

**EAST AMWELL
ZONING BOARD OF ADJUSTMENT - MINUTES
Municipal Building – 7:30 PM
August 9, 2011**

Call to order and compliance with the Open Public Meetings Act

The regular meeting of the Board of Adjustment was called to order at 7:30 PM on August 9, 2011 in the Main Meeting Room of the Municipal Building, 1070 Route 202/31, Ringoes, NJ by Vice Chair Sherrie Binder.

In compliance with the Open Public Meetings Act, the Administrative Officer announced this was a regularly scheduled meeting pursuant to the Annual Meeting Notice as published in the January 20, 2011 issue of the Hunterdon County Democrat, filed in the Township Clerk's Office, and posted on the Bulletin Board on August 2, 2011.

Roll Call and Agenda Review

Present: Sherrie Binder – Vice Chair
Nancy Cunningham
Gloria Frederick
Gael Gardner
Paul Gavzy
Sue Posselt
Anne Williams – Alt. #2
Attorney Waterbury
Engineer O'Neal
Planner Slagle

Absent: Kendra Schroeder – Chair
Diana Garrett – Alt. #1

Presentation of Minutes

A motion by Nancy Cunningham, seconded by Gael Gardner to approve the Board's 7/12/11 minutes was approved with no revisions noted.

Presentation of Bills for Payment

A motion by Gloria Frederick, seconded by Paul Gavzy to approve the vouchers for payment as listed on the agenda was unanimously approved.

Correspondence

It was noted that the correspondence will be dealt with as it comes up over the course of the meeting.

Applications to be Deemed Complete

It was noted for the record that there were no applications listed on the agenda for completeness.

**Applications for Public Hearing –
NVT Licenses, LLC. – (Stahl Property – 117 John Ringo Road) – Use Variance/Preliminary and
Final Major Site Plan Approval – B:5 L:1.06 & 2**

Attorney Waterbury noted she had reviewed the noticing for this application and indicated the Board can take jurisdiction. She recommended that since the Board is still hearing the Alethea Cleantech application, the Board may wish to carry the NVT application to their 9/13/11 meeting. Attorney Waterbury stated that if the Board takes jurisdiction and carries the application, the applicant will not need to re-notice. Attorney Peck asked that the Board hold off on carrying the application for the moment in case the Alethea application wraps up in time for NVT to begin testimony this evening. The Board agreed.

**(Continuation from 7/12/11 Meeting) George A. Kotzias, Alethea Cleantech Advisors, LLC. - (Everitt
Property – 219 John Ringo Road) – Use Variance/Preliminary and Final Major Site Plan Approval –
B:3 L:1 & 2.02**

Present for the public hearing was George Kotzias of Alethea Cleantech Advisors, LLC., Attorney Mark Peck on behalf of the applicant, Engineer Evan Hill of Innovative Engineering, Inc. and Planner/Sole Proprietor Tiffany CuvIELlo.

Attorney Peck commented that they concluded their testimony at the Board's 7/12/11 meeting and the Board can decide whether or not there are additional questions for Planner CuvIELlo or if they wish to open to the public for questions/comments.

Vice Chair Binder asked if the Board had any questions of the applicant's witnesses. Engineer O'Neal asked for additional information regarding the construction phase of the proposed solar project. He asked for details on where the site workers will park during construction of the site. Engineer Hill explained that the site has two proposed access driveways: Rosemont Ringoes Road and John Ringo Road. He noted the access off of Rosemont Ringoes Road will be used during construction which will have a stabilized entrance in accordance with soil erosion standards. He noted that after construction, the temporary stabilized entrance will be removed and the gravel driveway will remain which will be utilized for emergency access purposes. Engineer Hill noted that all construction activities including deliveries will be made off of Rosemont Ringoes Road. He stated that all employees will be parked within the site during construction.

Engineer O'Neal asked about the construction timeframe. Engineer Hill remarked that construction will likely take about 6 months to complete the facility. Engineer O'Neal asked where on the site all of the staging, parking and delivery activity will be taking place. Engineer Hill indicated it will take place within the landscape buffer prior to the installation of the landscaping. He explained the panels are delivered in shipping containers which are simply removed from the trucks. He remarked that the delivery process is done methodically so that materials are not sitting on site without being used. Engineer O'Neal continued to question where all of the workers will be parking saying that he doesn't see any large parking areas on site with stone. Engineer Hill commented that on a similar site under construction in Burlington County there are only about 8 – 10 vehicles parked on site at any given time.

Ms. Gardner expressed concern over potential parking in the landscape buffer area which will get compacted and then not be conducive to planting. Engineer Hill agreed and stated that their landscaping plans indicate that all areas that are to receive seeds and plant material will be tilled. Ms. Gardner asked if the fencing will be installed prior to any construction. Engineer Hill said yes.

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Ms. Cunningham asked what would happen if the Board requested the buffering be installed prior to construction of the site. Engineer Hill noted that they would ask that certain areas be planted after construction with critical areas being installed first. Attorney Waterbury commented that at the Board's 7/12/11 meeting there was discussion on all of the landscaping being installed at the same time the fencing is put in as a condition of approval. Engineer Hill remarked that these facilities are built from the back forward and they will have ample time to stage the parking and deliveries. He indicated there is enough room within the proposed facility to move around.

Mr. Gavzy asked how many people will be working at the Everitt site at any given time. Engineer Hill commented about 15 – 20 people. Engineer O'Neal clarified that once the site is under construction there will be no cars parked along the County road or on the site's 20' wide access driveway. Engineer Hill stated that was correct and noted all vehicles will be parked within the site and he indicated they would be agreeable to making that a condition of approval.

Engineer O'Neal asked about security and possible delivery trucks coming prior to the site's gates being opened. Mr. Kotzias responded that security will only be there when the workers are not. He clarified that deliveries will be made when people are at the site. Engineer O'Neal asked if there will be an office trailer on the site. Engineer Hill stated there will be one located up front for security purposes. Engineer O'Neal requested this detail be added to the site plan. Attorney Waterbury remarked that a "construction, hauling and staging plan" be provided.

Ms. Gardner suggested the Board request that the landscaping first be installed along the Rynearson property line to protect Mrs. Rynearson during the construction phase. Engineer Hill agreed and stated they are amenable to working with the Board's professionals regarding the balance of the landscaping installation.

Planner Slagle asked if they had any contingency plans for installation of the panels if the soil tests indicated they can't use helical screws. Engineer Hill stated if there is any deviation from the plans they are required to come back to the Board for approvals. He indicated that to date they are confident with their soil test results which guided the facility's design.

Ms. Binder referred to the 68' proposed setback along the Rynearson property line and asked if there was any way they could modify it at all. Engineer Hill explained that in their opinion the proposed project layout minimizes the disturbance to the site in order to produce the capacity of energy they need to keep the project viable. Engineer Hill commented that the first application they submitted requested a variance for the length of the entire property line and based on the discussions they had with Mrs. Rynearson they came up with a compromise to address her concerns and still have a viable project. Mr. Kotzias noted that if they abide by the required 150' setback it would reduce production by 15% rendering the project unviable.

A motion by Nancy Cunningham, seconded by Gloria Frederick to open to the public was unanimously approved. Vice Chair Binder stated that the Board will address the residents within 200' of the subject site first, then surrounding property owners and then all other members of the public. It was noted that the public comment was not limited to just questions of the professionals, but rather all comments and concerns.

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Attorney Waterbury provided a brief recap saying, “There are a number of questions that simply aren’t before you in the context of this application because to reiterate—the use is conditionally permitted so the question of whether solar panels should be allowed on the property...that question is not relevant because by Ordinance they are allowed subject to conditions. The question as to whether the property is particularly suited for solar panels—again, that question is not before you because the panels are conditionally allowed. That means that the Governing Body has already made a determination that properties in East Amwell are suited to these uses provided certain conditions are satisfied. Similarly the issue of whether there are other sites that may be available to Alethea again, that’s not relevant because the use is conditionally permitted and to some degree whether the public will benefit...that’s not particularly relevant although there is a little qualification on that. What you do have to decide...is really just two main questions: Is it OK to have both solar panels and the Everitt’s residence on lot 2.02...and does the overall site both lots 2.02 and 1 remain suitable for this solar installation even though not all of the setback requirements are being met.”

Planner Slagle addressed the landscaping issue related to the application explaining that currently the Ordinance requires a 50’ landscape buffer with trees 8’ to 10’ tall at the time of planting in double staggered rows and the applicant has come back with a series of amended landscaping plans that come very close to satisfying the Ordinance requirement but they have to deviate from a fully enclosed site where the access driveway is off of Rosemont Ringoes Road and they are not including any additional supplemental landscaping in the wetlands area in the southern portion of the parcel (sheet 3 of 9 in the plans) due to existing mature landscaping. Planner Slagle remarked that there were comments at the Board’s last meeting asking for taller trees to be planted and she suggested a little more testimony be provided regarding the southern portion and the existing vegetation to determine whether or not the landscape buffer is adequately addressed. Engineer Hill noted that they agree with Planner Slagle’s comments and stated they have no intention of clearing existing vegetation and will work with the Board’s professionals to identify any areas where the landscape buffer is deficient after construction of the site and they will add supplemental plantings if necessary.

Helen Rynearson of 14 Rosemont Ringoes Road came forward and was sworn in. She stated that she would like the applicant’s to comply with the 150’ setback along her entire property line per the Ordinance requirement.

Hugh McGee of 11 Rosemont Ringoes Road came forward and was sworn in. He stated that the common ownership of the two lots is irrelevant and commented that he believes the applicant’s should have to abide by the required 150’ setback required for all property lines. He also stated that Mrs. Rynearson spent a lot of money preserving her land and to allow the 68’ setback deviation will isolate her farm which goes against the purpose of preservation. Mr. McGee presented **Exhibit O-1**, a photo printout taken from the public view from Rosemont Ringoes Road on 4/25/11 depicting the pine trees and solar panel(s) the applicant had put on the property line for their own demonstration of what the landscape buffer will look like. Attorney Peck objected to the photo saying he believes it has been enhanced. Vice Chair Binder commented that she believes the trees were placed there to show what type of trees will be used rather than what the actual buffer will look like.

Larry Swanzer of 9 Rosemont Ringoes Road came forward and was sworn in. He presented 13 color slide printouts of a Powerpoint Presentation which was marked as **Exhibit O-2**. He commented on each slide expressing concerns over adequate screening from adjoining and neighboring properties. He argued that while the Ordinance states “adjoining” properties don’t include those across the street from subject sites he believes it should because those properties are just as impacted as those that share property lines with subject sites. Mr. Swanzer commented at length on the proposed arrays being placed on the hilly part of the parcel’s topography and the landscape buffering being planted in the valley of the parcel. He commented on the reasoning the applicant’s gave for selecting the Everitt parcel for the solar project because it has natural buffers and he argued that there are other surrounding parcels with better natural screening and even indicated there are other areas within the Everitt parcel that would provide better screening than where they are proposing to install the solar arrays. Mr. Swanser also suggested that the project conflicts with the Master Plan because it proposes to utilize Grade A farmland for something other than agriculture.

Engineer Hill stated that their landscape buffer is not located in the valley, but rather on the ridge where the overhead power lines run. He also remarked on the Grade A farmland comments saying, “The State classifies farmland as Statewide Importance or Prime Farmland, 80% of this Township falls within both of those categories, 75% of our site falls within those categories—we’re less than the Township average.”

Engineer Hill presented **Exhibit A-4**, a photo simulation printout of the tree (landscape buffer) on the slide Mr. Swanzer presented which shows where the buffer will be planted on the Everitt parcel. Engineer Hill explained the exhibit was produced when Mr. Swanzer provided them with his presentation last week. He noted that the buffer will be on the natural hill not the valley of the subject site. Engineer Hill remarked the solar panels are lower than the landscape buffering and he believes they will be adequately screened from the roadway and the public. Mr. Swanzer disagreed.

Glorianne Robbi came forward and was sworn in. She commented that the decisions of the Board of Adjustment must be consistent with the Master Plan and the zoning ordinance and she stated that the Master Plan indicates that preserving farmland and open space are the most important policy goals for the Township with the key objective to maintain the community’s prevailing agricultural character by promoting farming and preserving the productive agricultural land base. Ms. Robbi remarked that on 7/9/10 the Township’s Planning Board adopted a Comprehensive Farmland Preservation Plan as part of the Master Plan which was also approved by SADC and allows East Amwell to receive State funding for preserving farmland. She noted that the first farms in the Township were preserved in 1989 and since then they have preserved 57 farms to date. She stated that since 1989 East Amwell taxpayers have contributed 9 million dollars to preserving agricultural land. Ms. Robbi remarked that she didn’t think the Board should allow the integrity of preserved farms to be violated.

Dart Sageser of 15 Welisewitz Road came forward and was sworn in. He explained he is a member of the Planning Board and indicated that when the Board was developing this Ordinance they tried to establish protections that would be appropriate for the Township, the farmland and the open space. He expressed the importance of the buffering and commented that it should take into consideration the existing tall growth trees and he noted that the Ordinance requires a mix of evergreens and deciduous trees. Mr. Sageser also commented on the development over the common property line and expressed that the lots could be sold off which could complicate matters since you cannot predict what might happen in the future. Mr. Sageser remarked on the proposed 68’ setback saying the required setback is based on standards developed by SADC at a State level and he expressed that the Board should be careful because

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it sounds like the request is based on an economic hardship which is not something the Board should be concerned with. Finally, Mr. Sageser commented that he did not see trees 6” or greater in diameter identified on the plans and remarked that this is important because it goes to the value of existing stands of trees.

Suzanne Parsons of 23 Syndertown Road came forward on behalf of the Environmental Commission and was sworn in. She expressed concern over the existing stream, steep slopes and wetlands in the northern area of the parcel and suggested that the same chain link fencing being used around the perimeter of the site be installed to protect the stream from the existing cattle on the property and she stated the Commission also recommends that no mature trees be removed or trimmed. Ms. Gardner commented that there is a State (farm) Manure Management Ordinance that allows cattle to have access to streams within regulations so they have access to water. Attorney Waterbury advised the Board that Ms. Parsons’ comments are not related to this application.

Diane Harrington of 110 Boss Road came forward and was sworn in. She expressed concern over the impact the proposed solar facility will have on property values. She stated she doesn’t believe that passive uses don’t necessarily impact property values as indicated by the applicant’s professionals. Ms. Harrington also noted that NJ Monthly Magazine chose East Amwell as the 15th best town to live in in NJ and she cautioned the Board not to make any hasty decisions on the proposed solar facility.

Eloise Carina of 100 Boss Road came forward and was sworn in. She commented that the Township has shot themselves in the foot because the very open space that they spent so much time and money in preserving has now become a prime target for the development of solar facilities. Ms. Carina commented that Alethea is here to make money and it’s a shame that a resident is being asked to pay the price in the form of a reduced setback in order to make their project profitable. She said, “The only green thing about this project is not energy—it’s money.”

Charlie Susino came forward and was sworn in. He asked Planner CuvIELLO and Engineer Hill if they designed this project to be shielded from public view according to the guidelines of the Ordinance. Planner CuvIELLO and Engineer Hill both said yes.

A motion by Gael Gardner, seconded by Gloria Frederick to close to the public was unanimously approved.

Ms. Williams asked why the applicants chose to develop over the common lot line rather than keep the solar facility on lot 1. Engineer Hill explained that they showed a concept plan two months ago that demonstrated they could come in with a fully conforming site plan that meets all of the Ordinance requirements, but it would develop 40% more of the property than what is being proposed. He stated they believed it was better to develop within a smaller footprint and leave more land open around the property than to “sprawl” the project. Engineer Hill remarked that the interior lot line is inconsequential to the application in their opinion from a design standpoint which is why they are seeking a variance.

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Ms. Binder commented that she did a quick calculation on the 68' setback being brought into compliance for the 200' portion of Mrs. Rynearson's lot line. She indicated if she adjusts the 82' x 200' portion it is about 16,400 sq. ft. and she asked the applicants if the project would still be viable if they removed 15% of the proposed 2.9 megawatt facility and made it a 2.5 megawatt facility. Engineer Hill remarked that he could not answer the question this evening. He stated that if the Board gives the direction that they approve the site plan contingent upon meeting the 150' setback along the Rynearson property line they will go back and determine whether or not the project is still viable. He noted they would only put time into making that determination if the Board imposed such a condition.

Mr. Gavzy stated, "Personally I would like to see that all of the variances which the Ordinance says has to be in place, be in place—otherwise I can't see that this thing should be accepted."

Ms. Gardner stated, "I would agree with the idea of making the parcel into one property—I've seen the consequences of not having it co-joined...and it's been a very messy process and I think that it would simplify the idea of not having to give a variance across the two property lines." Engineer Hill commented that if the Board does not want to grant the variance for development over the common lot line the Board can make it a condition of approval that the lots must be consolidated and they can evaluate it.

Ms. Cunningham commented that the State of NJ has declared that solar facilities are an inherently beneficial use which was the trigger for the Township to adopt an Ordinance that provides protection and guidelines for the community and the residents regarding industrial solar facilities. She stated, "I was pleased to hear that Mrs. Rynearson decided that she would prefer to have the full setback from her property because I believe that all of the setbacks should be complied with based on what the Ordinance says. I think it's very important to remember that the variances go with the property, not the individual property owner at the time of the decision and it's...difficult to foresee the future in terms of what might happen to any property owner...the variances will go with the property regardless of the wishes of the individual property owner at the time that we make our decision therefore I'd be very hesitant to grant the setback variance along the Rynearson property line or from the Everitt home or from the accessory structure. I'm a little less clear about the common property line—if we put it as a condition—that might be a reasonable option."

Ms. Posselt stated, "I feel that because this is allowed as a conditional use that we really should comply with what is required of the conditional use." Ms. Posselt also commented on what a nice job the applicant's have done with the proposal and how nice they have been.

Attorney Waterbury suggested she provide the Board with what the actual legal standard is that applies to the variances being requested. She stated since it is 9:30 PM she can go through the legal standard and the Board can take a 5 minute break to digest the information or the Board could take a break now and then she could go through the standards. Ms. Binder asked if the variances can be approved individually and commented that the variance to allow the solar facility and the existing dwelling on the same site is very fundamental to the application. Attorney Waterbury added that if the Board denies that variance the other variances go out the window. She stated, "The other reason I think it makes sense to take them separately is that there are different legal standards depending on which variance we are talking about but also even as to the series of D3 variances—although the legal standard remains the same—each one brings with it a different set of factual considerations that you are going to have to weigh so my recommendation would be to take the variances individually."

The Board took a break from 9:32 PM to 9:40PM.

Attorney Peck commented that their application is virtually conforming with the Township's Ordinance except for a few minor deviations. He noted that the Everitt's have agreed to merge the lots so the need for the variance to develop over the common lot line will be eliminated. Attorney Peck remarked that Attorney Waterbury will advise the Board on which considerations are proper and which are not. He stated, "There is such a thing as economic feasibility...and this project has been designed down—it has been scaled back to the minimum level of feasibility. We can get a project of the same size that would be feasible that would eliminate the two very minor variances that we are seeking...but we're asking for your consideration for 40% less disturbance...for you to grant approval of these...deviations. I believe the testimony that we have put on...shows that these variances are warranted and that they are justified."

Attorney Waterbury explained the legal standards saying, "The first variance is the D1 variance to allow two principal uses on the same property—namely lot 2.02...you have to prove the positive criteria and the negative criteria...in this context what that means is because the solar facility is an inherently beneficial use it automatically satisfies the positive criteria...because it's inherently beneficial then when you're weighing whether to grant the D1 variance to allow both uses on the same property what you're really doing is looking at the negative criteria...when you have multiple principal uses on the same lot it is really a kin to a mix use development...here I want you to focus on what those dual uses consist of—farm house and a portion of the overall solar installation going on the same property." She noted the following questions the Board must focus on:

1. What are the detrimental effects of allowing both of these uses on lot 2.02?
2. Are there any reasonable conditions that you can impose that would reduce those impacts?

Attorney Waterbury explained that once the Board has analyzed whether or not there is a detriment to allowing both uses on the property and considered conditions, the Board must look at whether allowing both of the uses on lot 2.02 will cause a substantial detriment to the public good. She indicated this is a balancing test where the Board must weigh the general public interest with these facilities that are inherently beneficial uses against any detrimental effects to the public good and on the property itself.

With regard to the D3 variances, Attorney Waterbury noted that some have been eliminated and stated, "The first one is the 68' setback from Mrs. Rynearson's property line...with any D3 variance the presumption is the property is suited to the use if the conditions are being met—so the analysis shifts to if certain conditions are not being met, does the property still remain appropriate in spite of the deviation."

She outlined the following questions the Board needs to consider for each variance:

1. The fact that the solar panels will be 68' off of Mrs. Rynearson's property line—does that affect the site's suitability for the proposed panels? What will the impact be to Mrs. Rynearson's property? Will this cause substantial damage to the character of the neighborhood? Would allowing the deviation be reconciled with the Township Committee's decision as part of the legislation to impose a 150' setback requirement on all major solar facilities in town?

2. The next setback variance is to have the panels 133' from the Everitt farmhouse rather than the required 300' and 135' from one of the barns rather than the required 150'—do these deviations affect the site's overall suitability for the proposed solar panels? What will the impact of those specific deviations be on adjacent properties? Will the deviations cause any substantial damage to the character of the neighborhood? Can allowing the deviation be reconciled with the legislative decision to impose the setback requirements on all major solar facilities in the Township?
3. The landscape buffering. Planner Slagle commented that the applicant's had provided testimony that if the area adjacent to the wetlands where there is existing vegetation is not sufficient they will supplement the buffering. She indicated there is still the technicality that they are breaking the enclosed buffer area for the access driveway from Rosemont Ringoes Road. Attorney Waterbury commented that these issues are minimal but noted the Board must perform the same analysis because a D3 variance is still required to the extent that there is a deviation. Attorney Waterbury noted that a variance is not being requested for the gap along the wetlands. She indicated it appears that the intent of the applicant is to comply with the buffering requirements either through the existing topography or by supplementing vegetation. Attorney Peck agreed.

Attorney Waterbury summarized the following list of variances being requested:

D1 Variance to allow the two uses on lot 2.02

D3 Variance to allow a 68' setback along Mrs. Ryneerson's property line

D3 Variance to allow solar panels 133' from the residence on lot 2.02 and 135' from the barn

D3 Variance to allow a break in the buffering in the area of the emergency access off of
Rosemont Ringoes Road

Ms. Binder remarked that she would like to see some hardwoods mixed into the buffering so there isn't a mass of pine trees. Ms. Gardner specified that the hardwoods should be indigenous to this area—such as ash, oak, sugar maple, black cherry, tulip poplar—Planner Slagle noted the landscape and buffer portion of the Ordinance identifies appropriate hardwoods. Ms. Gardner suggested the buffer be 35% hardwood and 65% evergreen to provide a good diversity for year round buffering. Ms. Cunningham commented that she wouldn't give percentages, but rather ensure that the facility is hidden as much as possible.

Ms. Binder asked for a motion on the D1 Variance. Attorney Waterbury clarified that this motion would be to allow the two principal uses on lot 2.02. A motion by Gael Gardner, seconded by Nancy Cunningham was made to allow the two principal uses on one property. Ms. Cunningham clarified that in her mind a factor that mitigates the negative impact of having both of those uses on the same lot is the sizable setback between the existing home and the solar facility.

Roll Call Vote: Gael Gardner: Yes, Nancy Cunningham: Yes, Sherrie Binder: Yes, Gloria Frederick: No, Paul Gavzy: No, Sue Posselt: No, Anne Williams: Yes.

Attorney Waterbury noted the motion failed for lack of 5 affirmative votes which means the variance is denied. She stated that means the panels and the farmhouse cannot be together on lot 2.02 and added that the other requested variances are a moot point.

Attorney Peck commented that without the D1 Variance the application fails. He asked for the Board's rationale behind the vote. Attorney Waterbury indicated she will provide it in the Resolution. Attorney Peck noted the reasons should be given on the record. Attorney Waterbury commented that she will prepare the Resolution for the September meeting.

Attorney Peck identified himself as the attorney present on behalf of NVT Licenses, LLC. and requested the application the Board took jurisdiction over earlier this evening be carried to the Board's 9/13/11 meeting. Attorney Waterbury added the meeting is at 7:30 PM and informed the public that is when the application will be heard.

Old Business

It was noted that there were no old business matters listed on the agenda.

New Business

It was noted that there were no new business matters listed on the agenda.

Comments of the Board Members

Ms. Posselt asked about the 2012 Government Census information that was emailed to the Board as correspondence. Vice Chair Binder commented that it was for information purposes only.

Open to the Public

A motion by Gloria Frederick, seconded by Nancy Cunningham to open to the public was unanimously approved.

Ted Harrington of 110 Boss Road came forward and commented on the recent removal of trees taking place on the property behind his home. Attorney Waterbury indicated Mr. Harrington cannot make comments on any pending applications. He stated, "Demolition has started...they are logging lumber out of Stahl's farm." Mr. Harrington indicated he had called the State Police. Attorney Waterbury commented that the Board has no authority over this matter. She suggested Mr. Harrington speak with the Township Officials. Mr. Harrington continued to provide information on this issue. Planner Slagle remarked that the Mayor and the Tree Harvesting Committee are aware of the matter.

A motion by Nancy Cunningham, seconded by Sherrie Binder to close to the public was unanimously approved.

Adjournment

A motion by Paul Gavzy, seconded by Gloria Frederick to adjourn was unanimously approved.

The meeting adjourned at 10:09 PM.

Maria Andrews, Administrative Officer