

**MINUTES OF THE REGULAR MEETING  
OF THE TOWNSHIP OF JACKSON  
ZONING BOARD OF ADJUSTMENT  
OCTOBER 5, 2005**

The October 5, 2005 Jackson Township Board of Adjustment meeting was called to order at 7:34 p.m. with a salute to the flag by all present. Attorney Robert Rothstein read the Open Public Meetings Act Statement.

**ROLL CALL:** Peter Clute, V. Chair Donna Hopkins, Alt. #1  
Larry Hartman Michael Kelly, Chairperson  
Scott Weinstein, Sec'y.

**ABSENT:** Meredith Acacia Kevin Sullivan  
Peter Maher Howard Falkowitz, Alt. #2

**ALSO PRESENT:** Richard Megill, Director of Planning and Zoning  
Robert Rothstein, Board Attorney  
Al Yodakis, Board Engineer, T&M Associates  
Leah Furey, Planner, Ragan Design Group  
Steven McCrystal, McCrystal Reporting

**MEMORIALIZATION OF RESOLUTIONS:**

**2005-096** –Eva Peacock - Block 85.01, Lot 25- Motion to approve by Weinstein/Hopkins. YES: Clute, Hartman, Weinstein Hopkins & Kelly. **INTERPRETATION DECIDED**

**2005-097** – Chelsea Property Group – Jackson Outlet Village – Block 2.01, Lot 1.07 – Motion to approve by Weinstein/Hartman. YES: Clute, Hartman, Weinstein, Hopkins & Kelly. **VARIANCE GRANTED**

**2005-098** – Karen Stamos - Block 34, Lots 4.02 & 4.03 – Motion to approve by Clute/Weinstein. YES: Clute, Hartman, Weinstein, Hopkins & Kelly. **VARIANCE GRANTED**

**2005-099** – Charles & Petrina Spinelli – Block 135.22, Lot 15.35 – Motion to approve by Clute/Weinstein. YES: Clute, Hartman, Weinstein, Hopkins & Kelly. **VARIANCE GRANTED**

**2005-100** –Robert & Jessica Bammann – Block 109.01, Lot 1.03 – Motion to approve by Clute/Weinstein. YES: Clute, Hartman, Weinstein, Hopkins & Kelly. **VARIANCE GRANTED**

**2005-101** – Laverne & Margaret Beecher– Block 2.01, Lot 15.09 – Motion to approve by Clute/Kelly. YES: Clute, Hartman, & Kelly. **VARIANCE GRANTED**

**2005-102** – Mark & Maria Mamerga – Block 132.02, Lot 12 - Motion to approve by Kelly/Clute. YES: Clute, Hartman, Weinstein, Hopkins & Kelly. **VARIANCE GRANTED**

**2005-103**– Lynette Madits & Amir Hamdi – Block 135.11, Lot 14– Motion to approve by Weinstein/Hartman. YES: Clute, Hartman, Weinstein, Hopkins & Kelly. **VARIANCE GRANTED**

**2005-104** – Reinaldo & Lisa Gomez - Block 94.09, Lot 9 – Motion to approve by Weinstein/Clute. YES: Clute, Hartman, Weinstein, Hopkins & Kelly. **VARIANCE GRANTED**

**2005-105** – Theresa Lewis– Block 83.01, Lot 25.05 – Motion to approve by Weinstein/Clute. YES: Clute, Hartman, Weinstein, Hopkins & Kelly. **VARIANCE GRANTED**

**2005-106** – Hyson Estates, LLC – Block 145.01, Lot 29.02 – Motion to approve by Weinstein/Clute. YES: Clute, Hartman, Weinstein, & Kelly. **FINAL SUBDIVISION APPROVAL GRANTED**

**The Minutes for September 7, 2005 were approved.** Motion by Clute/Weinstein. YES: Clute, Hartman, Weinstein, Hopkins and Kelly.

**ANNOUNCEMENTS**

Mr. Rothstein announced the Wawa application for Block 111, Lot 34 was not on the agenda for this evening. Mr. Kelly clarified the application was not yet complete and the applicant would have to renotify at such time the application will be heard.

Mr. Megill announced the Matter for Interpretation, Robert Solomon, would be carried to November 2, 2005 at the applicant's request. He then asked the Board to hear application #7 first as the applicant's children were present.

Steve McCrystal swore the professionals.

**APPLICATIONS**

- 1. APPLICANT: SALVATORE SALEMI (VARIANCE #2502)**  
**BLOCK: 99.06 LOT: 27 ZONE: R-3**  
**LOCATION: 301 NIGHTHAWK LANE**

Mr. Salemi sworn. He requests a variance for an inground pool due to the location of his house on his property. Mr. Yodakis said the variance is needed because the applicant has two front yards; he had no

engineering issues with grading, the sight triangle, or the septic. Mr. Rothstein questioned the fence, and Mr. Megill noted the proposed 4' Jerith fence needs no variance as it meets the code. Mr. Megill also indicated the filter and heater is in the front yard. Mr. Kelly asked the applicant to landscape around the pool equipment, and the applicant agreed.

**PUBLIC SESSION OPENED;** No one came forward; **PUBLIC SESSION CLOSED.**

**Motion to approve by Weinstein/Hopkins.** YES: Clute, Hartman, Weinstein, Hopkins and Kelly.

1. **APPLICANT: ROBERT & DEBORAH MALET (VARIANCE #2491)**  
**BLOCK: 78.24                      LOT: 6                      ZONE: R-9**  
**LOCATION: 27 LAURELTON AVENUE**

Robert & Deborah Malet sworn. They need a variance to construct a 6' solid fence in the front yard of their corner property, and a variance to allow a 10' x 10' existing shed 6' from the side yard property line where 10' is required. The fence is to be 6' stockade to enclose their back yard. Mr. Yodakis recommended the Board require a 50' distance from the corner to stay out of the sight triangle. Mr. Kelly explained to the applicant the fence needed to be adjusted at the corner of Pine Hill Road to stay out of the sight triangle. He showed the applicants Mr. Yodakis' drawing. Mr. Kelly asked if the neighbor's driveway is directly behind the fence and was told no, it was on the other side. Mr. Kelly asked about the shed. The applicants answered the shed was there when they bought the house, and they are asking to leave it there. Mr. Kelly was then concerned about the fence being right on the property line. Mr. Yodakis said the sight triangle on the survey seems conservative. Mr. Megill noted the fence is set back. Ms. Hopkins was concerned about the applicant's driveway, and they told her they already moved their driveway to the front yard and removed the old driveway completely.

**PUBLIC SESSION OPENED;** No one came forward; **PUBLIC SESSION CLOSED.**

**Motion to approve by Clute/Weinstein.** YES: Clute, Hartman, Weinstein, Hopkins and Kelly.

2. **APPLICANT: SERGE & VIKTORIA BALSIRROW (VARIANCE #2494)**  
**BLOCK: 128.01                      LOT: 42                      ZONE: R-15**  
**LOCATION: 134 SUSAN DRIVE**

Serge Balsirow sworn. He wishes to replace an existing deck, adding to its size by 5'. This will require a rear yard setback variance where 30' is required and 23' is proposed. Mr. Kelly commented this will give him a lot of extra space. Ms. Hopkins asked how high the deck would be off the ground, and was told less than 6'. The applicant intends to finish off that space with lattice work.

**PUBLIC SESSION OPENED;** No one came forward; **PUBLIC SESSION CLOSED**

**Motion to approve by Hartman/Weinstein.** YES: Clute, Hartman, Weinstein, Hopkins and Kelly.

3. **APPLICANT: MARK & JODI TAYLOR (VARIANCE #2496)**  
**BLOCK: 3.06                      LOT: 4                      ZONE: R-3**  
**LOCATION: SOUTH HOPE CHAPEL ROAD**

Mark Taylor sworn. He requests variances to construct in ground pool, 6' fence and a 24' x 24' cabana in the front yard of his corner lot. Mr. Yodakis noted this application was similar to one earlier and stated the fence is not near the sight triangle and is setback from Peacock Lane. Ms. Furey added the fence was 7' inside the property line. The professionals had no objection.

**PUBLIC SESSION OPENED;** No one came forward; **PUBLIC SESSION CLOSED**

**Motion to approve by Weinstein/Hopkins.** YES: Clute, Hartman, Weinstein, Hopkins and Kelly.

4. **APPLICANT: RAYMOND & LISHA MORGAN (VARIANCE #2497)**  
**BLOCK: 131                      LOT: 4.03                      ZONE: R-3**  
**LOCATION: 372 PFISTER ROAD**

Raymond and Lisha Morgan sworn. They wish to construct a 2-car, attached garage 5' from their side property line where 20' is required. Mr. Kelly asked if they were redoing their entire house and the applicant said yes. Mr. Megill asked if a pool was on the property and was told yes. Mr. Megill's drawing did not show the pool. The applicant stated his property was pie shaped and that is the reason for needing the variance. Mr. Rothstein noted they are adding a bedroom and asked if that is a factor. The applicant said he had septic; Mr. Yodakis said the Board of Health will determine if the septic is adequate. Mr. Megill clarified the applicant will receive a checklist from the Building Department that includes outside agencies to be notified, and the Board of Health is included. He said we are only hearing the variance. The applicant understood.

**PUBLIC SESSION OPENED;** no one came forward; **PUBLIC SESSION CLOSED.**

**Motion to approve by Weinstein/Hartman.** YES: Clute, Hartman, Weinstein, Hopkins and Kelly.

5. **APPLICANT: EDWARD TOBIN (VARIANCE #2498)**  
**BLOCK: 38                      LOT: 19.05                      ZONE: PV**  
**LOCATION: 15 OKJIN COURT**

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Edward Tobin sworn. He wishes to expand his rear deck by 8-9' for more room and needs a variance for the rear setback where 50' is required and 45' is proposed. He stated the deck won't wrap around the house but will extend 3' from the rear of his house. The house is built close to the 50' rear setback and the property is wooded to the rear.

**PUBLIC SESSION OPENED;** No one came forward; **PUBLIC SESSION CLOSED**

**Motion to approve by Weinstein/Hartman.** YES: Clute, Hartman, Weinstein, Hopkins and Kelly.

**6. APPLICANT: GREG & LILLIAN LEVINE (VARIANCE #2500)**  
**BLOCK: 67 LOT: 27.03 ZONE: R-2**  
**LOCATION: 225 BREWERS BRIDGE ROAD**

Greg Levine sworn. He lives on a flag lot on Brewers Bridge Road and has three children taking horse lessons. He wishes to construct a 12' x 20' shed and a 30' x 40' horse barn in what is considered his front yard because it is a flag lot. Mr. Kelly asked if this lot was on the estate side and Mr. Megill answered yes. Mr. Kelly said the houses on Brewers Bridge Road are set back from the road due to the busy nature of it. Mr. Levine said his house is set back 440' from the road. Ms. Furey asked if trees would have to be removed. Mr. Levine said yes, but not all. He wishes to make a park like setting, leaving small trees and taking the scraggly ones out as a safety precaution. Ms. Furey asked if there would be paddocks and Mr. Levine answered yes, describing the location. Ms. Furey noted there was an outhouse on the plans and Mr. Levine said it was no longer there. Mr. Kelly asked if Mr. Levine considered purchasing additional lots and Mr. Levine answered Mr. Krupnick is asking too much money.

**PUBLIC SESSION OPENED**

Joseph Zerdy, 1945 New Central Avenue, Lakewood, sworn. He is a contract purchaser of the lot in front of this (Lot 27.02). He is concerned with the location of the shed and barn because his future house would also be set back far and close to the proposed barn. He asked if the existing shed is part of this variance application. Mr. Levine said the shed is 130' back from the house. He did not want it behind the house because the property narrows drastically, he would have to take down trees and the shed would be exposed to many neighbors. Mr. Kelly commented he lived in this area for many years, and many homes are way back. If the board allows sheds up front, the new homes would be lined up. He asked Mr. Levine to move the buildings back a little. Mr. Levine answered this is the only vacant lot; other lots have houses 50' – 75' from the street. Mr. Kelly said he knew the neighborhood. Mr. Levine said he planned to put hedges and showed pictures of what he looks at in front of his lot – Mr. Zerdy's trucks and debris. Mr. Megill noted the paddock must be 75' from a neighboring dwelling and the new house on the vacant lot requires a 50' rear setback. Mr. Levine conceded he will move the barn back and asked if it is ok to put the barn behind the front building line. Mr. Megill said that would be ok, but he would have to adhere to the 30' side setback. Mr. Levine still wants the paddocks in front to avoid taking down too many trees. Mr. Kelly said the paddocks are not shown on the plans. Mr. Levine said he would be applying for a tree permit next month and didn't include the paddocks on the variance application. Mr. Megill said the location of the paddocks is a regulatory ordinance, not a zoning ordinance, and the Board has no jurisdiction over that. Mr. Kelly asked Mr. Zerdy why there are trucks and debris on the property, and was told that is temporary. Mr. Kelly asked him if he was given a violation and was told yes, for one thing. Mr. Kelly asked the applicant to move both the shed and barn back and showed the applicant what he was talking about. A discussion ensued on the location of both structures.

Sydney Krupnick sworn. He asked who Mark Murray was. Mr. Levine said he is his brother-in-law, who is building the structures for him. Mr. Krupnick said the 12' x 20' building is already there and Mr. Levine answered he didn't know he needed permits. Mr. Krupnick asked if the applicant would have to submit new plans, and Mr. Kelly answered no, they will state the location of the buildings during this hearing.

**PUBLIC SESSION CLOSED**

Mr. Rothstein suggested the applicant withdraw his application without prejudice because the applicant will place the barn and shed in conforming locations. The applicant agreed, asking for guidance on the paddock fencing. Mr. Megill said it shall be placed at least 75' from a neighboring dwelling; this is a regulatory ordinance and no permit is required.

**The applicant agreed to withdraw this application without prejudice.**

**8. APPLICANT: ADAM DAVINO & LINDA TURNER (VARIANCE #2503)**  
**BLOCK: 5.01 LOT: 919 ZONE: R-3**  
**LOCATION: 268 CASSVILLE ROAD**

Adam Davino and Linda Turner sworn. Mr. Davino wants to knock down the existing abandoned house and erect a 2,200 sq. ft. home but needs variances for lot area and side yard setbacks. He intends to move the home back and center it. Mr. Kelly asked if Mr. Davino purchased the property and was told no, he is a contract purchaser and the contract is contingent on obtaining the variances. Mr. Kelly asked about ordinance requirements for demolished homes, and Mr. Megill told him if the applicant is constructing 50% or more of the market value of the home, he must meet the setbacks for the zone. Ms. Furey concurred, stating this is as if the lot were vacant, and three variances are needed for lot area and both side yard setbacks. The applicant should provide evidence that he tried to purchase additional land. Mr. Davino had the buy/sell letters and submitted them as evidence to Mr. Rothstein. Ms. Furey also said the applicant has 30' of frontage on Willy's Lane and said it should be specified there be no access to that road. The applicant agreed. Ms. Furey asked if this lot is in an approved sewer service area and was told not yet, but would agree to hook up if and when that would occur. Mr. Yodakis asked if the applicant agreed to the

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technical items in his report and was told yes and gave Mr. Yodakis a new plan showing the changes. Mr. Clute asked if the house was vacant and was told yes.

**PUBLIC SESSION OPENED;** No one came forward; **PUBLIC SESSION CLOSED**

**Motion to approve by Clute/Weinstein.** YES: Clute, Hartman, Weinstein, Hopkins, and Kelly.

**9. APPLICANT: JERRY BURKE (VARIANCE #2499)**  
**BLOCK: 152.01 LOT: 17.03 ZONE: LM**  
**LOCATION: 459 WRIGHT DE BOW ROAD**

Jerry Burke sworn. Dan Sahin, attorney, and Bill Stevens of Property Development Services represented the applicant. Mr. Sahin entered two photos of the property to evidence and pointed out seven people in the audience here to support this application. Mr. Burke stated this is to be a small operation with two employees maximum. He would make no change to the scenery and he is a lifelong resident of the area. He intends to maintain regular business hours. Mr. Sahin stated there were surrounding businesses. Mr. Burke added there were junkyards, mechanical shops and residences. He wants to live on the property as well. Surrounding neighbors are here to support him. He expects the hours to be 8 am to 4 pm and Saturday if allowed. There is a gravel parking lot and vehicles would be stored to the rear of the building. No sign is proposed, just a sign on the side of the building. This will be a 50% collision, 50% restoration business. There will be no repair work to large trucks – he can't fit them. Mr. Kelly asked about environmental issues. Mr. Burke answered there would be no oil or mechanical work. The brick building is up to code for paints plus a state of art spray booth above any other standards in town. Mr. Kelly asked how costly it would be to expand this request to include an extra area for teenagers to fix their cars. Mr. Burke said he had no interest; Mr. Rothstein said the insurance liability would definitely increase. Mr. Rothstein said the auto body business is permitted use; the dwelling is the issue here. Ms. Furey stated the auto body use is a conditional use that meets all the conditions.

Bill Stevens sworn and his credentials accepted. Ms. Furey spoke of the continued residential use and the 10' buffer required between the parking and surrounding residential uses. Mr. Stevens said they will correct this condition. Mr. Stevens also said this application is for the use variance only and they will need site plan approval. Ms. Furey said this is a good use for the site. Mr. Stevens noted on Page 2 of the Ragan report it says C & D variances are required, but if the side yard setback is corrected to 43', no variance is required. He did say a variance is required for lot size. The applicant can't purchase additional land. A variance is also required for front yard setback and parking setback eliminated from the request. This site was used as a home and business and the current use is not dissimilar; Mr. Stevens wanted to put the historical use on record. Mr. Yodakis stated the drainage would be addressed at the time of site plan approval. There is no room for a detention basin; the property will need an underground recharge system. Mr. Burke agreed, saying, "whatever it takes." Mr. Rothstein expressed concern about leakage of oils or mishaps. Mr. Burke assured him he will be careful on environmental concerns. Ms. Hopkins asked if he had small children. Mr. Burke said no. When asked about a place for dogs, Mr. Burke said he has a fenced in area.

**PUBLIC SESSION OPENED**

Troy Clark, 388 Millstone Road, Clarksburg, sworn. He agrees with Mr. Kelly regarding character comments on Mr. Burke. He owns the property next door. He is very glad to have Mr. Burke as a neighbor. No buffers are needed. He knows Mr. Burke will do the right thing.

Barbara Scott, 456 W. Commodore Boulevard sworn. She knows Jerry since he was a baby. He does what is right and approves of what he wants to do.

A resident of 458 Wright DeBow Road said she lives across the street and said Mr. Burke has proven to be a very good neighbor and she has no objection to this application.

Diane Skillman, 444 W. Commodore Blvd, sworn. She was not sure where Mr. Burke's property was located. Mr. Burke explained and she was satisfied.

Eleanor Clark, 467 Wright DeBow Road sworn. She knows Mr. Burke since he was little and he does good work. He made an existing house better and she supports this application.

Mr. Kelly said this was the first time in 8 years the board had a group support an applicant like this.

**Motion to approve by Weinstein/Hopkins.** YES: Clute, Hartman, Weinstein, Hopkins and Kelly.

**Recess at 9:20 pm. Hearing resumed at 9:30 pm**

**10: APPLICANT: JACKSON ACADEMY LLC (SITE PLAN 628)**  
**BLOCK: 108 LOT: 4 ZONE: R-5**  
**LOCATION: EAST PLEASANT GROVE ROAD**

This application for site plan approval with variances to allow a child care facility, a conditional use in the R-5 zone, was represented by Ed Liston, attorney for the applicant. Applicant cannot meet the condition for lot size, where one acre is required and the applicant is providing .85 acre. Variances are also required for three other existing conditions – lot depth, front setback of the existing building, and rear setback for an existing condition.

Charles Witte, D. W. Smith Associates, 40 Airport Road, Lakewood, sworn and his credentials accepted. He is the project engineer for this application. He stated this is an existing structure with no additions

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proposed. A photo was entered as Exhibit 1. The original parcel of property was shown; the applicant worked with the township to realign Fish Road to compliment the Paramount homes project to the rear. The applicant had over one acre of property initially, and Paramount homes is to deed additional land to this applicant, then they will be conforming for lot size.

Mr. Liston referred to the T&M report regarding the waiver for the 10' buffer and noted the applicant is providing a 6' fence. Mr. Witte testified the new home to be constructed by Paramount is closer to the new road being constructed in the Paramount development. He said the entire back of the building is dedicated to outdoor recreation space. There will be no basement use. He addressed drainage issues and said the applicant will comply. Regarding traffic comments, the parking exceeds requirements. There will be a "U" shaped driveway to allow drop off. This is a low traffic road. They will comply with landscaping and lighting.

Mr. Weinstein asked about school buses. Mr. Witte stated he is not sure if they will have buses; the driveway is designed to accommodate them, however. Mr. Kelly said he has been told about traffic jams during pick up and drop off time. He is concerned about buses; if the applicant hasn't planned for them, the Board shouldn't be discussing this application. He discussed the need for parking spaces and asked how many children and teachers are expected.

Jennifer Grimes sworn. She is the manager of Jackson Academy LLC and said there is a limit of 72 children, but she would only have 45 children, Monday to Friday, 7 am to 7 pm and 4-5 teachers per shift. Donna Hopkins asked the ratio of student to teacher. Ms. Grimes answered that depends on the age of the child. The ratio is less at an older age. She received her certification in June and has worked at other child care facilities. Mr. Liston questioned her about buses, and Ms. Grimes said she does not expect them now, but in the future she may offer before or after school care. Mr. Kelly discussed the hours the facility would be open to make sure the kids are picked up. Ms. Grimes said the staff stays until all children are picked up. Ms. Furey noted the buses could stay in the street as a bus stop. Mr. Liston said that would not be at the same time as other drop offs. Mr. Megill stated the Board of Education probably won't allow the bus in the driveway. Mr. Kelly agreed, stating the Board of Education probably won't support that because the budget is cut. Ms. Furey said this would not be a separate route, just a drop off at after school or before school hours.

Mr. Liston reviewed Ms. Furey's review letter asking for a waiver of 109-177 for parking in a residential zone in the front yard setback. Ms. Hopkins asked about parking spaces. Mr. Witte stated 12 are proposed and 8 required and Mr. Liston stated they are banking 6 or 7 spaces. Ms. Hopkins thought that number was inadequate. Mr. Witte pointed out the drop off area. Mr. Kelly asked if the building was handicap accessible and Mr. Witte said not yet, that would be done as part of construction. Ms. Hopkins asked about a handicap bathroom and Mr. Liston said ADA requirements would be met. Mr. Liston asked about the trash enclosure waiver. Mr. Witte said it was shown on the plans and would add additional landscaping to screen it. Regarding an ID sign, a ground sign to be lit and on a timer was requested. Ms. Furey said a 20 square foot sign 4' high appears ok. Mr. Witte spoke about sidewalks connecting to the new Paramount project. Mr. Kelly said they are requesting sidewalks, but no curbs per Ms. Furey and Mr. Yodakis. Ms. Furey discusses the history of assisting the township with the road. Mr. Liston agreed to the sidewalks and said he would write a letter to Jeff Fernbach, owner of Paramount Homes, to ask him to extend his sidewalk to meet Jackson Academy's property. Mr. Yodakis asked about the infiltration basin fencing. Mr. Witte stated it is shallow and away from the fenced child area. Ms. Furey noted the picket fence shown in front, and said the applicant might consider extending it around. The applicant agreed. Mr. Yodakis spoke of the sight distance on the exit drive. He asked if it could be moved to increase the sight distance. Mr. Witte agreed that could be done. Ms. Hopkins asked about an outside playground; Mr. Witte pointed the area to the rear of the building out.

Sid Husain, professional planner with D.W. Smith, sworn and credentials accepted. He felt the variances could be granted without substantial detriment to the public good, stating the .85 acre versus the one acre minimus is de minimus and provides an inherent benefit to the town. The three bulk variances are existing conditions and cannot be remedied. Ms. Furey said from a planning standpoint, this seems a good use for the building. The parking is more than what is required. Mr. Weinstein asked if there would be guardrails around the bend. Mr. Megill stated there is a stop street there, and the traffic is moving away from the school. Mr. Liston said he conferred with Ernie Peters, Township Engineer, and said they did not feel a guardrail would be necessary. If in the future it is determined one is needed, he would require Paramount Homes to install it. Mr. Kelly asked if the applicant is willing to have the guardrail on their property line at Paramount's cost, and Mr. Liston agreed. Ms. Hopkins stated she thinks this is an excellent use for the building. Mr. Weinstein and Mr. Clute agreed.

**PUBLIC SESSION OPENED; No one came forward; PUBLIC SESSION CLOSED**

**Motion to approve by Weinstein/Hartman. YES: Clute, Hartman, Weinstein, Hopkins and Kelly.**

**Motion to approve vouchers by Weinstein/Hopkins. YES: Unanimous by all present.**

**Motion to adjourn at 10:10 p.m. by Weinstein/Hopkins. YES BY AFFIRMATION.**

Respectfully submitted,

Janice Kisty  
Zoning Board Recording Secretary