

Holland Township Board of Adjustment
Regular Meeting
Minutes of the June 25, 2014

The meeting was called to order by the Chairman, Ginger Crawford:

“I call to order the June 25, 2014 Regular Meeting of the Holland Township Board of Adjustment. Adequate notice of this meeting was given pursuant to the Open Public Meeting Act Law by the Planning Board Secretary on December 12, 2013 by:

1. Posting such notice on the bulletin board at the Municipal Building.
2. Published in the December 12, 2013 issue of the Hunterdon County Democrat
3. Faxed to the Express Times for informational purposes

Flag Salute:

Chairman Crawford asked all too please stand for the Pledge of Allegiance.

Identification of those at the podium for the benefit of the recording machine:

Present: Wilson “Bo” Baker, Jerry Bowers, Laura Burke, Ginger Crawford, Peter Kanakaris, Les Gallipeau, William Martin, Todd Bolig, Esq., Robert Martucci, Engineer, Susan Barber for Lucille Grozinski, CSR, and Maria Elena Jennette Kozak, Secretary.

Absent: Bill Ethem and Gail Rader. Planner Elizabeth McKenzie

Let the record show there is a quorum.

Minutes: A motion was made by Wilson “Bo” Baker and seconded by Bill Martin, to dispense with the reading of the minutes of the meeting on May 28, 2014 and to approve as submitted. All Present were in favor with the exception of Laura Burke who abstained. Motion carried.

Completeness

- There was nothing scheduled for completeness.

Public Hearing

- Jane E. Beale – Block 27 Lot 11 – Old River Road – Bulk Variance Application - received into our office on March 6, 2014. The 45-day completeness review deadline is April 20, 2014. On the March 26 2014 agenda. Deemed Incomplete 032614. New material submitted April 16, 2014. The 45-day completeness deadline is May 31, 2014. Deemed complete April 30, 2014. Public Hearing scheduled for May 28, 2014 and carried to June 25, 2014.
 - Attorney Guy DeSapio (filling in for Attorney Michael DeSapio) was present. Attorney DeSapio reminded all that the applicant is seeking a bulk variance so that a building permit can be obtained. The applicant has made a formal request of the property owners to purchase the property at fair market value.
 - For the record, Attorney Bolig has determined that the Board has jurisdiction.
 - Witness #1 – Jane E. Beale – Sworn in by Susan Barber. Owner of Block 27 Lot 11 and Block 18 Lot 14. Both parcels are marked on the map.
 - Witness #2 – John Seidler – Sworn in by Susan Barber – husband to Jane Beale
 - Board Planner Elizabeth McKenzie and Board Engineer Robert Martucci were sworn in by Susan Barber. Both are Holland Township professionals.

Exhibit List

- A1 – affidavit of service – notices in order –
- A2 – survey site dev. plan
 - Attorney DeSapio asked Jane Beale some questions. As stated she is the owner of the land. She said the parcels are shown on the map in this exhibit. The proposed location of the house, septic and driveway are shown. All are consistent with the township zoning. The ordinance requires 5 acres and this lot is 3.5 acres. Jane Beale stated that she understands that they are before the board asking for a variance to permit building on the property.
- A3 – deed dated 10 2014 - handed out
- A4 – copy of septic design approved by Hunterdon County Board of Health
- A5 – March 19 approved soil erosion plan
 - Some discussion took place about the need for a Soil erosion and sediment control plan
- A6 – permit to NJDEP
 - Jane Beale stated that the lot is close to the river and she has been in touch with the NJDEP to construct a house.
 - The applicant was advised that the property might need a Highlands permit.
- A7- letter from Highlands April 22 2014 saying no review is needed

- The applicant was advised that the property might need a Highlands permit.
- A8 – picture o elevation that could be built at the property showing height at 36’ –
 - The conceptual house drawings provided were only given to show that a house could be constructed in accordance with the rules of Holland Township. Jane Beale stated that she had someone prepare this for review.
 - Attorney Bolig questioned the height as the ordinance says 35’ and if the board approves this then acceptance as evidence does not grant a height variance.
 - Planner McKenzie state that the roof line could be altered.
 - Jane Beale agreed that she would change the height as a condition of approval.
- A9 – possible floor plans for interior of house.
- A10- copy of sheet of HT tax map sheet 18.01
 - Shows the parcel and adjoining parcels of land
 - Jane Beale was asked by Attorney DeSapio if she was advised to check with property owners of adjacent land to see if she could acquire land to make her lot a buildable conforming lot. Jane Beale instructed Attorney DeSapio to follow up with that.
- A11 – letter to neighbor lot 12 to see if interested in selling a portion of their land.
- A12 – historic and conservation easement Oct 1979 legal description recorded at county –
 - Lot 12 is about 24+ acres and is to the south east of her property.
 - Attorney DeSapio read into record a restriction of the deed. The parcel known as Lot 12 cannot be subdivided.
 - While the parcel is 24+ acres – with this restriction it is off the table for discussion.
- A13– letter to Jones lot 25 asking about selling portion of land
 - Property to the north
 - 3.5+ acres with a house on the property.
 - If the property owner sold her the property then it would further undersize the existing lot.
 - No response was received by the owner of Lot 25 but is also off the table since it is an existing undersized lot.
- A14 – 13 (abcdefghijklm)pictures
 - pictures by John Siedler
 - John Siedler took pictures of the neighborhood. He started at the one end of River Road. Lot 18 is 0.65 acres and has a house on it. Lot 16.01 is 2.35 acres and has a house on it. Lot 16 is 3.56 acres and is similar in size to his wife’s property but has a house on it. Lot 16 also has a barn on it. Lot 13 is 4.3 acres which is another parcel under 5 acres. Lot 13.02 is 4.48 acres. Lot 13 is 9.65 acres and shows a house. Lot 12 is 24 acres and has a house on it. Lot 11 is the property owned by his wife and is wooded. One picture shows the Old River Road view while picture 14j shows the clearing of the building envelope where a house could be built. Lot 25 is 3.58 acres and has a house. Lot 10 is 29.40 acres and has a factory on the property. The pictures show you moving north on River Road from Church and show what the neighborhood looks like.
 - All were asked if there were any questions. Jerry Bowers asked if this was a buildable lot before zoning change. Attorney DeSapio stated that the title search shows that the lot has been in existence for many years. When zoning changed no one got a letter from zoning stating that this was a buildable lot hence why they are before the board now.
- A15- cover sheet may 22 2014 report of title 60 year search....deed October 7 1925 shows property
 - The land was transferred in 1921.
 - Attorney Bolig mentioned that Holland Township does not have a grandfather law.
 - Betsy McKenzie presented some history on the zone change that took place in the 90’s.
 - Betsy McKenzie also reminded the board that they need to decide this application based on law.
- A16 – Affidavit with attachments of communications with applicant representatives and property owners.
 - This was distributed to the Objectors
 - Witness Beale stated that she authorized Attorney DeSapio to wire to the adjoining property owners (Mr. Jones and Mr. Starosielski) to make an offer. The offer was \$69000.00. As of June 18, 2014 there was no response from the neighbors. On June 18, 2014 Mrs. Beale had Attorney DeSapio sent the adjoining property owners a proposed contract. On June 23, 2014 Mrs. Beale was informed that a hand delivered signed contract with the purchase price of \$42500.00 was submitted to Attorney Bolig. Mrs. Beale declined the offer, she did not believe it was a reasonable offer but authorized Attorney DeSapio to counter offer at \$66000.00. On June 25, 2014 the neighbors (objectors) requested a meeting at 6:30 pm before the scheduled Board of Adjustment meeting. No other has been made.
 -

- A17 – Letter dated January 20, 2014 for Block 27 Lot 11 and Block 18 Lot 14 from the Holland Township Assessor.
 - The township just went thru a reassessment. The purpose is to bring the assessment to fair market value. The township indicated that the fair market value of Block 27 Lot 11 is valued at 63900 and Block 18 Lot 14 is valued at 2100. So as of October 1, 2013 the combined fair market value of the two properties is \$66000 which is what Attorney DeSapio was authorized to sell the property to the objectors at.
- A18 – NJSA 54:4-23 – Date of assessment; duty of assessor; determination of taxable value.

• Attorney Bolig asked Witness Beale if she filed an appeal for either of the two lots and Witness Beale stated that she had not.

Board questions included asking if all parties were still negotiating? And Witness Beale responded that she participated in the discussions but that they had come to an irresolvable impasse.

Public Comment – Objectors (adjourning property owners) were previously sworn in.

- Eric Starosielski and Pat Jones were present. They have obtained an appraiser who is present to act as a witness. It is their belief that the applicant has not followed the law. The applicant has the burden to approach the neighbors. The appraiser is to determine the fair market value. If the board has to act tonight they are requesting that the board deny this application as the applicant has not provided positive and negative evidence. An alternative to the board granting the variance would be to include a condition that an offer from the neighbors should be at their appraiser's approach to the fair market value and if not accepted then the variance be denied. All were reminded that Pat Jones is an attorney in New York and not licensed in New Jersey. Eric Starosielski will be speaking for himself. Together they have a common objection.
 - Exhibits
 - O1 - National Registry of Historic Places
 - Mr. Starosielski also read a paragraph from Exhibit O1. He admitted that he has checked the listing and saw the price as \$69,000.00. There was discussion about ownership of land and how Jane Beale owned one property and John Siedler owned the other property (the one that is now owned by Pat Jones).
 - O2 – Letter from Mr. Jones and Mr. Starosielski dated June 25, 2014
 - O3 – Correspondence between the objectors and the applicant
 - An email from the former resident of 115 Old River Road Mr. Malaysia was not present. Attorney DeSapio objects to any correspondence as the person is not present to cross examine. This email was not allowed to be discussed per Attorney Bolig. The objectors then asked why the Tax Assessors letter and the Holland Township Appraisal can be discussed. Attorney Bolig stated that the Township documents are official documents of the Township and not an opinion of someone who used to live in Holland Township but is not present to testify. The email is not an exhibit.
 - O4 – Appraisal – objectors hired their own appraiser on June 23, 2014 and within 2 hours they had made an offer to Attorney DeSapio. Appraiser Hefferman did this June 23, 2014
 - O5-10 pages of comp sales listed in the Hefferman appraisal.

At 7:55 a motion was made by Les Gallipeau and seconded by Ginger Crawford to take a 5 min break to review the appraisal submitted by the objectors. All present were in favor. At 8:05 the meeting resumed.

- Pat Jones – 97 Old River Road –Happy to answer questions. Mr. Hefferman is here to answer questions. Member Bowers stated that dueling appraisals place the board in an awkward position. At this time Mr. Hefferman was called to testify.
- Opposition Witness #1 – Robert F. Hefferman – sworn in by Susan Barber.
 - Mr. Hefferman gave his credentials and stated that he has worked in Holland with some of the projects being the Hoffman Property and Bethany Ridge. He has over 40+ years of experience. He is designated as a Senior Residential Appraiser. He also teaches courses and has been doing so for 30+ years. He is an approved appraiser for the Green Acres program and for Farmland with the SADC. He is the past mayor of Tewkesbury NJ and council member in that community. He was also the chair of a Board of adjustment. He is familiar with the Land Use process. Mr. Hefferman is accepted as an expert witness.
 - Mr. Hefferman stated he was contacted by Pat Jones and was able to walk the property in early June. It took time to put the comparisons together. They needed to understand the cost of creating a house on the lot. The flood plan requires a house to be built on stilts

12' high. This property was walked along with other properties. There are some dips and rises and some wooded areas.

- Mr. Heffernan explained that he approached the appraisal as if the board would grant the variance and thus state that the three acre parcel is a buildable lot. He spoke with Engineer Jeff Simons (not present) who helped him with costs and they figured the cost of pilings to be \$40-\$50,000 to build a house. To raise the utilities should cost about \$2,000. Permitting fees run about \$5,000 for engineering work. Engineering fees run about \$6-\$7,500. So on top of building a house you need another \$50,000 to \$75,000. A builder needs to buy the property that also fits the right house. The land is the only thing you can alter to accommodate the building and developing of the land. He looked at topography to create a driveway. He looked at slopes on the property. He was asked about the DEP permit and if the applicant has one. Mr. Heffernan then explained the comps he used. He could not find anything current in Holland to compare with. Building lots over the last three years in Holland Township have ranged from \$30,000 – \$100,000. The average he used was \$45,000 to \$50,000. The market is distressed. Builders are not building houses. It is hard to make a profit if you cannot buy the land cheap enough. Prices on houses have dropped but construction costs have not gone down. The lower the demand, the higher the supply. He wanted to use property along the Delaware. He showed various properties as illustrations. He felt the number his appraisal uses for the Beale property to be \$42,500.00 is good. He was asked if he could have used a PA property in the same area and was told not really as different things effect the value and not just the view. Chairman Crawford asked if Mr. Heffernan looked at property towards Stockton and was told he had but that there were no comparisons available. Another board member asked Mr. Jones if this was the only appraisal they had prepared and was told it was.
- Attorney DeSapio – cross examination. Attorney DeSapio asked Mr. Heffernan if he prepared the reports. Mr. Heffernan responded that he looked at the property but had someone in his office do the actual work. Mr. DeSapio questioned the conversations of Mr. Simons. He asked if Mr. Heffernan was told by Mr. Jones that there was an approved DEP permit on file. He asked if Mr. Heffernan knew there was an approved septic. He asked Mr. Heffernan if he knew of the Highlands Exemption Determination. There was discussion of the property being less attractive to buyers because of having to raise the house which got into a discussion about Mr. Jones house being a raised house and if Mr. Jones stated that his house was less appealing? Mr. Jones did object to the questions. Mr. Heffernan still believes that it is all driven by cost. Attorney DeSapio asked him to describe the location of which Mr. Heffernan called it a semi rural location adjacent to the river with smaller homes in the area. Heffernan did take into account the parcel along the river associated with the property. Discussions of flood plains, recreational uses, historic and land topography were briefly mentioned. SP was defined as sale price. Calculations were discussed along with multi listings of property in Holland being read into record. Acreage and prices were discussed. Mr. Heffernan mentioned his staff did a lot of the work and he signed the report. Attorney DeSapio asked Mr. Heffernan to re explain how he came up with his value and if he was used to doing more farms. Mr. Heffernan said he does do more farms but his office is capable of doing everything. After some additional discussion Attorney DeSapio had no further questions.
- Chairman Crawford asked if there were questions for the appraiser. Board question were diverse with one member congratulating the appraiser for his testimony but questioned him on the validity of \$45,000 figure. More discussion took place regarding raising a house, cost of building a house, value of land, reassessment, flood issues, basement vs a slab house and the costs of building a basement, piling costs per Engineer Martucci are more like \$35,000 to \$45,000, and the desire to live near water. The board had no further questions.
- Mr. Jones concluded that the area is ideal but the water level is rising so problems can exist in the area.

Eric Starosielski – 115 Old River Road – thanked the board for their time. He stated that the board is aware of his opinion regarding this variance request. There is beauty in the area. He does not want what is currently existing next to his preserved property to be destroyed.

Attorney Bolig stated that everyone is at a crossroads. Attorney DeSapio wanted to make some observations and summations. The applicant satisfied what is required by law. They proved you can build a house. The lot is less than 5 acres but the property to the south is restricted to sub divide which prohibits the applicant from buying additional land and the property to the north is already less than 5 acres so it cannot be more non-conforming. The Tax Assessor is charged by law to assess fair market value and that is what has been done. The assessment is not old. If the variance is granted the market will dictate the value. The property owner believes that \$66000 is fair. The Board of Adjustment is not

a tax appeal board. The Township determined \$66,000 and the applicant did not appeal the decision. Our assessor is familiar with Holland Township. Mr. Heffernan looked at comps (especially in Warren County) but this application is a common sense determination. The applicant has proved thru testimony that a single family home will not change the neighborhood. They are entitled to the variance.

Mr. Jones responded that he does not agree as Attorney DeSapio has shown no evidence and no specific detail as to a certain house being proposed. What the board is looking at is a speculative house and it does not fit the neighborhood. They think this is a problem. He believes this is a weak case. They would like additional time to work with the applicant.

Chairman Crawford closed the public hearing. The board discussed what they have heard. More conversation about how the market determines the sale price. Board members expressed discomfort on being involved with determining the sale price. Attorney Bolig explained the nature of a C1 variance and the need to discuss hardship to sell or buy. This brought up a discussion of case law and a legitimate offer of sale. Foundation expenses were discussed in relationship to pilings. Costs being inflated were mentioned. The applicant and the objectors can continue to negotiate the sale of the property. All agreed the \$66,000 was a fair price.

At 9:30 pm there was a break and at 9:40 pm the board returned.

Everyone has had time to digest the testimony and opinions expressed during public hearing. In the opinion of the chairman the applicant has met positive and negative criteria. The objectors have been heard and consideration has been given to them as well. Attorney Bolig stated that the applicant has satisfied the C1 positive and negative criteria. All agreed there is no detriment to the public good or township zoning. There is a hardship to obtain land or to sell the land. Valid negotiations are a factor. Conflicting testimony over the value of the property exists. The Township has an appraisal and the Objectors have an appraisal. Attorney Bolig reminded the board that the appraisal of the township is current. Attorney Bolig said that the objectors indicated that they are not pleased with the scant evidence of the design of the house (A8) but reminded all that the law is that the applicant had to present an illustrative example to the board. The board can make conditions which could be that the applicant could obtain no other variances thus restricting the house to be similar to what was presented. After additional discussion, a motion was made by Les Gallipeau and seconded by Bill Martin to grant the variance with conditions such as the house is not to exceed the dimensions proposed in the house design of exhibit A8, the roof line is to be lowered and that all the conditions outlined in the letter prepared by Engineer Martucci dated April 23, 2014 will be met. At a roll call vote, all present were in favor. Motion carried. Condensed version of Mr. Martucci's letter dated April 23, 2014 is included for ease of reading.

Attention: Maria Elena Jeannette Kozak (via e-mail PlanningBoard@hollandtownship.org)

Reference: Jane E. Beale Variance Application
Block 27 Lot 11
Township of Holland Hunterdon County, New Jersey

Dear Maria:

Our office has received the following information from Michael A. DeSapio, Esq. subsequent to our letter dated March 18, 2014. The following items have been received:

1. "Septic Plan" approved by the Hunterdon County Health Department dated 12/31/2007 (3 pages).
2. Application to the Hunterdon County Soil Conservation District dated 3/11/2014 and "Letter of Certification" from the District dated 3/19/2014 (3 pages)
3. Transmittal letter to NJDEP dated 3/ and related email correspondence in connection with an application for "Flood Hazard Area Permit" (7 pages).
4. "Site Development Plan" (2 sheets) prepared by Criterium Disessa Engineers dated 7/9/2007 and revised to 2/26/14.

Application Summary

The property is within the R-5 zone. A general review of the application shows that the property owner is seeking variance relief(hardship) [N.J.S. 40:55D-70c(1)] from the bulk requirement of 5 acres of the current zone for the lot that is 3.05 acres in order to construct a proposed dwelling on building piers 60' long by 38' wide. The proposed dwelling will have a 20'x21' garage within the footprint of the proposed dwelling. Other improvements

include construction of a well and septic system and a proposed driveway that will be surfaced with 8-112" "QP stone" and 2" FABC-1 pavement. A retaining wall is proposed on the northern side of the driveway at the entrance from River Road running approximately 50' east towards the dwelling. The property is located within a flood hazard area for the Delaware River and associated floodways, riparian zones, and flood hazard elevations have been noted on the plan. The plans note the method of determining the flood hazard elevation and the application documents the plans being submitted to NJDEP.

Township of Holland Hunterdon County New Jersey

Completeness Review

Completeness items remaining from our April 16, 2013 letter are provided below with the update following *in bold italics*. Satisfied items have been removed.

Item H-14 The applicant is required to provide delivery receipts and a copy of each application to the outside agencies as part of the application. As noted in the application, copies of permit applications must be submitted to the Board Secretary for review. In addition to NJDEP and the County Soil Conservation District, applications for the proposed well and septic must be provided since they require approval from the Hunterdon County Health Department as well as the Township Board of Health. *These items have been completed and this item is satisfied.*

Items H-23 through H-24 I have summarized the bulk requirements and information for R-5 Zone (setback lines and dimensions of the plot plan for the existing and proposed improvements) per attachment six of the ordinance and as presented on the submitted plan is summarized in the table. Comments are provided in the following table and noted below:

Requirement	Required	Proposed Building
Lot Area Minimum (acres }	5	3.04
Lot Width Minimum (feet)	325	315.30
Lot Depth Minimum (feet)	350	408.19
Height Maximum (feet)	35	Not provided <i>u</i>
Stories Maximum	2-112	Not provided <i>u</i>
Setback from Street Line, Minimum (feet)	75	160
Rear Yard Minimum (feet) _	50	208
Side Yard Minimum (feet)	50	100

(1) Plot plan *shows* the rear yard dimension between the proposed building and the property line. However, the plan does not note the total building height or number of stories on the proposed structure. *This item must be completed.*

Items H-25 through H-26 The applicant has not provided a floor plan nor a building elevation plan for the proposed structure. Upon a recent phone conversation with Michael DeSapio Esq., the applicant does not have any building or floor plans as they wish to obtain approval for a buildable lot subject to conform to the bulk requirements with respect to building height and maximum stories as required in the chart. *This item was discussed at the previous board meeting between Mr. DeSapio and Mr. Bolig. An email was received from Mr. DeSapio on this matter. I would defer to Mr. Bolig's opinion on this matter, however, this item has not been satisfied unless waived by the Board.*

Item H-27 The applicant has indicated that a "Consistency Determination" from the Highlands Council is not applicable. Upon review of the property utilizing the "Highlands Council Interactive Map" the subject property is located in the Highlands Planning Area and that a "Consistency Determination" is required under subpart 2 of the checklist. *Upon review of the Highlands Ordinance, this item is exempted under section 2.4 paragraph 2 of the ordinance. This item is satisfied.*

Items H-25 and H-26 remain outstanding for this application to be deemed complete as per the checklist requirements. The applicant's attorney has noted this item and requests a waiver from these checklist items as stated in the previous meeting. The Board should further review these items at the next meeting to determine if these items could be waived.

Technical Review

A. Outside agency approvals:

1. The building construction is subject to the appropriate building subcode and other construction permits.
2. The plans show general conformance to the driveway standards as noted in Chapter 72 of the ordinance. A driveway permit from Holland Township is required as part of this application.
3. A Hunterdon County Soil Conservation District Permit is required for the proposed construction.
4. All required NJDEP Land Use Approvals and Permits must be obtained prior to construction. The applicant shall conform the plans to all conditions of the permit as issued.
5. Stormwater management has not been provided on the plot plan. It should be noted that if the disturbance is equal to or greater than 1 acre and the proposed activity results in an increase of impervious area of $\frac{1}{4}$ acre, a stormwater plan and calculations are required as per the Township Ordinance and State Stormwater Rules.
6. It should be noted that the approved septic system design on file at the Hunterdon County Health Department is for a four (4) bedroom single family dwelling. If the proposed dwelling is larger than four (4) bedrooms a new design may have to be submitted to the Hunterdon County Health Department.

B. Other Items:

1. The applicant must address any comments by Attorney Bolig and Planner McKenzie.
2. The applicant must verify any associated easements with the overhead and underground utilities that encroach on the property. Easements must be provided if they do not exist.
3. The conditions of approval (if granted by the board) must include general notes 1-8 on the site development plan.
4. Confirm driveway material beyond shading on sheet SD-1 to be F.A.B.C. or another material.
5. No access to the top of the foundation is noted outside the proposed dwelling footprint. The applicant should confirm this as part of the testimony.

If you have any questions or require additional information, please feel free to contact me.

Robert Martucci, P.E.
Board of Adjustment Engineer
R-5999.003 140423 (rev02).doc

Cc Board Members (via email)
Betsy McKenzie PP, ACIP, Planner (ecmcke@embarqmail.com) Todd
Bolig, Esq. (tlbolig@boliglaw.com)
Mr. Michael DeSapio Esq. (mdesapio@hunterdonlawyer.com)

Resolution

- There was no resolution scheduled for discussion.

Old Business

There was no Old Business to be discussed.

New Business:

- Garden Solar LLC-Clean Generation Solar Energy Farm W4-097 – Block 6 Lot 62 – Spring Mills Little York Road – Deed of Restrictive Covenant discussions – Board Action needed. If approved then the Township Committee will need to review/adopt/enforce. The deeds were distributed to the board members and a memo created by Planner McKenzie was distributed. Member Bowers had questions about abandonment and Member Rader had sent some questions about the \$15,000.00 being per lot. Attorney Bolig reminded everyone that the applicant offered the \$15,000.00 for the project and that there is nothing on the books in Holland Township that allows us to enforce a decommissioning policy or the dollar amount offered by the applicant. The \$15,000.00 is for the potential of litigation in the future and to help offset attorney fees. After much discussion a motion was made by Bill Martin and seconded by Peter Kanakaris to accept the proposed Deed of Restrictive Covenant with the comments proposed by Member Bowers in redline and Member Rader and to have Attorney Bolig prepare a clean copy to be sent

to the Township Committee for endorsement. All present were in favor with the exception of Jerry Bowers. Motion carried,

Public Comment

There was no one present for public comment.

Bill Martin made a motion to adjourn. Motion carried.

Meeting ended at 10:10 p.m.

Respectfully submitted,

Maria Elena Jennette Kozak

Maria Elena Jennette Kozak

Secretary