

## **MAY 26, 2015**

A regular meeting of the Wantage Township Land Use Board was held on Tuesday, May 26, 2015 at the Wantage Township Municipal Building. The meeting was held in compliance with the provisions of the Open Public meetings act, P.L. 1975, Chapter 231. It was properly noticed and posted to the public.

### **SALUTE TO THE FLAG**

Mr. Cecchini invited all persons present to participate in the Pledge of Allegiance to the United States Flag.

### **ROLL CALL**

PRESENT: Ronald Bassani, Bill DeBoer (7:30), Bill Gaechter, Victoria Gill, Paul Grau, Joanne Kanapinski, Ron Slate, Patrick Stefanelli, Michael Cecchini, Bill DeBoer (7:30), William Semmens. Attorney Angela Paternostro-Pfister, and Engineer Harold Pellow.  
Absent: Larry Bono.

Mr. Cecchini changed the order of the agenda and placed the Route 23 Redevelopment Study by Mr. Ken Nelson first.

Mr. Grau made a motion, seconded by Mr. Slate to adopt the Resolution to hire Mr. Larry Weiner as Special Conflict Counsel for the year 2015. Ayes: Bassani, Gaechter, Gill, Grau, Kanapinski, Slate, Stefanelli, Semmens, Cecchini. Nays: None. Absent: DeBoer.

Mr. Nelson was sworn in by Attorney Larry Weiner to present the Route 23 Redevelopment Study.

The area included in this study is the Route 23 realignment. The preliminary investigation is aimed at designating this area as a Non Condemnation Area. It should also be noted that this is not a Redevelopment Plan; it is a study to see if can be included in a redevelopment plan.

The study looks at the future development potential of 19.63 acres in Wantage and 8.75 acres in Sussex. Wantage has four lots:

Block 18 Lot 43 5.97 ac  
Block 18 Lot 41 1.65 ac  
Block 18 Lot 40 10.12 ac  
Block 18.01 Lot 1 1.89 ac

The Wantage Land Use Board has three choices of action; recommend to the Governing Body it is an area in need of redevelopment, due so with modifications, or not recommend it as an area in need of redevelopment.

Sussex Borough Planning Board prepared a Redevelopment Plan for this area and the Sussex Borough Council adopted that plan in 2014. Although the Sussex Borough property could be redeveloped by itself, it became evident; the development potential would be greater with the Wantage acreage.

To be deemed an area in need of redevelopment certain criteria must be met:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or community in general.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L. 1983, c. 303 (C. 52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the

area is in need of redevelopment pursuant to sections 5 and 6 of P.L. 1992, c. 79 (C. 40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L. 1991, c. 431 (C. 40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L. 1991, c. 441 (C. 40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c. 79 (C. 40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Block 18 Lot 43 meets criteria A,B,C; the building is in a state of disrepair and does not meet many of the current safety codes.

Block 18 Lot 40; land owned by the Municipality that has been underdeveloped for a number of years with no direct access road.

Block 18.01 Lot 1 meets criteria D and should be noted that there it contains a single family home, since the realignment; it is not a good use of the land.

Block 18 Lot 40 contains a viable business; if it is included in a redevelopment plan, it also fits criteria D. Since this is a Non-Condensation Improvement, the Township will not be able to use eminent dominion privilege. The private property rights are respected and protected.

Mr. Cecchini opened the meeting to the Board for any questions or concerns. Mr. Cecchini questioned the State's level of involvement. Mr. Nelson assured the Board if it is deemed and area in need of redevelopment the State would have very little involvement. The Township would designate a redeveloper; the redeveloper would develop the plan. This can be done in phases, with Block 18 Lot 43 considered as phase one.

Since there were no further questions from the Board, Mr. Cecchini opened the meeting to the public. No one from the public wished to speak; Mr. Cecchini closed this portion to the public.

Mr. Gill made the motion to approve the study as written, to move forward and send to the Committee, Mr. Grau seconded the motion. Mr. Bassani and Mr. Gaechter recused themselves. Ayes: Gill, Grau, Kanapinski, Slate, Stefanelli, DeBoer, Semmens, Cecchini. Nays: none.

Mr. Weiner stepped down as Special Conflict Counsel and Ms. Paternostro-Pfister assumed her chair on the dais.

## **RESOLUTIONS:**

### L-2012-11 WANTAGE STONE LLC

Mrs. Gill made the motion, seconded by Mr. DeBoer to adopt the resolution memorializing the Board's decision of March 17, 2015 granting Site Plan approval for quarrying and soil removal for Wantage Stone, LLC at Bicsak Properties and continued variance of truck operations commencing at the site at 4:00 am and continuing to 6:00 pm. Subject to annual review. Pursuant to N.J.S.A 40:55D-10(g), subject to the following terms and conditions:

1. The Applicant shall comply with all of the specific recommendations and terms contained in the Township Engineer's original and revised reports in connection with this application and as may be required to be amended in accordance with this Resolution are adopted by reference as though the complete application and modified plans were set forth herein and the same are made a part hereof. Further, the commitments made by the applicant and their representatives in their recorded testimony and as set forth in the previous finding of fact shall be satisfied;
2. Payment of all fees, costs, escrows due or to become due. Any monies are to be paid within twenty (20) days of said request by the Board's Secretary;
3. Certificate that all taxes are paid to date of approval;
4. All easements associated with the approval shall be submitted to the Board attorney and Township Engineer for their review and approval, and thereafter, proof shall be provided as to the recording of each of the said easements and the original documents distributed to the Grantees therein;
5. The Township of Wantage Land Use Board reserves the right to revoke and withdraw any approval granted in the event there is any deviation from or alteration of the plan hereby approved, unless prior written approval for such deviation or alteration has been obtained from the Land Use Board. Minor deviations and field changes may be authorized in writing by the Township Engineer;
6. The applicant shall comply with all requirements of the regulations of the Township of Wantage, this conditional approval, and the Developer's Agreement entered into with the Township of Wantage. Such compliance shall also be binding upon the applicant's agents, servants, successors, and assigns;
7. In the event this developer sells or otherwise transfers all or part of this development to any other developer, assignee, person, or entity, the escrow accounts and Bonds posted by the developer herein, shall not be released in whole or in part, until the successor developer, assignee, person, or entity has posted sufficient review and inspection escrows and Bonds as determined by the Township Attorney and Chief Financial Officer, and countersigns the Developer's Agreement with the Township as directed by the Township Attorney;
8. The terms and conditions of this approval shall be binding upon the

applicant, the applicant's successors in interest and assigns. Further, each of the terms and conditions of this approval are material elements of the approval based upon the submission of the application and property in its entirety, and the non-compliance with any term or condition by the applicant or his successors or assigns shall be deemed a material default subjecting the application to revocation of this approval. The request to change any single condition since all conditions are integrally related shall open the entire application to the Land Use Board for re-consideration, possible re-approval and new terms and conditions in addition to those terms and conditions presenting existing in this approval;

9. The Applicant shall obtain and provide proof upon request of the Township of liability insurance with limits no less than \$1,000,000 (one million) / \$3,000,000 (three million);

10. The Applicant shall obtain bonding as per the recommendations of the Township Attorney and shall produce proof of same readily at the Township's request;

11. The 4:00 am – 6:00 am scale loading at the site shall continue to be subject to the Township's approval on an annual basis;

12. The Applicant must comply with all representations made, either personally or through any representative acting on the Applicant's behalf during the course of the presentation of the application at the hearing, through any written correspondence presented to the Board and/or Township, and in all documents filed pertaining to the instant application;

13. The developer shall execute with the Township of Wantage, a Developer's Agreement prepared by the Township Attorney to incorporate all of the provisions of this memorializing Resolution, as well as such other terms and conditions as provided under the State Statute and Municipal Ordinances, and such Agreement shall bind any successor developers of this project to the same terms and conditions. The cost of the preparation of the Developer's Agreement shall be paid from the developer's escrow account;

14. The developer shall provide a listing of each plan/page comprising the site plan documents, with the original date and latest revision date of each of the said documents for inclusion in the Developer's Agreement;

15. All performance requirements as set forth in the findings of fact herein shall be satisfied by the applicant as a condition of this approval whether or not repeated at length in this conditions-section of this Resolution;

16. Sussex County Planning Board Approval and/or Deeds shall be filed with the assistance and approval of the Board Attorney;

17. The Applicant shall provide to the Township Engineer a list of all equipment currently on the site, which shall be attached to the Resolution;

18. Subject to all other applicable rules, regulations, ordinances, and statutes of the Township of Wantage, County of Sussex, State of New Jersey.

Ayes: Bassani, Gaechter, Gill, Grau, Kanapinski, Slate, Stefanelli, DeBoer, Cecchini

Nays: None. Absent: Bono.

L-2015-BICSAK BROTHERS REALTY, LLC

Mrs. Gill made a motion, seconded by Mr. Gaechter to adopt the resolution memorializing the Board's decision of March 17, 2015 granting Preliminary and Final Major Subdivision for the property located on NJ State Highway 23 and Blair Road, Block 11, Lot 5, pursuant to N.J.S.A. 40:55D-10 subject to the following terms and conditions:

1. The Applicant shall comply with all of the specific recommendations and terms contained in the Township Engineer's original and revised reports in connection with this application and as may be required to be amended in accordance with this Resolution are adopted by reference as though the complete application and modified plans were set forth herein and the same are made a part hereof. Further, the commitments made by the applicant and their representatives in their recorded testimony and as set forth in the previous finding of fact shall be satisfied;
2. Payment of all fees, costs, escrows due or to become due. Any monies are to be paid within twenty (20) days of said request by the Board's Secretary;
3. Certificate that all taxes are paid to date of approval;
4. All easements associated with the approval shall be submitted to the Board attorney and Township engineer for their review and approval, and thereafter, proof shall be provided as to the recording of each of the said easements and the original documents distributed to the Grantees therein;
5. The Township of Wantage Land Use Board reserves the right to revoke and withdraw any approval granted in the event there is any deviation from or alteration of the plan hereby approved, unless prior written approval for such deviation or alteration has been obtained from the Land Use Board. Minor deviations and field changes may be authorized in writing by the Township Engineer;
6. The applicant shall comply with all requirements of the regulations of the Township of Wantage, this conditional approval, and the Developer's Agreement entered into with the Township of Wantage. Such compliance shall also be binding upon the applicant's agents, servants, successors, and assigns;
7. In the event this developer sells or otherwise transfers all or part of this development to any other developer, assignee, person, or entity, the escrow accounts and Bonds posted by the developer herein, shall not be released in whole or in part, until the successor developer, assignee, person, or entity has posted sufficient review and inspection escrows and Bonds as determined by the Township Attorney and Chief Financial Officer, and countersigns the Developer's Agreement with the Township as directed by the Township Attorney;
8. The terms and conditions of this approval shall be binding upon the applicant, the applicant's successors in interest and assigns. Further, each of the terms and conditions of this approval are material elements of the approval based upon the submission of the application and property in its entirety, and the non-compliance with any term or condition by the applicant or his successors or assigns shall be deemed a material default subjecting the application to revocation of this approval. The request to change any single condition since all conditions are integrally related shall open the entire

application to the Land Use Board for re-consideration, possible re-approval and new terms and conditions in addition to those terms and conditions presenting existing in this approval;

9. The Applicant must comply with all representations made, either personally or through any representative acting on the Applicant's behalf during the course of the presentation of the application at the hearing, through any written correspondence presented to the Board and/or Township, and in all documents filed pertaining to the instant application;

10. The developer shall execute with the Township of Wantage, a Developer's Agreement prepared by the Township Attorney to incorporate all of the provisions of this memorializing Resolution, as well as such other terms and conditions as provided under the State Statute and Municipal Ordinances, and such Agreement shall bind any successor developers of this project to the same terms and conditions. The cost of the preparation of the Developer's Agreement shall be paid from the developer's escrow account;

11. The developer shall provide a listing of each plan/page comprising the preliminary and final major subdivision documents, with the original date and latest revision date of each of the said documents for inclusion in the Developer's Agreement;

12. All performance requirements as set forth in the findings of fact herein shall be satisfied by the applicant as a condition of this approval whether or not repeated at length in this conditions-section of this Resolution;

13. Sussex County Planning Board Approval and/or Deeds shall be filed with the assistance and approval of the Board Attorney;

14. Subject to all other applicable rules, regulations, ordinances, and statutes of the Township of Wantage, County of Sussex, State of New Jersey.

Ayes: Bassani, Gaechter, Gill, Grau, Kanapinski, Slate, Stefanelli, DeBoer, Cecchini.  
Nays: None, Absent: Bono.

#### L-2014-10 TOWN CENTER AT WANTAGE, INC.

Mr. Bassani made a motion, seconded by Mr. Grau to adopt the resolution memorializing the Board's decision of April 21, 2015 to Town Center at Wantage, located at 190 Highway 23, Block 4 Lot 1.05 for Preliminary and Final Major Site Plan approval Pursuant to N.J.S.A 40:55D-37 subject to the following terms and conditions:

1. The Applicant shall comply with all of the specific recommendations and terms contained in the Township Engineer's original and revised reports in connection with this application and as may be required to be amended in accordance with this Resolution are adopted by reference as though the complete application and modified plans were set forth herein

and the same are made a part hereof. Further, the commitments made by the applicant and their

representatives in their recorded testimony and as set forth in the previous finding of fact shall be satisfied;

2. Payment of all fees, costs, escrows due or to become due. Any monies are to be

- paid within twenty (20) days of said request by the Board's Secretary;
3. Certificate that all taxes are paid to date of approval;
  4. The Applicant must obtain final approval from the Township Engineer on all parking, building design, landscape design, signage, and lighting issues on the site;
  5. The Applicant must revise the plans to reflect the fieldstone and cedar shake additions to the exterior design of the Dunkin Donuts building and must submit same to the Township Engineer for approval;
  6. The Township of Wantage Land Use Board reserves the right to revoke and withdraw any approval granted in the event there is any deviation from or alteration of the plan hereby approved, unless prior written approval for such deviation or alteration has been obtained from the Land Use Board. Minor deviations and field changes may be authorized in writing by the Township Engineer;
  7. The terms and conditions of this approval shall be binding upon the applicant, the applicant's successors in interest and assigns. Further, each of the terms and conditions of this approval are material elements of the approval based upon the submission of the application and property in its entirety, and the non-compliance with any term or condition by the applicant or his successors or assigns shall be deemed a material default subjecting the application to revocation of this approval. The request to change any single condition since all conditions are integrally related shall open the entire application to the Land Use Board for re-consideration, possible re-approval and new terms and conditions in addition to those terms and conditions presenting existing in this approval;
  8. The Applicant must comply with all representations made, either personally or through any representative acting on the Applicant's behalf during the course of the presentation of the application at the hearing, through any written correspondence presented to the Board and/or Township, and in all documents filed pertaining to the instant application;
  9. All performance requirements as set forth in the findings of fact herein shall be satisfied by the applicant as a condition of this approval whether or not repeated at length in this conditions-section of this Resolution;

Ayes: Bassani, Gaechter, Grau, Kanapinski, Slate, DeBoer, Semmens, Cecchini. Nays: None. Abstain: Gill, Stefanelli, DeBoer, Semmens. Absent : Bono.

L-2014-10 TOWN CENTER AT WANTAGE, INC.

Mrs. Gill made the motion, seconded by Mr. Bassani to adopt the resolution memorializing the Board's decision of February 4, 2015 granting Preliminary and final Major Site Plan approval located at 190 State Highway 23, Block 4, Lot 1.05 pursuant to N.J.S.A 40:55D-37 together with variance relief pursuant to N.J.S.A 40:55D-70[c] subject to the following terms and conditions:

1. The Applicant shall comply with all of the specific recommendations and terms contained in the Township Engineer's original and revised reports in connection with this application and as may be required to be amended in accordance with this Resolution are adopted by reference as though the complete application and modified plans were set forth herein

and the same are made a part hereof. Further, the commitments made by the applicant and their representatives in their recorded testimony and as set forth in the previous finding of fact shall be satisfied;

2. Payment of all fees, costs, escrows due or to become due. Any monies are to be paid within twenty (20) days of said request by the Board's Secretary;

3. Certificate that all taxes are paid to date of approval;

4. The Applicant shall return to the Board for site plan approval on Phase Two of the plans regarding the proposed development of two additional buildings;

5. The Applicant must obtain final approval from the Township Engineer on all building design, landscape design, signage, parking and lighting issues on the site related to

Phase One, the Dunkin Donuts site;

6. The Applicant must revise the plans to reflect the additional parking allocated for the Dunkin Donuts site and must submit same to the Township Engineer for approval;

7. The Township of Wantage Land Use Board reserves the right to revoke and withdraw any approval granted in the event there is any deviation from or alteration of the plan

hereby approved, unless prior written approval for such deviation or alteration has been obtained

from the Land Use Board. Minor deviations and field changes may be authorized in writing by

the Township Engineer;

8. The terms and conditions of this approval shall be binding upon the applicant, the applicant's successors in interest and assigns. Further, each of the terms and conditions of this

approval are material elements of the approval based upon the submission of the application and

property in its entirety, and the non-compliance with any term or condition by the applicant or

his successors or assigns shall be deemed a material default subjecting the application to

revocation of this approval. The request to change any single condition since all conditions are integrally related shall open the entire application to the Land Use Board for re-consideration, possible re-approval and new terms and conditions in addition to those terms and conditions presenting existing in this approval;

9. The Applicant must comply with all representations made, either personally or through any representative acting on the Applicant's behalf during the course of the presentation of the application at the hearing, through any written correspondence presented to the Board and/or Township, and in all documents filed pertaining to the instant application;

10. All performance requirements as set forth in the findings of fact herein shall be satisfied by the applicant as a condition of this approval whether or not repeated at length in this conditions-section of this Resolution;

Ayes: Bassani, Gaechter, Gill, Grau, Kanapinski, Slate, Stefanelli, Cecchini. Nays: None. Abstain: DeBoer, Semmens. Absent: None.

## **APPLICATIONS**

### **L-2015-06**

#### **SungEun Han-Anderson**

#### **Minor Subdivision and Variance**

#### **Block 17, Lot 24.01**

#### **Located at 346 Route 565**

#### **Notice has been made for a public hearing**

Mr. Morgenstern stated the property in discussion is 65.792 acres, it is an active farm. The Sussex County Agricultural Board granted preservation on 62.792 acres. There is one three-acre flag lot, for a home. There is one home on the 62.792 acres. The Agricultural Board said that a new driveway cannot be constructed on the 62.792 acres. The driveway must be a shared driveway with the farm. There are wetlands that encroach part of the flag lot.

Attorney Paternostro-Pfister swore in Professional Surveyor Eric Smart, 30 Old Clove Road, Wantage.

Mr. Smart explained the property to the Board, he discussed the adjoining properties and the distance the lot is from their septic's, well's and wetland's. The wetlands encroach the driveway so a permit will be needed. The County Agricultural Board stated the driveway will be removed from the farmland and placed on the building lot. Mr. Cecchini opened the meeting to the public for any questions or concerns, they have regarding this application. Ross Weissman of Lot 22 directly to the west of the property

expressed his displeasure regarding the shared driveway. He was not permitted to have a shared driveway. The Board agreed that generally, they do not allow shared driveways, but because the land is preserved it falls under the rules and regulations of the County Agricultural Board. The County Engineer agrees and noted in their report that 'no one shall issue permits to the lots on this land other than what is shown on the plans submitted'.

Mr. Bassani made a motion to approve the following variances:

- a. Lot Frontage: 225 feet require, and 50 feet proposed
- b. Flag lot
- c. The constraints 2.5 acres required and 2.138 acres provided.

Also \$1950.00 deposited in the Wantage Township Road Trust Fund.

seconded by Mrs. Gill. Ayes: Bassani, Gaechter, Gill, Grau, Kanapinski, Slate, Stefanelli, DeBoer, Cecchine. Nays: None. Absent: Bono.

**L-2015-08**

**Skylands Animal Sanctuary & Rescus, Inc.**

**Minor Site Plan and "D" Variance**

**Block 14, Lot 29.0**

**Block 12.01 Lot 11.01**

**Compton Road**

**Notice has been made for a public hearing.**

Mr. Bassaini and Mayor Gaechter stepped down from the dais, for the "D" variance application.

Attorney Paternostro- Pfister swore in Micheal Stura of 51 Orchard St., Pompton Lakes, NJ.

Kenneth Wentink of Old Clove Road, Wantage NJ, P.E., L.S.

Mr. Wentink explained to the Board the Applicant wishes to open a Bed and Breakfast for people who are interested in viewing the animals on the property. A "D" variance is required. They will not be adding bathrooms, and a caretaker will live on the premises.

Mr. Pellow's report stated parking would be across the street in a gravel parking area. The parking area is grass and must be upgraded and the number of spaces shown. Mr. Pellow is concerned with safety, crossing the street and exiting the dwelling, there is limited sight distance. After discussing the septic design, the layout of the home, and animal location, the Board agreed that an on-site meeting would be necessary before making a final decision on the application.

Mr. Cecchini opened the meeting to the public for any questions or concerns regarding this application. Mr. Mike Thomas of Compton Road applauded Mr. Stura for the awesome job he is doing restoring the farm. Mr. John Massari, of Bantry said the farm is once again becoming an asset to the acres. Mrs. Ann Smolowitz of Route 23 applauds what he is doing. Mike Abate said his concern is the safety issue, which the Board is

addressing. Since no one else from the public wished to speak, Mr. Cecchini closed this portion of the meeting to the public.

After deciding on a date for the site walk, application L-2015-08 will be carried over to the June 16, 2015 meeting. No further notice is necessary.

### **INFORMAL**

Mrs. Cynthia Lynch appeared before the Board to discuss the options available on her father's property Block 36, Lot 7.01. The property is currently farmed. Ms. Lynch was seeking advice on a possible subdivision, where the best place to put a road and additional properties adjoining the property. The Board all agreed each option had obstacles, as there is a stream on the access area. The Board advised Ms. Lynch to talk to professionals for their advice on permits needed.

Mr. Cecchini opened the meeting to the public.

Ann Smolowitz, of Route 23, Wantage NJ. was unaware she unable to make comments during the Resolution adoption portion of the meeting. Mrs. Smolowitz expressed her concerns of dust and other issues during the course of quarrying.

Mr. Ben Smith of 137 Libertyville Road owns the property adjacent to Lot 3.20. Lot 3.20 is part of phase two in the development of Rubin Hill Properties. Mr. Smith was not noticed for the April 21, 2015 meeting. His concerns include drainage and well issues. Mr. Cecchini assured him those concerns have been addressed and will continue to be addressed. Attorney Paternostro-Pfister will verify information from the Tax Assessor to see if he should have been noticed.

### **ADJOURNMENT**

On a motion duly made by Mr. Semmens seconded by Mr. Bassani and carried, the meeting was adjourned.

Respectfully submitted,

Jeanne M. McBride  
Secretary