

# Elk Township Planning and Zoning Board Meeting

## Regular Business Meeting

February 15, 2012

### Minutes

**Call to Order:** The Board Chairman called the meeting to order at 7:35pm.

**Roll Call:**

**Present:** Bill Carter, David McCreery, Chuck Nicholson, Eugene Shoultz, Wayne Swanson, Nick Yovnello, Mr. McKeever, Mr. Tondo. Mr. Pearson arrived at 7:37pm.

Also present were the Board's professionals: Stephen Bach, Planner-Bach Associates, Corey Gaskill, Engineer-Fralinger Engineering, and Joan Adams, Solicitor, Adams & Adams.

Absent: Mayor Barbaro, Mrs. White

**Open Public Meeting Act:** read by the Board Secretary

Mrs. Adams gave the Oath of Office to Nicholas Yovnello, Chairman.

**Announcements:**

- Notice to Public and Applicants: Board policy is no new business will commence after 10:30 pm and all testimony will stop at 11:00 pm, except for individuals wishing to speak during the general public session.

➤ **Approval of minutes:**

- **November 9, 2011**
- **December 21, 2011**
- **January 18, 2012**

*Mr. Carter moved to approve the minutes of November 9, 2011. Seconded by Mr. Shoultz. Mr. Nicholson abstained from the vote. With all other members in favor, the motion was carried.*

*Mr. Shoultz moved to approve the minutes of December 21, 2011. Seconded by Mr. Carter. Mr. Pearson abstained from the vote. With all other members in favor, the motion was carried.*

*Mr. Carter moved to approve the minutes of January 18, 2012. Seconded by Mr. Nicholson. Mr. Yovnello abstained from the vote. With all other members in favor, the motion was carried.*

**Resolutions:**

2012-09: resolution to deem "incomplete" the application for minor subdivision & preliminary major site plan approval to construct a commercial solar field on property identified as block 44 lots 4 and 16 located on Buck Road, to applicant United Solar Works, LLC.

*Mr. Swanson moved to adopt resolution 2012-09, Seconded by Mr. Carter.*

**Roll Call:**

*In favor: Swanson, Nicholson, Shoultz, Pearson*

*Against: None*

*Abstain: None*

*4-0-0`*

➤ **Old Business:**

**Weona Pond, Preliminary Major Subdivision with variances (5 lots), Block 44. Lot 1 Vivian Lane/Hughes Lane** (deemed complete by board engineer on 9/1/11)

Public notice was originally made at the October hearing, and announced at November's and December's hearings of the new date therefore no addition notice was required.

Rocco Tedesco, Esquire, Applicant's Attorney, 727 Landis Avenue, Vineland, NJ  
Larry DiVietro, PLS, PP, Land Dimensions Engineering, 6 East High Street, Glassboro, NJ  
Andrew Hogg, PE, Land Dimensions Engineering, 6 East High Street, Glassboro, NJ  
Deanna Drum, Traffic Planning & Design, 2 Riverside Drive, Camden, NJ  
Patricia Conte, Weona Pond, LLC, 149 Newkirk Station Rd, Elmer, NJ

Mr. Tondo made the Board aware of a possible conflict as he has been a customer in a business owned by Mrs. Conte. It was determined that he did not have a conflict and Mr. Tedesco agreed.

Mr. Tedesco explained this applicant appeared before this board on October 17, 2012 and postponed the hearing in order to meet with the Fire Marshall and Fire Chiefs to resolve some concerns regarding the suitability of access for emergency vehicles to this property.

Mr. Tedesco gave a brief history of this application which began 7 years ago. Tricia and Joe Conte purchased this property in 2005 from a bank that had foreclosed on the prior owner. At purchase the property contained 7 residential structures, each of which had a separate tax lot number, each separately assessed and each associated with a discrete acreage on the tax assessment. The Conte's came to the township for building permits to make repairs and were denied. The denial was based upon these structures not legally validly existing at the time. The planner at that time recommended the Conte's demolish two of the seven structures and to come before the board seeking relief from the density requirements for the remaining five structures on the lot, which the Conte's did.

That application was denied and appealed. Superior court ruled that the five structures were valid pre-existing nonconforming uses and as such had a right to continue and as such a density variance is not being considered at this time.

The owners have the right to continue the use of the property in the same fashion that it was being used historically. This property was serviced by two access ways, one of which is a dedicated easement, commonly referred to as Vivian Lane. The second is Hughes Lane. In order to make this development compliant the applicant is returning to the board for the purpose of separating the five residential structures in to five separate lots. The property is what has been for the past 50 years and the applicant does not come before you to change anything but rather to meet the ordinance requirements that five separate residential structures be set on five separate lots, one principle use per lot..

The parcel of 12.33 acres is located in the RE Rural Environmental district and is currently improved with 5 older homes. The applicant proposes to create five individual building lots and create a sixth lot for the pond which will be shared by the other five lots and to be owned by a homeowner's association. Mrs. Conte confirmed that the history of the property was correct.

Mr. Hogg reviewed the site and its existing access easements and proposed subdivision lines with the board by referring to an aerial photo map exhibit.

Mr. Tedesco reviewed Mr. Gaskill letter of October 14, 2011 beginning on page 4.  
Item #1-RSIS (Residential Site improvement Standards) to provide a note on the plan indicating "individual subsurface disposal system shall comply. *Applicant agrees.*  
Item #2- Buffers-refers to planner's report of January 31, 2012

Item #3-Landscaping and Buffers

*Applicant agrees to provide notes on the plan as requested in review letter regarding no topsoil removal.*

Item #4- Streets- No certificates of occupancy will be issued until all street signs and stop signs are installed and approved. *Applicant agreed.*

General Comments Section:

Item #5- refers to planner's report of January 31, 2012, and will be addressed by Mr. DiVietro.

Item #6 – trash pick-up, snow removal, mail delivery, school busing, etc.

Trash collection is already handled on site, there is no snow removal currently provided by the Township, mail delivery is handled by mail boxes out on Buck Road, Vivian lane or Hughes Lane and that will remain unchanged. School will be pickup on Buck Road. There is no intention for pickup on Vivian or Hughes Lanes. Mrs. Adams asked if that was acceptable for pre-school and kindergarten students. Board Member Pearson, who is also a school board member, indicated that would work. Mrs. Adams was under the impression that door to door pick-up was required by the state for this age group of children. Mr. Hogg added, the design of the driveways is such that trash pick-up and emergency services can come down the streets and a turnaround area has been provided suitable for a trash truck, fire engine or a school bus. Mr. Pearson inquired about the fire trucks and their water draw. Mr. Hogg explained they have met with the fire officials and a permanent fixed draw has been provided on the pond and a dry hydrant will also be provided. A separate report has been submitted by the Fire Official and will be reviewed. The public works superintendent did provide a review letter and indicated a designated turn around area would be acceptable. In addition, Mr. Hogg has worked with Fralinger engineering regarding this turnaround and they were satisfied with the proposal

Item #7 Fire Official review and driveway access.

Separate report submitted by the fire official dated November 2, 2011.

Item #8 – RSIS evaluation dated 8/4/11 in regard to private driveway status of Hughes and Vivian Lanes. Mr. Gaskill has determined that the RSIS does not apply to privates driveways. *Applicant agrees.*

Item #9- plans do not meet Map filing Law.

*Applicant agrees to conform.*

Item #10 – Approved block /lot numbers from the County Tax Assessor.

*The applicant agrees to comply and has made a request to that office but has not received a response to date and further agrees to forward a copy for the board file.*

Item #11 – surveying and Vertical datum to be updated.

*Applicant agrees to comply.*

Item #12-& Item #13 Potholes on Vivian and Hughes to be repaired.

*Applicant agrees to comply.*

Mr. Hogg explained the driveways will be of a stone material, non bituminous paved. This has been reviewed with the board engineer and Elk's emergency management personnel and they are satisfied with the surface proposed, that it is adequate to support emergency vehicles, and has been designed in accordance with generally accepted engineering practices.

Item #14 – Limit of Disturbance line. (Hughes Lane, in terms of brush clearing to reestablish the lane and to issues that the lane is not encroaching on anyone elses property)

*Applicant agrees to add note to the plan.*

Item #15-No Certificates of Occupancy to be issued until improvements are completed on Vivian and Hughes Lanes.

Mr. Tedesco asked for clarification - 2 properties are being accessed by Hughes and 3 are being accessed by Vivian. Mr. Tedesco suggested those being accessed by Vivian be withheld until the improvements are made to Vivian Lane and the same goes for those being accessed by Hughes Lane.

Mr. Gaskill did not have an objection nor did Mrs. Adams.

Mr. Tedesco asked that this condition be modified when incorporated into the resolution.

Item #16- review and approval of HOA (Home Owners Association) Documents.

*Applicant agrees to comply.*

Mr. Gaskill mentioned the access roads will need maintenance documents. Mr. Tedesco agreed to work with Mrs. Adams on preparing that document.

Item #17 – applicant to submit an engineer’s estimate for all site improvements (performance bond/inspection escrow)

*Applicant agrees.*

Item #18 - outside agency approvals.

*Agrees to submit, to the extent that they are applicable as a condition of approval.*

Mr. Hogg reviewed the items in Fralinger’s Fire Safety Review Update Report of January 30, 2012 referring to the exhibits. The applicant agreed to

- 1) remove the existing bridge to island in Weona Pond .
- 2) provide two vehicle turnaround locations.
- 3) 12 foot wide gravel emergency access road is to connect between Hughes and Vivian Lane, chain/cable gates are to be provided at each end of the emergency access road. Approved locks and signage to be provided.
- 4) dry hydrant to be placed adjacent to the vehicle turnaround with protective bollards to be placed in front of dry hydrant.
- 5) no further widening is required for Hughes or Vivian Lane in addition to what is currently proposed.
- 6) Hughes Lane, Vivian Lane and the emergency access road are to be designed in compliance with AASHTO standards or approved equal, to accommodate a minimum 22, 000 lbs

Mr. Gaskill added that easements for emergency fire access will need to be prepared. Mr. Tedesco stated he has already discussed this issue with Mrs. Adams and they will be incorporated into the HOA documents. Also a water draw easement is needed as part of the fire hydrant design in order to draw water from the pond. *Mr. Tedesco agreed.*

Mrs. Adams added for the record, that these easements must be recorded upon the land record so notice is provided to the property owners. These will be included in the HOA documents that will be recorded on the land records. Also the metes and bounds descriptions of the course of the easement will need to be included. Applicant agreed. Roadways maintenance schedule will also be included in the HOA documents and will need to be submitted for review by Mr. Gaskill. *Applicant agreed.*

Mr. DiVietro, Professional Planner, reviewed the Board planner’s letter from Bach Associates dated January 31, 2012, beginning on page 5 and reviewed the chart listed, by identifying the various properties on the exhibit and the variances requested.

Mr. DiVietro testified to the justification of granting relief from the various ordinances as requested. Mr. DiVietro added that a POS disclosure will include a notice making any potential buyer aware of the neighboring agricultural activity. It is Mr. DiVietro’s opinion that the applicant has met the burden with respect to the positive and negative criteria for the grant of any variances that may be required within the chart that was reviewed on page 5 of the Bach Associates review letter.

Mr. DiVietro responded to the planner's comments on page 6.

1) Variances-

The variances created by the drawing of lot lines are for the lot size requirement of 80, 000 sq ft.

Driveway maintenance agreements: Applicant agrees that maintenance agreements will be part of the HOA documents.

Landscaping to mitigate variance conditions- Mr. DiVietro did not feel any landscaping was required to mitigate any preexisting conditions for the 5 dwellings. The subdivisions just creates lots around the homes, there will be no change in the use of the properties.

2) Plan correction required. Removal of the note, "qualified farmland"

*Applicant agrees to make correction*

3) Access and Frontage.

*Already addressed by Mr. Hoggs testimony.*

4) Wetlands

Mr. Tedesco and Mrs. Adams have agreed that this subdivision must be perfected by recording the subdivision plat. The plat will include a delineation of the wetlands boundary line and a delineation of the wetlands transition areas. A note will also be added to the plat advising all future property owners that any further development on the property may require additional permitting from NJDEP.

Mrs. Adams added that freshwater wetlands are governed by state statute which supersede any ordinances or conditions the board could impose. Those state statutes regulate how a property owner can use their land, what they can clear, what they can build, etc. The Board's goal is to make sure that any future owners know they have those constraints.

5) Agricultural Buffer.

There is a request for a notice on the plat indicating that the surrounding properties may be dedicated to farm use. *Applicant agrees to provide notice.*

Mrs. Adams commented there will be a series of POS closures and normally they are on the plat as well as in the individual contracts at sale and as an appendix to the HOA documents. *Mr. Tedesco agreed.*

There was also a request for an evergreen buffer on the south side of the access roads. The applicant is seeking relief from that recommendation for the reasons already provided by testimony.

6) Expansion of existing structures.

This has been discussed with the planner at Bach Associates, Candice Kanaplue. There is no proposal for any expansion at this time. If a future property owner chooses to do so, they will have to go through the proper channels at that time.

7) Accessory Structures.

At this time, no improvements are proposed. If a future property owner chooses to do so, they will have to go through the proper channels at that time.

8) Encroachments

There are existing fence and accessory structures that are encroachments onto Hughes Lanes from the properties of Lake Garrison. The applicant will notify the proper individuals of those encroachments.

9) Tree protection.

Applicant agrees to add a note regarding tree protective fencing to the plans.

#### 10. Buck Road

The applicant agrees to forward any feedback from Gloucester County related to the access from Buck Road. The application to the County is currently being processed.

Mrs. Adams added that the roadways within this area will not be dedicated as public roadways. The municipality will not assume any responsibility for the maintenance, snow removal or upkeep of these drives. They are private drives. The applicant will be required to allow Township Committee to pass an ordinance allowing law enforcement to enforce stop signs, etc. on the roadway.

The exhibit the applicant referred to was labeled for the file as Board #1.  
The Board's professionals had no other concerns to address.

***Mr. Pearson moved to open to the public, Seconded by Mr. Carter.*** With all members in favor,  
***the motion was carried.***

*Tom Katzca, Mantua, NJ (property owner on Lake Garrison)*

Inquired about the size of the open space area and confirmed that the open space area would not be approved for any building at a later date. The reply for the open space size was, 2.87 acres.

Regarding Hughes Lane and encroachments, Mr. Katzca wanted to make it known, that he was pretty confident that Lake Garrison has a 99 year lease to permit those fences, sheds, etc, which he believes is recorded on the County land records. Mr. Tedesco will research the matter further and added that his examination of the title did not indicate any such lease, but he will double check.

Mrs. Adams added that to the extent that an existing, preexisting easement would interfere with the design of this project, the applicant would have to come back for an amended approval.

*Tom Huntsinger, 1066 Elk Road*

Had a concern that the roadway would not be wide enough to accommodate two way traffic since trash trucks will be going back there. He added the ground in that area is swamp like and someone could get stuck if they pulled off onto the ground.

Mr. Hogg explained a turn off area will be added to the plans.

Mr. Huntsinger also had a concern about the depth of the pond. Was it deep, as a safety concern or was it not deep enough to be used as a water supply.

Mr. Hogg responded that this matter was part of the review with the board engineer and the fire company.

Mr. Huntsinger also asked about the building code requirements for rehabilitated homes. Would the home be brought up to today's building codes? He was concerned with the present condition of the homes and for the future property owners. Mr. Tedesco responded, the Uniforms Construction Code has specific regulations and exceptions for preexisting structures and they will comply with whatever the laws are. Mr. Tedesco added that construction code issues were not land use issues to be decided by the board.

Mr. Huntsinger inquired about the septic systems and asked if they were up to code.

Mr. Hogg responded that presently, one has a septic system up to code. The other homes will have to have septic and well designs that are up to current standards.

*Dan Haynicz, Elk Rd.*

Mr. Haynicz felt the main roadways should be blacktopped and made wider.

He added the pond was 10-12 deep and that two people had drowned there in the past.

He added that ground is wetlands and the prior owner dumped back there to build it up. He asked if there was any documentation of any hazardous materials that may be in the ground that may potentially make someone sick. The well on the site should be tested for chemicals.

Mrs. Adams explained, all these issues were discussed during the first application and formed the board's original decision for denial. The court has overruled the board's decision so at this point; any issue about contamination of the water will be the private property owner's problem. Chairman Yovnello added that before any C.O.'s are issued, well water tests must be provided.

*Fred Boeckle, Ferrell Fire Department Chief.*

Mr. Boeckle inquired as to who would be responsible for the maintenance of the dry hydrants or any repairs due to vandalism. He added that the fire department would be responsible for the testing, but they would not be responsible for any repairs. The applicant agreed.

***Mr. Pearson moved to closed to the public, Seconded by Mr. Shoultz.*** With all members in favor, ***the motion was carried.***

Discussion followed regarding emergency access to the site and the various point of sale disclosures that would be provided.

***Mr. Yovnello moved to grant Preliminary & Final Major subdivision approval condition upon all the representations made by the applicant, conditions outlined in the review letters of the Board's professionals and further condition upon all required outside agency approvals. Seconded by Mr. Nicholson***

***Roll Call:***

***In favor: Carter, McCreery, Nicholson, Shoultz, Yovnello, McKeever, Tondo***

***Against: Pearson, Swanson***

***Abstain: None 7-2-0`***

➤ **New Business:**

United Solar Works, LLC, "Completeness" Hearing for additional waiver requests followed by Public Hearing for: Block 44, Lots 4 & 16, 730 Buck Road. Preliminary & Final Major Site Plan application to construct a Commercial Solar Array.

John Alice, Esquire, 28 Cooper Street Woodbury, NJ.

Clay Rager, 420 Barnsboro Rd., Mantra NJ

Ahmad Tamous, Land Dimensions Engineering, 6 East High St. Glassboro, NJ

Larry DiVietro, Land Dimensions Engineering, 6 East High St. Glassboro, NJ

Norman Dotti, Russell Acoustics, 10 Park Place, Butler, NJ

Greg Sparks, 11 Monroeville Rd., Monroeville, NJ

Mr. Alice explained this application had been before the board a couple months ago and they are back before the board to finish the completeness hearing. If deemed complete, they will move into the preliminary/final site plan and minor subdivision application.

Mr. Tamous explained they have revised the plan to comply with Fralinger Engineering's review letter and still have a handful of waivers they would like to request.

Mr. Tamous reviewed the waivers being requested from the submission checklist requirements. He referred to the Board Engineer's review letter dated February 9, 2012, beginning on page 4 of 7.

Item # 11 - source and date of current or recertified property survey prepared and sealed by a registered NJ land surveyor. The plan submitted does not meet the minimum conditions of NJAC 13-40:5.1, et seq.

*Applicant is requesting a Waiver for completeness purposes, and agrees to provide a new survey as a condition of any approval granted.*

Item #12 - requires certification and monumentation required by map filing law.

*Applicant is requesting a Waiver for completeness purposes, and agrees to provide as part of the new survey submission as a condition of any approval granted.*

Item #56 – requires that at least 2 permanent benchmarks for each 50 acres or portion thereof shall be established at opposite ends of the site with a description and elevation noted.

*Applicant is requesting a Waiver for completeness purposes, and agrees to provide as part of the new survey depicting at least 2 permanent benchmarks for each 50 acres or portion thereof on opposite ends of the site with descriptions and elevations noted, as a condition of any approval granted.*

Item # 73 – provide either a Letter of Interpretation (LOI) from the NJDEP verifying whether or not there are wetlands on or in close proximity to the site, or a statement or verification from a NJ licensed Surveyor or Engineer that he has reviewed wetlands inventory maps, personally visited the site, and conducted a survey to verify that there are no wetlands on or in close proximity to the site.

*Applicant is requesting a Waiver for completeness purposes, and agrees to provide either a new LOI or proof that an extension has been granted by the NJDEP, as a condition of any approval granted.*

Board Engineer, Corey Gaskill, added that should a new LOI be issued, the plans would have to be revised reflecting the changes. Applicant agreed. Mrs. Adams clarified; submission of revised plans would be an Amended Application.

*Mr. Nicholson moved to grant waivers for checklist submission items, 11, 12 and 56 for “completeness” purposes, but are required to be provided as a condition of any approval granted. Seconded by Mr. Carter.*

**Roll call:**

*In favor: Carter, McCreery, Nicholson, Pearson, Shoultz, Swanson, Yovnello, Tondo*

*Against: McKeever                      Abstain: None                      8-1-0`*

*Mr. Nicholson moved to grant a waiver for checklist submission item 73 for “completeness” purposes, but is required to be provided, either a new one or one that has been extended, as a condition of any approval granted. Seconded by Mr. Carter.*

**Roll call:**

*In favor: Carter, McCreery, Nicholson, Pearson, Shoultz, Swanson, Yovnello, Tondo*

*Against: McKeever                      Abstain: None                      8-1-0`*

**Public Hearing:**

- United Solar Works, LLC, Block 44, Lots 4 & 16, 730 Buck Road.  
Preliminary & Final Major Site Plan application to construct a Commercial Solar Array.

Board Attorney confirmed with the board’s secretary that formal public notice had been completed as required by Municipal Land Use Law, NJSA 40:55D-12.

Applicant’s Engineer, Ahmad Tamous, gave a brief overview of the photovoltaic proposal while referring to a colorized aerial overview of the site.

Mr. Tamous identified the parcel as the “Fazzio tract,” block 44, lot 4 (approximately 84 acres) and lot 16 (approximately 33 acres). He also identified the properties surrounding the site.

Currently there are two access driveways. One driveway is used by the Fazzio's to access their residence and a second driveway, which is part of a driveway access easement, known as Vivian Lane. It is the intention of this project to utilize the existing driveway (off of Buck Road) and use Vivian Lane as a secondary access for emergencies only.

The applicant proposes to subdivide the existing 118 acres into two separate lots. Lot 4 will be 18 areas and retain the existing residence, associated building and existing drive. The remaining area, which has pockets of wetlands, will utilize 56 acres of the remaining 99.5 acres for the photovoltaic field.

Mr. Alice added this is a site plan application because this use is a permitted "conditional use" under the ordinances of the township. This site was formally approved for a 49 single family home development back in 2005, known as "Twin Ponds," but was never built. Mr. Tamous added the application is in conformance with all the conditions set forth in the township ordinance. The plans contain an error showing a setback of 50 feet where 100 feet is required. This will be corrected to comply with the 100 foot requirement. No variances are required. Mr. Tamous also agreed to correct errors pertaining to drainage as outlined in Fralinger's review letter, page 6, items 8 & 9.

Mr. Tamous commented on the Board Planner's review letter of February 7, 2012, last page, concerning landscaping and street trees. Landscaping - The applicant has no objection to enhance the area not in the wetlands, adding landscaping in the area between the existing dirt road and the new subdivided lot. Street trees along Buck Road - applicant agrees to plant trees where feasible, as most of the entire street frontage is wetlands. The solar facility will be set back approximately 1,000 feet from Buck Road to minimize the views of the facility from the road way and the planting design must be reviewed and approved by the Board planner.

Mr. Tamous explained the site operation of a 13 mega watt photovoltaic power generation site. After construction the site will be maintained using the existing driveway. The entire site will be fenced to prevent unauthorized access as that is the location of the proposed inverters. A sound specialist will testify as to the noise level associated with the site. The anticipated vehicle size visiting the site is a standard pickup truck. This application has been submitted to the fire department for review and they do not have any objections to the site circulation or layout. There are no employees on site, no signage or lighting is proposed. The only lighting will be a light on the transformer box to allow for service at night. That light will be engaged by a switch and will not routinely be lit.

For the file record, Mr. Tamous's aerial photo overview exhibit, which included an overlay of the proposed lot site lines, was marked as applicants #1. Exhibit #2, a colorized version of the proposed site design plan, was marked as applicants #2. The third exhibit was marked as Applicant #3, aerial photo with design layout of the solar panels.

Mr. Tamous's testimony continued, indicating the proposal meets all the buffering and setback requirements. A 6 foot high black vinyl coated chain link fence will be provided around the entire perimeter. Mr. Bach confirmed with the applicant that where environmentally permitted, the applicant would provide additional landscape buffering.

Mr. Gaskill inquired about the emergency access road and the review letter submitted by the Elk Township Environmental Commission. Mr. Tamous stated a gated entry will be provided to the entrance used for emergency access to the site. Mr. Tamous confirmed they had received and reviewed the Commission's letter. Many of items have already been addressed (fencing, buffing) or will be addressed, such as: noise assessment, to be provided by Mr. Dotti of Russell Acoustics, LLC, and interconnection agreement with Atlantic City Electric, to be provided by Mr. Rager. Regarding the culvert crossing (for the private residence) on the access road to the site - the applicant has no intention of modifying the existing culvert crossing. The applicant proposes to place a steel plate of approximately 1 inch on top of the existing culvert and dirt road to minimize any impact to the culvert. This will allow the culvert to maintain the existing flow of the water path. The applicant agrees to add a construction note to the plan

about soil compaction and to provide a decommissioning plan. The applicant will need further clarification about a decommissioning bond.

Mr. Bach confirmed that all construction vehicles would use the primary entrance. The applicant agreed and confirmed the emergency entrance would not be use for construction vehicles.

Norman Dotti, PE, PP, Russell Acoustics. Mr. Dotti stated he has been a consultant with Russell for the past 9 years and has been an acoustics consultant for the past 41 years. He has testified as an expert before many boards and courts in the State of NJ.

Mr. Dotti gave the following testimony as to the impact of the photovoltaic array project. Mr. Dotti stated the neighbors will not hear anything. He explained the site will have 20 inverters. A photovoltaic panel puts out a DC current and what has to go out on the grid is a 60 cycle AC current. The inverter's job is to turn the DC current into an AC current. The inverters are typically about the size of a refrigerator. They do make a slight sound, a "hum," from the cooling fans. The data on them indicates they are less than 65 dBA at 10 feet. DBA is a measure of sound which the State of NJ uses for its sound standard. It is the most commonly used measure of sound in the world. The NJ state noise regulation NJAC 7:29, applies for the daytime as the sun is not out at night. The 65 dBA at 10 feet away would be comparable to noise from a water cooler noise. Mr. Dotti proved a report of his findings dated October 25, 2011.

The closest home will be 500 feet away, at 44 dBA. Mr. Dotti explained how that number was calculated and can be found on page 2 of his report. Standing 100 feet away at the fence line, the dBA is 55. The state limit for dBA is 65 so the project is well in compliance with the State standard. Two people having a normal voice conversation would be around a 65 decibel level.

Mr. Rager will be the contractor for the project. He briefly described how the power would get off the site and to the Clayton substation. The proposal is to go underground to the existing electric poles to be utilized by Atlantic City Electric. He explained the panels are connected by a raceway, or a tray, that will carry the DC wires through combiners, from combiners to conduit that will run underground to the inverters and then to the existing poles. Mr. Rager stated the wattage of 10 megawatts is what is approved by PJM (Pennsylvania, Jersey, Maryland Power Pool), the grid manager.

Mr. Rager further testified, after installation, the site would be monitored by an off-site firm. At least once a month a maintenance person would visit the facility to perform a routine inspection and wash the panels (with water), if necessary. The vehicles used to service the site will be a passenger size vehicle such as a car or pickup truck. At installation, posts will be driven 8 to 9 1/2 feet, no concrete footers, and above ground 6 to 8 feet, at a 25 degree pitch. A slow growing meadow grass mixture, developed by Rutgers University, will be grown under the panels which will need to be mowed twice a year. No pesticides or fertilizers will be used. Mr. Rager added growing this selected grass mixture will give the land a chance to recharge itself and improve the soil for future farming uses.

It is the applicant intention that when the site is no longer useful, it would be decommissioned back to farmland. Testimony was given that the panels have a 25 year warranty with the expectation that they would last about 30 years.

Mr. Rager added the Governor is about to sign a State law that would tax each megawatt at \$7000, therefore this project could generate \$70,000 in property taxes as a commercial entity. Mrs. Adams commented the taxable status of these projects is a grey area in the legislature right now because they are new. The governor has not signed off on this yet so the project will be taxed at whatever the current state law is. Solar farms are taxed as a commercial ratable within the Township.

The applicant will submit the approvals granted by the Utilities Commission and plans for the required infrastructure connection and any offsite improvements required by the public utility. The Applicant testified that there will be no changes to the existing infrastructure. The utility poles that exist will remain or will be replaced with poles of like materials, kind, numbers and size. Mr. Gaskill and Mr. Bach made the applicant aware that should there be any other off site

impacts other than what had been indicated by testimony; the applicant would be required to return to the board for an amendment.

Mr. Nicholson inquired about ownership of the parcel containing the solar panels. Mr. Alice explained the applicant will buy the property. Mr. & Mrs. Fazzio will continue to live in their home providing an access easement to the applicant for the solar field. Mr. Nicholson also inquired about the layout of the panels on his plan as compared to the panel layout on the exhibit. Mr. Tamous explained the exhibit has been revised to include panels in an area that was previously undeveloped. The location of the inverters is unchanged.

Mr. Bach, board planner, (review letter of February 7, 2012) commented that their concerns have been addressed as the applicant has indicated they will reduce some of the solar field to provide the required 100 foot setback from the adjacent residential area. With that adjustment, all conditions of the township ordinance are being met in the RE zone. Also, if there is not already a visually screening buffer in place, they would supplement as needed. All the landscaping concerns have been addressed and must be approved by the planner as a condition of any approval.

Mr. Gaskill, board engineer, (review letter of February 9, 2012) confirmed with the applicant that items 4 through 9 would be revised, applicant agreed.

Mr. Bach confirmed with the Board solicitor that the items waived for completeness, will be submitted as a condition of any approval. Applicant and Board Attorney agreed.

➤ ***General Public Portion***

***Mr. Pearson moved to open to the public, Seconded by Mr. Shultz.*** With all members in favor, ***the motion was carried.***

*Carla and John Hoffman, 732 Buck Road.*

Mrs. Hoffman inquired as to how long it would take to construct the site and what size trucks would be delivering the materials. Also how many times a day would the trucks make a delivery and how much noise would there be?

Mr. Alice and Mr. Rager replied that the project is not phased and would take approximately 8 months to complete. Mr. Rager stated the panels and racking would be delivered by a tractor trailer. Mr. Rager explained the deliveries would be staged, 4 trailers a day, for approximately 30 days. They will enter on Mr. Fazzio's property.

Mr. Hoffman's concern is that the road being used, which is next to his home, is only 10 feet wide and suggested they use Vivian Lane instead, as that is 18 feet wide. He was also concerned about traffic back up on Buck Road.

Planner, Larry DiVietro, referring to the exhibit, explained Vivian Lane is a common ingress, egress to multiple residential properties. When preparing the design for the solar field and understanding that once the project was built, it would be a very infrequent service operation, maybe once a month, that is why Vivian Lane was utilized as an emergency access. The actual construction of the site, which includes the delivery of panels and racking systems, the storing and staging of them, would not physically work off of Vivian Lane. The purpose of the design was to be through the Fazzio existing driveway where the project could be managed and construction could occur in a more central location and allow for better circulation. Mr. Hoffman did not agree. Further discussion followed regarding wetlands regulations. Mr. Hoffman was also concerned about noise from the inverters. He has done research on the internet and does not agree with the testimony given by the acoustic person.

Mrs. Hoffman also commented on the appearance of the panels, she feels they are ugly and will be able to see them from her back windows. She feels the panels will destroy the natural beauty of the township and about the wildlife it will disrupt. She feels others have the same opinion. She is also concerned that the company may go bankrupted in the middle of construction and who would be responsible to remove the panels.

*Molly and Jeff Huntsinger, 724 Buck Rd.*

Were concerned with the loss of natural wildlife, their family's quality of life, noise, glare from panels, well water contamination, long term effects from the fields, and property value of her home. They do not feel this project would benefit the township.

Mr. Huntsinger inquired about the location of the tree plantings around the perimeter of the parcel and the buffers. Mr. Tamous identified the areas on the exhibit. Mr. Huntsinger requested the inverters be moved to a different location so he would not see them. Mr. Tamous explained the buffering would be sufficient to shield his view. The applicant agrees to review the location of the inverter to see if it can be more centrally relocated.

Mr. Huntsinger also had a concern about the 10 feet wide driveway and the wildlife.

Mrs. Huntsinger asked if the property was zoned commercial.

Board Attorney, Joan Adams stated for the record, this is a permitted use in this district if they meet all the ordinance requirements, which they do. This board has no ability to say "no" to this project.

Some will be unhappy with its location, but it is zoned for this use. The State, last year, passed a law making these (solar) inherently beneficial uses, which means these can pretty much be put up wherever they want to. This township has crafted an ordinance with requirements. Right now, the ordinance permits this and they have met all the requirements. All this board can do is to review the plan assuring adequate buffers are provided, to minimize the impact on the neighbors as much as possible.

Mrs. Adams added that all the issues the neighbors have raised so far are important, and that they would be true no matter what type of development was going in there.

*Kristen Schoenberg, 127 Stockton Court*

Ms. Schoenberg asked if any of the panels or components contain carcinogenic substances, such as arsenic and cadmium.

Mr. Alice responded "no" and that the panels used must be approved by the federal government.

For the file record, a specification sheet was submitted and labeled as applicants #4 - specifications sheet for the solar panels including materials.

Ms. Schoenberg asked what substances were contained in the panels.

Mr. Rager answered, silicon sand, the same that would be in a PC or any other electronic device. It is a semiconductor.

Ms. Schoenberg asked if it was true that exposure to silicon could cause silicosis, from exposure to the dust?

The reply was that here is no dust, it is a panel in a stable condition, and they are not manufacturing the panel.

Ms. Schoenberg asked what would happen if the panels catch on fire, what exposures are there to the community and the environment.

The response was that the panels are not flammable. Should there be a fire from any electrical components, it would be put out by the fire company, same as if a house or car was on fire.

Normal problems with solar panels are when they are on a roof because there is minimal space between a combustible roof and a panel.

The solar field panel at the low end will be approximately 18 inches above the ground.

Ms. Schoenberg clarified that the testimony was that there will be no impact to the environment or to people should any of the components or panels catch on fire. The applicant agreed.

Ms. Schoenberg asked if the panels were electrified.  
The response was "no".

*Angela and Kevin Monaghan, 132 Stockton Court*

Mr. Monaghan explained the panels will be 150 feet from their back windows.

How high will the buffer trees be at planting? Also why were more panels added to the plan? He was also concerned about the impact on the wildlife that currently crosses the farm onto their property.

The panels were added after confirming with PJM that they would need additional area. By the time construction is started, and technology improves, they may not need to utilize all the area available and they agree not to put panels in that section if they don't have to. As for the landscaping, the applicant proposes 7 to 8 foot trees at planting.

Mrs. Monaghan added, before they purchased their lot to build their home, they did their due diligence, went to the township, knew about the approved housing development that was to have 15 areas of open space about their development's open space area.(referring to the display board). Now with the solar field, they will only have a 150 foot buffer rather than those 15 acres.

Mrs. Adams confirmed, that the applicant has already represented that if there is not already a visually screening buffer, they would supplement. The applicant agreed.

Mrs. Monaghan is also concerned that this project would lower their property value. She asked when construction would begin.

The applicant stated that once approved, the project would begin within a year's time.

*Frank Fazio, 730 Buck Road*

Mr. Fazio felt that Mr. Hoffman's comments were made because he has a personal conflict with him.

Mr. Fazio added that tractor trailers already come on to his property for farming activities.

*Denise Redmond, 131 Stockton Court*

Concerned about losing the scenic view and that she was only given 2 weeks notice of the project. From her property there is no landscaping to buffer the view of the panels.

Mr. Tamous responded that landscaping will be provided 7 to 8 feet high of evergreens and that the panels are 6 to 6 1/2 feet in height. Ms. Redmond commented that the landscaping buffer will not help shield her view of the panels when she is sitting on her deck or inside her home looking out the window.

Ms. Redmond also inquired as to how wide the evergreens would be at planting and how far apart they would be.

Mr. Tamous stated the landscaping provided will be 7 to 8 feet high, 35 feet wide, and 6 feet apart. It will be a combination of evergreen trees and shrubberies for residential properties. Adjoining farms will have only the evergreen trees.

Concerned about the noise and dust during the construction process. Also asked if there would be surveillance cameras. Mr. Rager replied there are no cameras. The fence has a fiber optic alarm.

Ms. Redmond asked if a bond will be required by the township to remove the panels, should the company go under. Mr. Rager commented that no panels will be left there, as there would be a lot of value to the scrap metal.

Ms. Redmond was also concerned about the panels leaking into the ground and going into her drinking water. Concerned about anything going into the ground, gas, dust, etc. and about noise.

Mr. Alice responded there is no liquid inside the panels.

Mr. Dotti responded there will be no noise from wind through the fence or off the panels.

Ms. Redmond asked again, how this could be approved if it is a business.

Mrs. Adams explained every town has ordinances that prescribe what can be developed in certain places. In this particular zone, this particular use is a conditional permitted use, which means as long as they met the ordinance requirements, they can put it in. The job of the planning board is to evaluate the design and ensure that to an extent, we try to address such things as visual screening, access to the property, etc., but we cannot say "no" to the project.

Board member Pearson added that without this ordinance, such projects would be permitted anywhere within the township. Mrs. Adams agreed and added that without such an ordinance, you could have them anywhere and without any landscaping or buffer requirements.

Board member Pearson asked how rain would sound hitting all these panels.

Mr. Dotti responded it would sound the same as rain coming down on a parking lot and it would not exceed the 65 dBA.

Ms. Redmond asked if the people making the money off this project would consider compensating all those whose way of life will be changed.

*John Hoffman, 732 Buck Road*

Mr. Hoffman commented that it seems the main issue is looking at these panels and made the suggestion of putting up a 12 foot chain link fence with privacy stripes. He also felt moving the inverters to a central location would help with any noise from them.

Mrs. Adams added, the reason they are so focused on the 65 dBA, is that the ordinance sets forth a sound limit at the lot line, as does the state and 65 is the standard for all property lines.

*Kristen Schoenberg, 127 Stockton Court*

Ms. Schoenberg stated that it is her recollection that the testimony given was that the burning of PVC does not cause any health problems.

Mr. Rager did not recall commenting on the burning of PVC.

Mr. Alice responded they will leave their testimony as they are using approved panels and that it is not an issue for the board. Ms. Schoenberg recalled testimony that PVC components were utilized and by doing a google search, has found that burning PVC poses a serious health risk to humans and she would like to see a transcript of the testimony, if available. Mrs. Adams added she may request a transcript and that this is an evidentiary hearing which means that if you want it put on the record that these components have PVC in them, and that the PVC will burn, you need to have expert testimony. The board is allowing you to place it on the record because the board wants the public to state their concerns.

Ms. Schoenberg asked that should a transcript reflect that they did indicate they have PVC components, would there be another hearing where evidence could be presented. Mrs. Adams responded there is absolutely no evidence that there is any danger from it and the vote is tonight.

*Justin Altman, 103 Stockton Court*

Asked if the 65 decibels at the property line that was brought up, apply during the rain.

Mr. Dotti responded that he wanted to be clear, that he did not say it would be significantly higher.

The rain will make the same sound that rain makes on a parking lot. The rain on a parking lot is not regulated any more than the rain on your driveway or on your roof. The sound from the sight is a lot less than 65 dBA. The 65 dBA does not apply to rain.

Mr. Altman asked if anyone had any idea of how this project would affect property value.

Mrs. Adams asked if the applicant had any expert testimony to answer the question. Mr. Alice responded they did not.

Mrs. Adams added if he had expert testimony to support it, they would have been entitled to appear at tonight's meeting.

Mr. Altman asked if they were able to get an expert to the meeting tonight, would that expert be able to stop the approval.

Chairman Yovnello replied that it was not likely. Mr. Yovnello added that the individual here tonight has property rights just as the residents in the audience do. As long as the applicant conforms to state and local laws the board cannot ask them to do more than what is required by ordinance but at times the board can ask applicants to do a little extra, such as, add more trees, but nothing major.

Mrs. Adams added that if this were a "use" variance application, where the use was not permitted, then bringing in expert testimony in would have an effect. But where it is a permitted use, it would not help.

Mr. Altman asked if there was a different setback from a property's building than from a property line. The township ordinance has the regulations outlined in it and when the ordinance was passed, the township believed they had made a buffer that was big enough. Mr. Bach added the required buffer is 100 feet for residential and 50 feet for non-residential. Without the ordinance in place, a solar field could have been here without any buffers.

Board member Pearson commented that he does not feel it is his job as a planning board member to create hardship for anyone in the township. He is not convinced this is a good thing because they haven't been around long enough. Mrs. Adams commented that there are certain things the Governor takes away from us and one of those things is that a state law was passed that says these are "inherently beneficial" uses.

Mr. Altman asked if the trees could be taller and Mr. Bach answered that you can't have trees too tall at the buffer adjacent to the solar panels because that defeats the purpose.

Mr. Altman asked about the area abutting up to the cul de sac of the housing development, could landscaping and taller trees be added to that area.

Mr. Bach responded that it wouldn't help when you are above the 8 foot level, like on the second story of a house. A solid screening will be provided at the 8 foot level.

*Tom Huntsinger, 1066 Elk Road*

Inquired about the 50 buffer for nonresidential areas, is that in conflict to the agricultural area that requires 100 feet or is that requirement specific to ordinance. Mr. Bach confirmed that requirement is specific to this particular ordinance. Mr. Huntsinger confirmed that the landscaping is in front of the fence. He also inquired about the replacement of any trees that die. Mr. Bach responded that would be a bonded improvement and that at the end of the 2 year maintenance period, the municipal engineer would be responsible to ensure that those plants had made it through the 2 years. After that period, it is the responsibility of the property owner to maintain the conditions of their approval.

Mr Huntsinger asked who the land owner of the solar field is.

Mrs. Adams replied, Mr. Fazzio is presently the land owner and it is his intention to sell the solar field portion to the solar developer, United Solar Works.

*Angela and Kevin Monaghan, 132 Stockton Court*

Asked for clarification about the replacement of dead trees before the 2 year time period and how long would it take for a dead tree to be replaced?

Mr. Bach replied the municipal engineer performs inspections, especially if a complaint is lodged; and the engineer would notify the applicant to replace it.

Mrs. Monaghan inquired about the removal of trees in a specific section by pointing to the exhibit. The applicant answered that no trees would be removed in that area..

Mrs. Monaghan asked if the zone changed as originally a housing development was approved there. How was this particular location selected?

Mrs. Adams explained this is a conditional use in this particular zone, which means at some point, the zone changed to include this use, the zone became broader.

Mr. Bach added, it is still the RE (Rural Environmental) Residential Zone. It is his understanding this use is permitted there regardless, but it was added to the zone as a conditional use with specific regulations, such as the buffers, landscaping etc.

Mrs. Monaghan asked that at the time of decommission, would United Solar have to come back before the board if the land was used for anything other than farmland.

Mrs. Adams explained that any improvement would require them to come back to the board for approval.

*Kristen Schoenberg, 127 Stockton Court*

Asked if there was any way to postpone the vote tonight to allow the applicant to provide missing documents, such as the survey they were supposed to provide? She understands there is that two week requirement to notify residents, but they would like the opportunity to respond.

Chairman Yovnello responded there was no reason to postpone the vote. Mrs. Adams added the board already waived the requirement to provide the survey.

Mrs. Adams added that under the state statute, the board has specific time lines to follow. If the board does not follow the time line, the applicant gets an automatic approval without any conditions attached. So unless the applicant voluntarily extends, the board can not make them.

*Denise Redmond, 131 Stockton Court*

Ms. Redmond stated that before she spent over \$500, 000 on her home last year, did the board know they were going to put something like this behind her property? She also feels this approval is unfair to the residents. She also asked the board to consider delaying the vote to allow them time to bring in someone on their behalf.

Board Engineer, Corey Gaskill, recommended that a conditional of approval include that the applicant provide a construction vehicle routing plan and schedule to the Board Engineer for approval. The applicant agreed.

*Mr. Nicholson moved to close to the public, seconded by Mr. Shoultz* With all members in favor, *the motion was carried.*

*Mr. Yovnello moved to grant Preliminary & Final Major Site Plan and minor subdivision approval condition upon all the representations made by the applicant, conditions outlined in the review letters of the Board's professionals, the Township's Environmental Commission review letter, condition upon all required outside agency approvals and further conditioned that the applicant will review plan to reposition the inverters. Seconded by Mr. Carter.*

**Roll Call:**

**In favor:** Carter, McCreery, Nicholson, Shoultz, Yovnello, Tondo

**Against:** Pearson, Swanson, McKeever

**Abstain:** None 6-3-0`

➤ **General Public Portion:**

**Mr. Nicholson moved to open to the general public portion, seconded by Mr. Pearosn.** With all members in favor, *the motion was carried.*

*Louis Schomber, 457 Ewan Rd.*

Mr. Schomber is still having an issue with the builder across the street from him and drainage on to his property. Mr. Schomber asked if there was an ordinance in place preventing someone from building up soil and dumping it on to someone else's property. Mr. Schomber clarified, not the removal of soil, but adding soil for elevation.

Mr. McCreery responded that would be through the County agency of The Soil Conservation District.

Mrs. Adams added there are different aspects to his question. Generally, soil erosion would be involved at the County level and there are just limitations in terms of affecting the flow of stormwater.

If the developer's project is designed according to the RSIS (Residential Site Improvement Standards) and according to the stormwater regulations promulgated by the State, he is permitted to build according to that design. As a result of the stormwater management regulations, he is permitted to discharge water on a down stream property. Mr. Schomber explained he is on the other side of the road; he is not the down stream property. Mrs. Adams explained the road has nothing to do with it, it is the contour of the land, the topography of the land, storm piping in place, and that there are a lot of factors involved.

Mr. Schomber wanted to know why the builder was not told to use the storm drain at the end of Ewan Road down on to Moods Road. Mr. Schomber asks who will be responsible for damage to his septic system. Chairman Yovnello asked if Mr. Schomber claims the builder is not building according to specifications. Mr. Schomber does not know and does not feel it is his responsibility to find out.

Mrs. Adams answered, that if the builder is building according to the specifications, then he is allowed to do it. The stormwater management requirements are that you may continue to discharge water downstream, you have to reduce the rate of flow, it can't go out faster, but it may go out over a longer period of time. That is State law; a down stream property must accept storm flow.

She added it is difficult to answer the question without knowing all the details of the particular problem

Mr. Bach added the planning board does not handle enforcement, which is done through the governing body (Township Committee) by the municipal engineer. Committeeman Swanson added that Mr. Schomber has already been to Committee and the municipal engineer has reported that the project is being built according to the design.

Corey Gaskill added that the topography of the site did allow a portion of water to flow towards the existing culvert, under the road, and across and then divert and go down stream along ditches and existing pathways for the water. During the course of design, they meet the standards in so far as the rate of water going through that pipe was reduced. As for the volume of water, there is no regulation in place. Mr. Schomber continued to explain how the water used to run before construction of the development and that the pipe under the road is not owned by the township, but rather a farmer put that pipe in a long time ago. Mr. Gaskell explained that the State approved a few years ago under the Municipal Storm Sewer System, that if there was a culvert in a street inside the right of way, it became township property. Mr. Schomber added that from that pipe he built a box, and who would maintain the box? Mr. Bach replied that Mr. Schombe would be responsible for the box if it is not in the township's right of way. Discussion continued. Mr. Schomber asked how the developer could possibly be allowed to dump at that water on to him. Mrs. Adams explained the board is required to enforce State law. The State rule book supersedes the Township's rule book.

Board member Carter asked if there was anything left for Elk Township to do to help Mr. Schomber.

Mrs. Adams answered that all we could do to help him, is to make sure the development is being built according to the approved plans, which the township did do.

Mrs. Adams clarified that whenever there is a dispute between an upstream property and a down stream property, it is a matter of a civil dispute between the two property owners and she has mentioned this to Mr. Schomber before. This board has no legal power to help Mr. Schomber and if he is really concerned

that the up stream property was misbehaving, his only real legal recourse is a civil dispute and he should consult an attorney. This board has no further way to assist. Mr. Schomber indicated he would resolve the issue.

*Robert Gaines, 912 Franklin Rd., South Harrison Township*

Last month Mr. Gaines inquired about 2 residential lots he had created a while ago. Since that time, the zoning district had changed from residential to commercial, due to a Master Plan revision, and as a result a use variance would be required in order to build a house on the lot. At the last meeting Mr. Gaines explained he had met with an attorney, distributed some materials pertaining to "spot zoning" and asked if the Board had reconsidered his situation. Mrs. Adams responded that he was given an answer at the last meeting and since she had not received a phone call from his attorney to discuss the issue, she had prepared a correspondence for him.

Mr. Gaines added he doesn't feel he should have to come back before the board for a variance and incur any additional expenses. He felt the township should be responsible for any fees. Mrs. Adams explained how the zone changed and that the township would not be responsible for any of his expenses.

*Mr. Nicholson moved to close to the general public portion, seconded by Mr. Shoultz. With all members in favor, the motion was carried.*

➤ **Correspondence:**

Mrs. Adams made the Board aware that she has a conflict with an upcoming application brought on by the Diocese's of Camden for a church, Catholic Community of the Holy Spirit. Mrs. Adams recommended Gary Thompson to fill in for her as the board has used him in the past. The Board unanimously agreed.

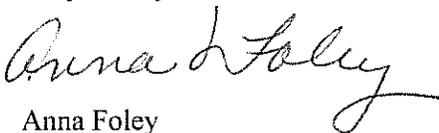
*Mr. Nicholson moved to adopt and memorialize Resolution 2012-10 authorizing Gary D. Thompson, Esquire to provide professional services as an interim conflict solicitor. Seconded by Mr. Shoultz. With all members in favor, the motion was carried.*

**Adjournment:**

*Mr. Yovnello moved to adjourn, Seconded by Mr. McCreery. With all members in favor, the motion was carried.*

Adjournment time: 12:57 am

Respectfully submitted,



Anna Foley  
Board Secretary