

**OCEANPORT PLANNING BOARD
MINUTES
May 9, 2017**

Chairman Widdis called the meeting to order at 7:30 p.m. and gave the Statement of Compliance with the Open Public Meetings Act: "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 11, 2017 and by the posting of same on the municipal bulletin board and Borough Web Site."

Chairman Widdis led the flag salute.

MEMBERS PRESENT: Mr. Whitson, Councilwoman Cooper, Mr. Sullivan, Mr. Kleiberg, Mr. Foster, Mr. Kahle (exited at 8:09pm), Mr. Fichter (exited at 7:35pm), Ms. Halpern, Mr. Widdis

MEMBERS ABSENT: Mr. Savarese

OFFICIALS PRESENT: Jeanne Smith, Board Secretary, Rick DeNoia, Esq., Board Attorney, Board Engineer/Planner William White

Chairman Widdis asked for a motion to amend the agenda to present 2 resolutions prior to Petitions from the Public, which was made by Mr. Whitson and seconded by Mr. Foster and approved by the eligible Board members.

BOARD BUSINESS:

1. Minutes of the meeting of April 25, 2017 were approved as presented on a motion from Mr. Whitson and a second from Mr. Foster and approved by the eligible Board members.

OLD BUSINESS: None

NEW BUSINESS:

2. PB2016-13 Knight, Juliette and Racioppi, Nicholas
91 Algonquin Ave
Block 18, Lot 14.01
Request for Relief from Flood Prevention Ordinance

Mr. Fichter advised Chairman Widdis that he would recuse himself from both applications due to a business conflict and exited the meeting at 7:35 pm.

William White, Board Engineer/Planner was sworn in. Mr. DeNoia stated for the record that service had been reviewed, was in order and the Board accepted jurisdiction. Mr. DeNoia explained to the Applicants that they must show the Board the positive reasons for their application, why it would have a positive impact on the property. it would be a hardship if denied, and there would be no negative impact on the neighbors or neighborhood.

Nicholas Racioppi and Juliette Knight, Applicants and Co-Owners, were sworn in. Mr. Racioppi explained to the Board the history of their project. The house was damaged by super storm Sandy. The contractor abandoned them and left the state. He explained that there is a sunken living room, and the contractor failed to raise it to meet the free board requirement. Only a small portion of the home does not meet the free board requirement. It would create a hardship for them if the application was denied. Chairman Widdis referred to a survey dated 2/10/12. There was discussion regarding walkways, chimney and wood deck shown on the survey, noting some differences between the survey and existing conditions. Mr. White explained the house was lifted, the Applicants attempted to get a C.O.

and that's when they were advised of the free board requirement. He stated the living room is one-half a foot below the minimum requirement. He stated that while they were not in compliance with Oceanport's requirements, they are in compliance with all FEMA and DEP requirements. Chairman Widdis asked the reason for the difference. The Applicants hired professionals who they believed would execute the plans properly. After the contractor left them, they contacted the Borough for an inspection and were advised that there were problems. Mr. White discussed problems with using incorrect benchmarks for top of lot measurements and the Building Dept. has modified its procedure to address the issue.

Chairman Widdis asked if Board members had questions. Mr. Whitson asked Mr. DeNoia if the Borough would be liable if the Board approved the variance and there was another storm. Mr. DeNoia replied that conditions added to the resolution in the past can protect the Borough, such as making the Applicants aware that their flood insurance premium may rise and if there was flooding based on an approval, the Applicants would indemnify and hold the Borough harmless from responsibility. Ms. Knight testified that the sunken living room was the only area that was flooded during Sandy. After receiving a FEMA grant, the Applicants were doing a simple lift with no other modifications. The professionals they hired did not perform the work properly. Mr. Whitson stated there are only positive results from granting the variance. Mr. Kahle asked Mr. White if the sunken living room met FEMA requirements. Mr. White confirmed that if it was 6 inches higher, it would meet the Borough's requirements. Mr. Kleiberg asked Mr. White when FEMA was going to revise the FBE to 10.4. Mr. White said it's possible that new maps will be approved in 2019. Ms. Halpern asked if the home was sold, would the variance remain with the property. Mr. White replied that any future owner would ask for an elevation certificate and will be noticed about the elevation. Councilwoman Cooper apologized for the Applicants hardships and wished them luck.

PUBLIC:

Chairman Widdis opened the meeting to the public for questions or comments on the application. As no one from the public wished to be heard, Chairman Widdis closed that portion of the hearing.

Mr. Whitson stated the application was beneficial to the Applicants, had no impact on neighbors, and does not affect drainage. Mr. Whitson made a motion to approve the application subject to including the resolution approving the variance be recorded with the deed, which was seconded by Mr. Kleiberg. The motion received the following roll call:

AYES:	Mr. Whitson, Mr. Foster, Councilwoman Cooper, Mr. Kleiberg, Mr. Kahle, Mr. Sullivan, Ms. Halpern, Mr. Widdis
NAYES:	None
ABSTAIN:	None
ABSENT:	Mr. Fichter, Mr. Savarese

Ms. Smith stated the motion carried.

- 3. PB2017-03 Tetherview Property Management LLC
1000 Sanger Avenue
Block 10, Portion of Lots 1 & 4
Request for Preliminary and Final Major Site Plan

- A-1 Colorized Site Plan "Russel Hall, Site Plan Improvements, Fort Monmouth", prepared by In-Site Engineering, dated May 9, 2017.**
- A-2 Topographic Survey, prepared by Gallas Surveying Group, 2865 US Route 1, North Brunswick, NJ 08902, dated July 21, 2014, last revised February 1, 2016.**
- A-3 Site Plan, Sheet 3 of 7, prepared by In-Site Engineering, LLC, dated April 20, 2016, last revised February 16, 2017.**

Michael Bruno, Attorney for the Applicant, appeared before the Board on behalf of Tetherview Property Management, LLC and gave opening remarks. He explained that the Applicant is requesting approval of the existing site plan, using the facility as an office building.

Michael Abboud, Applicant and Contract Purchaser, was sworn in and provided testimony related to the acquisition of the property from FMERA. Tetherview has been leasing the building from FMERA for the past year and a half. His vision is to make the former Russel Hall home to Tetherview, an IT solution company. He is seeking to rent space to similar types of business. Much of the building has been restored. A closing will take place as soon as the site plans are approved.

Chairman Widdis noted that Mr. Kahle wished to excuse himself at 8:09 pm as he was not feeling well.

Chairman Widdis asked for questions from the Board for Mr. Abboud. Chairman Widdis asked how much of the 42,000 sq. ft. will be rentable. Mr. Abboud stated approximately 25,000 sq. ft. and Tetherview will occupy approximately 9,000 sq. ft. Chairman Widdis asked how many employees there would be. Mr. Abboud stated approximately 100 employees. Chairman Widdis asked when the anticipated closing would be. Mr. Abboud stated they were waiting for the Planning Board approval and then would move ahead with the closing. Mr. DeNoia asked if the property had been subdivided. Mr. Bruno replied that it will be subdivided by way of the conveyance deed. Chairman Widdis noted that Mr. White had asked where the lot lines would be drawn. Mr. White stated that since his first review, the Borough had a subsequent meeting to obtain a better understanding of the process. Mr. Bruno explained that FMERA provides the survey of the property to be conveyed and the site plan is based upon that survey. FMERA has the authority to perform a governmental subdivision, and a metes and bounds description will be based on the site plan to convey and create the lot.

Chairman Widdis asked the Board members for questions. Councilwoman Cooper asked if Tetherview would comply with all of Mr. White's recommendations. Mr. Bruno stated they will provide witnesses to testify regarding Mr. White's letter. Mr. Foster asked if Tetherview had tenants, which Mr. Abboud said they did. Mr. Foster asked if the theme was to attract high tech businesses. Mr. Abboud stated they have a joint venture with co-working space to bring in tech incubators. Mr. Abboud testified that Tetherview currently has 25 employees, but does have expansion plans. Chairman Widdis and Mr. White discussed the chiropractic business, whether it was a permitted use and parking requirements. Mr. Foster asked if Tetherview has registered with the Borough, and Mr. Abboud confirmed that it had.

PUBLIC:

Chairman Widdis opened the meeting to the public for questions for this witness only. As there was no one from the public who appeared to be heard, Chairman Widdis closed that portion of the hearing.

Patrick R. Ward, P.E., P.P., Engineer and Planner for the Applicant, was sworn in, presented his qualifications and was accepted by the Board as an expert in both engineering and planning.

Mr. Ward presented and described three documents which were marked as **Exhibits A-1, A-2 and A-3**.

Mr. Ward provided testimony related to ingress, egress, storm water management, lighting, refuse facility, and landscaping. The exterior of the building will remain as is. The footprint of the building will not change. Interior renovations have been made and will continue to be made. He explained that Wallington Ave. is part of the parcel and will remain private property. Mr. Ward also reviewed the parking plan, which will replace angle parking with 90 degree parking. ADA compliant stalls, new signage and directional arrows. Tetherview will replace crosswalks, add or improve handicap ramps. Mr. Bruno asked Mr. Ward for details regarding traffic impact. Chairman Widdis asked questions about parking. Mr. Ward testified that **A-3** reflects the plan for parking, which was discussed.

Chairman Widdis asked for questions from the Board for Mr. Ward. Mr. Ward testified that the Applicant is proposing 168 spaces with the reconfigured parking. Chairman Widdis asked if the chiropractor's

office was considered when making the proposed parking. Mr. Ward stated the chiropractor wasn't a tenant at the time the plan was prepared. Chairman Widdis and Mr. Ward discussed the need for additional parking. Mr. Abboud asked if the 168 spaces included on street parking. Mr. Ward explained there will be additional parking on Wallington Ave. Mr. Ward testified that a truck turn test was also completed and found no conflicts. Mr. Ward testified that Mr. Abboud plans to install rolling gates on Sherrill Ave. and Saltzman Ave. to restrict afterhours access. Mr. Ward referred to **A-2** to explain the available on-street parking on Sanger Ave. Mr. Ward testified that the site design provides a safe layout for vehicles and pedestrians. Tetherview will install crosswalks on Sherrill and Saltzman Aves. Chairman Widdis requested a clarification on the number of parking spaces on Sanger Ave. Mr. Ward replied that there would be 30. Tetherview is requesting a design waiver of the 10% landscaping requirement in a parking area. Mr. Ward suggested that due to large expanses of green on either side of the building offsets the 10% requirement. Mr. Ward referred to **A-2** and explained Tetherview's plans for the Wallington Ave.

Chairman Widdis asked the Board for questions. Mr. White asked if a standard fire truck would fit through, especially with the gates being closed. Mr. Ward stated the fire bureau has not reviewed the plan, nor did Tetherview request one. Mr. Ward testified that he put a turning template on the property to ensure appropriate turning radius for emergency vehicles, with entry from Saltzman. Mr. Ward stated the gates would have knock boxes. He stated he would provide Mr. White with the template. Chairman Widdis suggested that they contact the fire department and first aid quickly. Mr. White stated the fire department has the bigger truck and that one of his additional conditions is approval from the Oceanport Fire Marshall. Ms. Halpern asked about the gates and emergency access. Mr. Ward replied that the boxes were typical for restricted entrances. Mr. Ward testified the boxes will be provided to the fire department prior to installation. He explained that to his knowledge, 20 ft. is usually required if the fire department needs to extend its stabilizer arms, but if Oceanport requires additional room, Tetherview will try to accommodate them. Currently, the driveways are wider than 20ft.

Chairman Widdis asked if any Board members had questions. Mr. Whitson asked what would happen with evening tenants if the gates were closed. Mr. Bruno replied that the intent is to close the gates at 10 or 11 o'clock when the evening tenants have left. Mr. Whitson asked how much Tetherview owned of Sanger Ave. Mr. Ward replied that there is existing on-street parking and it is not included in Tetherview's parking. Sanger Ave. will not be affected by the gates.

PUBLIC:

Chairman Widdis opened the meeting to the public for questions for this witness only regarding the parking. As there was no one from the public who appeared to be heard, Chairman Widdis closed that portion of the hearing.

Mr. Bruno asked Mr. Ward to report on storm water management/flooding issues. Mr. Ward stated the existing topography and existing utilities have been examined. There are existing inlets, and the topography provides positive flow to the inlets. Mr. Abboud had informed Mr. Ward that even in heavy rain events, there had been no flooding issues. The proposal maintains existing infrastructure and grades, with some pavement updates. Any new grade issues will relate to new pavement areas. Mr. Ward stated the plans will bring ADA ramps and parking into compliance if they are not already.

Mr. White noted there is a 20 ft. wide utilities easement on the southern side and asked what it was for. Mr. Ward referred to **A-1** and **A-3** and explained that it is a storm sewer with an existing inlet on Sanger Ave. FMERA requested a proposed utility easement, which will eventually be an easement to Oceanport for infrastructure. Due to the age of the infrastructure, Mr. White asked the Applicant to televise the lines to determine the condition. Mr. Ward stated that Mr. Abboud did have some investigative work done to test the accuracy of the utilities, which will be shared with Mr. White and the Board. Mr. White indicated his main interest was the portion on the easement that Tetherview would convey to the Borough. Mr. Foster asked about the storm drains in the parking area and those were inspected via camera. Mr. Ward deferred to Mr. Abboud. Mr. Foster also asked if that parking area on

the west side was under consideration for paving. Mr. Ward stated the area was going to repaved and the drains will be addressed and will provide additional testimony when addressing Mr. White's letter.

Mr. Whitson noted that on **A-3**, there was no screening or shrubbery near the trash receptacle. Mr. Ward noted that currently, there is no defined trash area. He explained that there was a mechanical enclosure, but Mr. Abboud removed an older, large mechanical unit. The Applicant is proposing to use about 50% of that enclosure and using that portion as the trash enclosure. The Applicant is also planning to have a solid barrier within the existing breeze block enclosure. Mr. Whitson asked if landscaping would be considered. Mr. Bruno advised that the Applicant would tour the facility with Mr. White and determine where, if any, landscaping should be inserted. Mr. Ward discussed FMERA exceptions to reuse the existing refuse area.

Chairman Widdis asked where the existing storm water drains run off. Mr. Ward stated the discharged at grade, and there is positive pitch away from the parking lot and eventually drain to the inlets. Mr. White stated that the DEP wants discharge over the grass. Chairman Widdis and Mr. Whitson expressed concern about drainage over the parking lot during the winter, which would cause ice. Mr. Ward stated he was satisfied with the slope, ice is a concern, but it's a maintenance issue as well. Mr. White agreed it was a maintenance issue. Chairman Widdis asked about curbing. Mr. Ward explained that concrete bumpers would be installed. Chairman Widdis asked the downspouts near the stairs in the front of the building. Mr. Ward stated that Mr. Abboud would have to consider that a maintenance issue also. Mr. Foster asked if the drainage was on the roof. Mr. Ward stated it is a flat roof.

Roseann Letson, 37 Morris Place, asked to view the plans, which was granted by the Board.

Mr. Ward stated the existing lighting fixtures are beyond their service life. Mr. Ward referred to **A-1**, which depicted pole and building mounted lights and decorative bollard units. One challenge was to maintain the sight line to the parade grounds. After discussions with FMERA, the Applicant chose a pendant fixture with a historical aesthetic. The minimum foot candle requirements will be met by installing 11 free standing poles, 4 building mounted lights and 6 bollard lights. He explained the Applicant's height (22) will exceed FMERA's restrictions regarding pole height (18), which will provide more light spread and symmetry. Another design exception is regarding foot candle levels. FMERA's maximum is 4, and the Applicant's proposal will exceed that level in locations directly under the lighting fixtures. The average foot candle is 2; the Applicant's is 2.6.

Chairman Widdis asked if FMERA approved the Applicant's height deviance. Mr. Ward explained the Applicant went through a similar process with FMERA regarding design exceptions. The parties reached the compromise of 22 and received FMERA approval.

Ms. Halpern asked about televising the storm water drains. Mr. Bruno said the Applicant would share the information with Mr. White and if additional work is required, the Applicant will perform it. Mr. Foster asked if FMERA had any concerns about lighting bleeding over to the residential areas. Mr. Ward stated their plans have no light spillage into Saltzman Ave., Sanger Ave. or Sherrill Ave. There is minor light spillage onto the parade grounds. Mr. Foster asked about dark skies. Mr. Ward explained in terms of light pollution, the lights are conical, facing downward. There was additional discussion of the design of the bollard lights.

Chairman Widdis asked about existing mounted lights and stated they were obnoxious. Mr. Ward stated the current fixtures will be removed and replaced with the pendant lights.

Mr. Ward explained the proposed signage, which is in full conformance with FMERA requirements. He referred to **A-1** and explained that the Applicant would like to replace one unattractive sign with a more aesthetically pleasing stone with brass letters. Mr. White asked what lettering was going to be on the sign, the building's name, tenants or something else. Mr. Ward stated the Applicant wanted to use tenants' names. Mr. White noted that in the future, Sherrill Ave. will be a westbound one way and

Saltzman Ave. will be an eastbound one way and suggested that an additional sign be installed. Mr. Bruno stated that one sign is permitted. Therefore, the Applicant would have to return to the Board with a short amendment to allow a second sign.

Mr. Bruno address Mr. White's letter. He stated the environmental impact study (EIS) and traffic study waivers were requested last month in writing. Mr. Ward testified that the waivers were based on similar adaptive reuse applications. There are no proposals for additions or substantial modifications, therefore an EIS should not be required. Chairman Widdis asked if there would be generators. Mr. Ward testified there are no plans at this time proposed. Mr. White stated there is an existing generator next to the trash enclosure and stated that at his last review, it was disconnected. Mr. White stated that if the Applicant wanted a generator, it would have to comply with the State's noise ordinance. Mr. Foster asked what type of mechanical was near the refuse area. Mr. Ward stated it was a water chiller. Chairman Widdis asked Mr. White's opinion regarding waiver of the EIS. Mr. White stated there was minimal disruption, but stated concerns about future applications with a greater impact.

Mr. Whitson asked the original number of parking spots for Russel Hall. Mr. Ward replied it was less than the proposed 168. Mr. Whitson wondered about increased traffic with the new traffic pattern. Mr. Ward replied that when Ft. Monmouth was enclosed, Russel Hall functioned as an administrative building, and it's possible that there were more people in it than the 100 anticipated by the Applicant. There was discussion between Mr. Whitson and Mr. Ward regarding the increase in traffic caused by new tenants. Mr. Bruno stated the Applicant would look at the traffic if the uses would expand to professional service tenants, such as the chiropractor. However, he stated the testimony is that it will be an office type of use. Mr. Ward also stated that since Monmouth County took over Saltzman Ave. (Rt. 537) it reviewed trip generation. Mr. Foster asked if the County Engineer approved the issue of traffic flow. Mr. Ward assumed that the County had performed a traffic impact study. Chairman Widdis suggested reviewing traffic flow from 10 or more years ago.

Chairman Widdis asked how many square feet have been rented. Mr. Abboud replied 12,000. Chairman Widdis and Mr. Abboud discussed that Tetherview occupied approximately 9,000 sq. ft. and other tenants about 1200 and 1500 sq. ft. Mr. Abboud testified about tenants' habits and traffic. Ms. Halpern asked about additional office space. Mr. White explained the testimony was related to parking spaces, not office space. Ms. Halpern expressed interest in discussing medical waste from the acupuncturist. Mr. Abboud replied that the acupuncturist has a license for disposal of sharps. Mr. Abboud added that when Russel Hall was commissioned, it was a very dense use.

Mr. DeNoia interjected that before the process continues further there were waivers that the Board first had to address before the application continues as without the waivers the application was not deemed complete. He stated that Mr. White has prepared criteria for the exceptions and waivers that have been requested and asked Mr. White to provide his professional recommendation to the Board. Mr. White stated he has no objection to the Board granting the EIS waiver because there will be no disturbance. Mr. DeNoia restated Mr. White's opinion that providing an EIS would not provide any additional information to the Board in order to make a decision. Regarding the traffic impact report, Mr. White stated that based the Fort's closure and this Application being one of the few startups on board, he did not feel a traffic impact study was needed. The County has reviewed and analyzed the roads, and when this plan is submitted to the County Planning Board, they can refer it to the County Engineer's office if necessary.

There was discussion on the waivers being sought for Environmental Impact Statement and Traffic Generation Report. Mr. Whitson commented that every applicant for reuse on Fort property has stated their application will not impact traffic. And while individually it may be minimal, overall, the traffic builds with each tenant. He expressed concern on continuing to waive traffic impact studies. Yet, he didn't think a traffic study on Russel Hall would be very meaningful. He is concerned about long term implications of adding traffic. Afterward, Mr. Whitson made a motion to approve the EIS and traffic impact study waivers, which was seconded by Mr. Kleiberg.

The motion received the following roll call:

AYES:	Mr. Whitson, Mr. Sullivan, Mr. Foster, Councilwoman Cooper, Mr. Kleiberg, Ms. Halpern, Mr. Widdis
NAYES:	None
ABSTAIN:	None
ABSENT:	Mr. Fichter, Mr. Savarese, Mr. Kahle

Ms. Smith stated the motion carried.

Mr. DeNoia invited Mr. Bruno to address the items in Mr. White's letter. Mr. Bruno explained the Applicant's responses regarding landscaping, additional greenspaces along Sherrill and Saltzman Aves. which were testified to. Mr. Whitson asked about the refuse area. Mr. Ward replied that his testimony was that the Applicant was requesting to reuse an existing refuse area. Chairman Widdis asked Mr. White if he was satisfied with the testimony to grant the waivers and exceptions. Mr. White replied that these design waivers and exceptions have already been approved by FMERA and are now before this Board for approval. Because it is a reuse, he is satisfied with granting the waivers and exceptions.

With regard to the poor condition of the existing parking lot, Mr. Bruno replied that the Applicant would like to tour the parking lot and identify areas in need of repair and which areas require only new striping. Mr. White agreed to the meeting, which was approved by the Board. Mr. Bruno would also like to meet with Mr. White to discuss appropriate landscaping. Mr. White noted the western property line should have some landscaping, but needs additional information from FMERA regarding line of sight. He would like to see some landscape balance to the expanse of the pavement. Mr. Bruno will discuss restrictions with FMERA. Mr. Kleiberg asked if the future water and sewer connections would be addressed by NJAW and TWRA. Mr. Bruno advised it would added to the plan. Mr. White advised that NJAW is bringing a 24 in. line off of Oceanport Ave. through the RPM development, stubbing it back to FMERA's building and looping back with another 8 in. pipe, which Russel Hall will be tied into. Mr. White advised that TWRA is working on the final design, and proposals have been submitted. Mr. Bruno advised they contacted the Post Office, who provided a street address of 1000 Sanger Ave. Mr. Bruno stated the field visit with Mr. White would encompass a review of slopes, grading, lighting and landscaping. Mr. Bruno stated the Applicant will comply with Mr. White's request and provide information on materials selected and add details.

Testimony addressed the hours of operation, traffic circulation, the status of Wallington Ave., providing the template for fire/emergency vehicle access, all pedestrian recommendations will be met, compliance with Engineer's storm water management requirements, existing infrastructure with television, sanitary sewer easement. The Applicant will comply with providing bike grates, eco-curb heads, bicycle rack, detectable warning installation and the modifications to the monument sign. Chairman Widdis asked what symbol designated hydrants. Mr. Ward stated there is an existing hydrant, and will check the survey regarding the symbol for hydrants.

PUBLIC:

Chairman Widdis opened the meeting to the public for comments on the application. As no one from the public wished to be heard Chairman Widdis closed that portion of the hearing.

Chairman Widdis called for a motion to grant preliminary and final site plan approval subject to the comments and recommendations by Mr. White, which was made by Councilwoman Cooper and seconded by Mr. Whitson, noting that the positive aspects outweigh any negative impacts, there is no adverse effect on neighbors and the Applicant has made an effort to improve the property, and noted the concerns for the future of Oceanport. Chairman Widdis concurred with future considerations. The motion received the following roll call:

AYES: Mr. Whitson, Mr. Sullivan, Mr. Foster, Councilwoman Cooper, Mr. Kleiberg, Ms. Halpern, Mr. Widdis
NAYES: None
ABSTAIN: None
ABSENT: Mr. Fichter, Mr. Savarese, Mr. Kahle

Ms. Smith stated the motion carried.

At 9:50 p.m., the Board adjourned for a five-minute recess. At 9:53, the Board returned to regular session.

RESOLUTIONS:

4. PB2017-06 Spencer, Craig - As the Resolution was made available to the Board previously, Mr. DeNoia summarized the Resolution after which Mr. Whitson made a motion to approve the resolution which was seconded by Ms. Halpern and received the following roll call:

AYES: Mr. Whitson, Mr. Sullivan, Ms. Halpern, Mr. Widdis
NAYES: None
ABSTAIN: None
ABSENT: Mr. Savarese, Mr. Fichter, Mr. Kahle
INELIGIBLE: Mr. Foster, Councilwoman Cooper, Mr. Kleiberg

Ms. Smith stated the motion carried.

5. PB2017-05 McGann, III, Martin - As the Resolution was made available to the Board previously, Mr. DeNoia summarized the Resolution with one correction after which Mr. Foster made a motion to approve the resolution which was seconded by Ms. Halpern and received the following roll call:

AYES: Mr. Whitson, Mr. Sullivan, Ms. Halpern, Mr. Widdis
NAYES: None
ABSTAIN: None
ABSENT: Mr. Savarese, Mr. Fichter, Mr. Kahle
INELIGIBLE: Mr. Foster, Councilwoman Cooper, Mr. Kleiberg

Ms. Smith stated the motion carried.

PETITIONS FROM THE PUBLIC: Chairman Widdis opened the meeting to Petitions from the Public. As no one from the public wished to be heard, Chairman Widdis closed that portion of the meeting.

ADJOURNMENT: As there was no further business, the meeting was adjourned at 10:03 p.m. on a motion by Mr. Widdis which was seconded by Mr. Whitson and approved by the Board.

Respectfully submitted,

JEANNE SMITH
Secretary