

CALL TO ORDER: AT 7:09 P.M. by Chairman Ken Loury
OPEN PUBLIC MEETING LAW STATEMENT OF COMPLIANCE

ROLL CALL: Chairman Ken Loury, Peter Rathjens, Mayor Chegwiddden, Councilwoman Wickenheisser, Charlotte Kelly, Marc Harris, Christopher Fleischman, Barbara Chiappa, Ana Jones and Steven Dickinson.

EXCUSED: Brian Bosworth

OTHERS PRESENT: Alan Zakin, Board Attorney; Christopher Borinski, Board Engineer; Jessica Caldwell, Board Planner and Desi Ruffo, Board Secretary.

Motion by Barbara Chiappa and seconded Chris Fleischman to approve the minutes from the November 22, 2022 meeting, with noted revisions to the following: page 2- Ordinance O-10-22.

YEA – 8 NAY – 0 ABSENT – 1 ABSTAIN - 2

Motion by Marc Harris and seconded by Barbara Chiappa to approve the minutes from the December 13, 2022 meeting, with noted revisions to the following: page 1 - flush curb.

YEA – 8 NAY – 0 ABSENT – 1 ABSTAIN - 2

Motion by Ana Jones and seconded by Chris Fleischman to approve the bills as presented.

YEA – 8 NAY – 0 ABSENT – 1 ABSTAIN - 2

OLD BUSINESS:

1. 170 North Main/Ashour Investments: 2-Month Extension Review

The applicant came before the board to review the 2-month extension of approval issued during the November 22, 2022 meeting. Discussion about the current condition of the site between the Board Members, Board Professionals and the applicant occurred. A meeting and on-site inspection is scheduled to take place with the Board Chairman, Zoning Official and the applicant within the week after the subject meeting.

Chris Borinski, Board Engineer: The Risk Assessment Report, which was submitted by the applicant, is not what the EPA needs to assess what the remediation requirements are for the site. There should be a work action plan submitted for the residential requirement. The LSRP from the environmental company involved with this application should send correspondence to the board informing of the current status. Resolution compliance plans still need to be submitted.

Jessica Caldwell Dykstra, Board Planner: The applicant submitted photos of the site, additional updated photos were expected, but were not received. Outdoor storage is not a permitted use in the zone. The property has no approvals and all utilities have been disconnected.

Alan Zakin, Board Attorney: A letter summarizing the requirements of the board professionals will be sent to the applicant, the items listed in the correspondence will be discussed at the next meeting. The professionals will discuss a reasonable escrow to which the applicant will provide. The applicant will have the appropriate environmental consultant contact the Board Engineer to inform of the current conditions and the timeline for approvals. There will be no rentals at the property as it is not an approved use.

Motion made by Mayor Chegwiddden and seconded by Peter Rathjens to extend the approval to February 7, 2023 with the conditions as discussed.

YEA – 7 NAY – 1 ABSENT – 1 ABSTAIN - 2

2. Wharton Developments A (Block: 903, Lots: 2 and 2.03) – Resolution of Approval

The board reviewed the resolution of approval. Discussions between the board members and board professionals regarding the revisions of the resolution occurred. Revisions to the following pages were determined:
Pages: 1, 3, 6, and 9 through 23.

Motion by Marc Harris and seconded by Chris Fleischman to approve the resolution with the revisions as noted.

YEA - 8 NAY - 0 ABSTAIN – 2 ABSENT – 1

3. Delton, LLC (Block: 106, Lots: 3 and 16) – Resolution of Approval

The board reviewed the resolution of approval. Discussions between the board members and board professionals regarding the revisions of the resolution occurred. Revisions to the following pages were determined:
Pages: 1, 2, 3, 5, and 6.

Motion by Mayor Chegwiddden and seconded by Marc Harris to approve the resolution with the revisions as noted.

YEA - 8 NAY - 0 ABSTAIN – 2 ABSENT – 1

ADJOURNMENT AT 8:36 P.M.

Respectfully submitted,



Desi Ruffo
Planning Board Secretary