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**ROLL CALL:**

**Members Present:** Joe Fleischner, Dan Nelsen, Mayor Robert Greenbaum, Nelson Russell, James Staszak, Pat Walsh, Brad Zwigard, Howie Weiss

**Members Excused:** David Scapicchio, Scott Van Ness, Steve Bedell

**Professionals Attending:** Chuck McGroarty, Planning Consultant, Eugene Buczynski, P.E., Tiena Cofoni, Esq., Catherine Natafalusy, Planning Administrator

**Professionals Excused:** Edward Buzak, Esq.

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**APPROVAL OF RESOLUTION**

**Resolution #PB 11-20 – S and S Real Estate**

Motion: Jim Staszak  
Second: Nelson Russell

MR. WEISS: Do we have any questions?

MS. COFONI: Howie if I may?

MR. WEISS: Yes?

MS. COFONI: I spoke to Larry Kron this morning and he had requested one change to the resolution that's before the Board. And that is condition F on page 4 provides all proposed lights will be directed downward, all lighting with the exception of minimum illumination required for security purposes will be turned off between the hours of 8:00 p.m. and 7:00 a.m. He requested that it be 9:00 p.m. to 7:00 a.m. the doctors concern was just if there's any holdover patients or emergencies or anything like that, he just wanted to provide that cushion so he wouldn't be in violation of this condition.

MR. WEISS: Did we have testimony on it as to the time? I don't show anything. I don't personally have a problem with that I don't know if anybody else does. I see a lot of negative head shaking so I'd say that's not a problem. But as I look over my notes Tiena I mentioned to you earlier, and I don't know if I see it in the resolution as I looked it over. I have notes that say according to the testimony that they are going to employ six people. I don't know if we noted that or if we need to note that.

MS. COFONI: I think I say five to seven, hold on let me locate it. I think it's in the first . . . yes in paragraph 2 the applicant testified that he expects a total of five to seven employees on site at any given time.

MR. WEISS: Okay that's the problem of looking at it electronically. And then did we need to have a conversation or did it need to be noted about the removal of trees? It goes back to Chuck's report on Item 5.5 we had a conversation about three mature trees possibly being removed and if so there was going to be some kind of action and my notes are unclear. Again looking at in person and looking at it it's hard to see if we noted that anywhere.

MS. COFONI: I have Condition K on page 5 I don't know if this is enough but it says a final landscaping plan shall be submitted for review and approval by the Township Engineer and Township Planner prior to the issuance of a Certificate of Occupancy. The final plan must meet or exceed the landscaping plan submitted to the Board prior to the hearing. I think that's because some of those issues weren't settled.

MR. MCGROARTY: I'm trying to remember. I think as it's written now Mr. Chairman it will work and we can contact either the attorney or Ken Nelson who did the plan just to make sure. I just don't remember because with the vacation of South Rose Lane the trees may not have to come down.

MR. BUCZYNSKI: We had a discussion at the meeting that we would decide what had to come down at a site visit. Because we weren't sure how everything would fit.

MR. WEISS: So would it be helpful for the Board then if we put in language that said all landscaping must conform to ordinances as they relate to tree removal?

MS. COFONI: We certainly could, I don't think its necessary they're required to do that anyway.

MR. WEISS: If you're comfortable with it then so am I. I just, I like to compare my notes of the hearing to the resolution and those were just a couple of points.

MS. COFONI: Absolutely.

MR. WEISS: Okay any other questions about the resolution? Seeing none, Catherine roll call please.

MRS. NATAFALUSY: Dan Nelsen - yes  
Nelson Russell - yes  
Jim Staszak - yes  
Howie Weiss - yes

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**APPROVAL OF MINUTES**

**February 9, 2012 Public Meeting**

Motion: Nelson Russell  
Second: Dan Nelsen

**Roll Call:**

Dan Nelsen - yes  
Nelson Russell - yes  
Jim Staszak - yes  
Howie Weiss - yes

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**COMMITTEE REPORTS**

MR. WEISS: All right let's get into committee reports. Mayor anything?

MAYOR GREENBAUM: A couple of things real quick. First and foremost as everybody knows if we don't use the Affordable Trust Fund by July that at least commit to some project then we're likely to forfeit the money back to the State unless various legislation, which is pending now, which would extend that timeframe passes. In any event thanks to the diligent work of our Planning Department we've identified a project we're currently beginning negotiations in terms of purchasing a piece of property and then we'll partner up with a probably Homeless Solutions to build housing which will go towards our COAH obligation going forward. Chuck just to let you know we did hear back, I don't know if you've spoken to Catherine, but we did hear back that she is interested in selling the property.

MR. MCGROARTY: Oh really good.

MAYOR GREENBAUM: We're waiting to hear from the attorney at this point in time we'll see if we can come to a meeting of the minds on the property. The property is located in the Budd Lake section, I don't want to say it's an abandoned piece of property but it's certainly a property that's in disrepair and it will benefit the Township in a number of different ways both by rehabilitating that property and by providing Affordable Housing as is our obligation under State law. Secondly we had a meeting just before this with Kathy Murphy and Dave Sully and we're going to be making a push to develop our trail system at a much more defined rate than what we have done in the past. It's going to probably start next month with the markings of the trails which we don't have in Mt. Olive right now and then looking at various aspects of the trails to make sure that they're passable and usable and the hope is that we can keep this momentum going looking for volunteers throughout the town to help make it a better trail system and something that we can all be proud of.

MR. WEISS: Mayor I have a question. You mentioned that Dave Sully was involved in that meeting is this a joint effort with the High School?

MAYOR GREENBAUM: It's not necessarily at this point although I am in constant communication with Dr. Reynolds and maybe it's something that ultimately we can move forward with on some type of project. That's reminded me of something else, Dave Sully obviously is a resident of the town he's familiar with the trail system, some of the trail systems through coaching of the High School track and cross country teams and has a keen interest in developing the trail system. And you know we all look to Randolph and the County's trail system as a model that we'd like to copy. The other issue that did come up, I did speak to Dr. Reynolds today and very interesting something that I need to speak to you about Gene is that the High School has floated the idea of actually having the kids build a house.

MRS. NATAFALUSY: Yeah Shawn sent me an email about that today and I talked to Gary about it and Gary and I were going to talk to Shawn when he returns to the office about it. There are some issues.

MAYOR GREENBAUM: I'm sure there are some issues but it's something that would be very interesting, it would be a great benefit to the kids at the High School ultimately if we were able to accomplish something like that.

MR. BUCZYNSKI: Where would they build a house?

MRS. NATAFALUSY: That's the question.

MR. BUCZYNSKI: That's the question.

MAYOR GREENBAUM: Well the house would be built on a piece of property that they would either purchase or that the town would purchase. It was explained to me originally that it's not out of the realm that they would purchase a piece of property, purchase the materials and actually build a house.

MRS. NATAFALUSY: Oh they said they'd purchase? Because Shawn's question was who would purchase materials and . . . .

MAYOR GREENBAUM: Well I think everything is on the table from them actually purchasing and building the house and it's really just the town doing what we need to do to ensure obviously the things that we ensure any time anyone builds a house. I think it's a very interesting concept and something that if we could make it happen, and I understand that there are issues that we'll have to address, I think it would be great for Mt. Olive and great for the High School kids.

MR. WEISS: Thank you Mayor. Mr. Walsh anything from the Council?

MR. WALSH: Rob would Habitat for Humanity possibly help with that? Because they're going to be looking at building one or two in town so maybe . . . . and they're looking for volunteers I don't know if we can put the two together but . . . .

MAYOR GREENBAUM: It's very possible. I think Jim Glasson was volunteering to do all of the engineering work.

MR. WEISS: Thank you so nothing else from the Council?

MR. WALSH: No.

MR. WEISS: All right Nelson Environmental Commission?

MR. RUSSELL: We met last night the only thing of any significance is the next round of well testing where we will be selling kits on Saturday April 14 and 15 and doing a drop off on Monday the 16 between 7:00 and noon.

MR. WEISS: Okay. Ordinance Committee?

MR. STASZAK: Nothing at this time.

MAYOR GREENBAUM: If I may Howie?

MR. WEISS: Yes.

MAYOR GREENBAUM: We've had discussions with a number of commercial business owners in town who have questioned our sign ordinance as it currently stands. And I'm wondering if whether or not . . . .

look and see whether or not we're actually where we need to be on the sign ordinance. Do you remember the last time that it was reviewed Chuck?

MR. MCGROARTY: We made changes to it not too many . . . maybe three years ago to modify some of the requirements. That actually wasn't on the list of things to do now I don't know people have specific ideas or concerns and . . . .

MAYOR GREENBAUM: I'll get back to you I'll find out exactly what people are looking for what they think they're concerns are and if it's something we want to address after that. I know Howie is a big proponent of very large signs throughout the town.

MR. WEISS: It causes great communication between myself and Mr. Fleischner doesn't it.

MR. FLEISCHNER: Especially electronic signs right Mr. Chairman?

MR. WEISS: I'm all in favor of such conversation so we'll keep that one in our forefront. I of course have nothing on street naming and Pat Walsh anything for open space?

MR. WALSH: No not at this time.

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### **DISCUSSION MATTERS**

#### **ORDINANCE #9-2012 – HIGHLANDS CHECKLIST ORDINANCE**

MR. WEISS: All so let's move onto our first discussion matter and the first one is regarding Council Ordinance 9-2012 which is a Highlands Checklist Ordinance. I don't know who is going to have this discussion, Chuck was it something you wanted to talk about? We all have a copy of it it was our request to send it to Council correct?

MR. MCGROARTY: Well yeah Gene and I probably can talk about it.

MR. WEISS: Okay.

MR. MCGROARTY: This is a mandatory ordinance that is required under the Plan Conformance Process for Highlands. Simply put it will require, it will notify any applicant coming in he or she has to comply with the provisions at least in the Preservation Area and if they're subject to a Highlands review the ordinance will direct them to submit copies and plans and fees and so on to the Highlands Council and to DEP. That's the short version but it's . . . you really don't have any choice it's again at least for the Preservation . . . it will apply for the Preservation Area portion of Mt. Olive which is about 79 percent of the town.

MR. WEISS: Okay so it's really a formality this is really coming back to us as a courtesy.

MRS. NATAFALUSY: To recommend adoption.

MR. WEISS: Okay thank you. Go ahead Nelson.

MR. RUSSELL: I have a couple of corrections and questions on that though please.

MR. WEISS: Okay go ahead.

MR. RUSSELL: In Section 1C exclusions 1B it reads results in results in the ultimate disturbance.

MR. MCGROARTY: I'm not with you Nelson just tell me what page that is please.

MR. RUSSELL: It's on page 2 C exclusions 1 any improvement to a single-family dwelling. Paragraph B results in results in.

MR. MCGROARTY: Oh yes.

MRS. NATAFALUSY: It's a typo.

MR. MCGROARTY: Thank you we can fix that.

MR. RUSSELL: Okay and in that same under exclusion Section 5 I think there's a sentence missing. It's the attachment of signs or other ornaments to any building or structure to the installation of . . .

MR. MCGROARTY: We'll check it's their language we don't know. I mean I don't know off the top of my head. We'll have to check.

MR. RUSSELL: It looks like there's a sentence missing or words missing.

MR. MCGROARTY: There might be yeah.

MR. RUSSELL: And also a question what about decks, patios, and/or sheds?

MR. MCGROARTY: We're taking the language exactly as they gave it to us. We took some stuff out we did not add stuff we can attempt to do that if you want I'm not sure . . . .

MR. WEISS: Can I make a suggestion that maybe if you could . . . I guess we can send it to Mr. Walsh . . .

MR. MCGROARTY: Well no let me tell you I'm sorry Mr. Chairman let me . . . on the exclusions you cannot add, you cannot add. The exclusions are listed this is verbatim from the Highlands Regional Master Plan and then the exemptions are verbatim from the Highlands Act. We're not allowed to add . . . .

MR. WEISS: No my comment was perhaps if it's a typo, if there's a grammatical error in this version that we go through Mr. Walsh to have Lisa look it over to make sure that it's proper.

MR. MCGROARTY: We'll do that. It's faster for us to do it.

MR. WEISS: Perfect.

MR. MCGROARTY: But to Nelson's question about adding language fortunately or otherwise we can't they will not accept . . . these particular sections are verbatim from those other documents. But we'll certainly check 5 to see if we're missing something.

MR. WEISS: Okay.

MR. MCGROARTY: And Mr. Chairman we can do it faster than . . . .

MR. WEISS: Then that's fine that's . . . . so you're comfortable with understanding what Nelson pointed out as potential errors.

MR. MCGROARTY: Yes.

MR. RUSSELL: Also the definitions belong up in 400-6 where all of the rest of the definitions are in.

MR. MCGROARTY: Again we can duplicate them we cannot remove them from this ordinance. Again just so you understand this ordinance is given to us by the Highlands Council we took some stuff out it's in the form that they require and the definitions have to stay here. We can duplicate them and put them in the other section but . . .

MR. RUSSELL: Okay may I suggest we do that?

MR. MCGROARTY: Okay.

MR. WEISS: Anything else?

MR. RUSSELL: That was it.

MR. WEISS: If there's nothing else then I'd like to entertain a motion that we recommend adoption of this ordinance and recommend to the . . . .

MR. FLEISCHNER: I'll move that we recommend that this ordinance be adopted.

MR. WALSH: Second.

MR. WEISS: Any other conversation please? Let's do a roll call on this.

MRS. NATAFALUSY: Recommend with corrections.

MR. WEISS: With the corrections.

MRS. NATAFALUSY: Joe Fleischner - yes  
Dan Nelsen - yes  
Mayor Greenbaum - yes  
Nelson Russell - yes  
Jim Staszak - yes  
Pat Walsh - yes  
Brad Zwigard - yes  
Howie Weiss - yes

**HIGHLANDS ENVIRONMENTAL RESOURCE INVENTORY**

MR. WEISS: Okay I guess the next two discussion matters I guess Chuck you'll handle both of them? The Highlands Master Plan Reexamination Report as well as the Highlands Environmental Resource Inventory.

MR. MCGROARTY: Well I'll do the first Mr. Chairman.

MR. WEISS: Okay.

MR. MCGROARTY: Well let me tell you about the second. The Highlands Environmental Inventory again requirement of Plan Conformance the requirement from Highlands Council is that the Environmental Commission in a municipal if you have one and we do needs to review it and if they have questions, concerns, changes they would forward them back and forth and we'd get that done. And then that's the end of it strictly speaking. I mean the Planning Board can adopt the Environmental Resource Inventory as part of its Conservation Plan Element or some other component of the Master Plan if you want to but as long as the environmental commission has reviewed it. Now it's my understanding it's been sent to them and presumably they're in the process of reviewing it.

MRS. NATAFALUSY: Well can I just . . . .

MR. WEISS: Please.

MRS. NATAFALUSY: I sent it to them in November and again in January and again in February and asked for a response by, I told them that it would be on for March 8 public hearing and I haven't heard back from the environmental commission. I sent it to Jim Smith the Chairman.

MR. WEISS: And we need to know by March you said?

MRS. NATAFALUSY: Well when I sent it to him in February I said the matter is scheduled for the Planning Board on March 8 please provide the environmental commissions written comments if any or approval of the document prior to the meeting. And I haven't heard from them.

MR. WEISS: So I think we need to move on with the understanding they don't have comments. Is that acceptable?

MR. RUSSELL: It never came up in the meeting.

MR. WEISS: Okay so let's proceed then with the environmental commission has to input. Is that acceptable?

MR. MCGROARTY: At some point Mr. Chairman the environmental commission is . . . they should, they should issue something via a simple memo saying we've reviewed it and find it acceptable. And that memo will then go to the Highlands Council to demonstrate that we've complied with that part of Plan Conformance. The Planning Board doesn't have to do anything with it if you don't want to.

MR. WEISS: So I guess it would be appropriate to turn to Nelson and ask if the environmental commission could draft such a memo for the Planning Board. And if you need more details I'd certainly ask that you speak with Chuck for the details.

MR. RUSSELL: Will do.

MR. MCGROARTY: Okay, all right. Do you want me to just go on to that?

MR. WEISS: Yeah please do.

#### **HIGHLANDS MASTER PLAN REEXAMINATION REPORT**

MR. MCGROARTY: The Reexam Report is again it is a requirement of the Highlands Council we just did a Reexam Report a year or two ago but this document is a component of this Plan Conformance. What it says in here, it touches on some of the issues that were brought up last time obviously it confirms that the rezoning that was proposed for those parcels in the past that that has been done. Gene has provided an update on Wastewater Management, we continue to call attention to the need for . . . the Planning Board Ordinance Committee is working on the ordinance itself that part of the ordinance which would otherwise be unaffected by Highlands. Some other miscellaneous things we talk about the new State Strategic Plan as opposed to the prior State Development Redevelopment Plan also provides just an update on the statutory changes and the Land Use Law regarding solar panels, wind energy. Lastly identifies the fact that the town is doing what it has to do for Highlands under the Preservation Area and without going into any detail it just says we're going to be doing the following, tonight you did the checklist ordinance the Council will be doing that second reading soon and then we have the other things the Highlands Master Plan Element, Highlands Ordinance and then there's some other things after that. But this is the first step if the Board approves this we'll send this along to the Highlands Council and we will accomplish the first two things on the list which is the Checklist Ordinance and the Reexam Report.

MR. WEISS: Okay so do we need an action tonight from the Planning Board?

MR. MCGROARTY: You need an action at some point if the Board is comfortable tonight voting on it then that will be great. Oh there were two typos that were corrected in the report I don't know if . . . one of them is, I might as well just do them on the record, one of them is on my page four anyway, the Highlands Council resolution that was adopted I originally had that as 2001 of course that was a typographical error the resolution was 2011-1. And then elsewhere in the report the word "of" was entered as "if" and so that has been changed to "of" I can find it for you if you'd like, but those are the only two changes.

MR. WEISS: Okay I don't know if additional time is necessary I'm sure everyone has looked at it and we'll be just as (inaudible). We trust Chuck that you have this under control and I think we all appreciate you giving us updates as to the changes and the things unless anybody to my left has any kind of input I'd like to see a motion for us to approve this recommendation.

MR. RUSSELL: So moved.

MR. NELSEN: Second.

MR. WEISS: Thank you any other conversation? No comments? Seeing none let's have roll call for approval of this recommendation.

MR. MCGROARTY: Not the recommendation Mr. Chairman you're approving the Reexamination Report, it's a Reexamination of the Master Plan and the Development Regulations.

MR. WEISS: Oh we're approving the entire report.

MR. MCGROARTY: Unless you have a problem with it yes you are.

MR. WEISS: No, no I just want to make sure.

MR. MCGROARTY: Yes.

MR. WEISS: Okay so let me just clarify myself we are going to approve, motion has been made and seconded to approve the report. Roll call.

MRS. NATAFALUSY: Joe Fleischner - yes  
Dan Nelsen - yes  
Mayor Greenbaum - yes  
Nelson Russell - yes  
Jim Staszak - yes  
Pat Walsh - yes  
Brad Zwigard - yes  
Howie Weiss - yes

MR. WEISS: Thank you I know these are kind of difficult subject matters for us so . . . .

MR. MCGROARTY: Yeah and thank you very much and again we wouldn't be doing it if Highlands didn't mandate it. So now we're done with that so thank you.

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**APPLICATION #PB 11-35 – THE 11<sup>th</sup> HOUR ANIMAL RESCUE INC.**

MR. WEISS: Okay with that being said we're moving into our development matter of the evening which happens to be a use variance. That being said Mayor and Council representative need to excuse themselves from this meeting. Gentlemen have a good evening.

MAYOR GREENBAUM: Can we take two minutes because Joe needs to speak with me on something and obviously every vote is important if you move it forward.

MR. WEISS: Yeah I'll make sure we don't . . . . because we have to go over some other things. We won't start until Mr. Fleischner returns but at this point let me introduce the application PB 11-35 which is The 11<sup>th</sup> Hour Animal Rescue requesting a D-1 variance for animal shelter and kennel and a D-1 variance for a residential use. It's a preliminary and final site plan with variances on property located at 44 Route 46, Block 8301, Lots 11 and 12. This is a hearing that's continued from February 16<sup>th</sup>. Tonight obviously Mr. Selvaggi is here for the applicant, Mr. Fleischner has returned. Now Mr. Selvaggi I know you spoke to our Counsel just reviewing that Mr. Zwigard has to leave kind of shortly correct?

MR. ZWIGARD: I could stay until 8:00.

MR. WEISS: So 8:00 I can't imagine you'll be done by 8:00.

MR. SELVAGGI: Well here's what we had proposed to do. Mr. Byrne who is the architect will testify he was next up and I know (inaudible) was here and Mr. Byrne will be available for questions. At that point we may just stop and then return at your April meeting. Only because to go on any further with five obviously I'd have to pitch a shutout and I don't want to, no offense guys, I don't want to take that chance. And I also think it's important for everybody to hear and Mr. Snyder we did toy with the idea of having Mr. Snyder testify and then hope those members who are eligible read the transcript but after consulting with the client and discussing it with them we think this is the more prudent way to go. So this evening it will be Mr. Byrne and then we'll probably just stop and come back if there's . . . your April 17<sup>th</sup> meeting?

MRS. NATAFALUSY: April 12.

MR. SELVAGGI: April 19 excuse me.

MRS. NATAFALUSY: April 19?

MR. SELVAGGI: Yeah Mr. Snyder is not available on the 12<sup>th</sup>.

MRS. NATAFALUSY: Okay.

MR. WEISS: That strategy is certainly fine with me Mr. Selvaggi if you're comfortable with that and everyone else is . . . .

MR. SELVAGGI: And if there's any College basketball fans they get out a little earlier.

MR. WEISS: We certainly apologize and obviously personal matters come first.

MR. SELVAGGI: We understand completely that's fine.

MR. WEISS: Okay so that being said Catherine we're good for the 19<sup>th</sup>?

MRS. NATAFALUSY: Yes wide open.

MR. WEISS: Let us review Mr. Selvaggi obviously I mentioned we're carrying from February 16 and I'd just like to review what my notes show to make sure we're on the same page just to review where we were. Certainly with regards to exhibits we did start with exhibit A-1 Tiena you were here that evening correct?

MS. COFONI: I am looking as we speak.

MR. WEISS: Just to make sure our records are all straight I will read you what I show.

MS. COFONI: My last exhibit is A-3.

MR. WEISS: That is exactly right with A-1 being a brochure of 11<sup>th</sup> Hour Rescue.

MS. COFONI: Yes.

MR. WEISS: A-2 which is sheet 2 of 12 which is a color rendering of the existing conditions.

MS. COFONI: Yes.

MR. WEISS: And A-3 which was sheet 3 of 12 which is a color rendering of the site layout plan dated October 28. We heard from Ms. Schiller from 11<sup>th</sup> Hour Rescue, we do note that we have an objector Mr. Marx is an attorney for the neighboring property. And we did hear from Mr. Glasson the engineer who gave us the details, reviewed the variances and we did review Gene's report. And we decided to carry it to tonight that's what I show if there's anything else that I might have missed we're ready for you to take over from there.

MR. SELVAGGI: Yes Mr. Chairman you're absolutely right we did go through the engineering issues and Linda had talked about just from an operational standpoint. What we'd like to do now is take the focus and look at the architectural design of the facility. It's important because the neighbor has genuine concerns about noise and the like and Mr. Byrne who is our architect spent considerable time designing a building which addresses and certainly eliminates a lot of those issues. So what I'd like to do obviously rather than you listening to me I'd rather have you listen to Mr. Byrne so if Tiena if he could be sworn?

MS. COFONI: Absolutely.

(MICHAEL E. BYRNE SWORN IN FOR THE RECORD)

MS. COFONI: If you could state your full name spelling your last name and giving your business address for the record please.

MR. BYRNE: Yes my full name is Michael E. Byrne (B-Y-R-N-E) business address is 10 Main Street in Chester.

MS. COFONI: Thank you.

MR. SELVAGGI: Mr. Byrne if you could let the Board know your educational background, professional license you hold and your experience in Land Use matters?

MR. BYRNE: Sure. I got my professional education at what started out to be the College of Engineering and finished up to be NJIT. I graduated in 1978 and obtained my architectural license in 1980 and have been practicing in New Jersey since that point. I'm also a licensed planner in the State of New Jersey and I also carry an architectural license in Connecticut.

MR. SELVAGGI: And you've testified in front of Land Use Boards in the area?

MR. BYRNE: Yes I have.

MR. SELVAGGI: Okay. Have you ever testified here?

MR. BYRNE: Yes I have.

MR. WEISS: I think we've all known Mr. Byrne in front of us before I don't think we have any problem accepting Mr. Byrne as a professional architect. Welcome this evening Mr. Byrne.

MR. BYRNE: Thank you.

MR. SELVAGGI: Okay Mike you were the one responsible for the architectural design of the proposal correct?

MR. BYRNE: Yes I was.

MR. SELVAGGI: Why don't you if you can elaborate on what were some of the concerns that were expressed and how you addressed those through the architectural design. And I know kind of behind you is . . .

MR. BYRNE: Is it okay to testify from over here?

MR. SELVAGGI: Yeah that's fine.

MR. BYRNE: Basically what we started with as Mr. Glasson explained before was three buildings on the site. The existing for lack of a better term main building which is a two-story colonial style building located close to Route 46. An out-building or a barn that's located toward the rear of the property, and a second garage type building which is proposed to be removed from the site. The first sheet here my sheet A1 addresses the elevations of the main building the one closest to Route 46.

MR. SELVAGGI: Michael if I could just interrupt. Was that A1 submitted?

MR. BYRNE: Yes it was.

MR. SELVAGGI: Okay I don't think it's your policy to mark it.

MS. COFONI: No.

MR. SELVAGGI: Okay.

MR. BYRNE: Again this is currently a two-story structure it has what was an apartment on the upper level that had been at some point in the past converted over to office space and the first floor was also office space. What we are proposing to do is utilize the first floor of that building, the existing portion of the building as the main offices and also what they call the meet and great room for the adoptions as well as the rear portion of that structure is going to be used for the feeding and care of the animals. The second floor of the building is proposed to be utilized for a caretaker's apartment solely for the caretaker for this facility. In addition to the existing structure itself, as Mr. Glasson had described we're effectually putting two wings off the back of this structure which are going to house the main kennels for the facility. And I'll go to sheet 2 here and again this was filed with the Board originally, this portion of the structure here depicts the existing first floor of the building. We have the two wings off the back the one furthest to the east is what we call a single loaded corridor of kennels by which we have a main corridor and kennels just to the left side as your walking down the aisle of the kennel space. The one further to the west attached to the rear of the building is a double sided kennel where we have a single aisle and kennels on both sides of the aisle. The rationale behind why we took this approach to the structure, originally when we were studying this again we were somewhat limited as to where we could put the additions based on the Highlands limitations that Mr. Glasson had described. We had to basically work within areas which were currently impervious coverage. We had actually given away part of the area that was developable under the Highlands which was along the eastern edge of the property. The rationale behind this was the fact that we wanted to provide the single loaded corridor there so that any dogs that were going to be housed within the kennels were away from the adjacent residential neighbor. Based on that we provided a solid concrete block barrier along that whole property line to act as a sound barrier similar to the Jersey barriers that you see out on Route 80. So based on that, all of the exterior kennels along that fork of the building would be along the west side of that addition, away from the residence and using the basic structure itself as a sound buffer for that. The double loaded corridor again is going to use that same single loaded building as an additional buffer for the sound mitigation for the neighbor. The second element down here depicts what was again the apartment that

had been converted to offices and now we're looking to put it back into an apartment. It's showing a two-bedroom apartment with the bedrooms facing the Route 46 side and the main living area of the apartment facing the rear of the building or toward the kennel areas. One of the other elements that we designed if you look on sheet 1 again you kind of see a cross section at the bottom of the sheet which depicts the single loaded kennel location on the right hand side, the double loaded on the left hand side. This also shows the system that Jim had briefly described at the last meeting the awning or trellis system that we have over the outer most portion of each of the outdoor kennels. That was started out life as being an outside area for the dogs to be out there in the sun. We ran into an issue with respect to the Board of Health and the fact that we had to come up with some form of a system which would allow the dogs to be in the sun when it's sunny but would also allow us to protect those kennels from rain water getting into the kennels and in turn flooding out the septic system that Jim had to design for the cleaning of the outdoor kennel space. What we came up with was an electric awning system that has a built in rain sensor so that if it starts to precipitate at all those trellis pieces would actually close down and provide a temporary roof structure to sheet flow the water off of that area and prevent the water from going down into the kennel surface itself.

MR. WEISS: Go ahead Mr. Fleischner?

MR. FLEISCHNER: I have two questions. Addressing that particular issue how would this be backed up if there's a power failure?

MR. BYRNE: There's actually an on-site generator that we're proposing for the site.

MR. FLEISCHNER: Okay with the capability of running for 36 to 48 hours? Because when we had the last storm the bank up there had no . . . it couldn't hook up for a number of days.

MR. BYRNE: Yeah I would not anticipate that as being a major problem.

MR. FLEISCHNER: Now with regard to designing the facility to buffer the sound has this been demonstrated anywhere else in a design like this other than the Jersey barriers? That's highway traffic this is a little different. Have you ever had to design a facility . . .

MR. BYRNE: No.

MR. FLEISCHNER: So we're assuming it's going to work we really then don't know for sure. We're taking an educated guess is what you're saying.

MR. BYRNE: Basically yes. We're using sound principals but it has not been demonstrated to be.

MR. FLEISCHNER: Okay thank you.

MR. WEISS: One second Mr. Byrne go ahead Chuck.

MR. MCGROARTY: Could I while we're your on the subject of those awnings, what about snow what happens then?

MR. BYRNE: They're actually designed to meet a 50 pound snow load which is actually 15 pounds over the snow design that we normally design roof structures for.

MR. MCGROARTY: Okay so at that point they can be cleared off?

MR. BYRNE: Yes they can.

MR. MCGROARTY: Okay.

MR. BYRNE: And they're really not that high it's only . . . it's a one-story area there so that with a regular roof broom and such they should be able to clean it off.

MR. MCGROARTY: Any other questions about that structure?

MR. BYRNE: The other advantage with those awnings is also the fact that they have manual controls of them as well so that if indeed it happens to be a particularly hot day and they want to provide additional shade for the animals they have the option of actually manually closing those for the

particular day that's needed. The second building that we're working with which is towards the rear of the property and I believe Mr. Glasson had called it out as a garage or barn structure on the site, it's a red building that we're effectively looking to keep the main structure relatively unchanged. But what we're proposing to do is to add seven additional kennels to that building both internal and external kennels. The basic design is going to be similar in the fact that they'll have an interior portion, an exterior covered portion, and then an exterior open area with the adjustable awnings over top of that. The intent of this back building is to be used as an initial quarantine area for new dogs that have questionable health issues where they'd be brought in here and kept out of the general population of the other dogs until they've been vetted out and they're assured that they're clean from that perspective. The second item in this building is the fact that it has a usable second floor on the building and our intention there would be to use that as an indoor play area for the animals so if it's inclement weather and they can't go outside to play that the staff can bring them in this area and use it for a play area for the animals. This is my first rendering, this I apologize I don't know if this was filed with the Board or not if it's not I think we should . . . .

MR. SELVAGGI: I don't believe it was.

MR. WEISS: It's not.

MR. SELVAGGI: So that would be A-4 Mike?

MR. BYRNE: Yes.

MR. SELVAGGI: And what is A-4?

MR. BYRNE: A-4 is three exterior renderings of the buildings and site as well as a Google aerial photo of the site itself just to help get orientation on the site. Again depicting the aerial photo that I have at the lower right corner of this sheet it depicts the main building here, it depicts the garage building that's proposed to be removed, and it also depicts the red barn building back in the rear portion of the side, and it also has the adjacent residential neighbor's house on the site here. It does show that the house is generally in the same proximity with the main existing building that we're proposing to use. Our kennel area goes back from the rear of this building toward the red barn so it's going to be behind where the residence itself is and the barn itself is directly adjacent to the cell tower or tower system that they have on the adjacent property. So the red barn really does not abut the residential portion of the property it abuts another commercial use back there. The upper left corner rendering depicts the frontage of the property looking as if you were traveling eastbound on Route 46 and it shows the parking area in the front and you get a little glimpse of the kennels going toward the rear. The upper right hand rendering depicts the front of the building kind of looking as if you were heading westbound on Route 46 where your getting mainly just the thrust of the existing building that exists there and the parking area in the front. And our lower left rendering is a bit more of an overview of the property where you get a little bit more of a relationship of the barn building in the back as well as the kennels added to the structure.

MR. WEISS: Yes Tiena?

MS. COFONI: I'm sorry I just didn't catch the date of that plan.

MR. BYRNE: Actually what I did is I put today as a revision date for all of these plans.

MS. COFONI: Okay so that's today's date.

MR. BYRNE: Yes.

MS. COFONI: Great thank you.

MR. BYRNE: Sheet A-5 is again two additional renderings which were not submitted to the Board yet.

MR. WEISS: Could you explain what these are?

MR. BYRNE: Yeah the upper rendering is a rendering of the interior of the kennel space and the lower rendering is one of the outside of the kennels between the single loaded kennel on the left hand side and your viewing the double loaded kennel on the right hand side of that rendering.

MR. SELVAGGI: Now you're standing in the backyard looking towards Route 46?

MR. BYRNE: Backyard looking towards Route 46 yes. You can see the white portion of the existing building in the background of that rendering. And again the essence of these renderings I want to explain is the fact that the 11<sup>th</sup> Hour people were very cognizant of making sure that they minimize the stress on the animals. And I believe that's also going to help us in minimizing the noise factor because of the fact that what we've done externally within the buildings is we've actually proposed instead of just an open area between one kennel and the other we're actually proposing to put an evergreen type hedge running down the center of that space between the two to block the view from one kennel across to the other. So that the dogs aren't face to face looking across the court yard created between the two kennel space. We've also in the interior of the building rather than using an open gate type of enclosure for the frontages of each of the kennel we're actually doing a combination. We're using a Dutch door technique which allows the kennels to be closed off completely but also allows the top half of the door to be opened and allow for additional ventilation and allow the staff to communicate with the animals while we maintain a solid barrier on the bottom. To again prevent cross visualization from one animal to another within that space. What we're proposing to do within the interior of the space again to help mitigate noise factors, we have two issues when you're dealing with the kennels the wall system and the floor system within the kennel have to be an easily cleanable product. What we're proposing to do is to use an epoxy covered floor and wall so they can maintain it, keep it clean and hygienic but that limits our capability for providing for acoustic materials which are generally softer materials. What we're proposing to do is on the ceiling structure in each of the kennels running down the entire area is to put sound absorption material on the ceilings to help absorb any noise which is created within that area and again help mitigate any of the noise factors to the adjacent neighbor.

MR. WEISS: Mr. Byrne what is a sound absorption material for the ceiling?

MR. BYRNE: They make, it's a fabric covered material that has an absorbing core to it so the noise basically goes into it and gets absorbed within that area.

MR. WEISS: Okay. Tiena?

MS. COFONI: I didn't quite catch, the set up on the interior as depicted on the top rendering it looks like solid side walls with the front would be almost like a barn where the bottom is closed but then you can see over the top?

MR. BYRNE: Exactly.

MS. COFONI: Okay I just wanted to make sure I understood that correctly.

MR. BYRNE: And the top is depicted here we have what they call a Dutch door here where the top part of the door swings open that's a glass portion to the door, the bottom of that door is solid to again prevent the visualization across it. And on the adjacent portion of the front of each of the kennels we have a fixed piece of glass and then a solid wall below that. So effectively to a height of 3, 3-1/2 feet there's a solid barrier visually from one kennel to the other. The top half consists of a solid glass panel and the operable half of the Dutch door which is also a glass panel.

MR. MCGROARTY: So the bottom doesn't open at all?

MR. BYRNE: The bottom half of the door does open.

MR. MGROARTY: It does open.

MR. BYRNE: You have two halves to the door basically they're both hinged independently of each other.

MR. MCGROARTY: No I understand I misunderstood. I understand the Dutch door concept I thought you said the wall the bottom part was just a wall and not . . .

MR. BYRNE: Well the second half each of the fronts of the stalls are divided into a Dutch door and then a solid portion of the wall, the solid portion is block on the bottom half and fixed piece of glass on the top half.

MR. MCGROARTY: Okay thank you.

MR. NELSEN: Excuse me?

MR. WEISS: Dan?

MR. NELSEN: I'm a little confused on that, on the door. It's basically a Dutch door?

MR. BYRNE: Right.

MR. NELSEN: The top and the bottom work independently?

MR. BYRNE: Yes.

MR. NELSEN: The bottom is solid?

MR. BYRNE: Yes.

MR. NELSEN: It can't be seen through? The top is also solid glass?

MR. BYRNE: The top is glass.

MR. NELSEN: Right but its solid glass.

MR. BYRNE: Yes.

MR. NELSEN: Okay and that top part opens?

MR. BYRNE: Yes.

MR. NELSEN: Okay.

MR. BYRNE: So they have the option if they wanted they can leave the top half of the doors open or if for whatever reason they want to isolate a dog or close it up at night they can close the top half and make it completely isolated.

MR. NELSEN: And it's 3 foot?

MR. BYRNE: Yes.

MR. NELSEN: On the bottom and 3 foot on the top?

MR. BYRNE: Yes approximately 3 feet 8 on the top. And then above that we also have a ventilation screen which is just an open screen panel to allow air to flow through.

MR. NELSEN: Yeah I would be concerned about the ventilation in that.

MR. BYRNE: Well we're actually proposing to have ventilation into each one of the kennel spaces.

MR. NELSEN: Okay.

MR. WEISS: Tiena?

MS. COFONI: So if the glass panel and the bottom panel are both closed are they completely closed in?

MR. BYRNE: Yes.

MS. COFONI: So the only way they would be able to breathe is through a ventilation system putting in air? I mean otherwise eventually you'd run out of oxygen right?

MR. BYRNE: There's actually passive ventilation the top part is screening so the doors go up to a 7 foot height and then we have screening at the top most portion up to the ceiling.

MS. COFONI: Okay.

MR. NELSEN: On the sides of the runs, the sides of the runs are concrete block on the bottom?

MR. BYRNE: Yes.

MR. NELSEN: Above that is?

MR. BYRNE: Mesh like a chain link fence.

MR. NELSEN: Chain link.

MR. BYRNE: Yeah.

MR. NELSEN: Okay.

MR. BYRNE: And again the intent of the kennel space was to enclose the kennel in its entirety which was another benefit we had with the louvered roof system that we have there. The fact that each one of the kennels is completely contained and a dog can't climb out of the kennel itself. Which I was surprised when Linda had indicated that they actually have quite a few animals who can literally climb up chain link fences and get out of kennels. So they were concerned they we made sure that they were completely enclosed and there was no way that that could happen.

MR. NELSEN: What is the louvers on the top made out of?

MR. BYRNE: They're an aluminum louver.

MR. NELSEN: Aluminum?

MR. WEISS: Tiena you had another question?

MS. COFONI: What's on the other side of the kennels? Do we know where the glass and solid wall is? I mean the solid door? And then on the other side is like what we see down there on the bottom can they get out I forget I'm sorry what the testimony was, they can get out at any time?

MR. BYRNE: There is actually outside doors to go from the outside courtyard into each of the exterior kennels and that's just a chain link door that can be opened for cleaning the outside kennel portion. Between the outside portion of the kennel and the inside portion there are openings in the outside of the building to allow the animals to go back and forth almost like a doggie door but we also provide a Guillotine enclosure so if they want to keep the animals in they have the option of actually dropping an enclosure door over top of each one of those openings to keep the animals inside when they want.

MS. COFONI: Okay.

MR. NELSEN: The outside doors of the kennels are the doors to access those outside areas are those also like the inside solid on the bottom glass on the top?

MR. BYRNE: They are not they are full screen all the way and that's one of the reasons why we introduced the screening between the kennels. So within the center of the courtyard itself we put the visual barrier to prevent the dogs from seeing from one kennel to the other.

MR. NELSEN: How much space is that in between the two?

MR. MCGROARTY: 15 feet.

MR. BYRNE: 15 feet.

MR. WEISS: Do we have any other questions for Mr. Byrne so far?

MS. COFONI: Yes I have one more.

MR. WEISS: Go ahead Tiena.

MS. COFONI: The question from (inaudible) was for the second story play area in the rear barn is it going to be stairs accessing that for the dogs so the dogs would have to walk up stairs to get up there?

MR. BYRNE: Yes.

MS. COFONI: Okay.

MR. NELSEN: One other question. The building itself, the kennel building and the concrete block you're using basically like that . . . what you see on the highways, is that block going to be filled?

MR. BYRNE: It's going to be filled with thermal insulation for energy purposes.

MR. NELSEN: Okay.

MR. SELVAGGI: Does that provide any minimization of the noise?

MR. BYRNE: its primary purpose is for thermal purposes.

MR. WEISS: Nelson?

MR. RUSSELL: The floor of the upper story of the barn that will be a wooden floor?

MR. BYRNE: It's currently a wooded floor we're anticipating we're going to put an epoxy coating over the top of the whole thing to seal in case of any accidents.

MR. RUSSELL: So you can seal it and sanitize it.

MR. BYRNE: Yeah.

MR. RUSSELL: Okay and you're using the same sanitation method that you used in the kennels?

MR. BYRNE: It's going to be a slightly different system only because the kennel floor system is a concrete floor system so the epoxy type system is slightly different. But the intention is the same to have a sealed floor system that can be sanitized.

MR. RUSSELL: Wash it off and . . .

MR. BYRNE: Yeah.

MR. RUSSELL: So there will be a drain system or something?

MR. BYRNE: Yes.

MR. RUSSELL: Okay thank you.

MR. NELSEN: Also that single run kennel you have there, on the interior wall you mentioned you were going to put these acoustical I guess ceilings in, sound absorption?

MR. BYRNE: Right.

MR. NELSEN: They're also on that block side of the wall there all acoustical sound attenuation vats that you can also apply to those walls?

MR. BYRNE: Yeah the biggest issue there is just going to be a question of getting one that we can either sanitize correctly or we may end up mounting those higher up on the wall where they can sanitize the lower portion of the wall where there may be an issue.

MR. NELSEN: Yeah they make them out of (inaudible) and they're vinyl coated and (inaudible).

MR. WEISS: Mr. Byrne do you have any other testimony?

MR. MCGROARTY: One other question Mr. Chairman?

MR. WEISS: Sure Chuck.

MR. MCGROARTY: I scaled it and I just don't remember. Mr. Byrne the height of the kennels can you tell us what that's going to be?

MR. BYRNE: The height of the kennel portion itself?

MR. MCGROARTY: Yes.

MR. BYRNE: Actually I don't have a height there. I would say approximately 18 feet for the taller of the two.

MR. MCGROARTY: Okay that would be to the peak of the roof.

MR. BYRNE: Yes.

MR. MCGROARTY: Okay and the one that would be . . . or the one closer to the residential property to the east of it?

MR. BYRNE: It's approximately 15 feet or so.

MR. MCGROARTY: Again to the peak of the roof.

MR. BYRNE: Yes.

MR. MCGROARTY: The kennel portion itself will only . . .

MR. BYRNE: The kennel portions are approximately 9 feet in height at the maximum and then they slope down slightly from there.

MR. MCGROARTY: All right thank you.

MR. BYRNE: And again the other thing we're doing is as opposed to leaving the exposed block along the eastern side of the building we are cladding that side with the same siding that's on the rest of the building so it's not just going to be a block façade along that eastern edge of the property, the one that faces the residential neighbor.

MR. MCGROARTY: And I know you didn't testify to this Mr. Glasson did I guess last time you would add landscaping along that side of the property as well?

MR. BYRNE: Yeah he's got extensive landscaping along the property line there.

MR. WEISS: Go ahead Dan.

MR. NELSEN: The manufacturer of the fencing, the runs?

MR. BYRNE: We haven't selected one at this point.

MR. WEISS: I just have one comment I guess maybe a question. Staying with your third row of drawings like you just . . . no, no that one exactly right. I don't know if I'm satisfied with the drawing and let me tell you why. I know we're here addressing a use variance and I would tell you to be honest with you if I'm the neighbor next door I'd really want to see what this is going to look like from my home. And I know you had some renderings on page 3 and 4 on exhibit A-4 and A-5, I've yet to see what this is going to look like from the neighboring property. And I know that the third level of drawings is superimposed but I don't know if I'm seeing what it's going to look like if I'm to walk out my door if I'm the next door neighbor. And I don't think . . .

MR. GLASSON: Can I comment on that?

MR. WEISS: Yeah go ahead Mr. Glasson.

MR. GLASSON: At the present time from the neighbor's house as I had testified to along the property line there there is actually a row of . . . there's actually a large row presently in this as you can see on my plan right here that right now they're probably about 12 foot high row of Arborvitae that are completely on . . . right along the property line. And we're proposing to buffer that again with 8 foot high trees so I'll be honest with you I don't think you'd be able to see it. Putting a double row plus we're putting a fence in between them, putting a 6 foot high fence there. So I don't believe you . . . at a height of the first kennel, what's the roof height you said?

MR. BYRNE: Approximately 15 feet.

MR. GLASSON: Maybe you'd see the peak of the roof.

MR. WEISS: Okay well I'm glad we're having the conversation I just have yet to see what it would look like and I'm not really sure. I did drive the property I did it from your property and I didn't stop at the neighbors. But I just want to make sure that we're not going to approve the creation of something that's going to ultimately be an eyesore to the neighbor. Especially in the case of a use variance here so you know I know you've gone through some great efforts to give us renderings of what it's going to look like on the inside. It's just a thought I would have liked to see something from the outside. Anybody else?

MR. BUCZYNSKI: Just regarding that they are coming back again so they may want to bring your (inaudible).

MR. SELVAGGI: Yeah as it is I know one of the Board members may be leaving shortly and Mr. Byrne . . . because Mr. Marx it's not my intention to try to have Mr. Marx do a cross examination in 30 seconds.

MR. WEISS: But I can also assure you that if Mr. Zwigard has to leave he will be certainly be looking at the meeting tape. So I'm not in a rush I know if Brad has to leave then so be it he'll come back and listen to the tapes. I'd like to continue giving Mr. Marx as much time as he needs.

MR. SELVAGGI: Oh as I said we can end now so he doesn't have to worry about listening to the tapes. Mr. Byrne will come back and we'll also bring that rendering.

MR. WEISS: I leave it up to you it might be better to ask the questions now you know we have some members in the audience I think it's probably easier for Mr. Zwigard to listen to a few minutes of the tape or . . . that's just my opinion but if you guys want to it differently. I'll leave it up to you.

MR. SELVAGGI: I'd just as soon end to be honest. I mean because Mr. Byrne is coming back anyway and again Mr. Marx is . . . and if anybody else we'll have back. You don't have any objection.

MR. MARX: Can we just address the louvers for a moment?

MR. WEISS: Here's the dilemma, I think if Mr. Selvaggi is asking that we end we will absolutely pick it up with cross examination of Mr. Marx plus open to the public if anybody else has any questions for Mr. Marx.

MR. MARX: I just want to ask something about the louver system because maybe Mr. Byrne would want to bring something back, some literature or something about that.

MR. WEISS: That's a very good point maybe you want to just step up to the microphone.

MS. COFONI: It's already 8:05 I'm just sensitive to Mr. Zwigard's timing.

MR. SELVAGGI: Did you pick Mr. Marx's comments up?

MRS. NATAFALUSY: He wanted to cross examine, I mean yeah the . . .

MR. SELVAGGI: The louver system?

MRS. NATAFALUSY: Yeah right.

MR. MARX: Just if we can have something, the name of the company, some literature, where is it being used in this area that somebody can go look at it to see if it works. That's it.

MR. WEISS: Mr. Marx I think Mr. Byrne alluded to some louvers and the request is to bring some more detail perhaps manufacturing information, photographs, anything that you could help to satisfy the concern. It's certainly reasonable. And again Mr. Selvaggi I can certainly respect your request but just understand that we're not done with Mr. Byrne.

MR. SELVAGGI: Absolutely not.

MR. WEISS: And the public will have an opportunity.

MR. BYRNE: Can I ask one other question of the Board before we . . . .

MR. SELVAGGI: Yeah.

MR. BYRNE: Are there any other images or views that the Board would like to see before the next meeting? Again this is modeled three dimensionally so I can . . . it doesn't take a lot to give you specific views. So if you want a view from any specific angle just let me know.

MR. WEISS: Well I stated what I would like to see so if you could do that I'd appreciate that.

MR. BYRNE: That's fine.

MR. WEISS: Anybody else?

MR. NELSEN: The question of the fencing Mr. Glasson alluded to on the eastern side of the property. What will that be made of that fencing?

MR. GLASSON: I believe it's a stockade fence, a wood stockade fence sitting in between the planted buffer as well as the one that's already there.

MR. WEISS: Okay let's bring this to a end to the meeting. Mr. Selvaggi I know you've requested and we've honored your request to carry this until April 19<sup>th</sup>?

MR. SELVAGGI: Yes.

MR. WEISS: Catherine how is our schedule for the 19<sup>th</sup> meeting?

MRS. NATAFALUSY: It's wide open.

MR. WEISS: So I think we can put you on first.

MR. SELVAGGI: All right.

MR. WEISS: That shouldn't be a problem. And that being said we're going to carry this hearing until that point no further notice. Do we need an extension?

MRS. NATAFALUSY: No.

MR. WEISS: We don't need an extension I believe. We're good.

MR. SELVAGGI: Thank you.

MR. WEISS: Gentlemen thank you very much.

MR. SELVAGGI: Do we leave the exhibits here?

MR. WEISS: Catherine do you want him to leave the exhibits?

MRS. NATAFALUSY: He can but if you want to take them and bring them back next month.

MR. SELVAGGI: We'll take them and bring them back.

MRS. NATAFALUSY: Yeah.

MR. WEISS: All right with no further business on our agenda this evening I'll entertain a motion to adjourn if we have nothing else to speak about. Go ahead Joe please.

MR. FLEISCHNER: I know it was a while ago and this pertains to Highlands that Kevil Chevrolet owns that house that's kind of falling down on the corner. And they had proposed doing something with it and Highlands; there was Highlands issue with it. Does anybody know if that's proceeding or not proceeding?

MR. MCGROARTY: What house Joe?

MR. FLEISCHNER: its right next to Kevil Chevrolet it's on the corner where you make . . . .

MRS. NATAFALUSY: There's Kevil, there's like a vacant parcel and then there's a corner house that Kevil owns and he came into the Zoning Board of Adjustment for a certification about five or six years ago to use it as three apartments. I remember that.

MR. NELSEN: It was going to use it for some help wasn't he?

MRS. NATAFALUSY: What?

MR. NELSEN: Help was going to be housed there I thought.

MR. FLEISCHNER: No my understanding is, and the reason why I raise this because I was there today getting an oil change, and I was under the impression and just from the course of the conversation that they actually wanted to bulldoze the house and put in like an office for the truck . . . so they can sell trucks. And they said they spoke to someone a couple of years ago and then it got caught up in the Highlands because it's in the Highlands Preservation Area.

MR. MCGROARTY: That's correct.

MR. FLEISCHNER: And I said I don't really know anything about it and it hasn't come and I was just wondering is there anything with that?

MR. MCGROARTY: I haven't heard anything but I mean it's just like any other property in the Highlands area they certainly don't want to bulldoze it until they get something . . . .

MR. FLEISCHNER: Right I understand that. I just wanted to . . . I was curious if there's anything going forward with it.

MR. MCGROARTY: I have not heard anything. I wasn't aware of anything.

MR. BUCZYNSKI: I haven't heard anything.

MS. COFONI: It may be that they're evaluating it internally and have come to that conclusion.

MR. FLEISCHNER: Because I do know one of the brothers that owns it just recently died I don't know if . . . .

MR. MCGROARTY: On Harris Lane, the corner of Harris Lane?

MR. FLEISCHNER: Yeah.

MR. MCGROARTY: Oh okay I know where that is.

MR. FLEISCHNER: Because one of the brothers that owned . . . .

MRS. NATAFALUSY: Mike Kevil.

MR. FLEISCHNER: Yeah he passed away tragically unfortunately. All right I was just curious all right thank you.

MR. WEISS: Anybody else have anything to say? Chuck, Gene?

MR. MCGROARTY: I have nothing.

MR. BUCZYNSKI: I have nothing.

MR. WEISS: Catherine?

MRS. NATAFALUSY: We're good.

MR. WEISS: We are good thank you. Motion to adjourn?

MR. STASZAK: So moved.

MR. WEISS: All in favor?

EVERYONE: Aye.

MR. WEISS: Good night everybody.

(MEETING ADJOURNED AT 8:05 P.M.)

Transcribed by:  
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