

## 1. FLAG SALUTE & CERTIFICATION OF COMPLIANCE

Board Administrator Ally Morris called the meeting to order at 6:00 p.m. with the Pledge of Allegiance, and she read the Certification of Compliance with the NJ Open Public Meetings Act:

“The time, date and location of this meeting was published in the *Asbury Park Press* and *The Star Ledger* and posted on the bulletin board in the office of the Township of Lakewood at least 48 hours in advance. The public has the right to attend this meeting, and reasonable, comprehensive minutes of this meeting will be available for public inspection. This meeting meets the criteria of the Open Public Meetings Act.”

## 2. REORGANIZATION

### A. OATH OF OFFICE

- Class I Member-one-year appointment to December 31, 2021 – Raymond Coles (not present)
- Class II Member-one-year appointment to December 31, 2021 – Justin Flancbaum
- Mayor's Designee to serve to December 31, 2021 – Moshe Raitzik
- Class III Member-one-year appointment to December 31, 2020 – Albert Akerman (not present)
- Class IV Member-four-year appointment (four-year appointment) – (none)
- Planning Board Member alternatives (two-year appointment) – (none)

### B. ELECTION OF OFFICERS FOR THE CALENDAR YEAR OF 2018

- Chairman - Yechiel Herzl
- Vice Chairman - Eli Rennert
- Secretary – Ally Morris

### C. SELECTION OF CONSULTANTS AND OTHER PERSONNEL

- Attorney - John J. Jackson, Esq., King, Kitrick, Jackson & McWeeney, LLC
- Planner - Mr. Terence Vogt, P.E., P.P., C.M.E., Remington & Vernick Engineers
- Engineer - Mr. Terence Vogt, P.E., P.P., C.M.E., Remington & Vernick Engineers

## 3. ROLL CALL & SWEARING IN OF PROFESSIONALS

Mr. Garfield, Mr. Stern, Mr. Sabel, Mr. Flancbaum, Mr. Herzl, Mr. Rennert, Mr. Isaacson, Mr. Meyer, Mr. Raitzik were present.

Mr. Terence Vogt, P.E., P.P., C.M.E. was sworn.

## 4. PUBLIC HEARING

### 4. SD 2457 Benjamin Barr

41 Sunset Road

Block 76, Lots 18 & 19

Minor Subdivision to adjust lot lines

Mrs. Morris said this applicant is meeting with the neighbors and has requested to carry to the February 5, 2021, meeting with no further notice.

A legal announcement was made as to the same.

## 5. CORRESPONDENCE

- **SD 2010 Joseph Lipschitz, Block 782.01, Lots 2, 5, 11, & 16.01, Route 9** – Request to modify sidewalk along Route 9

Mrs. Morris said Bill Schwarz, of the Township Engineering office, is here to discuss this request and answer any questions the Board may have. This was a subdivision approval that has a small portion of the property along Route 9, they've had some difficulties in getting sidewalk in a place where the State is happy and the Township is happy and drainage issues have to be resolved. I'll let Mr. Flannery explain the request first, and then Mr. Schwarz will respond, he is familiar with the problems there.

Mr. Rennert stepped down.

Mr. Vogt said Brian, Jeff, and Bill and I had a video conference this afternoon to go over the project. I will preface by indicating the primary issue here is the request to the Board for the waiver of sidewalk and subsequently curbing. What is done with that, whether there is curb and sidewalk or not is going to affect the drainage which is the secondary concern. Speaking with Mr. Flannery today, we can deal with the drainage outside of this meeting depending on what the Board decides on the sidewalk and curbing.

Mr. Herzl said this application was before us and we requested sidewalks?

Mr. Vogt said I believe that was part of the previously approved plans. There are issues with that which Brian will go into.

Mr. Adam Pfeffer, Esquire, appeared on behalf of the applicant. He said I did notice for this meeting, so any interested parties are aware of it. He had Mr. Brian Flannery, professional engineer and professional planner, affirmed.

Mr. Flannery said this got approval for duplexes on Hilton Drive off Oak Street a while ago. New Lines submitted a sidewalk plan with the correspondence request, dated 6/14/19, with a revision date of 9/30/20, marked as A-1. That shows the two duplex units that have reverse frontage on Route 9. These units front on Hilton Drive with full sidewalk out to Oak. When we got the approval we indicated that sidewalk on Route 9 would be problematic because of getting a permit. And the Board waived the curbing and indicated to do sidewalk with a berm for pedestrian safety. There have been some changes and some construction since then and issues that were created that make this a very unique situation. There is a sidewalk that was put in the right-of-way, with a berm that blocked some drainage that was done without a permit. And the DOT came back and said that's got to be removed. The applicant intends to do that. Our plan, if the Board acts favorably on the request to waive the sidewalk on Route 9 would be to restore the Route 9 right-of-way to its prior condition, which includes a walking trail. There is a second exhibit that shows where the sidewalk is. I think we all drive down Route 9 and no one drives very quickly because with traffic conditions there is a lot of time to see. You go a couple hundred feet with sidewalk, then a couple hundred feet on an earth path, then some more sidewalk. This particular property is between Oak Street and High Street. Right at the corner of Oak Street there's maybe 100 feet of sidewalk, and then it's dirt all the way up until the gas station. The gas station has a little bit of sidewalk between the two driveways, and then it goes back to dirt. The opposite side is the same kind of situation. The DOT has plans to do improvements to Route 9, they've been talking about them for a while. I firmly believe that if it wasn't for COVID, they'd probably be doing that this year. In all likelihood it will be next year. I think Bill Schwarz would have a better handle on that. But the applicant is in a position because he sold the lots that these units are built on. I had a meeting with the applicant and the owners of those units a couple weeks ago, and in order to do sidewalk and drainage that the DOT would require, we'd have to take down all the trees, the few trees that they have in their backyard. Additionally, because they now own it, the property's been conveyed to them, and there

is a drainage easement in the back where they have a recharge system for the drywells, that's in an easement, but there's no easement from the right-of-way line to that easement. So if the Board says you need to put in the sidewalk, the applicant goes to the DOT, which he's already done, the DOT wants a drainage system that's in excess of \$200,000 to construct, in the rear yard of these duplex units. This applicant can't do that, so if the Board says to this applicant to do it, he doesn't have the right to do it. The only way we could do that is if either the State or the Town condemn the property in the back yard, so the applicant would have access to do that. Because he doesn't own the property.

Mr. Stern said what do the homeowners think?

Mr. Flannery said the homeowners think there are trees along their back line along Route 9 and they want to preserve those trees. The next exhibit, A-2...

Mr. Herzl said putting an asphalt path instead of the dirt...

Mr. Flannery said we can't put an asphalt path in the right-of-way. We can put a compacted, crushed R-blend or compacted, crushed, dense aggregate, whichever the Township Engineer feels would be best, which would certainly provide an enhanced walk area over the dirt path on both sides of us. The DOT is going to allow us to restore it, but since there was no asphalt path there before, we cannot put an asphalt path there. And the DOT is very adamant that if we do anything in that right-of-way, they want curbing and a drainage system. The reason they want the drainage system is because there is a low point in the road, and this is a regional problem that the DOT needs to deal with. They actually hired a consultant to do that before this applicant put the sidewalk in. When this applicant put the sidewalk in, the engineer that was hired to do it said well I don't have to do anything, let's get this guy to do it. Unfortunately, at this point as a practical matter, the applicant cannot do it. If the Board says put the sidewalk in, what's going to happen is there's going to be a lawsuit, and the bond is going to get called in, and it's going to create problems. But no sidewalk is getting put in because the applicant does not have the authority to go on those people's properties. Additionally, the homeowners don't want a regional drainage system in their backyard. It doesn't belong there, it needs maintenance. When we go to the DOT or DEP to design a regional drainage system for something like this, the new thinking is you do it in pieces all along. It goes past Oak Street and almost to High Street, and all along that the drainage should be picked up and dealt with as it goes on. This is an offsite improvement that's definitely needed, and the Lakewood UDO allows the Planning Board to charge an applicant his fair share of it. The applicant is agreeable to paying his share of an offsite improvement. That's writing a check. Putting a regional drainage system in the rear yard of four homeowners is something that he can't do and doesn't want to do, and those homeowners don't want it done either.

Mr. Stern said your client has sold all these lots? How much is the bond that he has outstanding?

Mr. Flannery said that's something Bill would know better.

Mr. Stern said the crass question is, why is this his problem? Why is he hiring you to come here tonight, he sold the properties. Why are we here?

Mr. Herzl said they can't get CO's I think.

Mr. Pfeffer said once you get your approvals, part of the resolution compliance is that you need to have a performance bond. The plan was approved a certain way, the sidewalks were installed. If you go there right now there are sidewalks. Inadvertently they were put in the wrong spot. The DOT has come in and said rip those out. That's going to have to happen no matter what. They have to be removed. As we stand today, there is a performance bond, doesn't matter if it's a dollar or 10 million dollars, the performance bond is in place. At this point the Township Engineers are saying you can't go any further because you have this issue and you have to resolve it. You have to

either come back to the Planning Board who made this condition, which we agreed to, and resolve it at the Planning Board level, or the Township is going to seek to call in this performance bond. That's going to spiral into several other items. When they call in the bond, it will end up being a lawsuit. Innocently, these individual lots have already been sold. If this issue arose before those units had sold, we would go in and be able to do some kind of a fix. But they've indicated don't rip up our trees, and you're not digging anything on our property, you don't have any rights to do it and we aren't sure we want these easements on our property.

Mr. Stern said I'm not commenting on the merits, but my gut tells me this is a thicket of issues that's going to take an hour to tease out. If this is not a time sensitive matter, we put this on another agenda. Correspondence is usually a 5 minute matter.

Mr. Jackson said if I understood Mr. Flannery correctly, one of the issues is an economic issue. It's \$200,000, something the applicant cannot or will not do. The bond's going to have to get called, there will be a lawsuit, economic repercussions. Ordinarily those are not Planning Board concerns. But if no one saw that a sidewalk was going to cause DOT issues and require an extensive, expensive drainage system... I think it is fair to look at what the numbers are. The fact that there's going to be a lawsuit over a bond, ordinarily I would say for the Board not to worry about that. But if nobody thought in advance that the sidewalk is going to have to go where existing homeowners are, and there's going to be an engineering mess, I think it is fair to ask the Board for reconsideration. But I think you need to get all the information. What happens to this property if the builder decides to walk away from it? Does that mean these lots are never developed, and does that concern the Planning Board less than the Board would be concerned with having no sidewalks.

Mr. Herzl said I think it's all developed and sold already. I think we should give the courtesy to Mr. Schwarz to say the Township's point of view, and then we'll see if we can continue this tonight.

Mr. William Schwarz, professional engineer, appeared and was affirmed. He said the first question that came up was the outstanding bond amount. That is \$197,000 and change. There was a bond reduction that was done, so that's what's currently held. In terms of the status, right now, those homeowners are under TCOs and that's what they are trying to close out. We haven't issued permanent CO's there. In essence, Brian explained how the curbing essentially is creating a drainage issue and it has been an outstanding issue. There is a low point in Route 9, that has ponded in the past, and because of that DOT is looking for this extensive drainage system. In terms of sidewalk, there may be another option where we could shift the sidewalk into the site, and not apply for a DOT permit, I don't know if that's possible.

Mr. Flannery said we did consider that, and that's why I met with the applicant and three of the affected homeowners. They indicated to me very vehemently that they do not want a sidewalk on their property, they will not grant an easement for that, and they will fight any condemnation effort to knock down the few trees that they have separating their backyard from Route 9, for either a sidewalk or a drainage easement, both of which they feel are inappropriate on their property.

Mr. Herzl said if the Township or the DOT want to go ahead with eminent domain, what happens then?

Mr. Flannery said in order to eminent domain, they have to show that there is no other thing, this is in the public good. And there is another way of doing it, an appropriate way. They could high an expert that says the appropriate way is to deal with the runoff all along the side of the road, you don't burden one property at the low point in the road. So there is other ways. They have a good fight on the eminent domain. And it's not just about the dollars, it's a matter of practical situation that the homeowners that live there and own the property don't want it.

Mr. Jackson said I've learned long ago not to argue with Mr. Flannery, but I respectfully disagree with his claim that the government has to show that this is the only way with a condemnation. My understanding is if the government wants something, they take it, as long as it has some public purpose. It doesn't have to be the best way or the only way, they can just flex their muscle and take it.

Mr. Pfeffer said take it one step further, this applicant can't file a condemnation act. (Mr. Pfeffer was breaking up). What we're trying to talk about is what we can do. We can do some kind of an r-blend, compacted gravel. We can pay into a fund for a future sidewalk. These are all things we can do, that we are working with everyone to resolve it the best we can.

Mr. Stern said why is this our problem, our being the Township. When you do a condemnation, the Township is the only one with standing to start that. But the corollary is that we have to pay for it. Why is this the Township's problem?

Mr. Pfeffer said we aren't coming to you as the Township, we are coming to you as the Planning Board. You're the only body that has the right to remove the sidewalk condition. Normally we wouldn't be sitting here asking for any waivers from sidewalk. This is a very specific instance where we have an existing issue. We are here before the Board because we can't complete resolution compliance and get CO's. Should the Board agree to remove the sidewalks as a condition and agree that we pay into a fund, this performance bond will be reduced because there are no sidewalks to put in. It will be amended to R-blend. It's kind of in a holding place right now. It's not a threat. We can't even do what the bond is asking us to do.

Mr. Flannery said and the Board is the only one that can waive the sidewalks. If the Board waives the sidewalks, we will work with the applicant's engineer to come up with a solution that is safe and works and it solves both the drainage and the pedestrian access problem. If you don't waive it...

Mr. Herzl said when is the DOT taking care of the drainage issue over there?

Mr. Flannery said they're going to do that when they do the improvements on Route 9. Bill would probably have a better handle on that. I think because of COVID it's probably next year.

Mr. Herzl said your applicant is willing to bond for the sidewalks when the DOT will fix the drainage?

Mr. Flannery said applicant is willing to make a cash contribution, give money to the Township. So now there's no, in the future if something doesn't happen, where the Township has to go to a bonding company. The Township has money.

Mr. Herzl said who is responsible for the sidewalks, the Township or the DOT?

Mr. Flannery said hopefully the DOT would do it. If not the Township will have money and the Board Engineer will come up with an amount of money needed to do it, and the applicant would give the Township that money that would be held in an account until such time as the Township said we're going to do the sidewalks ourselves. I should point out that this 167 feet of sidewalk, if that got put in, and there's no sidewalk on either side of it, we haven't created a situation that's safe. So if this was the missing piece, I wouldn't be arguing so vehemently for this solution. We are talking about making this 167 feet better than the walking path on either side of it. The way we do it, should last until the DOT does the sidewalk much better than what's on either side of us. And the Township will have the money so that when they decide to pull the trigger, they have the money and don't have to pull bonds.

Mr. Sabel said the Township's not going it, the DOT has to do it.

Mr. Herzl said the DOT has to do the drainage.

Mr. Sabel said the Township's not going to put sidewalk on County Roads.

Mr. Isaacson said is there currently curb and sidewalk?

Mr. Sabel said no.

Mr. Flannery said there is curb and sidewalk on the internal roads that were built. There's no curb or sidewalk along Route 9.

Mr. Isaacson said and on any of your plans, is there going to be curb and sidewalk along Route 9?

Mr. Flannery said I should clarify. The applicant did build sidewalk along his reverse frontage on Route 9, which the DOT has told us we have to remove. Not curb, sidewalk.

Mr. Sabel said I don't think so. I'll take a drive down there.

Mr. Herzl said maybe they took it out and listened to the DOT.

Mr. Flannery said I drove past there last week and it was still there.

Mr. Herzl said I think it's not on the curb.

Mr. Flannery said it's probably 9 feet from the edge of pavement with a berm in between.

Mr. Isaacson said assuming it is there, what happens if you do nothing?

Mr. Herzl said can't get the CO's.

Mr. Flannery said we won't get permanent CO's, and the DOT will make trouble with Lakewood Township.

Mr. Isaacson said wouldn't that provoke the DOT to take care of the drainage problem?

Mr. Flannery said no, I've met with them on this. They have 10 different guys in charge of 10 different things. The guy who cares about the right-of-way wants the sidewalk out. The other guy who cares about the drainage, he doesn't care if it's in or out. So the DOT is a black hole.

Mr. Isaacson said is the DOT going to rip out the sidewalk?

Mr. Flannery said the applicant is hoping to rip out the sidewalk if the Board agrees to waive the requirement.

Mr. Isaacson said what I don't understand, is there an eventuality that there is sidewalk along this Route 9.

Mr. Flannery said the Route 9 improvement plans, that includes sidewalk along here between High Street and Oak Street.

Mr. Isaacson said my opinion is they should leave the sidewalk where it is, I don't think the DOT's going to come and rip it out. They'll complain, which they can, and once the improvements along Route 9 begin next year, then we can

address it then. There's gotta be sidewalks, there can't be a dirt path or a furrow. In my opinion there's gotta be curb also, but the fact that it's 9 feet in and there's a berm, ok. I don't think there's any situation where me, as a Board member, would approve something on Route 9 waiving the sidewalk. There shouldn't be one minute without sidewalk in an improved area. I think you should call the DOT's bluff, I don't think they're going to rip it out, I think they'll figure it out.

Mr. Flancbaum said I don't think it's a matter of calling the DOT's bluff. I think before the homeowners living there are issued CO's, developed aside, the developer will have to rip out the sidewalk because the Township won't issue a CO.

Mr. Flannery said I don't think Bill is going to recommend a permanent CO if the sidewalk is in there with a violation from the DOT.

Mr. Flancbaum said that's correct, because the Town has this letter from the DOT indicating the sidewalks must be removed. So the Town isn't going to issue a CO until the sidewalks are out. You'll have homeowners on TCO's, I don't know how that affects them...

Mr. Herzl said how long can we keep them on a TCO if the DOT is going to do the sidewalk anyway?

Mr. Flancbaum said it's not good for the homeowners, you can only be on a TCO for so long according to Town Ordinance, and they're going to have to keep extending that and I don't know... It can only be detrimental for the homeowners, I'm trying to look at it from that perspective. Forget about why they did it, or how, or who did it. From the perspective of the homeowner, they are on TCO's and is there anything the Planning Board can do for the homeowners. They don't want the trees taken out, they don't want sidewalk on their properties... Any privacy they have is destroyed, we don't want to do that. I don't know what other negative implications of leaving the sidewalk has. It's gonna come out eventually. How much money are we talking about the applicant contributing towards a sidewalk fund?

Mr. Flannery said whatever the fair share is, as determined by your Engineer.

Mr. Stern said you have 200,000 in the bond, how much will you put up?

Mr. Flancbaum said it's not a matter of what they are willing to put up.

Mr. Jackson said we can't go down that road.

Mr. Flancbaum said it's not a negotiation, our engineer would come up with a bonding estimate and that's what they would have to contribute. Bill do you have an idea of what that would be?

Mr. Schwarz said I can't speak to that yet. Is it just a sidewalk cost or also for the drainage?

Mr. Flannery said I think it would be appropriate to also put in his fair share of the drainage. I don't think that's something you can calculate in five minutes.

Mr. Flancbaum said maybe we'll get more figures...

Mr. Herzl said maybe we'll do it next time, when you have some numbers. Try to satisfy the Board that we know eventually something good will come over there.

Mrs. Morris said I do have two emails from the public and there are two new callers on here that may be for this application. I don't know if you want to open to the public.

Mr. Herzl said let's see are they pro or con.

Mrs. Morris said the two emails I have are both against putting it on their property with an easement. Mr. Lemmer had a question about how they could put easements on property the applicant doesn't own. Mr. and Mrs. Brim do not agree to the request for a waiver for installing sidewalk along the Route 9 right-of-way, because they don't agree to have the sidewalks placed in an easement on their property. We can unmute the two callers on here too. I unmuted Vajda and the number ending in 82.

Mr. Gabriel Vajda, 11 Hilton Drive, appeared and was affirmed. He said I live on the same side as Lemmer and Brim. I also don't want the trees removed. It's my backyard. I want the trees and I think sidewalk would be good too. The trees are the most important right now.

Mr. Isaacson said Mr. Vajda, is there currently sidewalk on Route 9?

Mr. Vajda said no, dirt road, no sidewalk.

Mr. Herzl said we have a dispute.

Mr. Sabel said Google Maps shows some sidewalk, very small though.

Mr. Herzl said I think Brian testified it's a path that's 9' away from the road.

Mr. Flannery said sidewalk was constructed with a berm. The berm has kind of eroded and it's only 167' long. So there's dirt, then sidewalk that is less than ideal, and then dirt again.

Mr. Isaacson said I'm asking a resident if he sees any sidewalk and he's telling me no.

Mr. Flannery said ask him if there was ever any sidewalk out there.

Mr. Vajda already left.

Mr. Arthur Lemmer, 17 Hilton Drive, appeared and was affirmed. He said much of the sidewalk is now covered in earth from the berm which is not retaining the soil.

Mr. Isaacson said is there a concrete sidewalk along Route 9?

Mr. Lemmer said yes.

Mr. Sabel said do you want this to be as-is. Are you ok with a TCO, can you get a CO, if the developer does not touch it?

Mr. Lemmer said no, I want my CO. The Township is not allowing a CO. And I can't sell my property or do other things without a proper CO.

Mr. Sabel said what is the best we can do for you?



Mr. Lemmer said I agree the sidewalk be temporarily removed.

Mr. Flancbaum said I recommend they come back the week after next, with some real figures. If we are going to leave this as-is, these homeowners will never get a CO. We're putting them in a really bad spot. Like Mr. Lemmer said, it's not good. They can't re-fi their property, they can't sell. It's gonna be a big problem. I don't know what happened, but at this point we have to do what's best for the homeowner. I think the applicant should come back in two weeks with figures.

Mr. Herzl said if the applicant agrees to make the rock path, and put money and work it out with Bill Schwarz, I can ask the Board if they want to make a motion right now.

Mr. Stern said I think we need to hear more.

Mr. Herzl said ok then forget it.

Mr. Stern said if we had a solution that the developer, homeowners, and DOT was happy with...

Mr. Isaacson said there's no such solution.

Mr. Stern said that's why we need more...

Mr. Isaacson said I don't understand the reason to delay a motion on this, which as Bruce said in the beginning, this should never have come on as correspondence. There's quite a bit of testimony that was required. Correspondence is a 5, 10 minute item, not a one hour item. I understand the homeowner is caught between a rock and a hard place. We are too. We sympathize with the homeowner, but we have thousands and thousand of people who travel Route 9, many of them by foot, and they need a safe sidewalk. To remove the current sidewalk is not in any way a solution. If they want to come back with something else, that's fine. But currently, as it is, I am ready to put forward a motion right now that we will not waive the sidewalk requirement.

Mr. Sabel said let's make the motion.

Mr. Raitzik said I'd like to make a motion to have the sidewalk put in as it was planned.

Mr. Herzl said we have an issue because the DOT will not allow that.

Mr. Flancbaum and Mr. Isaacson said the sidewalk is in.

Mr. Raitzik said so leave it as-is then.

Mr. Herzl said how are they going to deal with the DOT who wants it out?

Mr. Raitzik said that's their issue. Point is, let's get them the CO.

Mr. Herzl said the Town will not give them a CO because of the DOT violation.

Mr. Raitzik said my motion stands as it is, and we can go back to the homeowners separately to work that out.

Mrs. Morris said ultimately the request from the applicant is for a waiver of a previous condition. The Board can just deny that request and say they don't like any of the options presented. It's not the Board's job to find a solution to this problem unfortunately.

Mr. Isaacson said that is what I was saying. I will make a motion to deny the waiver.

Mr. Jackson said I'm hearing two different thoughts from the members. I think they are to deny the application, that would mean the sidewalk would stay and they aren't amending their application and it's the developers problem. The other thought is let them come back with more information and we will consider this then because this has consequences and I want to hear more. There is a motion to deny the waiver application. If there is a second, then you can have a vote. A vote to deny it would be to deny it and a vote in opposition might be a way to have a second motion to have them come back with more information.

Mr. Herzl said if we deny the waiver, they can always come back and advertise again. Everything is status quo if we deny it right now. We aren't denying the project.

Mr. Jackson said it's not a formal application, they haven't brought all the proofs, you could say we aren't doing this now in this context.

Mr. Herzl said and they could come back.

Mr. Isaacson said my motion was to deny the waiver.

Mr. Raitzik seconded.

Mr. Herzl said and we are leaving that the applicant could come back again.

Mr. Isaacson said yes.

In favor: Mr. Garfield, Mr. Stern, Mr. Isaacson, Mr. Raitzik, Mr. Sabel

Opposed: Mr. Flancbaum, Mr. Herzl, Mr. Meyer

Mr. Jackson said the application for a waiver on correspondence is denied without prejudice. The applicant can make an actual application to amend their plan.

Mr. Sabel and Mr. Raitzik left the meeting.

#### **4. PUBLIC HEARING**

- 1. SD 2443 Simon Soloff**  
Ocean Avenue Block 189, Lots 116 & 117  
Preliminary and Final Major Subdivision to create 10 lots

Mr. Vogt said as per our letter dated December 7<sup>th</sup>, on page 3 under submission waivers, you have block and lot conforming with the tax map, topo contours within 200 feet, manmade features, EIS, and architectural drawings.

A motion was made and seconded to support the submission waiver requests in accordance with the engineer's recommendations. All were in favor.

Mr. Vogt said continuing under zoning, no bulk variances have been identified however we caution the applicant that if there is any right-of-way dedications subsequently required by the State or Township, that could trigger bulk variance conditions. We'll get testimony on that. Under design waivers, required from providing an 8' wide right-of-way dedication on Cherry Street. This waiver was granted for an adjoining subdivision to the north of the property. Design waiver is also required from providing driveways within 30' of the intersection to two public streets. We had a recommendation that the unit be reconfigured and relocate one of the spaces. Finally a waiver is required for sidelines which are not perpendicular to 88, which the Board has granted in the past.

Mrs. Miriam Weinstein, Esquire, appeared on behalf of the applicant. She said this is a simple one, an application for Preliminary and Final Major Subdivision to subdivide the property into 10 lots for 5 duplex structures on zero lot line lots. This is a fully conforming, as of right, application. Honestly, I don't have that much to say on it. She had Mr. Flannery affirmed.

Mr. Flannery said the application is for 5 duplex structures, 10 zero lot line properties. It's fully conforming. As indicated in Terry's report, the property is in the R-7.5 and duplexes are permitted on 10,000 sf lots with 65 foot wide minimum, which we provide. Item 2 indicates no bulk variances have been requested and it's my testimony we aren't asking for any. It's my professional opinion that no dedication to the DOT will be required on Route 88 that would create variances. With respect to the design waivers, we are asking for an 8' widening easement along our property instead of a dedication. This is similar to the rest of Cherry Street which is a dead end. A-1, sheet 60 of the tax maps, shows it's two lots on the corner of Cherry Street and Route 88.

Mr. Herzl said what's the difference between an easement and a dedication.

Mr. Flannery said from a practical standpoint there's not a difference. A dedication gives the Township more ownership of it, but the easement gives them what they need which is to have the sidewalk and the adjoining property to the right-of-way.

Mr. Herzl said can the builder rescind the easement?

Mr. Flannery said no. It's the same easement that was given all the way up on Cherry Street.

Mr. Herzl said I want to make sure the Township can have the sidewalks, the road can be widened, whatever we need. So there's no difference for us.

Mr. Flannery said that is correct. The second item that we're asking for a design waiver on is driveways within 20' of two public streets. This is the first time I've ever seen this in a report. Obviously it's somewhere in the UDO that I haven't seen, that surprises me. But with respect to that it's my testimony here that the driveway we are talking about is on Cherry Street, which is a dead-end residential street. And it's my professional opinion that having that driveway within 20' of the intersection is not any kind of a safety problem. The people coming in and going out are the few residents along Cherry Street and it's my testimony it's a waiver that makes sense and we are asking the Board to grant that waiver. Looking at the rest of the report, on page 5 number 6 is indicating we should revise that corner unit. A-3 shows the units, the corner unit is set back and we are trying to provide a larger rear yard for them. Rearrangement of that unit reduces the backyard and it's a detriment to the future homeowners with no real benefit from a safety standpoint or the public good. So my testimony is we don't want to do that. Obviously if the Board feels different we have the availability to do that, but it's my testimony the application as submitted makes sense and we would request that design waiver from the 20'. Number 9 says provide clarifying testimony with regard to trash pick up. Trash pick up would be by DPW, they're typical duplex units along Cherry Street. Item 10 indicates provide testimony regarding basements and attics. We are proposing basements, the basements are allowed to be rented, we've provide a minimum of four spaces per unit in according with the Ordinance. At the

time of plot plan, if more parking is needed per the Ordinance that would be provided. The other items in the report we would satisfy as part of resolution compliance. Normally I go into the Master Plan on the background information and the Municipal Land Use Law. I think since we are only asking for design waivers I will not waste the Board's time on that.

Mr. Herzl said you're putting sidewalks all over?

Mr. Flannery said yes.

Mr. Herzl said all the units front on Cherry Street?

Mr. Flannery said no, two of the units front on Ocean Avenue and they have combined driveways so that there is the ability to turn around and pull out straight.

Mr. Herzl said everybody has four spaces and it's a combined driveway?

Mr. Flannery said yes.

Mr. Herzl opened to the public.

Mrs. Morris said I did not receive any emails from the public on this, I'm not sure if there is anyone in attendance who'd like to speak.

Mr. Herzl said I don't see anybody, and he closed to the public.

Mr. Flannery made a motion to approve the application as presented, and Mr. Meyer seconded. All were in favor.

Mrs. Morris interrupted the following application and said we had an emailed comment on the last application that was not read into the record. That was an oversight on mine and Mr. Jackson's part. It came in during the public hearing and we didn't read it. What should we do about that Mr. Jackson?

Mr. Jackson said I didn't hear the question. You found a letter?

Mrs. Morris said there was an email on the last application that wasn't read into the record, asking for specific conditions including retroreflective street name signs, crosswalks along Cherry Street, stop bars, yellow paint on the curbs, and white sticks on the stop signs.

Mr. Jackson said is that from Mr. Zeines?

Mrs. Morris said yes. It appears they are typical construction concerns and aside from the crosswalks they may or may not be under the Board's jurisdiction.

Mr. Jackson said Miriam, are you still on and is that ok with you?

Mr. Flannery said I think Miriam is gone but I know the applicant would be ok with the standard response that to the extent it's a standard thing that the Township wants, the applicant has no problem with it. We would work it out during resolution compliance.

Mr. Jackson said ok, so Mr. Chairman with your permission we can work that into the resolution that to the extent practical the applicant will comply with the requests.

Mr. Herzl said is everyone on board?

The Board members agreed.

Mrs. Morris said I apologize to Mr. Zeines for the oversight.

Mrs. Weinstein said and I am still here and I am fine with it.

Mr. Herzl said I asked and the Board members are ok with it, so we can add it to the resolution. Thank you Ally and I apologize to Mr. Zeines.

**2. SP 2396 470 Oberlin LLC**  
470 Oberlin Avenue South                      Block 1600, Lot 4  
Preliminary and Final Major Site Plan for an addition to a warehouse

Mr. Vogt said as per our letter dated December 14<sup>th</sup>, submission waivers include topo, contours, manmade features within 200', plans and profiles of utility layouts, b site features, plans and profiles of utilities, and an EIS. As indicated in our letter, we support the submission waivers for hearing purposes.

A motion was made and seconded to support the submission waiver requests in accordance with the engineer's recommendations. All were in favor.

Mr. Vogt said continuing under zoning, front yard setback variance is preexisting non-conforming, however being in the industrial zone they have the option of getting a reduction down to 15' which they have obtained. Therefore this has been satisfied, we simply request that the zoning data on the final plans be corrected to show that. On page 3, there is a non-conformance with respect to minimum side yard setback as well as an existing sign. I believe that's the only variance relief. Continuing under design waivers, they included sidewalk along the Oberlin Ave S and New Hampshire frontages, curb along the New Hampshire frontage, provision of perimeter buffer, and street trees in the easement along Oberlin Avenue South. However there are existing trees in that area as well. Those are our comments.

Mr. Adam Pfeffer appeared on behalf of the applicant. He said as Terry indicated this is an application for an addition to an existing building. About a 25,000 sf addition. We are seeking a side yard setback variance. 29.5' exists, and 30' s required. Other than that, it is really a conforming application.

Mr. Glenn Lines, professional engineer and professional planner, appeared and was affirmed. He said we are proposing a 25,000 sf addition to the existing building located on Oberlin Avenue South. The property is located between Oberlin Avenue and New Hampshire Avenue. And there is a 20' wide conservation easement along the rear of the property on the New Hampshire side for tree save purposes and so on. The building's been there for quite a while. The two variances that we need are the front setback, which the Industrial Commission approved and is an existing condition, and the other is a side setback variance on the other side of the building where our exit driveway is. And that's also an existing condition, we are just adding to the building so instead of the variance being 75' long it's now about 175' long. We aren't any closer to the property line, it's just more of the building. I don't believe the side variance is a detriment to the neighbor, they've had the building next door for all these years. Part of their parking lot is right on the other side of the property line.

Mr. Herzl said are you putting any sidewalks in?

Mr. Lines said we can put sidewalks in on Oberlin Avenue. We'd have to clear some trees.

Mr. Herzl said on New Hampshire you said you can't because you have a conservation easement.

Mr. Lines said well there's a conservation easement and the County has already reviewed it and they specifically do not want us to clear any of the trees. So that doesn't leave us any room between the property line and the road. There's nowhere over there to put sidewalks, and there's no sidewalks on this side of New Hampshire from Cedarbridge down to the apartments close to Route 70.

Mr. Herzl said Oberlin has sidewalks?

Mr. Lines said they are intermittent. New applications have added sidewalk. We have no objection to put them in on Oberlin.

Mr. Herzl said is there anything in the report you don't agree with?

Mr. Lines said no.

Mr. Herzl opened to the public.

Mrs. Morris said she didn't receive any emails on this application.

Mr. Flancabaum made a motion to approve the application as presented but with sidewalks on Oberlin Avenue South, and Mr. Isaacson seconded. All were in favor.

**3. SD 2445 Block 458 LLC**

Cross Street

Block 450; 457; 458, Lots 9; 1, 2, 4, 6; 1-6

Preliminary and Final Major Subdivision to create 40 lots

Mrs. Morris said the Board will recall this is adjacent to the one recently that was a campus approval turned residential, under that special Ordinance provision for existing campus approvals. I believe these Blocks were part of the original campus approval, so this would be the completion of the campus approval being converted to residential.

Mr. Herzl said they want to make an R-7.5, is that correct?

Mrs. Morris said I didn't say it out loud because I couldn't remember if it was R-7.5 or R-10.

Mr. Vogt said as per our letter dated December 17<sup>th</sup>, under submission waivers, we have survey within a portion of the property, property owners within 200', topo, contours, and manmade features within 200', EIS, and architectural drawings. We can support the waivers for hearing purposes for reasons stipulated in the letter.

A motion was made and seconded to support the submission waiver requests in accordance with the engineer's recommendations. All were in favor.

Mr. Vogt said continuing under zoning, the project is permitted. No bulk variances have been requested. Easements are shown on several of the corners of the blocks, other projects have been approved with similar mechanisms for radial dedications and minimum lot area variances, it's up to the Board whether they want to approve it as such or

do what's indicated. Under design waivers, since more than 25 units are proposed, a waiver is required from the UDO requirement for 5% contiguous open space being allotted for recreation. And then unless a design waiver is granted, proposed driveways for off-street parking shall not be located closer than 30' to the intersection of two public streets.

Mr. Adam Pfeffer appeared on behalf of the applicant. He said as Terry indicated, the project is straightforward and there are no bulk variances.

Mr. Flannery appeared and was affirmed. He said as indicated, this is the remainder of that campus where the option is for the R-7.5 development.

Mr. Herzl said is this the last piece of property we have out there for the R-7.5?

Mr. Flannery said this is the second part for the campus that was previously referred to as the Strickman campus. A-1 is sheet 89 of the tax map, and you can see on Block 450 a lot has been added which is the recreation area. When the last application was done and it did not provide active recreation, the applicant revised this to provide an area with equipment. As indicated in Terry's report, we are supposed to provide 5% open area, so the applicant could have provided 5% with no recreation, we are providing 4% with recreation which in my opinion meets the intent of the Ordinance. Going through the report, under zoning, it indicates the zero lot line development is permitted. Item 2 indicates no bulk variances are required. Item 3 is that the corner lots we provided the sidewalk within easements. We are happy with them in an easement, if the Board would prefer to have a radial dedication and have the lots slightly less than 10,000 SF, we can do that but we do prefer it this way because it's virtually the same thing. Under design waivers I indicated we are providing roughly 4% at 8,000 sf lot with active recreation. If the Board remembers the prior application to the west, two blocks west another recreation area was proposed so the location of this is ideal in that it spreads out the recreation areas. Additionally, I'd like to point out that in Block 450 and around that, those are currently R-20, the Master Plan says they should be R-12, so I anticipate those will be 12,000 sf lots. They are small blocks so those aren't going to require recreation. By providing this area, it provides a benefit to the other properties that will be developed as well. The second design waiver is the new one to me, the no driveways on public streets within 20' of the intersection. My testimony again is that these are local streets with mostly local drivers, I don't feel the driveway within the 20' of the intersection is a problem and we would request that design waiver. Page 5 of the report asks for testimony with regards to a homeowners association. The applicant is proposing a limited homeowners association, just to maintain that recreation area. There is no reason for an association for anything else. But so the Township isn't burdened with the maintenance of that, there would be a limited homeowners association just for the recreation area. Item 6 asks for testimony on bedrooms and parking. We will provide a minimum of 4 spaces, and however many are required by Ordinance we will provide. The remainder of the report we would satisfy if the Board acts favorably on the application. I normally go through the Master Plan and Municipal Land Use Law, but as we aren't asking for any variances I will skip that unless the Board wants to hear it.

Mr. Garfield said was there a traffic study done on this area? Cross Street is a problem and it looks like you're going to have 6 entrances coming out. Is there a master street plan for maybe a traffic light somewhere?

Mr. Flannery said a traffic report was submitted. This also needs County approval, and as Mr. Garfield indicates the problem with traffic is on Cross Street. I think the intent of the Town and the Planning Board when they made it R-12 was that the paper streets would be developed, and the purpose of that is it provides a lot of transportation and access alternatives off of the main roads so that neighbors in this area don't have to go on Cross Street. But the conclusions in the report are that this will provide traffic in accordance with accepted standards, the trip generations are all there. And it's being developed in accordance with the Master Plan.

Mr. Herzl read from the report, it's level C and D. Brian, they could construct any houses here before Cross Street gets widened?

Mr. Flannery said conceivably yes. I have spoken with the County Engineer who anticipates the Cross Street widening to occur this year. And there are many other approvals required before this could be built. This is not going by the Master Plan recommended zone change based on improvements being made. This applicant will be required to provide a traffic and drainage impact fee to both the County as well as an impact fee to the Township relative to the development within the Cross Street core.

Mr. Stern said I want to compliment your team for the previous application, Ally was kind enough to send me the revised plan with the playground in the first application and it was done well. It's the right location and the right size, so thank you. The new one you are proposing now I think is fine, even though it's a little small. You didn't answer the Chairman's question, are we done with these campus zones that somehow turn into townhouse developments by private individuals? I'm not sure how this evolved but it doesn't seem like good policy. How many more of these are coming down the pipe?

Mr. Flannery said you characterized it as a campus turned into townhouse, but it's not townhouses, it's singles or duplexes. That was a recommendation in the Master Plan of 2017, implemented in 2018, and it had a provision in the implementing of it that only applications that had been deemed complete or approved by the date of that application. So that door has been closed, it's not like anyone else can come in after and prepare it. If your question is relating to campuses, the campus ordinance is still on the book. It was tightened up and is only available to legitimate institutions of higher education, it was tightened up to say all the housing has to be associated with the campus and it has to be an accredited college that also offers graduate degrees.

Mr. Stern said no I'm asking the former question, the ones that are allowed to become R-7.5. That door has been closed? How many more got under the wire that we haven't heard yet?

Mr. Flannery said off the top of my head, there is one very close to this where I have worked with that applicant. Rabbi Perzansky's campus. I know there was another one, the Bergman campus on Ridge Avenue I think...

Mr. Sabel said all these people had universities with graduate programs?

Mr. Flannery said the Bergan campus was submitted prior to that tightening of the Ordinance.

Mr. Jackson said is this the one we went around and around on, and the application was actually rejected and put into abeyance on the basis that they did not yet have a graduate program?

Mr. Flannery said this property is not that property.

Mr. Jackson said so this applicant did have an accredited graduate program?

Mr. Flannery said this application was submitted prior to that tightening of the Ordinance, and it was actually this project that the neighbors discussed and the Planning Board was thinking about when they made the recommendation to allow R-7.5 instead of a campus to reduce the density and provide needed housing that is market rate and taxable.

Mr. Stern said thank you.

Mr. Herzl said I see Scott Kennel here. Do we need him?



Mr. Flannery said if you want to hear from him, we can.

Mr. Herzl said let's see if any Board members want to hear from him. Let's open to the public.

Mrs. Morris said I have one email from Mr. Zeines.

I noticed that the plans show a playground on less than 5% of the space. This is unacceptable. Playgrounds matter. We need the full 5% and I urge the board to require the full 5% and not grant any waiver.

Additionally, I would like to recommend that the board condition its approval on the applicant installing the following:

1. Retro-reflective street name signs along all the corners of this development, and that street name signs be installed on top of the stop signs to ensure they do not get blocked by other traffic control signs.
2. Crosswalks along the corners
3. Stop bars, as well as double yellow solid lines painted 50 feet from the stop bars
4. Yellow paint on the curbs 50 feet from the stop signs and 25 feet from the crosswalks (across from the stop signs) as well as No Parking signs along these areas, to guide drivers not to park too close to the corners.
5. Brite Sticks on each stop sign. Lakewood Public Works has been going around town installing these brite Sticks to brighten up stop signs, so this should be the new standard as well for all new developments.

Very truly yours,

Moshe Zeines

Mrs. Morris said that's all I have in emails.

Mr. Herzl closed to the public.

Mr. Meyer made a motion to approve and Mr. Flancbaum seconded.

Mrs. Morris asked is that including Mr. Zeines's request?

Mr. Flannery said my response to that request is to the extent that that is Township standards, and during resolution compliance we make sure Public Works is ok with it. I want to point out that the Ordinance only requires 5% with no equipment, we are providing 4% with recreation equipment so my testimony is that complies with the intent of the Ordinance.

Mr. Herzl said you're having sidewalks all over and garbage is going to be DPW?

Mr. Flannery said yes.

Mr. Garfield and Mr. Isaacson opposed, the rest were in favor.

## 5. CORRESPONDENCE

Mr. Stern asked what is allowed under correspondence, what's the difference between that and an application?

Mr. Jackson said over the years we've had a lot of back and forth on this. Basically the Municipal Land Use Law says that an applicant can modify an application as long as it's not material. It says it in the opposite, any material change to an application must be with public notice. So sometimes if we think it's material and the applicant seeks to do it on correspondence, we'll make them notice. A lot of our correspondence matters are with notice, that's if I think the change is material. Whether it can be done on correspondence or whether it requires a full application is a matter of the Board's discretion. Doing it on correspondence takes a lot of the application requirements away, which can always be done as a waiver anyway. Sometimes the applicant overreaches, and the Board says no and the applicant has to come back with an application. The pros are it's streamlined, the downside is it doesn't get the significance, scrutiny, and attention that it might otherwise get if it was on a formal application.

Mr. Stern said in your opinion, should Mr. Lipschitz's item have been on correspondence?

Mr. Jackson tried to respond but was breaking up.

Mr. Pfeffer said I will tell you that on the previous correspondence item it's not something that was created, there was no real other way of going about it. Before an application is put on for correspondence, we vet out what the issues are with the Board's professionals to make sure it's something the Board can look at, and I agree the Board has discretion. Obviously I will tell you on this item the modifications that we are looking for are minor and some are on verbiage.

- **SD 2424 – Gefen Construction, LLC – Block 1024:** Modifications to previous approval

Mr. Herzl asked Terry do you have any comments on this correspondence?

Mr. Vogt said no. They have to make their case. One of the items deals with the impervious coverage variance in lieu of what was proposed. I think some of the others, the applicant's professionals are going to have to testify as to the changes requested to the Board's satisfaction.

Mr. Herzl said to Mr. Stern's question, do you think this can be heard under correspondence? Are there any material changes that should be heard by a full Board?

Mr. Vogt said I think the requests, in my personal opinion, are not that complicated. There is a maximum building coverage variance that's now sought, I'm sure Adam is going to confirm that was advertised.

Mr. Pfeffer said correct.

Mr. Vogt said then that's no different than a formal site plan or subdivision application.

Mr. Herzl said were the plans made public?

Mr. Vogt said I believe these are always posted on the website.

Mrs. Morris said correct.

Mr. Herzl said I just want to make sure every member of the public has the right to attend and see the plans if he wants to.

Mr. Vogt said just to expand on what John said, as you are aware we get these correspondence requests first and we decide if they can go forward as correspondence or as amended approval. The Board is not obligated to act upon this in the form of correspondence. If issues come up that Board members are uncomfortable with and they want more, they certainly have the purview to do so.

Mr. Herzl said thank you.

Mr. Pfeffer said the first item, and I have Brian here for testimony and this was noticed for, is to mention with regards to the maximum building coverage. So the Board is aware, this is really a typographical error on the original application. The building that was shown on the plans is exactly the building we are asking for. It was just an oversight that we didn't call out that it needed a coverage variance. That building is staying, we are not making it any larger and nothing else has changed. We just didn't call out the variance for that building at a 28% coverage. That's the only variance we are seeking, but it's the same building that you saw. The other items have to do with the phasing and some clarification on the resolution.

Mr. Flannery appeared and was affirmed. He said as indicated, we are asking for a maximum building coverage for the house of worship. It's the same building as on the plans when they were submitted, unfortunately we didn't at that time indicate that it required a building coverage variance. The Ordinance allows a maximum of 25% and we are at, to the outside and most conservative, 29.6%. It's my testimony that is deminimus in nature. The second item we are asking for is a submission waiver on the architectural plans. Architectural plans were submitted with it to show the type of houses we are going to do, RVE was very diligent in reviewing it and saw that the architectural plans don't fit on the lot without variances. Obviously we aren't going to ask for variances, and obviously we will come up with plans that fit, similar to the ones that are done. But at this point rather than have an architect draw plans for custom lots and we don't know what they're going to be, we are requesting that relief. We've given plans showing about what it's going to be, we've shown the building envelopes, and the testimony is that we aren't going to request any variances with respect to that. The third item is with respect to phasing, and if you look at the plan submitted Wadsworth Avenue was built with the Oak Street core and is an existing road that's there. We are asking that the first phase be just those five duplexes that front on Wadsworth. At the time we called phase 1 also the house of worship, and that requires putting in Argyle Avenue. The applicant is requesting to amend the phasing to do the units along Wadsworth first, and then with phase 2 and the bulk of the units, that shul would be developed. And the last thing we are asking for is some clarification. There were conditions saying that we needed sidewalks going to the house and to the basement apartments. Due to the configuration, some of them don't work. If we stack the parking, it doesn't leave space for a sidewalk getting to the side of the units. As part of resolution compliance, we would do sidewalks from the street along the driveways, to the sidewalk in front of the buildings, and that sidewalk would extend to the stacked parking. So the only place that someone would have to walk on the driveway to get to those steps would just be the one stacked parking in the back where there is sufficient room to do it. Any of the corner lots or lots where the configuration allows, we would put in the sidewalk all the way to the apartment. We are suggesting we can comply with the intent of that condition by providing a walking space along the side of the unstacked parking that takes you to the entrance that gets to the house, which gets us to the front door which is part of what we were requested to do. It just in all cases does not get us to the side door.

Mr. Herzl said ok thank you. He opened to the public.

Mrs. Morris read an email from Mr. Zeines:

Firstly, it appears that in the original plan, Argyle would be paved completely from Wadsworth out to Halsey - in phase 1, and that now the applicant wants to switch this to paving Argyle only in phase 2.

If this is the case, it is unacceptable. We need Argyle Avenue paved asap to provide an additional exit out to Oak Street.

I urge the board to deny this change of plan.

Additionally, the applicant seeks to remove the conditions which the board originally put in under Mr. Sabel's recommendation, which is that there be a pathway separate but adjacent to the driveways from the roads.

This is a very important condition which the board rightfully set. I urge the board to deny the applicant's request now to remove this condition.

Yours Truly,

Moshe Zeines

Mrs. Morris said that is the only public comment I received.

Mr. Herzl closed to the public.

Mr. Pfeffer said we aren't taking away the intent of the Board's intent for the pathway to the side entrance. We are complying with the intent, it's just the way...I think Brian is correct, this is the first time it was suggested and we have no objection to the intent. We are providing an alternative, is that correct?

Mr. Flannery said that is correct. The other thing I wanted to mention is that one of the requests in the correspondence was the HVAC and trash enclosures were inadvertently shown in the wrong place, and we are going to work out those locations as part of resolution compliance. We'd also like that to be part of it. But with respect to Mr. Zeines's question, we are going a step further and in accordance with what the Board requested. We are just indicating in certain places we don't have the room to put that separate sidewalk.

Mr. Meyer made a motion to approve all of the requests on the correspondence and Mr. Flancbaum seconded. All were in favor.

**6. APPROVAL OF MINUTES**

**7. APPROVAL OF BILLS**

**8. ADJOURNMENT**

The meeting was hereby adjourned. All were in favor.

Respectfully submitted  
Ally Morris  
Planning Board Recording Secretary