township. Mr. Sachs stated yes and Mr. Thompson added that 3207 is intended to go toward the open space requirement. Ms. Carruthers asked for a further explanation. Mr. LaRossa indicated that if the property is deeded to the Township that it would satisfy the open space requirement. Mrs. Jack clarified that the Township owns part of 3206, which is being swapped with 3207. Mr. LaRossa stated that the proposed buffering of the end properties is sufficient, but that care must be taken not to impede the drainage flow on the abutting properties. Mr. LaRossa clarified that there will be no signage on these properties. Mr. Sachs confirmed that there will not be any signage. Mr. LaRossa commented that the revised traffic study must be further amended to answer the comment letter of 2009. Mr. LaRossa asked if circulation improvements were going to be made outside of the development. Mr. Sachs indicated there would be none. Mr. LaRossa asked Mr. Teicher to address the timing schedule and time line. Mr. Teicher indicated that he was prepared to move forward upon approval to prepare the lots for purchase by Ryan in the Spring. Mr. LaRossa asked Mr. Thompson to comment on what outside agency approvals were still required.

Mr. Thompson indicated County Soils and Conservation District, County Planning Board, DEP for LOI regarding wetlands delineation. Mrs. Jack stated RWRA approval was required. Mr. Thompson indicated that they met with the RWRA prior to this meeting. Mr. LaRossa asked Mr. Thompson about the mechanical systems. Mr. Thompson indicated that he could not address that, but Mr. Sachs indicated that there would be no window units. Mr. LaRossa asked Mr. Thompson to comment on the exterior. Mr. Thompson stated that it would be brick veneer and siding. Mr. LaRossa indicated that the Ordinance regulates the exterior. Mr. Sachs indicated that they will comply with the requirements. Chairman Kane asked what colors will be used. Mr. Teicher indicated that he did not know, but Mr. Sachs indicated that they will submit color renderings for approval. Chairman Kane noted that the colors should be consistent with the neighborhood.

Mr. LaRossa noted that the following actions should be taken:

- Show the 100 year flood plain on the plan.
- Show the area and bulk requirements on the plan.
- Note the reduction in RSIS trips from 485 to 201 in the traffic report.
- Check the stormwater facilities at Clay and Harrison.

Mr. Thompson stated that we will see about the facilities. Chairman Kane asked for clarification. Mr. Thompson indicated that if the system is in poor condition, they will not use. Chairman Kane asked if they would seek an alternative. Mr. Thompson indicated they would. Chairman Kane stated that he was not necessarily comfortable with the answers regarding the facilities. Mr. Sachs indicated that they will comply and will work with the Engineer to ensure that the methods are satisfactory.

Mr. LaRossa indicated that there are aesthetic requirements for lighting, landscaping and buffering in the SD-3 Ordinance. Mr. Sachs stated that they will comply with what is required, but that the aesthetics have been sacrificed in order to provide as much parking as possible. Mrs. Hatcher also noted that additional lighting will be required on Harrison Street, as it is very dark and there are no existing lights.

Chairman Kane asked if there were any additional questions or comments.

Ms. Carruthers stated that she had recalled that Clay Street would be milled and paved in its entirety. Solicitor Cappelli stated that the resolution indicates that the affected areas will be addressed. Mr. Sachs indicated that they will do the area disturbed on Clay Street and the entire blocks of Filmore, Taylor and Kossuth. Mrs. Jack asked for clarification as to where the utility tie-ins will be located. Mr. Thompson indicated that they are on Filmore, Taylor and Kossuth. Mrs. Jack clarified that there was nothing on Clay. Mr. Thompson indicated no. Mrs. Jack stated that the plans show a tie-in. Mr. Thompson indicated that the stormwater connections are on Clay Street. Mrs. Jack stated that, at minimum, the three blocks of Clay have to be done. Mr. Teicher stated he would only do the two blocks. Mrs. Jack stated that you will have an undriveable block in between if you only do the two blocks. Mr. Teicher asked if Clay could be done with the Hospital. Ms. Carruthers replied no.

Chairman Kane asked Mr. Thompson to discuss the Ryan architectural renderings. Mr. Thompson indicated that there are three (3) separate options. Chairman Kane asked if there was

an option for a fourth bedroom. Mr. Sachs indicated that there would be a limit of three (3) bedrooms. Chairman Kane asked Mr. Thompson to clarify that the ground floor was the garage, that there is a back door for each unit that would lead to either a patio or a deck and that the lots would not be separated in the back by fencing or plantings. Mr. Thompson stated that the statements were correct.

Chairman Kane asked Mr. Sachs if there were any additional comments. Mr. Sachs rested.

The Board took a five minute recess.

Before opening the meeting to the public, Chairman Kane asked Chief Paul Tursi to comment on the proposition of changing the sides of Kossuth Street that are parking and no parking. Chief Tursi was sworn in by Solicitor Cappelli. Chief Tursi indicated that any changes to the traffic pattern would have to be reviewed and approved by the Township Committee, but that if a change is recommended in this case that he would recommend a change to the entire length of the roadway. Chairman Kane asked Chief Tursi for a recommendation on the proposition. For the flow of traffic, the change would be required for the entirety of the roadway, but it must be understood that this will affect each street differently given the existing curb cuts on the roadway.

Chairman Kane opened the meeting to the public.

Robert James Grab-218 Harrison Street. Sworn in by Solicitor Cappelli. Mr. Grab stated that he has parking concerns on Clay Street. There is no extra parking, as both sides are full each night. Drainage concerns that Filmore, Taylor and Clay Street are flooded. Garage will not cut it for storage. Parking on Kossuth Street will be adversely impacted on Kossuth Street. Should be no permits to move forward until the Zurbrugg site is cleaned up. Solicitor Cappelli stated that the law in New Jersey states that off-site issues cannot impact this application. The Board cannot consider the property in its deliberation. It is under the jurisdiction of the US Environmental Protection Agency and the EPA is working to schedule a meeting with the property owners. Mr. Grab stated that they should not be able to go forward or Mr. Sachs commented that Mr. Teicher is working with another attorney to clean the site.

Chairman Kane asked Mr. Cappelli to confirm his understanding that the Board cannot consider this concern and that the jurisdiction is with the EPA and DEP. I would say to the public that members of the Board are certainly not happy with what has happened, but the ability to officially act with this application is limited to the site, so we must focus on the site.

Mr. Grab was under the impression that the initial approval was for the entire site. Chairman Kane stated that the Hospital was separated at that time from the two vacant lots. The application was bifurcated. Mr. Grab recommended the consideration of a performance bond.

Judith Kerchner-123 Kossuth Street. Sworn in by Solicitor Cappelli. Ms. Kerchner stated that her question was sent in to the Board in advance because it is an important one. If a potential buyer comes in and asks is there a danger to my health if I purchase this property. Ms. Kerchner stated that she understands that she will not get that question answered, but believes that the

Board should think about the answer to that question, as it is an important one. Solicitor Cappelli stated that he cannot comment on what the Township would do, but that the seller would be obligated to release the information to the potential buyer. Solicitor Cappelli stated that from experience, he has dealt with the EPA and they acted within four month's time. Ms. Kerchner states that she hopes to see the same result here.

Kathleen Jacobs-127 Kossuth Street. Sworn in by Solicitor Cappelli. Mrs. Jacobs stated that she was told when buying a house that location, location, location was important. These potential buyers will be buying next to a known hazard, so who is going to want to buy these townhouses.

Steven Marino-231-233 Taylor Street. Sworn in by Solicitor Cappelli. Mr. Marino wondered about state of the condition of Taylor Street and understands that only one side of Taylor Street will be done. Is that intent? Mr. Sachs indicated that yes, they will be addressing any area of the street that is disturbed. Mr. Marino thought that the entire street was to be done. Chairman Kane stated that he cannot recall. Mr. Marino stated that it sounds silly to only do half of the street given the fact that the Township has done other portions of the street coming down from Knast (the 400 block). Mr. Sachs stated that they will concede to do the entire street even though they are not required to do the entire street. Mr. Marino also commented on the runoff, stating that the runoff would be graded towards the back of the property, and questioned as to whether or not there would be an easement. Mr. Sachs answered yes. Mr. Marino wanted to know if the Township would be maintaining and if the property owner would own to the middle of the easement and pay taxes on it. Mr. Sachs answered yes. Mr. Marino also asked if backing out of the driveway was a safety concern. Chairman Kane asked Mr. Thompson to comment as to whether or not there was a safe angle to back out. Mr. Thompson stated that he would have to review it, but that there should be enough of a drive isle to safely reverse.

Joseph Glennon-220 Taylor Street. Sworn in by Solicitor Cappelli. Mr. Glennon provided a couple of thoughts on some areas. Mr. Glennon stated that he currently backs out of the driveway and it is shallow, so it will be difficult. Mr. Glennon further stated that the Township is not a destination town and that the property owner is going to have a difficult time selling these properties. Mr. Glennon proceeded to point out his home and asked that there be consideration that the end units be moved over so that a mower can get in and so that there is not a debris area. In addition, consideration should be considered for one fence, rather than two fences. Mr. Glennon further suggested that consideration be given to set the homes back further so that there is the opportunity for additional greenery, lighting etc. Mr. Glennon stated that there is a lot of debris on the site and it should be cleaned up. Mr. Glennon asked if any consideration has been given to shoring the bulk head down on Harrison Street to ensure that it will withstand additional impacts. Ms. Carruthers stated that there is not a bulk head there now, so Mr. Glennon suggested that someone look into it. Mr. Glennon asked if there was any recharge applicable. Mr. Thompson indicated that it was not, as it is a planning area 1 in a redevelopment zone. Mr. Glennon asked if the utilities are underground and suggested that it be considered. Mr. Glennon stated that the Township has not kept up with the roadways and the street should be done while everyone is in there. If this is all done, the Township will be a better place to live in five (5) years. Mr. Glennon asked where the Township stood on its COAH obligation. Mrs. Jack stated that the Township is working on its first round obligation. Mrs. Jack gave an expanded summary of the Developer's obligation.

Chairman Kane commented that there is a distinction between the authority of the Planning Board and the Township Committee and some of the issues raised this evening are items that are under the jurisdiction of the Township Committee, not the Board. They are certainly, however, valid and important questions and issues and Chairman Kane recommended that they be brought to the Township Committee.

Mr. Marino commented that in bringing these items to the Board, he would hope that the members of the Board would see to it that the Township Committee was made aware of these items. Mrs. Jack responded that both she and Committeewoman Hatcher serve on the Planning Board for that exact reason and, thus, the concerns brought forth this evening would be conveyed to the members of the Township Committee.

Mrs. Kathleen Jacobs asked if there was a certain amount of time to act. Solicitor Cappelli responded that under the Time Rule Decision enacted by the Courts, Mr. Teicher would have, at minimum, until the end of 2013 to build. Mrs. Jacobs asked why Teicher would level the land and someone else build. Mr. Sachs stated that Mr. Teicher has a joint venture with Ryan Homes. Mrs. Jacobs asked Mr. Teicher about his comments regarding the revenues from the Hospital Site and whether or not that means he intends to build. Mr. Teicher indicated yes. Mrs. Jacobs asked if he was going to amend that plan as well. Mr. Teicher stated that it would have to be revisited.

Motion made by Mr. Kenney and Ms. Carruthers to close public portion.

Ayes – Mrs. Jack, Mr. Cicali, Ms. Hatcher, Mr. Epperly, Mr. Hart, Ms. Avery, Ms. Carruthers, Mr. Kenney and Chairman Kane.

Nays – None.

Abstentions – None.

Motion Carried.

Mr. Sachs provided closing comments.

Solicitor Cappelli delineated the variance and new waiver that the applicant is seeking.

Chairman Kane asked that some of the vague answers provided be clarified. Mr. Sachs stated that they will provide written correspondence if required.

Solicitor Cappelli went through the conditions of the approval:

- Colored Renderings
- Deed Restrictions, no rentals and no garage conversions
- Street Paving, including the three blocks of Clay Street
- 3 bedrooms only

Chairman Kane asked if we should take the application in two phases, variance and waivers first, then site plan approval. Solicitor Cappelli indicated that was appropriate.

Mr. Kenney asked Richard Horton to comment on the application. Mr. Richard Horton is of 420 Heulings Avenue and represents the Fire and Township interests. Sworn in by Solicitor Cappelli. Mr. Horton indicated that the construction will be under the jurisdiction of Construction Official and Fire Official. Equipment can handle any situations there and the hydrants that exist are staggered and are sufficient. Mr. Epperly asked if the apparatus can get there. Mr. Horton stated that it is tough because of when the streets were built, but equipment is purchased with that in mind.

In addition, Solicitor Cappelli provided a synopsis to the Board on the Land Use Law elements that pertain to the application at hand.

Motion made by Ms. Carruthers and Ms. Avery to approve the bulk variance and waivers, delineating the length of milling and paving on Filmore, Taylor, Kossuth and Clay Street and endorsing the conditions enumerated by Solicitor Cappelli regarding color renderings, deed restrictions, and bedroom limitations.

Mr. Sachs commented that there is case law that supports that the applicant is only responsible for off-site improvements that are affected by the improvements. Mr. Sachs commented that there is a further undue burden on the applicant, as he has agreed to do curbing and sidewalk.

Mr. Cappelli stated that if the applicant does not agree, it is difficult for the Board to force him to do so, but the Township could certainly pursue other avenues to get the work done.

Motion made by Ms. Carruthers and Mr. Kenney to amend the original motion to clarify that the Developer will mill and pave Filmore, Taylor and Kossuth Street within the limits of disturbance from curb to curb and Clay Street between Kossuth and Harrison Streets from curb to curb.

Ayes – Mrs. Jack, Mr. Cicali, Mrs. Hatcher, Mr. Epperly, Mr. Hart, Ms. Avery, Ms. Carruthers, Mr. Kenney and Chairman Kane.

Nays – None.

Abstentions – None.

Motion Carried.

NB: Each members reasons for voting in the affirmative are on record.

ACTION:

No Action Items to address.

CORRESPONDENCE:

No Correspondence.

OLD BUSINESS:

None.

PUBLIC PORTION:

No public comment.

Motion made by Ms. Carruthers and Ms. Avery to close public portion.

Ayes – Mrs. Jack, Mr. Cicali, Ms. Hatcher, Mr. Epperly, Mr. Hart, Ms. Avery, Ms. Carruthers, Mr. Kenney and Chairman Kane.

Nays – None.

Abstentions – None.

Motion Carried.

There being no further business, **motion made by Mr. Epperly and Ms. Carruthers that the meeting be adjourned, and so declared by Chairman Kane.**

Meghan Jack
Secretary