

MINUTES OF CLINTON TOWNSHIP BOARD OF ADJUSTMENT

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PUBLIC MEETING

July 22, 2013

PRESENT: Tom McCaffrey, John Matsen (7:06PM), Sharon Stevens, John Lefkus, Wayne Filus, Amy Switlyk and Sharol Lewis.

PROFESSIONALS: Cathy Marcelli, Engineer, Kendra Lelie, Planner, Jon Drill, Attorney and Rebecca D'Alleinne, Administrator.

ABSENT: Ira Breines and Dave Roberts.

CALL TO ORDER

Chairman McCaffrey called the meeting to order at 7:02PM.

PUBLIC NOTICE

This is a public meeting of the Zoning Board of the Township of Clinton, County of Hunterdon and State of New Jersey. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that an Annual Notice was published in the Hunterdon County Democrat and the notice of and agenda for this meeting was posted on the bulletin boards in the Municipal Building and outside the Planning and Zoning Office on the 1st Floor of the building and faxed to the Hunterdon County Democrat, the Express Times, the Courier News, the Hunterdon Review, the Star Ledger and the North County Branch of the Hunterdon County Library, no later than the Friday prior to the meeting.

NEW BUSINESS

Vouchers

Chairman McCaffrey moved and Sharon Stevens seconded a motion to approve the vouchers for payment. The Board concurred unanimously.

MINUTES

Sharon Stevens moved and John Lefkus seconded a motion to approve the minutes of June 24, 2013 as written. The Board concurred unanimously, with Tom McCaffrey, John Matsen, Wayne Filus and Sharon Lewis abstaining.

RESOLUTIONS

RIDGE FIVE, LLC, Block 4.03, Lot 29

Resolution #2013-08, Application #2011-06

Chairman McCaffrey reported that Version 1 was under consideration and Jon Drill noted one typo for the record. Sharon Stevens moved and John Lefkus seconded a motion to approve the resolution as amended. Members in favor: McCaffrey, Matsen, Stevens, Lefkus and Lewis.

HIDDEN MEADOWS, Block 90, Lot 2

Resolution #2013-09, Application 2007-03

Chairman McCaffrey noted that Version 2 (dated July 22, 2013) was under consideration. Jon Drill read corrections into the record. Amy Switlyk moved and John Matsen seconded a motion to approve the resolution as corrected. Members in favor: McCaffrey, Matsen, Filus, Lefkus and Switlyk.

TERRY HUDNETT, Block 19, Lot 14

Resolution #2013-10, Application #2013-03

Chairman McCaffrey stated that Version 1 was under consideration, but Jon Drill noted that the applicant had called that afternoon with two comments. The applicant asked to have the option to substitute metal siding for the wooden siding listed in the resolution conditions. John Lefkus commented that it could change the whole look of the building and was uncomfortable that the Board didn't know what kind of metal siding. The applicant had noted during the meeting that he wanted to have a vertical batten and board siding. Amy Switlyk commented that there had been much discussion about the "barn" look and the wood siding. Sharon Stevens and John Matsen agreed.

Mr. Drill explained that the current second condition was that there would be no lighting on the building and the applicant would like to replace existing two lights on the building. John Matsen thought that the applicant may have thought it was lighting aimed at the building. John Lefkus stated that he was concerned about light spillage onto the adjoining property. The Board determined to adopt the resolution in its current form, noting that it could be amended at a later date. John Matsen commented that if the applicant was coming in anyway, he should come with cut sheets of the lights and a sample of the proposed siding. John Lefkus moved and Amy Switlyk seconded a motion to approve the resolution as written. Members in favor: McCaffrey, Matsen, Stevens, Filus, Lefkus and Switlyk.

COMPLETENESS WAIVERS HEARING

TOWN OF CLINTON WATER DEP'T., Block 79.01, Lot 28

Application #2013-09

Chairman McCaffrey reported that Cathy Marcelli had expressed no concern with the waiver requests. Ms. Marcelli noted that the applicant had submitted #12, 13, 21, 33

and 56, so their waiver requests for those items should be withdrawn. Jon Drill stated that the items should be denied as moot. Sharon Stevens asked about #32, and Cathy Marcelli responded that the scale didn't match the drawing, noting that the application was for a small emergency generator behind the building. John Matsen moved and Sharon Stevens seconded a motion to grant the waivers as requested. Members in favor: McCaffrey, Matsen, Stevens, Filus, Lefkus, Switlyk and Lewis.

PUBLIC HEARINGS

VILLAGE GREEN/MEURER DEVELOPMENT, Block 49, Lot 25

Resolution #2012-07, Application #2011-07

Walter Wilson, Esq. introduced himself on behalf of the applicant and reminded the Board that the previously approved application was for the redevelopment of the lumber yard. He explained that work had begun and that a building code issue had arisen. He stated that it would have required an internal adjustment of the building, due to a definition in the building code and that a retaining wall would be required. Mr. Wilson expressed the opinion that Cathy Marcelli had no concern, but that the walls would be in the front yard, requiring a modification of the site plan, and a setback variance. Jon Drill commented that the applicant would need an amended preliminary and final site plan approval with c variances. James Chmielak, Planner & Engineer, Cathy Marcelli, Board Engineer and Kendra Lelie, Board Planner were sworn.

Mr. Chmielak displayed Exhibit A-1 (Building and Grading Plan, Sheet G-1) and Exhibit A-2 (Site Plan, 11/15/12), which were marked into evidence. He pointed out the components on the site plan. He pointed out Building 6, which was 7 feet from the right of way. The first wall would be two and the second wall would be three feet tall. Mr. Chmielak explained that there was an existing retaining wall in that area and noted that both proposed walls would be approximately 12 feet long. He pointed out that the residential building was 2 feet from the right-of-way line. He expressed the opinion that the walls would not affect the sight triangles. Mr. Chmielak noted that they had altered the landscaping and that the proposed walls would match the façade of the ground level story. The applicant agreed to ground cover in front of the walls. There would be no change to the footprint and no change to doors or windows. Chairman McCaffrey asked about why they couldn't just grade. Mr. Chmielak commented that if they didn't put up the wall, the basement would be considered as a story under the building code, which would mean an interior staircase.

John Lefkus asked the drainage and noted that one wall lined up with the edge of the building. He pointed out that Exhibit A-1 conflicted with Sheet A-8. Jon Drill recommended that a condition should be imposed that would reflect that Exhibit A-1 was correct. Jim Chmielak stated that the applicant would request a "c" setback variance, noting that many of the buildings already required a setback variance. He discussed a hardship variance by way of the shallowness and narrowness of the property, stating that the building and the retaining walls would be further from the right-of-way. He indicated the positive criteria would be less impact than what was created by the previous situation and improved aesthetics. Mr. Chmielak stated that there would be no impact on the sight triangles. He expressed the opinion that there would be no detriment to the zone plan, and likened the proposed walls as essentially landscape features. He stated that the walls

would not affect the sidewalk along the road. Mr. Chmielak reminded the Board that the design had been created as per recommendations by the township professionals to have a “village” feel. Sharon Stevens asked about the grass area and Kendra Lelie discussed ground cover to eliminate erosion, suggesting lower plants that would not cover the windows. She requested a revised landscape plan and Walter Wilson stated that the plan would be revised to the planner’s approval.

Chairman McCaffrey stated that a “c”1 front yard variance and an amended preliminary and final site plan were required. Jon Drill indicated that there would be two conditions relating to Kendra Lelie’s report points 5.2 and 5.3. John Lefkus asked about the west elevation exposure. Walter Wilson noted that Building Official Mike Wright had agreed with the calculations. Jon Drill stated that he would add the revisions that Board made in May to the resolution. Amy Switlyk moved and Sharon Stevens seconded a motion to approve the amended preliminary and final site plan with variances as discussed. Members in favor: McCaffrey, Matsen, Stevens, Filus, Lefkus, Switlyk and Lewis. Walter Wilson thanked the Board.

WATER’S EDGE HOMEOWNERS’ ASSOC., Block 68, Lot 9.04
Application #2012-15

Guliet Hirsch Esq. introduced herself on behalf of the applicant, the Water’s Edge Homeowners Association. She did not think that there would be any engineering issues, so Cathy Marcelli was excused from the meeting. Ms. Hirsch noted that the last hearing was held on December 10, 2012. She reminded the Board that the Council had consented to have a sign on township property. She commented that the property was on Route 31, close to Spruce Run Reservoir. Ms. Hirsch explained that had the applicant owned the property, the sign would be a permitted accessory use, but as the applicant did not own the property, the sign was a principal use on the property, which is not permitted under the Township sign ordinance. She explained that a “d(1)” use variance would be required. Ms. Hirsch noted that she had sent out a new notice due to the length of time since the last hearing. Eugene DeStefano, Engineer, was present and was previously sworn. Lisa Woolhouse, HOA Secretary, Ted Loya, HOA Vice President and Kendra Lelie, Board Planner, were sworn.

Ms. Hirsch noted that at the last hearing the Board indicated that it wanted a change of location and wording on the sign. She noted that a revised planting plan had also been submitted. She described the proposed revised landscaping plans and sign location. Eugene DeStefano explained that the Water’s Edge development currently did not have any identification signage for motorists. He also discussed safety of the children, particularly in the summertime, when motorists mistook the entrance to the development as a Spruce Run Reservoir entrance. He noted that the originally proposed sign location was far back from Route 31 and that the Board had expressed the opinion that it would not be visible. Mr. Destefano noted that it was originally 140 feet from the jughandle, and the new location would be 52 feet from the jughandle. He discussed the language on the sign. The original language was “a private community” and now it would read “a residential community”. Colors and construction were not changed. He indicated that as there was no other use but the sign on the property, a variance would be required. Mr. De Stefano stated that the sign would provide identity to the development

and demonstrate that it was not an access for Spruce Run Reservoir. He expressed the opinion that it would encourage the purpose of safety, as well as reducing traffic. He indicated that there would be no detrimental effect on the neighbors.

Chairman McCaffrey asked about the second variance, and Ms. Hirsch stated that the second was in the sign ordinance, and Jon Drill noted that it was the same requirement in two different locations of the ordinance. Mr. Drill explained that they would need a “d(1)” use variance from the prohibition on billboards in the sign ordinance as well as having a sign as a principal use on the property where signage as a principal use is not permitted in the zone so is prohibited under the general provisions of the zoning ordinance. Mr. Drill added that both variances were noticed.

John Lefkus expressed the opinion that northbound traffic would still go into the development, noting that the elevation was 25 feet higher than area at the stoplight. He commented that the southbound drivers would be able to see the sign and suggested that the applicant should change the language to reflect that the subdivision had no access to Spruce Run Reservoir. He opined that the safety value of the sign hadn’t passed the communication test and that the sign would be more of a benefit to southbound motorists. He asked about how the positive criteria for the variances had been met.

Ms. Hirsch stated that applicant would add “no access” language to the sign. Mr. DeStefano pointed out that a driver can make the choice to turn south from either lane of the intersection, instead of proceeding into the subdivision. Mr. Lefkus noted that it was approximately 300 feet from the sign to the other side of the road. Lisa Woolhouse stated that there were two turning options from the traffic light. Mr. Lefkus asked how the sign would deter traffic. She responded that it would not be a state-issued sign and that it would be a residential community sign. Ted Loya discussed the language on the sign, and expressed the opinion that the terminology would also serve as a deterrent. Jon Drill suggested that applicant consider amending the language on the sign to include “no access to Spruce Run Reservoir” and Ms. Hirsch agreed.

Mr. Lefkus agreed that the language change was helpful, but noted that he had a problem with the geography. He expressed concern about how a future builder might want a sign based on this application and discussed the strict sign ordinance. Chairman McCaffrey discussed the definition of a billboard. Ms. Hirsch commented that the language was very broad in the ordinance and pointed out that there was no commercial activity in this case. Sharon Stevens wondered why they didn’t just have the “no access” language and eliminate the “Water’s Edge” identification language. Amy Switlyk commented that it would help to identify the community for visitors. Kendra Lelie indicated that the issue was safety, and that no matter what sign was put there it would be difficult to read. She asked what other options had been considered. Lisa Woolhouse reported that the HOA had been told that working with DOT for a sign would take a long time. John Lefkus discussed GPS and fewer people getting lost. He suggested that they get a positive sign identification of where Spruce Run was located. Mr. Loya stated that there was an existing sign that said “no outlet”.

John Matsen commented that if the property was owned by the HOA, they would be permitted a free-standing sign. He noted that the ordinance was broad, and that the BOA was careful to not usurp powers of the Council. He noted that the governing body had given permission to erect a sign and so he had no concern that the Board was exceeding its power. He thought that the applicant had presented sufficient proofs.

Sharol Lewis agreed that the sign has a value, but she felt that it wouldn't serve the stated safety purpose unless another sign was installed. Wayne Filus commented that the sign would eliminate some of the traffic if they added "no access". Chairman McCaffrey stated that the goal was to reduce traffic and suggested that they lead with the access language. Kendra Lelie commented that the sign was a billboard under the ordinance. John Matsen commented that it was a technical billboard and was not a huge sign. Amy Switlyk noted that Council gave consent for them to submit the application, subject to BOA approval.

Discussion ensued concerning the setting of a precedent. Ms. Hirsch discussed distinguishing factors so that precedent would not be a problem, noting that the property had previously been owned by the applicant's predecessor in title (the developer of Water's Edge) and then had been taken by the DOT for the Rt. 31 jughandle and after the jughandle was installed, the DOT conveyed it to the township. She expressed the opinion that history distinguishes it from other projects.

Chairman McCaffrey commented that if the sign did not say Water's Edge, it would be a directional sign, not an identification sign. He asked how important it was to have the Water's Edge language. Ms. Hirsch commented that the HOA was not interested in removing the community name. Jon Drill suggested a straw poll. Six members indicated that they might vote in favor of the variances if the sign text stated "No Spruce Run Reservoir Access." Of the six, three indicated that they were inclined to vote "no" if the sign included any identification of the Water's Edge development. However, Mr. Lefkus indicated that an additional sign for Rt. 31 northbound would also be necessary to get him to vote "yes." Only three members indicated that they were inclined to grant the variances if the sign text included identification of the Water's Edge development and included "No Spruce Run Reservoir Access." Mr. Lefkus stated that he felt that this application lacked the positive criteria. Ms. Switlyk did not participate in the straw poll because she was not eligible to vote as she had not been present for the December 10, 2012 hearing session and had not listened to a recording of that hearing session.

Mr. Drill asked Ms. Hirsch whether the applicant was interested in amending the application to provide a sign that only stated "No Spruce Run Reservoir Access" and then see if a motion to grant the approvals would get 5 votes or wait until Ms. Switlyk listened to a recording of the December 10, 2012 hearing session. Ms. Hirsch stated that this was a unique situation as the HOA representatives didn't have authority to remove the name, and that they felt that what the Board was proposing didn't serve the needs of the community. She asked that the Board vote on the sign with the text identifying the community as well as including "No Spruce Run Access". Jon Drill noted that there were three "d1" variances needed. John Matsen moved and Wayne Filus seconded a motion to approve the application as amended. Members in favor: Matsen, Filus and Lewis. Members opposed: McCaffrey, Stevens and Lefkus. The application was denied due to the failure of the motion to get five affirmative votes.

Chairman McCaffrey called a recess at 9:15PM. The meeting was called to order at 9:22PM.

APPEAL OF ZONING OFFICER'S DECISION

MARILYN HERR, Block 16, Lot 73.02

Application #2013-05

Lloyd Tubman, Esq. introduced herself on behalf of the appellant. Marilyn Herr (182 Stanton Mountain Road) was sworn. Exhibit A-1 (Zoning Permit Paperwork from 6/28/13 OPRA Request) was marked into evidence. Walter Wilson Esq. introduced himself on behalf of the defendant. Joseph Serrani (186 Stanton Mountain Rd.), was sworn. Mr. Wilson expressed the opinion that the 20 day statutory time within which to appeal had expired.

Mrs. Herr reported that she first saw the sign on the May 19, 2013. Exhibit A-2 (Picture of Sign) was marked into evidence. Sharon Stevens asked about the third page, which was a location drawing. The application was dated May 8, 2013 and the zoning permit and sign permit were dated May 9, 2013. Mrs. Herr indicated that the sign was located on the property of Joseph Occipinti, 168 Stanton Mountain Road), right by her mailbox. She indicated that she had spoken to Mr. Serrani, who had told her that he would like to advertise trail rides on his property. She thought that it would be an overuse of the right of way on her property. She noted that the zoning officer had said that he would look at the finished sign, consult with the township attorney to revisit or reconsider the issue and then told her on June 21st that he was issuing the permit. Ms. Herr thought that she met with him in the last week of May or early June. She indicated that the actual sign was not what was approved. She displayed a tracing of the sign, which was marked into evidence as Exhibit A-3 (Fabric Tracing of Sign Face as Installed.)

Ms. Tubman noted that the ordinance definition of "sign" included not only the sign face but the supporting structure as well. Ms. Tubman noted that she had notified Mr. Serrani of the hearing, even though it was not required to do so. The Board administrator indicated that she had notified the zoning officer and it was noted that he had not appeared but had submitted a July 18, 2013 memo explaining his reasons for issuing the zoning and sign permits. Chairman McCaffrey discussed the sign structure.

Ms. Herr stated that prior to June 21, 2013 she did not know that that a zoning or sign permit had been issued. Ms. Tubman stated that Ms. Herr did not know about the permits and expressed the opinion that the sign was clearly a billboard, which is expressly prohibited under the Township sign ordinance. She believed that the zoning officer was in error in issuing the permits.

Jon Drill stated that the date that her appeal was filed was 7/1/13 and that the appellant's position was that on June 21st the zoning officer had informed her that the permit would be issued or re-affirmed and would not be reconsidered. He noted that twenty days from June 21st would be July 10th. Jon Drill read from the MLUL concerning appeals alleging an error in enforcement of the zoning ordinance by a township officer. He explained that the MLUL authorizes the Board to hear and decide the appeal. He indicated that the appellant was an interested party affected by a decision of the officer and noted that the appeal deadline was 20 days. Mr. Drill stated that the permit was issued on May 9th, but indicated that under case law, the 20 days runs from when the aggrieved party "knew, or should have known" that the permit had been issued.

He read the legal references into the record. He explained to the Board that it was a threshold issue that they must determine.

Walter Wilson stated that the permit was dated May 9, 2013 and that Ms. Herr saw the sign on May 19th. He expressed the opinion that she should have known that a permit had been issued when she saw the sign. He noted that the appellant had only assumed that the zoning officer was revisiting the issue when he stated that he “would take another look at it”, but not that he was re-issuing a permit. Mr. Wilson expressed the opinion that Ms. Herr should have known that a permit had been issued when she saw the sign, which would be by the end of May. John Lefkus asked whether a building permit was required and discussed the length of time required to get a building permit.

Ms. Tubman stated that the applicant had asked the zoning officer to go look at the sign on approximately May 28th. Ms. Herr noted that the permit was to be issued within 10 days. She stated that the zoning officer had told her that he would speak to the township attorney and had later told her that he would issue the permit. Walter Wilson stated that her testimony was hearsay. Building Official Mike Wright was contacted and advised the Board that if the sign were larger than 6’ in height, it would need a building permit. Jon Drill expressed the opinion that the issue was not relevant to what was before the Board this evening.

Chairman McCaffrey stated that the question on the table was whether Ms. Herr knew or should have known at least 20 days in advance of submitting an appeal of the permits. Mrs. Herr stated that Mr. Carter had called her and stated that he was issuing the permit on June 21st. John Matsen commented that it sounded as though the zoning officer was consulting the attorney and that it hadn’t been issued was reasonable in her mind. Sharon Stevens agreed with John Matsen and noted that it was not clear in Ms. Herr’s mind whether a permit had been issued. Amy Switlyk commented that it seemed that it was a communication issue and the appellant was reasonably under the impression that it would be revisited. Mr. Serrani stated that the sign was erected on May 18th. John Lefkus commented that Ms. Herr thought was it was unsettled business, until the zoning officer stated had indicated that he would issue the permit, at which point it became final. John Matsen moved and Sharon Stevens seconded a motion that the appeal had been timely filed. Members in favor: McCaffrey, Matsen, Stevens, Filus, Lefkus and Lewis. Members opposed: Switlyk.

Ms. Tubman stated that the sign was clearly a billboard, not placed on the property of the permitted use, and was not permitted use in a residential district. Ms. Herr stated that she had spoken to the owner of the property, who indicated that he had given permission and stated that he wished he hadn’t done it. She indicated that the driveway went right by her house. Chairman McCaffrey referred to Mr. Carter’s memo of July 18, 2013, expressing his opinion. Ms. Tubman stated that the access was legitimate, but that the objection was that the sign would be advertising trail rides, which Ms. Herr believed would increase traffic. Jon Drill reminded the Board that the Board must consider sign language as content neutral. John Lefkus expressed the opinion that the sign language was to aid in the use of real property and disagreed with Mr. Carter’s opinion as expressed in his July 18th memo.

Mr. Wilson stated that the sign was not a billboard or used for advertising. It did not imply a use. He expressed the opinion that the Board should give deference to the zoning officer’s opinion, but Mr. Drill disagreed. Mr. Drill advised the Board that it

could reverse any administrative officer's decisions merely if the Board disagreed with it. Mr. Drill asked Mr. Wilson if he knew of any case law stating that the Board has to give an administrative officer deference when considering an appeal of a decision. Mr. Wilson replied that he was not aware of any such case law.

Mr. Serrani stated that he had met with Glenn Carter, who issued the permit to him on May 9th. He stated that he was present at the meeting at Ms. Herr's house and that after the meeting on May 28th, he and Mr. Carter both went to check the sign for dimensions and setbacks. Exhibit S-1 (Photo of Sign) was marked into evidence. He stated that the sign permit had been issued and was of the opinion that the application became the sign permit as soon as Mr. Carter signed it. Exhibit S-2 (Photo of Ms. Herr's Mailbox on Occhipinti property), Exhibit S-3 (Photo of Fox Run Cottage Sign), Exhibit S-4 (Photo of Dogwood Farms Sign), Exhibit S-5 (Photo of Dry Field Farm Sign) and Exhibit S-6 (Photo of Southview Sign) were marked into evidence. He noted that his own mailbox had a sign attached concerning trail rides. Jon Drill commented that Ms. Herr's mailbox was located on her property and, even if it wasn't, it would be grandfathered. Mr. Wilson discussed the ordinance definitions of a billboard and commented that the wording did not suggest a use on the property. Mr. Serrani stated that at the meeting, he thought everyone understood that the permit had been issued. He indicated that the sign was erected to tell people where he was located. He explained that he had a deeded easement for ingress and egress to his property.

Mr. Wilson expressed the opinion that it was a stretch to consider the sign a billboard, and didn't think it met the criteria. He read the definition of billboard and that it was not advertising a product, service or use. He stated that in all districts sign permits were not required. Mr. Wilson expressed the opinion that the mailbox was carrying the interpretation of the billboard definition to a logical extreme. He discussed nameplates in the residential area and expressed the opinion that the billboard section of the ordinance was not well written. Jon Drill stated that the nameplate ordinance said that one could have a sign on the property of the occupant, not a different property. Mr. Wilson commented that the applicant had done what he was supposed to do and had an ownership interest in the property, through the right-of-way access. Ms. Tubman disagreed and explained that Mr. Serrani did not have an easement over the property containing the sign. She indicated that the easement was over Ms. Herr's property.

Ms. Tubman referred to the ordinance, noting that the sign exceeded six square feet, which clearly made it a billboard, not a nameplate sign in any event. She noted that the purpose of a billboard was to advertise an activity off of the premises, commenting that the permit should not have been issued and should be rescinded.

John Matsen moved and Amy Switlyk moved to close the public testimony. The Board concurred unanimously.

John Matsen expressed the opinion that he didn't think it was necessary to discuss the billboard definition, noting that the key thing was that the sign was not on the property of the owner, and that signs were not permitted as a principal use. He opined that the Board didn't need to debate the size or verbiage. He stated that it was not permitted because it was not an accessory use to the property on which it was located. John Lefkus asked whether Mr. Occhipinti had signed anything that gave him permission to put the sign on the property, and Mr. Serrani stated that it was verbal. Mr. Lefkus expressed that it was a defective process, because the zoning officer had not required a

signature of the other land owner. He understood that residents want to identify their property, but that they couldn't put signs on another person's real property. Sharon Stevens stated that the sign was a billboard, because it was an advertisement and that he already had a sign. Amy Switlyk commented that both parties were guessing at the dates and that she didn't consider it a billboard, but was concerned that it was not on his property. Sharol Lewis thought it was a billboard and Wayne Filus expressed the opinion that it was not a billboard, but was concerned that it was on someone else's property which means it is not a permitted accessory use and is not allowed on the other property as a principal use. Chairman McCaffrey echoed Mr. Matsen's opinion. John Matsen moved and John Lefkus seconded a motion to overturn the zoning officer's issuance of Zoning Permit #2013-0099 and the related sign permit for all of the foregoing reasons. Members in favor: McCaffrey, Matsen, Stevens, Filus, Lefkus, Switlyk and Lewis.

OLD BUSINESS

Jon Drill reported that originally the SADC had proposed a SSAMP and the Board had commented at that time. He explained that a rule proposal had been drafted and he asked that the Board authorize himself to write a comment letter in response to the SADC. John Matsen discussed the sizes of the farm markets that would trigger site plan review. Walter Wilson joined the conversation. Jon Drill discussed the conversation that the administrator had held with the Board Administrator and advised that the township boards should only address applications referred to it by the CADB. Sharon Stevens moved and Amy Switlyk seconded a motion to authorize John Matsen to discuss the matter with John Higgins and for Jon Drill to send a comment letter. The Board concurred unanimously and collapsed in exhaustion.

ADJOURNMENT

Sharon Stevens moved and Amy Switlyk seconded a motion to adjourn, and the motion passed unanimously. The meeting was adjourned at 11:30PM.

These minutes were approved on September 23, 2013.

Rebecca E. D'Alleinne, Administrator