

MINUTES

MAY 24, 2016

PLANNING BOARD

LONG HILL TOWNSHIP

CALL TO ORDER AND STATEMENT OF COMPLIANCE

Chairman Pfeil called the meeting to order at 7:32 p.m. He then read the following statement: Adequate notice of this meeting had been provided by posting a copy of the public meeting dates on the municipal bulletin board, by sending a copy to the Courier News and Echoes-Sentinel and by filing a copy with the Municipal Clerk, all in January 2015.

MEETING CUT-OFF

Chairman Pfeil read the following statement: Announcement was made that as a matter of procedure, it was the intention of the Planning Board not to continue any matter past 10:30 p.m. at any Regular or Special Meeting of the Board unless a motion was passed by the members present to extend the meeting to a later specified cut-off time.

CELL PHONES AND PAGERS

Chairman Pfeil read the following statement: All in attendance are requested to turn off cell phones and pagers as they interfere with the court room taping mechanism.

PLEDGE OF ALLEGIANCE

ROLL CALL

On a call of the roll, the following were Present:

Excused:

J. Alan Pfeil, Chairman
Hands, Vice Chairman
Patrick Jones, Mayor's Designee
Thomas Malinousky, Member
Ashish Moholkar, Member
Brendan Rae, Member (7:34 PM)
Dennis Sandow, Member

Greg Aroneo, Member David
Michael Pudlak, Member

Kevin O'Brien, Board Planner
Edward V. Kolling, PP, AICP
Thomas Lemanowicz, Board Engineer
Daniel Bernstein, Board Attorney
Cynthia Kiefer, Board Secretary

Ms. Kiefer advised Chairman Pfeil that he had a quorum and could proceed.

EXECUTIVE SESSION – It was determined that there was no need to hold an executive session.

APPROVAL OF MINUTES

Mr. Moholkar motioned approval of the minutes of September 22, 2015 as written. Mr. Hands seconded the motion. A **ROLL CALL VOTE** was taken. Those in Favor: Mr. Hands, Mr. Moholkar, Chairman Pfeil. Those Opposed: NONE. The minutes of September 22, 2015 were unanimously approved as written. The rest of the board members were ineligible to vote since they were not present at that meeting.

The minutes of the meeting of October 13, 2015 were approved as written by Mr. Hands. He was the only current member of the board who was present at that meeting.

Mr. Hands motioned approval of the minutes of May 10, 2016 as written. Mr. Malinousky seconded the motion. A **ROLL CALL VOTE** was taken. Those in Favor: Mr. Hands, Mr. Malinousky, Dr. Rae, Mr. Sandow, Chairman Pfeil. The minutes of May 10, 2016 were unanimously approved as written. Mr. Jones and Mr. Moholkar were ineligible to vote since they were not present at that meeting.

PUBLIC QUESTIONS OR COMMENT PERIOD

There were no comments or questions from the public on items not on the agenda.

RESOLUTION OF MEMORIALIZATION

THE RAPTOR TRUST
1492 White Bridge Road
Block 14401, Lot 5.01

#16-01P
Minor Site Plan

Mr. Hands motioned approval of the resolution as written. Dr. Rae seconded the motion. A **ROLL CALL VOTE** was taken. Those in Favor: Mr. Hands, Mr. Malinousky, Dr. Rae, Mr. Sandow, Chairman Pfeil. Those Opposed: NONE. Motion to approve the Resolution of Memorialization was unanimously approved as written. Mr. Jones and Mr. Moholkar were ineligible to vote since they were not present at that meeting.

AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT REPORT

Mr. Bernstein swore in Mr. O'Brien, Mr. Kolling and Mr. Lemanowicz separately.

Mr. O'Brien outlined the process that had occurred. The Township Committee had, by resolution, directed the Planning Board to conduct a study for a "Condemnation Area in Need of Redevelopment." He noted that the Township Committee had set the boundaries of the area to be studied. There were nine (9) properties in the study area. The Planning Board then, by resolution, directed Mr. O'Brien to conduct the study. The purpose of the study was to determine whether or not the nine (9) properties met or did not meet the criteria necessary under the Redevelopment Law. He stated that the study had been completed and that this public hearing had been properly noticed in accordance with the Redevelopment Law. The Planning Board would review the study that evening and either recommend all of it, some of it or none of it to the Township Committee. He then outlined his professional credentials.

Mr. O'Brien introduced his colleague, Mr. Kolling and outlined his professional credentials to the Board.

Mr. Kolling gave the board members an overview of the process and the study. He reiterated that the board members could decide to recommend all of the study area, part of the study area or none of the study area to the Township Committee. This decision was to be based on review of the study itself, testimony from the public and each board member's own personal knowledge. The Township Committee would then have the option of accepting the Planning Board's recommendation or modifying it by resolution. After that process, if any of the properties were still included in the study area, the next step would be for the Township Committee to formulate a specific plan.

Mr. O'Brien advised the Board that he had utilized multiple areas of Township records much of which was reflected in the block and lot chapter of the study. He then noted the exhibits that had been prepared.

Exhibit A-1 was a copy of the Tax Map showing the properties that were affected. He reiterated that the Township Committee had proposed this specific area for the study and that the Planning Board could not change the area of study.

Exhibit A-2 showed the current zoning for the properties in the study area.

Exhibit A-3 showed the proposed Valley Commercial B-D District zoning in the study area.

Mr. Kolling stated that each of the properties must meet one or more of the criteria that were listed within the New Jersey Redevelopment Housing Law in order to qualify. There were criteria A through H. Criteria A, B, and D were applicable to one or more of the properties in this study area. He then discussed each of the criteria. In addition, if the property did not meet any of those criteria it could still be included in the redevelopment area by "definition". That definition stated that, "A Redevelopment Area may include land, buildings or other improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which was found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part."

Mr. Kolling began the lot by lot analysis with Block 10401 Lot 1, 1297 Valley Road. The property was owned by Long Hill Real Estate LLC. The vacant house on the property was dilapidated and a nonconforming use. The rear one third of the property was designated as Wetlands and the property itself had been placed on the D.E.P.'s Known Contaminated Site List. The study felt that this property met criteria A and D.

Mr. Kolling continued with Block 10401, Lot 2, 1285 Valley Road, which was also owned by Long Hill Real Estate LLC. It was developed with a vacant one story commercial structure which was in very poor condition and also located in a Wetlands area. He cited numerous bulk nonconformities and other issues. The study felt that this property met criteria B. It could also be included under the definitional aspects of a Redevelopment Area.

Mr. Kolling discussed Block 10401, Lot 3, 1277, 1279, and 1283 Valley Road, which was also owned by Long Hill Real Estate LLC. It was developed as a small strip center with a hair salon/barbershop, convenience store and a cleaner. The property had been placed on the D.E.P.'s Known Contaminated Site List and contained asbestos. He listed bulk nonconformities and other issues. He noted that the building and parking lot were in generally good condition. This property was recommended for inclusion under the definitional aspects of a Redevelopment Area because that the property was located between two other properties that were more clearly characteristic of the blight and criteria.

Mr. Kolling stopped at this point to give the owner of those properties, other members of the public and the board members an opportunity to make comments or ask questions about those three (3) properties only.

David Stratton, realtor for the properties with the house and former beauty salon, said that the possibility of condemnation had hurt the sale of these properties. He suggested that the owner, Mr. Patel, tear down the two buildings and that the business on the third site be allowed to remain since it was thriving.

Mr. O'Brien advised that the owner seek counsel if he wished to make any changes to the property as a result of this action.

Mr. Bernstein swore in Mr. Patel.

Bipin Patel, owner of the three properties, discussed the asbestos history of the properties from the time he purchased them. He added that because of the Wetlands on the properties, he had been unable to sell the house property and the commercial building property over the past five (5) years.

Mr. Patel said that the stores in the strip mall property (Block 10401 Lot 3) were in good condition. He offered to upgrade and change the look of the buildings. He noted that 500 customers frequent the convenience store on a daily basis and he hoped that the buildings could stay because that was his "bread and butter". The other two stores were doing well also.

Mr. Hands questioned whether direct quotes from the owners could be incorporated into the resolution. Mr. O'Brien responded that a suggestion had been made to get the transcript from this meeting and attach it to the resolution.

Mr. Kolling discussed Block 10401, Lot 4, 1261 Valley Road, which was owned by Thermo Plastic Processing. It was an industrial factory which had been vacant since early 2015. It was built in 1946 and was in a state of disrepair. He pointed out numerous bulk nonconformities and poor conditions which made it untenable. The property was currently within the New Jersey Licensed Site Remediation Program. It had been placed on the D.E.P.'s Known Contaminated Site List and was listed as a source of known soil contamination. The study found that this property met criteria B and D.

Mr. Kolling then discussed Block 11514, Lot 6, 1268 Valley Road, which was also owned by Thermo Plastic Processing and had also been developed as an industrial factory building. It had been vacant since early 2015 and was in a state of disrepair. It was approved and built in 1946. He pointed out numerous bulk nonconformities and issues which made it untenable. The property was currently within the New Jersey Licensed Site Remediation Program, on the D.E.P.'s Known Contaminated Site List and was listed as a source of known soil contamination. The study found that this property met criteria B and D.

In response to a question from Dr. Rae, Mr. O'Brien stated that because of the Licensed Site Remediation Program's deed restrictions, these properties could only be used for commercial purposes. If they met more stringent D.E.P. requirements in the future, there might be a possibility of residential use. At this point the remediation specialist was only getting the properties to commercial standards.

David Stratton, realtor for these two properties, was sworn in by Mr. Bernstein. Mr. Stratton noted that the 55 gallon drums were present on the properties because the properties were being cleaned up by an environmental company for the past 14 months. The drums belonged to that company. He added that 1261 had been under contract for the last two (2) years. Environmentalists stated that they would be done by August 1, 2016 and after that, the buyer would close on the property. He addressed some of the complaints that had been issued concerning the building's appearance and stability. He then discussed the buyer's plans for renovating the building.

Mr. Stratton addressed the plans for 1268 Valley Road. Part of the property would be sold to the owner of Engineered Plastic Products Inc. (Block 11514, Lot 8) and that sale would cover the demolition costs of the building in the front of the property. He had a buyer who would then build a "strip store" with the proper setbacks and sideyards.

In response to a question from Mr. Hands about time frames, Mr. Stratton stated that 1261 would close on August 1, 2016. The other property, 1268, would be completed by the environmental company by the end of the year.

James Drunkenmiller, buyer for 1261 Valley Road, was sworn in by Mr. Bernstein. He stated that he represented a real estate holding company which had had a contract on the property and that this action would negatively affect the value of the property and his ability to get funding to complete the purchase. He added that he had been under contract to purchase the property since November 2013 and had been unable to close because of the ongoing environmental review. He outlined the renovation plans for the building and added that he had two tenants ready to occupy the space. He had a list of bullet points that was marked **Exhibit D-1**, copies of which were handed to the board members. He then addressed each

of the points individually and concluded with several suggestions. He asked that the property be removed from consideration.

In response to a question by Mr. Bernstein, Mr. Drunkenmiller stated that he currently had two tenants: one in light manufacturing and maintenance and the other was in the repair and service of medical equipment.

Mr. Drunkenmiller listed some of the changes he would make including removal of the loading dock.

Mr. Hands questioned how the new B-D zoning requirements would impact the value of the property. This would no longer be a conforming use. Mr. Drunkenmiller replied that he hoped the property would remain as it was currently zoned.

Mr. O'Brien added that "light industrial" was a permitted use under the current zoning. He could not estimate when the ordinance that would change the zoning would be adopted.

There were no further questions or comments from the public on these two (2) properties.

Mr. Kolling then discussed Block 11514, Lot 5, 281 Mercer Street which was a well-maintained single family home located in a residential community. He noted that it did not have any Valley Road frontage and reviewed the history of the property. He added that the property was conforming in use however there might be some small bulk nonconformities. Because the property did not meet any of the criteria, it would have to be included under the definitional section which would allow for the inclusion of the property in order to create an area of sufficient size to accomplish the goals of the redevelopment.

Chairman Pfeil asked what the purpose was for including this property.

Mr. Kolling responded that he felt the decision was made based on creating a continuous line of properties.

Mr. Malinousky asked which carried more weight: criteria or definition.

Mr. Kolling replied that, in his opinion, criteria carried more weight.

Anton Balog, owner of 281 Mercer Street, was sworn in by Mr. Bernstein. He described how he had purchased the property three (3) years ago and listed all of the work he had done to the house which was originally in poor condition. He asked that the property be removed from consideration because it was his security for the future.

Thor Nilsen, 285 Mercer Street, introduced himself as Mr. Balog's neighbor and was sworn in by Mr. Bernstein. He agreed that Mr. Balog's property looked "fantastic" and also asked that it remain untouched.

Hearing no further questions from the public on this property, Chairman Pfeil recessed the hearing for a 10 minute break at 9:02 PM.

The meeting was called back to order at 9:13 PM.

Mr. Kolling then discussed Block 11514, Lot 8, 269 Mercer Street which was owned by Engineered Plastic Products Inc. and had no frontage on Valley Road. The property was developed with an industrial factory structure and was conforming in use but not in bulk requirements. He added that the building and property were in good condition and well-maintained. Because the property did not meet any of the criteria, it would have to be included under the definitional section which would allow for the inclusion of the property in order to create an area of sufficient size to accomplish the goals of the redevelopment.

Dr. Rae felt that Lot 5 and Lot 8 were not blighted in any way and did not fit any of the criteria. He asked how defensible it would be to include them in the Redevelopment Area.

Mr. Kolling said that if the properties were not included, the Redevelopment Area would be smaller however that would not detract from any of the frontage on Valley Road. That frontage would remain continuous and redevelopment of the properties *along* Valley Road would have a more significant impact on the character of the community and the improvement of that end of Valley Road. The Mercer Street frontages would be less impactful and were well-maintained so the need to improve them was not there.

In response to a subsequent question from Dr. Rae, Mr. Kolling stated that, in his opinion, it would not be the best course of action to include Lot 5 and Lot 8 in the action because of what he had previously said. In addition, if those properties being well-maintained and being within the appropriate zones were included, it might not be economically feasible to acquire, relocate those persons, and then assemble the properties.

There was discussion concerning the parameters of the industrial zone.

Chris Ratti, owner of the property since 1958, was sworn in by Mr. Bernstein. Mr. Ratti discussed some of the reasons he felt that this property should be removed from consideration. He felt it would take over a quarter million dollars for the Township to move his business and that the relocation would cause a hardship for his employees (15 to 30).

In response to questions from Mr. Bernstein and the board members, Mr. Ratti discussed the regular maintenance performed on the building, the number of employees, length of ownership and what was manufactured at the facility.

Mr. Kolling then reviewed Block 11514, Lot 31, 1278 Valley Road which was owned by Valley NM Realty LLC. The structure formerly housed a dry cleaner on the first floor with a residence on the second which were pre-existing nonconforming uses. It had been vacant for approximately three (3) years. The building was in fair condition with many maintenance issues. He also noted parking issues and bulk nonconformities and stated that if it were combined with the adjacent property, Thermal Plastics, there would be broader frontage along Valley Road and a much more efficient redevelopment would be possible. The property met criteria B. In addition, if the characteristics were deemed not sufficient enough to meet criteria B, this property could be included under the definitional aspects because of the property's location along Valley Road and its close proximity to other sites that were in need of redevelopment. He felt it was also important to include it because of its proximity to well-maintained properties that might be subject to "creeping blight" should this property not be included.

There were no questions from the board members or the public for this property.

Mr. Kolling moved to the final property on the list, Block 11514, Lot 32, 1282 Valley Road. The Township records indicated that this was a "grandfathered" two family house located in the Office Zone. It was also nonconforming with reference to bulk requirements and would continue be a nonconforming use in the proposed Downtown Valley Commercial B-D Zone. The building was in fair condition although the property had a very unkempt appearance. If the property were combined with the adjacent dry cleaner and Thermal Plastics property, the Township would have a significant property with substantial frontage along Valley Road that could be redeveloped in a more comprehensive manner. He was unsure as to whether the property could meet one of the criteria, however because it was located between other properties that did meet the criteria, it would be important to include this property within the redevelopment area because in and of itself, it would be very difficult to redevelop if it were not included.

There were no questions from the board members for the public in reference to this property.

Mr. O'Brien stated that the lot-by-lot discussion had been concluded and that he would move on to the report summary. He noted that the development of the west end of Valley Road had been under discussion for over 10 years, most recently the Master Plan Re-examination of 2015.

Mr. Kolling then reviewed the next step which would be for the Planning Board to adopt a resolution by majority vote. That resolution would be forwarded to the Township Committee with the supporting documentation, the study and comments from the public. The Board could decide to recommend all of the properties, none of the properties or some of the properties. The final option would be a finding that the areas are in need of "rehabilitation" but he felt that, with the exclusion of the two (2) properties that clearly did not meet the criteria, in his professional opinion the other properties would meet the criteria.

Mr. O'Brien noted that several typographical errors in the report had been brought to his attention and that those would be fixed in the final document.

Chairman Pfeil asked for comments from the public on the totality of the report.

Charles Arentowicz, 605 Heritage Rd., Millington, was sworn in by Mr. Bernstein. He spoke about flooding issues and asbestos concerns. He circulated a document, **Exhibit CA-1**, which was a map found in the Downtown Valley Commercial District report. It did note that all the properties were located in the floodplain. Mr. Arentowicz referred to a member of the public who had stated that 1261 Valley Road was **not** in the floodplain and felt that it was extremely important for the Board to determine whether or not that was true. He stated that if any of the properties were in the floodplain, the Board should require that all new structures be elevated. He continued discussing flooding issues and contamination issues that existed in this area and asked that they delay the vote until it could be determined with certainty where the floodplain lines were. He had two questions: (1) if the properties were condemned, what would be the long-term effect on the taxpayers and (2) would the Township be under any liability for any of the contaminants underground if the properties are condemned?

Mr. O'Brien said that the owner of the property was generally liable for cleanup.

Mr. Lemanowicz added that although he had not been involved in a redevelopment project where contaminants had been discovered, he felt that it would be part of the process and that the redeveloper would have to deal with that. He offered to ask the experts in his company for an answer.

Mr. O'Brien said that tax abatement would be under the control of the Township Committee.

Mr. Arentowicz commented that the Planning Board would be making a decision without having the answers to those two questions.

Mr. Kolling added that those issues would be addressed in the Redevelopment Plan. The only role that the Planning Board would play was to advise whether the properties met the criteria. Once the Redevelopment Plan was created, it would delineate which properties could be acquired. Even if the property was listed to be acquired, it did not have to be acquired. The property owner would then become the "redeveloper" under a contractual agreement with the Township. Condemnation had been a last resort in all of his other experiences with redevelopment because it was much more economically efficient to allow the current property owner to redevelop his own property.

Mr. O'Brien stated that his information on the flood information was supplied by the D.E.P. in March 2016. It showed that the wetlands affected Lots 1 and 2. His other source of information was the Township map that was prepared by Paul Ferriero, Township Engineer, in March 2014. He indicated that Mr. Ferriero used the Morris County Geographic Information System. That map showed the wetlands and the floodplain. The floodplain affected the entire area and the wetlands affected the corners of Lots 1 and 2.

There was further discussion about the origin of the map that Mr. Arentowicz presented.

Mr. Lemanowicz added that FEMA was in the process of resetting all of the flood elevations. He was not sure whether Mr. Ferriero had used the preliminary information.

Robert Kosicki, attorney for Thermo Plastic Processes Inc., asked not to be sworn in. He noted that Thermo Plastic Processes Inc. was the owner of the properties and the DuPont family was **not** the owner.

Mr. Drunkenmiller approached the podium again and addressed the floodplain issue. He submitted a document, **Exhibit D-2**, which was a stamped survey for the 1261 property which specifically states the elevations of the building as being above the 100 year flood line.

Chairman Pfeil agreed that the property was not in the wetlands area.

Mr. O'Brien stated that it was possible that the survey was issued in the hopes of getting an Elevation Certificate which would affect flood insurance. The building may have been raised when it was built just enough to get the building out of the floodplain however the property itself was still in the floodplain.

There was further discussion between the board members, the consultants and Mr. Drunkenmiller about the location of the floodplain.

Dr. Rae said that it was necessary to clarify this issue however Chairman Pfeil felt that it was not germane to whether or not the properties met the criteria. Dr. Rae agreed.

Chairman Pfeil commended the Township Committee for taking action to address this area. It was an eyesore along Valley Road and this was a unique opportunity to really address it in a wholesale fashion and to be able to upgrade the properties on both sides of the street.

Dr. Rae asked if the individual property owners could be part of the Redevelopment Plan. Mr. Kolling replied that that was possible. Dr. Rae then noted that Lots 5 and 8 were separated by a piece of land that was currently owned by Thermo Plastics. He asked if they should keep in mind during their deliberations that, although there was a plan to subdivide that small "appendage of property" off of Thermo Plastics, currently it would create an irregular redevelopment zone if Lots 5 and 8 were excluded.

Mr. Kolling advised that it could be addressed in the Redevelopment Plan. The entire Redevelopment Plan did not have to be one zone. Dr. Rae asked again if the current condition should be taken into account since Lots 5 and 8 fit the definitional criteria for inclusion. Mr. Kolling replied that should that "appendage of property" be sold to Engineered Plastics, the Redevelopment Plan could be amended to state that Lots 5 and 8 were not to be acquired.

Mr. Jones summarized that the Board was not getting into specifics. The board was simply stating that this would be an area that it would like to see redeveloped and that the specifics would be discussed in the Redevelopment Plan.

Mr. Kolling agreed and said that those would be the items that the Redevelopment Plan would address.

Mr. Hands noted that he had heard good testimony that evening from the owners that they had their own plans to redevelop and upgrade their properties.

Mr. Kolling said that once the area was designated as an "Area in Need of Redevelopment," the Township itself could function as a redevelopment agency. This designation would give the Township the power to negotiate with a developer and enter into a contract (redeveloper's agreement) with the property owner. He felt this was the best way to do it. Acquiring property and relocating the owner/owner's business would be costly.

Mr. Bernstein stated that, alternatively, the Township could find a major developer to come in, purchase the whole property and develop it as a whole.

Mr. Sandow stated that redevelopment and rezoning of Valley Road had been under discussion since 2008. He felt that this redevelopment process would take time and potentially scare off others who would want to privately redevelop the area. He questioned whether it was a realistic plan. There had been testimony that evening from those who would like to do something but were now waiting on the Township because the Township kept changing the rules. By spending so many years on this issue, he felt it had effectively delayed the redevelopment that they were seeking. He felt that free market enterprise had a better chance of succeeding than creating "layer upon layer of bureaucracy."

Mr. Moholkar felt that the properties on the south side of Valley Road were already suggesting the type of redevelopment that would be achieved by a Redevelopment Plan. He felt that the study was simply outlining the scope of the area that needed to be redeveloped.

Mr. Malinousky felt that the operative words were "Valley Road Redevelopment." He was more concerned when discussing the properties that fronted Mercer Street which only met the definitional requirements and not any of the criteria requirements.

Chairman Pfeil agreed and felt that the Planning Board should move the resolution forward and exclude Lots 5 and 8 because this should be a *Valley Road* improvement. Although it was not binding, he stated that this approach made the most sense to him having heard the study results in public comments.

Mr. O'Brien stated that the Board could include as a recommendation that the "appendage piece of property" be subdivided off of Thermo Plastics. None of this would be binding.

There was further discussion amongst the board members about the "appendage piece of property" and how it should or could affect their votes.

Mr. Hands expressed concern about which properties to include after hearing several of the property owners discuss their plans for redeveloping their own properties. He wasn't sure whether any of the properties should be included if one of the options was that the entire area could be sold to a developer.

The board members discussed how to move forward at this point. Dr. Rae motioned that the Redevelopment Study be accepted and that all the properties be included as part of the Redevelopment Area. Commentary about Lot 5 and 8 being well-maintained along with the recommendation that the uses of those properties remain the same would also be included. Chairman Pfeil seconded the motion. A **ROLL CALL VOTE** was taken. Those in Favor: Mr. Jones, Dr. Rae, Chairman Pfeil. Those Opposed: Mr. Hands, Mr. Malinousky, Mr. Moholkar, Mr. Sandow. The motion failed by a vote of 4-3.

Dr. Rae motioned to extend the meeting for 15 minutes. Mr. Moholkar seconded that motion and by unanimous **VOICE VOTE**, the meeting was extended to 10:45 PM.

Mr. Malinousky moved to recommend the Redevelopment Study with the exclusion of Lots 5 and 8. Chairman Pfeil seconded the motion. A **ROLL CALL VOTE** was taken. Those in Favor: Mr. Jones, Mr. Malinousky, Mr. Moholkar, Dr. Rae, Chairman Pfeil. Those Opposed: Mr. Hands, Mr. Sandow. The motion was approved by a vote of 5-2.

Mr. O'Brien said that the next step would be to create a resolution that captured the discussions and findings as well as the informational material, the study itself and a transcript of the hearing.

At 10:35 PM a motion to adjourn was made by Dr. Rae and seconded by Mr. Jones. The motion was approved by unanimous **VOICE VOTE**.

Date: _____

Cyndi Kiefer
Planning & Zoning Coordinator