

MINUTES - PLANNING BOARD

Special Meeting of July 12, 2017

WORKSHOP PORTION. Ms. Murray called workshop portion of the meeting to order at 7:37 P.M.

1. COMMUNICATIONS

2. RESOLUTIONS OF MEMORIALIZATION

None

3. MINUTES:

Adoption of minutes of May 3, 2017 were carried to next meeting.

Motion to adopt the minutes of May 17, 2017 was made by Commissioner Dooley, seconded by Ms. Pedde and passed on unanimous voice vote

Motion to adopt the minutes of June 7, 2017 was made by Mayor Hannen, seconded by Ms. Anderson and passed on unanimous voice vote.

Motion to adopt the Executive Session minutes of June 7, 2017 was made by Ms. Feder, seconded by Ms. Pedde and passed on unanimous voice vote.

Motion to adopt the minutes of June 21, 2017 was made by Mayor Hannen, seconded by Ms. Didzbalis and passed on unanimous voice vote.

Motion to adopt the Executive Session minutes of June 21, 2017 was made by Ms. Didzbalis, seconded by Mayor Hannen and passed on unanimous voice vote.

4. OLD/NEW BUSINESS

750 Walnut Avenue – Adjournment granted and hearing extended to September 20, 2017, however received letter from Jackie Baranoff, President of Temple Beth-El Mekor Chayim located at 338 Walnut Avenue requesting the application hearing be rescheduled as September 20th is the eve of the Jewish New Year, Rosh Hashanah. Intention was to announce tonight as to the September 20th date, however, cannot announce due to Temple's request. Applicant has provided certification to Mr. Rothman specifically extending the hearing. Inclined to hear on September 6, 2017 and must obtain applicant's agreement. Extension request will need to be revised and applicant will not be required to re-notice.

Workshop adjourned at 8:02 P.M.

PUBLIC HEARING - ROOM 107

1. STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Ms. Murray called the special public meeting of the Cranford Planning Board to order on July 12, 2017 at 8:09 P.M. In Room 107 of the Municipal Building, 8 Springfield Avenue, Cranford, New Jersey. Ms. Della Serra announced this special meeting is in compliance with the "Open Public Meetings Act" as adequate notice of this meeting has been provided by publishing notice of the special meeting in the Westfield Leader and the Star Ledger with the agenda specifying the time, place and matters to be heard having been posted on a bulletin Board in the Town Hall reserved for such announcements and the filing of said agenda with the Township Clerk of Cranford. Formal action may be taken at this meeting.

2. FLAG SALUTE

3. ROLL CALL

Members Present:

Ms. Murray
Ms. Anderson
Ms. Steinbach
Ms. Feder
Dr. Chapman
Commissioner Dooley
Mayor Hannen
Ms. Pedde
Mr. Taylor

Members Absent:

None

Alternates Present:

Ms. Didzbalis

Alternates Absent:

Mr. Aschenbach

Mark Rothman, Esquire; Ruthanne Della Serra, Interim Administrator/Scribe, Ron Johnson, Zoning Officer and William Masol, Township Engineer

4. Application # PBA-17-00008:

Union County College, Applicant

1033 Springfield Avenue

Block: 121, Lot: 1, R-4 Zone

Capital Improvement project review/presentation of construction of cooling tower/condenser units on Springfield Avenue and Princeton Road with retaining wall enclosures. Applicant is a public entity.

Discussion as to UCC immunity - every single application needs to be assessed with immunity from local variance requirements determined. Consider nature of specific application, is application core to mission that it becomes subject to immunity, impact on local interests, extent of public interest to be served and land use involved. Believes need for variance request as to Princeton Road side where application proposes 13.9-foot setback. Common concept is exempt and if proposal was to construct another building may be a different case.

Anthony Peterpaul, Esquire appeared on behalf of the applicant. Thanked Board for arranging a special meeting as construction of the project is time sensitive.

Commissioner Dooley stated believes applicant is subject to variance relief and therefore reserves decision as to immunity. Understands need to make determination whether immunity applies. Mr. Peterpaul advised well established that entity is immune and is here for capital review with the Board's function is to make recommendations. Board will listen to application, witness testimony and then make determination,

He explained the project in question involves relocation of the library cooling tower to ground level. Two witnesses- UCC Director and engineer.

Robert Hogan, Director of Facilities for UCC appeared and was sworn in. He testified to the following by questions posed by Mr. Peterpaul. His credentials were presented to the Board and testifying as a fact witness.

He oversees all construction at the college. This project is to remove the existing HVAC equipment that is currently on second floor of library, the third floor surrounds the equipment and consists of cooling tower and condenser unit and relocate to ground level with enclosures. The purpose of the enclosures, which are concrete block and brick to match library, is to control sound and conceal the equipment. A sound engineer reviewed the project and presented a report that was received today that states proposal is under acceptable State sound limits. Mr. Rothman confirmed the report has not been provided and the sound engineer is not present/available tonight. Mr. Peterpaul stated he can represent the opinion of the engineer findings is that decibels readings of the equipment were far below acceptable standards both State and municipality. DRC requested the applicant obtain the report as to sound levels, short notice and only received the report today.

Questions posed by the Board ascertained the following:
Hard to ask questions regarding a report that has not been provided. State requirements are that decibel levels during the day cannot exceed 65 during the day and 50 in the evening that are residential levels, township ordinance adds the work equal and cannot exceed, inclusion of louvers results in 41 at night and 50 during the day. Mr. Hogan was accepted as a fact witness. Basis of estimate and calculation methodology explained in detail. Exhibit A-1 marked which depicts the current location of the equipment (hole on

third floor), change to new location is due to size and condenser is being moved near the mechanical room which is in basement of the library. New unit is approximately the same size just more efficient. Not serviceable in current location and is 20-years old with a struggle to service as recent addition of a third story was built around the equipment creating a hole. Original equipment and third floor of library built around. Difference in being surrounded by third floor versus enclosure is the inclusion of louvers that allows for air flow to cool. One of the questions posed at the DRC meeting and civil engineer will address, however, believed height is located on the plans. Clarified on sheet 3 of 4 (site plan drawings that were submitted) and marked as Exhibit A-2 - cooling tower extends 22 feet and same height as wall. All faces Princeton Road. Does not call out specific height of the cooling tower. Statement appears to be contradictory – have detail of buffer wall and enclosure? Mr. Peterpaul advised has elevation and was recommended at DRC meeting although not submitted. engineer will testify and further stated does have the elevation that was recommended at DRC meeting and was not submitted.

Member advised recognizes engineer will be testifying, if tower is going to be 22 feet, explain why proposal exceeds the ordinance regulations of 12 feet and is more than 100% increase in ordinance requirements. Mr. Peterpaul advised not familiar with local ordinance, however will be lower than building height. Cooling tower size is requirement of the HVAC system. Why can it not be located on interior of the college rather than on Princeton Road - possibly in the court yard, to the right of the library? Ae mechanical room location and currently have underground utility conduits in that location. Do not know where in the interior of the campus would be able to house the proposal. Also, room at right of the library, is where the condenser unit will be located. Do not have study that it cannot be placed in suggested location. If moved to Springfield Avenue, would have to be closer to Springfield Avenue, further away from the building and expensive cost. Mr. Peterpaul advised moving it to Springfield Avenue would have added significant cost to the project. Unaware if the County has performed a net cost study of impact of moving to alternate location. Cannot be located on east side court yard area, as proposing to be as close as it could to the mechanical room for efficiency. Member believed same distance as proposed location. Does not know if it is possible as was placing as close as possible to the mechanical room. Does not know if new tower is taller or larger than existing tower. Does not know if being placed on the Humanities Building was considered. After servicing the currently system for 20 years, relocating on Princeton Road would be cost effective. Replacing in existing location would render the building not being serviced for a period of time and not certain if the addition on the library would bear the weight. Not certain what the deficiency of service would be by placing in alternate location – maximum operational and cost efficiency would be to locate as close as possible to the mechanical room. Not aware if cost analysis has been performed. Mr. Peterpaul confirmed what Board would like is to consider relocating to alternate location off of Princeton Road or replacing in current location, consider cannot say whether that will be done, do not have an answer as to whether alternate locations were explored. Did ask if college would consider moving to Springfield Avenue, but due to utilities would have to be moved closer to Springfield Avenue and engineer here tonight cannot testify as to site and layout but cannot testify as

to mechanical system itself. Cannot speak as to who at College would answer as client privilege.

Spoke of other possible locations for college to consider, library, adjacent building or court yard – Mr. Hogan advised cannot speak as to whether these alternate locations were reviewed as project was planned 3 years ago and prior to his time, and cannot speak to what transpired prior to his employment, however, believes someone could be identified. Design engineer could not be here tonight and he may know the answer to the questions posed. Mr. Peterpaul understands the problem, and indicated before would be willing to go back to the College and if already been explored, not certain if other locations would be reconsidered and possibly not much else that can be done.

Board indicated if an individual from the college with the expertise to respond to these questions could not be here tonight, applicant is leaving Board in the dark as to questions posed, and only receiving half the information required, if cannot return, do not know how the Board can be expected to make a decision when there is a vast absence of knowledge.

Mr. Peterpaul reiterated college is under a tight time constraint, however, did an analysis and thru no fault of the college, the application has been in the hands of the Township since February, has a contractor ready with signed contract and at this point, appreciates the questions, issues came up at DRC in May, one issue being sound, hired a sound engineer, performed analysis as to moving to Springfield Avenue but that option was not cost effective (no memorandum or report). Appreciates questions but not fair to the College cannot anticipate questions that will be posed at a hearing. Member countered - in fairness to the Board, it's not Board's fault that the college signed a contract before the answers were provided and before a contract was signed these items should have been addressed as DRC memo specifically questions these items and not fair to the Board.

Did not meet with Princeton Road residents during 3-year period project was contemplated.

Who makes ultimate decisions as to moving forward with the project, and who makes aesthetic decisions for this particular project? Does not have first-hand knowledge, usually before the Buildings and Grounds Committee, cannot answer question if they were available to testify before the Board.

Mr. Hogan advised college does not have housing for students or faculty, are open 24/7 but not necessary to the public or students (employee presence), library is not open to the public except of one period during the day if not a member of college.

Discrepancy in testimony shown regarding when the library is in use, time frame for turning off unit and replacing, will be 3 days after construction is completed. If replaced in same location, not certain of time frame to accomplish and explained process. Aware there are companies that provide temporary cooling systems but need to have someplace to connect to, can take that recommendation under consideration. Board member commented that

Princeton Road may refer to have temporary system for w month versus a permanent cooling tower.

Confirmed classes end for fall semester 3rd week in December, current chiller is functioning now and would like to replace for operational and maintenance costs and ease of access. Winter session starts on the new year and with holidays, does not believe sufficient time to replace during this break. The library is integral part of the campus and provides computer access to computer. Access is not limited to library alone as also in new building. Other maintenance or construction projects was done during this time period. Construction length is 105 days, does not believe it can be accomplished during winter break. # days to make connections. Operation of the cooling tower can eject heat during the winter time, could be used to transfer heat, but is not the primary source of heat. Confirmed if brought during the winter period, would not impact the college programs.

Mr. Peterpaul indicated did not anticipate the “level” of questions posed tonight. As far as timeframe, if question is to delay until the winter break, doubtful the answer would be yes, as typical construction is during the summer period as is safer with less interruptions. Reiterated timing factor is not the college’s fault.

Most important question not when you can perform the project, but whether the project can be moved off a residential street.

Mr. Peterpaul stated project includes 6-foot retaining wall with tower that will be 22 feet above for total of 28 feet and surround will be roughly the same material as the building. Engineer will explain further.

Mr. Hogan explained regarding sound study, as the unit is not constructed there is a margin of error in the calculations – estimation of calculations as per NJDEP and includes sound put out by unit and background sounds.

Cooling tower is 23’ 2” in height and includes the base slab.

Clarified utilities shown on page 2 of 4 (Exhibit A-3), Springfield Avenue shown as dotted lines with T & E (telecommunications and electrical). Confirmed to be placed on Springfield Avenue would have to be outside those lines (outer T) or utilities moved. Would assume footings given to the type of structure would be required under the tower and retaining wall, not sure of depth of the utility lines or if under the frost line. On Princeton Road, the utilities run under the sidewalk. “X” represents tree that is being taken down. The cooling tower structure has a slab inside and the steel frame sits on the slab and is measured from top of the slab.

There were no further questions by members of the Board.

Ms. Murray advised public questions will take place after the engineer testifies as his testimony may answer many of the public questions.

Michael Roth, Bowman Consulting Group appeared and was sworn in. His credentials were presented to the Board and he was accepted as an expert in the field of civil engineering. Offered as an expert in civil engineering per Mr. Peterpaul.

Through questions posed by Mr. Peterpaul, Mr. Roth testified to the following: Confirmed he prepared both exhibits previously entered.

Referring to A-1 site rendering – property details reviewed. Northern location - Enclosure and concrete slab will house the cooling tower and be 14 feet from Princeton property line, and approximately 85 feet west from Springfield Avenue, enclosure is 29 feet wide by 25 feet long and wall is 22 feet and sits above 6-foot soil containment for total height of 28 feet above grade. Walkway is proposed for access purposes, 8 evergreen trees proposed. Southern improvement - contains a 9 X 12 condenser unit and wall that is set back approximately 66 feet from Springfield Avenue property line and 180 feet from Princeton Road line, proposed walls are 4 feet high and retaining wall sits above is 1.5 feet for total of 5.5 feet with evergreen trees. The northern enclosure will have no impact on sight triangle of intersection of Springfield and Princeton Roads.

Questions posed by the Board ascertained the following:
Proposed setback for this structure is 14 feet from Princeton Road and member believed since a corner lot believes has two front yards and if a house would have to be 35 feet from the property line although applicant is considering a rear yard setback. Why could tower not be tucked into building bump out - Mr. Peterpaul explained that is a fire egress issue and may not be detailed on the site plan as architectural component. By moving the internal door can create another means of egress and moved the entire project when may have been able to be located next to the building and eliminate encroachment on Princeton Road. Evergreen trees would be height would be 8 feet +/- when planted and mature over time could be up to 25/60 feet over ten years (general statement). Also on Springfield Avenue. Wall on Springfield is 4 feet and condensing unit is 4 feet and would be of yield less sound. Can they be switched – understand and will be taken back to the College. Member would prefer if on the roof or moved onto the campus itself. Questioned is presenting 4 different plans and why not have profile or rendering of what wall looks like and is typical of what would be presented to the Board? Was plan prepared by Bect Engineering and marked as Exhibit A-4 - cooling tower elevation that depicts section view of enclosure walls and cooling tower and building is higher than proposed structure. Exhibit passed through Board while other questions were posed.

Clarified soil in retaining wall – enclosure is set as same level as door out of building that slopes down to the road and to create level platform had to include a 6-foot high retaining wall and above the enclosure wall. Retaining material has not yet been determined but will be similar as other materials to be determined. Bump out itself is approximately 15 feet

from wall, however, was not engineer that prepared enclosure cannot state if proposed can be placed on north or east side of this location. 16 feet assuming that is due to utility lines between the building was confirmed. If has to be placed in this location would suggest making a component of the building so that no one knows it is there. Condenser unit on Springfield Avenue services chillers in mechanical room (2 different rooms) as per Mr. Hogan. Louvers in the wall that provide ventilation are fixed as sound continuation louvers. Cooling tower is secured in wall with doors and detailed on Exhibit A-4. Top of cooling tower is seen (12 or 14 inches), however can continue the wall up.

Mr. Roth college itself has a storm water management plan and increase is about 900 square feet and based on that increase the project still complies with ordinance requirements. Mr. Peterpaul stated college itself will work with the Township Engineer to address this increase to their satisfaction.

Submitted drawings indicate outside portion of McKay library and current new building not referenced, to left referring to utility (Page 3 of 4) on western portion of the building, have series of bump outs are not referenced on inside of building if asked college to put unit there based on scale would seem to indicate this structure would fit but dimensions not shown – this area was not detailed as it was not focus of the proposed location. Member having gone to the site with tape measure and detailing proposed structure could fit into this location, whether college wishes to place cooling tower in this location with wall to screen and even of include current structure, Number of factors and cannot respond. Member indicated factor would be expense and not being located by the mechanical room as relayed in Mr. Hogan's testimony, other than that would have to revise drawings and may be operational issues. Would solve many problems and would be hidden from Princeton Road and Springfield Avenue. Mr. Peterpaul advised will bring to client's attention.

There were no further questions by members of the Board.

Ms. Murray opened the application to the public for questions of the witness, with the following appearing:

Michael Harrington – Asked for details as to the running times of the units and weight for the cooling towers? Why can't be located on the roof? Concerned with how the school is pulling wool over eyes. Mr. Hogan responded the units will run mostly during the day, but also at night, although it does shut down during a period of time during the night. May run to 11:00 PM during the summer time, depends on building usage, to possibly 6:00 – 8:00 in the morning. Tower is not used for heat. Does not know why it cannot be placed in same location.

Nancy Apicella – questioned with height of walls and units, it appears that if independent builder (special privileges) would be subject to variances, are you not? Mr. Peterpaul explained belief that as a public institution there is law that states a governmental authority

is not subject to zoning or other ordinance of a lesser authority. Who do you report to? Who gives you the rights? The college is a public institution and funding is from numerous institutions. Mr. Rothman reiterated at the beginning of meeting member expressed this very matter. Confirmed will take up to 105 days for project completion. What accountability would there be to live up to that time frame? Ms. Apicella stated condensers are heard every night all night and lives with it every day.

Dr. Andrew Carollo - Stated primary focus on noise, and numbers on noise levels presented. What are decibel levels currently enduring? Mr. Hogan advised those calculations were prepared by an engineer who not here this evening. Would assume the numbers would be higher, but is not aware of background noise levels. Asked why no contact of the residents on Princeton Road? Did proposal take into consideration the long-term impact to property owners across the street or to value of properties on the area? Mr. Hogan responded cannot answer any of the questions posed.

Fuller report Exhibit A-5 dated July 11, 2017 report – distributed to members. Pointed out that on page 7, appears decibels exceed limitations in octave band of 1000. Mr. Hogan stated does exceed and is current measurement and cannot say will be quieter, but cannot say will contribute either. Does not believe have sufficient information to make that determination and based on chart may actually exceed current DEP limits, but is a background sound measurement including current conditions and would have included current equipment on the roof. Testified that new equipment shown on page 5 relates sound level of new equipment at the property line. Proposed equipment is 43 and ambient is at 50, does not know if additive, interprets as new equipment would not be heard in daytime as below ambient. Member stated snapshot in time and charts are actually useless. No one can give expert testimony tonight and cannot make any decisions without such testimony.

Mr. Hogan confirmed will be lighting contained inside the structures for maintenance purposes, not outside the structures proposed with exception of above the doorways that are facing the wall of McKay Library. Mr. Peterpaul advised who was in attendance at DRC meeting for the college, believes what was intended was any lighting would be directed toward the building. To Mr. Hogan's knowledge the only lighting that is going to be there is inside the containment unit and by the doors for access and doors are facing the wall of the McKay and above the doorway.

Report contains statement page 5 louvers will not help noise levels, and recommended upgrading these and would be change order. Mr. Peterpaul advised not significant change (difference in thickness) and college has every intention of following the recommendations of sound engineer.

Maxiel Feuker – Asked if the college needs approval from town or any entity to begin construction and if so, who does it need approval from. Mr. Peterpaul explained college needs approval pertaining to the permits, position of the college it does not need zoning

approval for this type of construction. Notice to proceed has already been issued. Mr. Hogan responded was set to start on May 22nd, have not started construction and date will change. Notice to proceed was issued April and 105 days started on that date. Was set to start in May, plan sent to Zoning Office in February, went to bid and date will have to change. Delay and contact with the Zoning Office explained.

Dr. Andrew Carollo – No contact with residents, no real estate impact analysis performed, does the college have any idea what proposal can do to this area on Ranford in both short and long term if properties are impacted. Mr. Hogan advised he does not have an answer to any of the questions posed.

Marybeth Coke – Once construction starts what happens when neighborhood children are walking to school. Mr. Hogan indicated any trucks will be on street and parked or in college parking lots not going up and down the street will take it back for recommendations. The trucks that will be there will be delivery materials or construction equipment, and area will be cordoned off. Who will maintain landscaping as trees have been left to die? Trees have been replaced, we have own grounds department. How close will wall be to the sidewalk? Mr. Roth advised measures 14 feet from wall to Princeton Road property line, to sidewalk would be approximately 15 feet measured from the building side of the college to the outer side of the side walk towards the campus.

Brock Boddie – Asked where measurements were taken regarding the sound report? Mr. Hogan stated at college side walk, across the street and in front of first house in Springfield Avenue, in vicinity of curb.

No one else appeared and the matter was referred back to the Board.

Ms. Murray opened the application to the public for comments, with the following appearing:

Nancy Apicella, appeared and was sworn in. She stated her husband is not well and has been ill for many years and gave details of what they have endured. During last project, construction 16 trucks on lawn, with work starting at 6:00 AM from beginning to completion. Husband never shared his anxiety and the toll that experience took. It may not matter to the college as they do not live there, but gross abomination of neighborliness, no consideration – the sounds, noise, litter, smoking, has garbage constantly in front of her home. Pays a lot of taxes. For 20 years the college has done nothing but encroach on their peace of mind, and that is wrong, not one iota of concern to taxpayers. Possibly sell home and leave which would be due to college, soulless entity. Destroys quality of life.

No one else appeared and the matter was referred back to the Board.

Mr. Peterpaul presented his summation.

Discussion as to possibility of requesting adjournment to come back with responses to recommendations that Mr. Peterpaul would take back to college which is the function of planning Board.

Belief held that in this case, the public entity's application is not immune to compliance with the local land ordinance.

Motion not to move on the application and instead require that the applicant resubmit the application seeking variance relief from the local zoning laws, based on tonight's testimony (or lack thereof). This proposal does not in any way balance local interests of Princeton Road property owners. The college has a legitimate interest in replacing and redesigning the HVAC system, however, residents on Princeton Road also have a legitimate interest, and testimony has shown that no consideration was given to those residents. Solution is within college's grasp to face inward and stay the same, which would a more balance interest. Not completely immune and must comply with ordinance requirements or request relief, as does not meet four prongs of immunity. Suggest requesting an adjournment to make appropriate modifications and resubmission of application.

Mr. Peterpaul strongly objected, case law to support and would suggest that the Board consult with counsel as to opinion.

Would not matter which manner of application was presented as college believes all actions it takes comply and can come into the community and considered immune.

Very big burden on the neighboring residents, easy solution of balancing interests of both the college and the residents.

Mr. Rothman clarified part of motion spoke to application presented to the Board, and applicant has a responsibility to present meaningful testimony, Commissioner Dooley believes immunity is not appropriate and should not be acted on, specifically as to Princeton Road and instead should resubmit the application with variances from local zoning law requested.

Many questions could not be answered as to location of the proposed cooling tower and units and unaware of why it cannot be placed where it is now on the roof, or interior of campus and why the college did not involve the residents and neighbors of the community. Insufficient information as to noise, no testimony presented. In order to make any informed decision, would need further information and expert testimony. Presentation this evening did not satisfy statutory requirements. Would like an understanding as to whether alternate locations suggested would not work or whether were looked into or considered. Neither the Board nor residents have been provided sufficient information. Discussion on possible of adjournment or vote on motion. Scheduled special meeting tonight with applicant not prepared.

Mr. Peterpaul advised his intent, if the application is carried to 19th, will have witnesses here to answer questions posed tonight. He confirmed the applicant is requesting an adjournment to return on July 19th with no need to re-notice and hearing will be considered a continuation and with present noise engineer and rendering if it can be completed.

Commissioner Dooley expressed concern as many residents in attendance cannot be present on the 19th, motion has been made and needs to be addressed. If continuation granted, believes the appropriate decision maker for college should be here. Still believes appropriate application has not been submitted and correct one would be for the college to comply with local zoning ordinance, balancing test cannot be met unless the college can preserve the interests of Princeton Road. Application should include appropriate variance and relief especially on residences of Princeton Road. Not withdrawing motion, will modify to include the following language, application has not met statutory obligation and move that instead it be dismissed as it is position of applicant that application is for recommendation as capital improvement.

Mr. Peterpaul indicated the college would explore possibility of extending the continuation further after discussion with College. Did not realize how involved the hearing was going to be, cannot state there will be a difference at the next hearing, will do best he can to get answers to questions.

If College has new testimony as to other alternatives, one week may not be sufficient time to prepare alternative locations. Mr. Peterpaul indicated will try and if not ready, can make a motion to deny.

Impact of motion explained to Board members by Mr. Rothman.

REVIEW/DISCUSSION

Application # PBA-17-00008:

Union County College, Applicant

1033 Springfield Avenue

Block: 121, Lot: 1, R-4 Zone

Capital Improvement project review/presentation of construction of cooling tower/condenser units on Springfield Avenue and Princeton Road with retaining wall enclosures. Applicant is a public entity.

Motion to dismiss Application #PBA-17-00008 as the applicant has not met their statutory burden as to recommendations and that the application is not correct in its present form as application should be resubmitted for variance relief, was made by Commissioner Dooley and seconded by Mayor Hannen with the following voting in favor of the motion: Ms. Murray, Ms. Anderson, Ms. Steinbach, Ms. Feder, Dr. Chapman, Commissioner Dooley, Mayor Hannen, Ms. Pedde and Mr. Taylor.

5. PUBLIC PORTION

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NONE

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 11: 30 P.M.

Ann Steinbach, Secretary