

WEST WINDSOR PLANNING BOARD REGULAR MEETING  
SEPTEMBER 26, 2018

The regular meeting of the Planning Board was called to order at 7:02 pm on Wednesday, September 26, 2018 by Chair O'Brien in Meeting Room A of the Municipal Building.

**STATEMENT OF ADEQUATE NOTICE**

Pursuant to the Sunshine Law, a notice of this meeting's date, time, location and agenda was mailed to the news media, posted on the Township bulletin board and filed with the municipal clerk on September 19, 2018 as required by law.

**ROLL CALL AND DECLARATION OF QUORUM**

Present: Sue Appelget  
Linda Geevers  
Curtis Hoberman  
Michael Huey  
Andrea Mandel  
Hemant Marathe  
Simon Pankove  
Gene O'Brien  
Allen Schectel- Alt I  
Anis Baig-Alt II

Chair O'Brien commented that there were no members of the public present.

Mr. Surtees went over the meeting schedule and said the planning board will meet on October 3, 17 and 24, 2018 and also on November 7, 2018. Packets for the October 3<sup>rd</sup> meeting have already been handed out.

Mr. Huey will be absent on October 3, 2018.  
Mr. Pankove will be absent on October 17 and 24, 2018.  
Mr. Baig arrived for the meeting at 7:05 pm.

**CONSENT AGENDA:**

**Minutes:** July 26, 2017, January 10, 2018, March 28, 2018 regular and closed session, July 11, 2018

**July 26, 2017**

Chair asked that any planning board member who has comments, to construct language with the changes and e-mail them to Mr. Surtees.

Councilwoman Geevers e-mailed the following changes:

- Page 3, paragraph seven; correct spelling of Superintendent's last name to Aderhold.
- Page 4, paragraph four, states the meeting is open to the public. Since the entire meeting is open to the public, change to say "the Chair then called for public comment."
- Page 6, spelling of Geevers needs to be corrected. Change paragraph to read, "Councilwoman Linda Geevers stated that she spoke with hundreds of residents, and based on the negative response, she cannot support this Concept Plan. She noted tax concerns and the overcrowding of classrooms."

Mr. Huey revised the entire second paragraph on page 3.

Mr. Pankove said that one of the public comments made late in the public comment period is missing and e-mailed that to the best of his recollection, the comment was that the property should be developed to attract a major employer to this tract of land, such as a Tesla test track or Amazon.

Ms. Mandel requested the first sentence on page 4, paragraph eight be changed to read: Andrea Mandel stated that she has lived here almost 30 years, capital costs for schools are unknown and not included in net tax calculations, a zoning change would be needed to build the proposed project, and school taxes will skyrocket.

### **January 10, 2018**

- Page 4, paragraph three; correct spelling of Mandal to Mandel.
- Page 4, paragraph four, fifth line down; Councilwoman Geevers added after 12 "and stated it is the university's policy to pay 100% tuition for all school age children in the township."
- Page 5, paragraph seven, Mr. Hoberman suggested that the resident be named, viz. Guy Pierson.
- Page 5, paragraph seven, Ms. Appelget said that "no" should be added before "plans" in sentence two.
- Page 5, paragraph seven, Mr. Pankove suggested "gentleman" be replaced with "Mr. Pierson."
- Page 7, paragraph two, Mr. Pankove said that the correct last name for Jerry is Foster.

Motion to approve the January 10, 2018 minutes with changes was made by Mr. Hoberman and seconded by Councilwoman Geevers. Voice vote was taken; all approved.

### **March 28, 2018**

Councilwoman Geevers questioned that seven people voted because she counted eight people present.

Chair O'Brien responded that when you call for an aye or nay vote, the Chair does not vote unless it is to create or break a tie.

- Correct spelling of Mayor's first name in the roll call.
- Page 1, under Affordable Housing, Councilwoman Geevers added "Affordable Housing Committee" after "March 1<sup>st</sup> and before "meeting." She added "third round of affordable housing" after "towns" and before "obligation" in the last sentence on page 1.

Motion to approve the March 28, 2018 minutes with changes was made by Mr. Schectel and seconded by Mr. Huey. Voice vote was taken; all approved.

### **July 11, 2018**

- Page 12 (b) Affordable Housing Committee, Councilwoman Geevers requested that the last sentence in the last paragraph be changed to add "what the standard should be for" after "into."
- Page 13 PRESENTATION, Councilwoman Geevers requested that "project" be changed to "projects" and "is" changed to "are" in the last sentence.
- Page 14, paragraph six, remove "and primal eligible" from the sentence.

- Page 15, paragraph seven, Mr. Pankove pointed out that “Principle” should be “Principal.”
- Page 15, paragraph seven, Mr. Pankove advised that he also asked about the teacher’s work area above the current main office and Mr. Duthie responded that it will remain as is.
- Page 21, Ms. Mandel said “parody” needs to be corrected to “parity” in the last sentence.
- Page 23, paragraph one, Councilwoman Geevers pointed out that period is missing after astronomical.
- Page 23, paragraph six, Councilwoman Geevers thought that K-5 should read K-3 since it refers to Hawk School. Terri Jany reviewed the recording and it should be K-3.

Motion to approve the July 11, 2018 minutes with changes was made by Mr. Pankove and seconded by Ms. Mandel. Voice vote was taken; all approved.

The liaison reports will be done after the application tonight.

**APPLICATION: PB18-01**

Chair O’Brien described the application as a minor sub-division at 6 North Mill Road; Block 19, Lot 40. Property is zoned R-20 District. The deadline to take action is January 4, 2019.

Counsel Muller confirmed that the board has jurisdiction.

Mr. Howard Rabin, Esq. represents the applicant and is joined by Engineer, Tom Harris and the applicant, Ms. Pamela Schnitter.

Mr. Rabin said they are seeking two lots that are suitable for single-family homes. In the proposal the structure at 6 North Mill Road will not be affected and the new lot will be suitable for future development of a single-family home. The proposed structure on the new lot will be fully conforming. Any future development will require building permits, which will be subject to all applicable zoning and building requirements.

The property is bound on the west by North Mill Road and Hendrickson Drive and on the east by some open space including West Windsor Community Park. The property is roughly one acre lots (.907) and in the R-20 District. Minimum required lot size is 20,000 square feet.

The goal is to create two fully conforming lots. Mr. Guzik pointed out that there is an area along the roadway that is subject to a right of way. That area under the right of way cannot be considered for the purpose of lot size.

Mr. Rabin said that the area was included in the proposal to demonstrate that the proposed new lot is 20,000 square feet and has open space to the north and east.

The existing structure is on a lot that is just below 19,450 square feet. This would have required the minimal deviation of variance based on a slightly undersized lot.

If the right of way is not being considered as part of the lot size, then both lots need a variance. The new lot is just below 16,000 square feet and the existing structure is on a lot just below 15,000 square feet. Accepting Mr. Guzik’s condition that the right of way not be included in those lot sizes, it is the applicant’s intention that two variances are needed and applicant is seeking those variances tonight in this application.

We recognize that the burden is on the part of the applicant to demonstrate positive criteria that there is a hardship. The structure was built in the early 1900s and the ordinance has changed since then; so there are

issues in terms of non-compliance both with setback from the roadway and now lot size with regard to both lots. The right of way creates a hardship in terms of compliance with the ordinance; so we think that the applicant can meet the positive criteria of showing hardship in terms of complying with the ordinance.

The applicant does not see any negative impact in terms of density, open space, and there is no traffic impact as this is a fairly quiet street. Applicant is asking for one additional curb cut, which will not have a deleterious effect on public good as far as traffic or access.

In reading the comments and conditions in the report, it is very unlikely that there will be sidewalks on either one of these parcels.

Mr. Rabin said they do not see any negative impact in terms of the variances they are seeking to which Chair O'Brien said the decision on that question will be deferred until the experts on the board are heard.

Counsel Muller referred to Mr. Guzik's memo and wanted to make a clarification on the existing right of way for lot size purposes. Proposed additional driveway capped lot size of 19,000 square feet and proposed dedication is 2,000 square feet. The lot size that will be used is 19,000, not 17,000. The first paragraph of the memo under Minor Subdivision lays out the lot size 17,820 and 16,320 for purposes of this application.

Mr. Hoberman asked why the application is under the jurisdiction of the planning board when it sounds like zoning type issues and was told by Mr. Surtees that the only time the zoning board would have jurisdiction over variance applications is if it is one of the D variances. They are not looking for an FAR variance.

Counsel Muller said to look at it as a density variance. Undersize lots created as minor subdivision are not considered a D variance. The subdivision aspect makes it under jurisdiction of planning board.

Thomas A. Harris Jr. was sworn in. He is a licensed Professional Land Surveyor, and his license is current.

Mr. Harris said the new lot meets all of the set backs for side, rear and front yard. The new lot is a little peculiar in shape and looks like a side line rather than the actual side of the road. The existing lot has been there a long time so there are existing conditions.

Mr. Rabin said that their belief is that the proposed new lot will be fully conforming with the exception of the need for variances for the lot size.

Chair O'Brien said that it appears that they need a front yard variance as well; and Counsel Muller said that, because it is an existing condition, this is not necessary.

Mr. Schectel said with the dedication of the road, the front yard set back becomes smaller.

Mr. Surtees said that in the past, specifically for minor subdivisions, the board has the option to either accept a fee simple dedication or easement over the property. If it is an easement, it will increase the degree of non-conformity for that front yard setback.

Mr. Schectel questioned this. Mr. Surtees said that the board has done this before, and taking the easement allows improvements within that easement. It accomplishes the same purpose, and he wanted the board members to know there are options.

Chair O'Brien said the decision on this matter will be deferred.

Counsel Muller said that we are asking for a dedication and usually don't accept dedication when the initial right of way is necessitated by the development for minor subdivisions. Then we push to say minor subdivision necessitates the dedication. We shouldn't punish the property owner who willingly dedicates land to the township whether it is through fee simple dedication or easement, if it's the result of the applicant's situation as described.

Ms. Mandel asked for a little more detail about the difference in terms of the rights of the township for either one.

Counsel Muller explained that functionally there should not be a difference. It could be that the owner wants to do something in the right of way that is dedicated by an easement, because the owner feels they own it as part of their property and they would not have the right to do this, if it were an easement.

Mr. Schectel feels it is a much cleaner process to take dedication of land.

Mr. Surtees said we must also take into consideration there is existing landscaping within that area dedicated to the town and also several large trees within the right of way that the town would have to maintain. In one of the reports there is a request that the property owner provide money for future sidewalks, if the town was ever to provide them on North Mill Rd. It is up to the planning board to decide if they want to handle that through fee simple dedication or simple easement.

Chair O'Brien said a decision on that particular question will be deferred.

Mr. Burgis was sworn in and highlighted parts of his September 18, 2018 memo. He said we are talking about negative criteria statute, which is a two-fold test. Applicant has to show there is no substantial detriment to the public good and does not substantially impair the intent of the master plan. The master plan designates the site and immediate surrounding area for residential use. It specifically identifies that this designation is designed to reflect 20,000 square foot lots. There is a summary of lot sizes within 200 feet of this site and three of nine lots are less than 20,000 square feet, as are the lots immediately to the south and north. In response to Mr. Hoberman's question, he said all of these lots are in the same zone.

Mr. Burgis said that the information suggests that there will be a substantial impairment to the intent of the plan. The area is characterized by something less than what the master plan and zoning ordinance had contemplated. In terms of the first property, Negative Criteria is a substantial detriment to the public good.

Mr. Burgis said while he agrees with many of the items; he suggests, given the nature of the roadway configuration, the applicant should consider if and when Lot A gets developed that the driveway be on the northern part of the lot.

Also, the Lot Labels on page 3 show the new lots as 5.01 and 5.02, but the tax maps show it as Lot 40. Mr. Burgis said it should be Lot 40.

The FAR calculation on page 3 needs to be clarified. The applicant said they will revise this.

Counsel Muller requested the revised plan be labeled Exhibit A1.

Mr. Burgis said that Mr. Harris has satisfied all of the points that he made.

Mr. Guzik commented that during minor or major subdivisions, existing lot numbers are subdivided into a decimal. Since the existing lot is 40, the new lots will be 40.01 and 40.02. The proposed lot numbers and street addresses will be assigned as a condition of approval during resolution of memorialization.

Mr. Burgis said that the existing dwelling is 2,500 square feet and based on FAR Standards, the largest house that can be developed is a maximum of 2,600 square feet; so it is compatible.

Mr. Burgis said that the calculation on page 4 has been corrected.

In response to Chair O'Brien, Mr. Rabin said that Item K on page 5, pertaining to the existing wood and wire fence in the rear of Lot A, will be addressed upon submission of the application and will remain as they are until approval of the improvements on the new lot.

Mr. Baig pointed out that Item H on page 5, where it reads North Hill Road, should be corrected to North Mill Road in two places.

Ms. Mandel asked if these two separate lots will each be developed under its own rules and can a shortfall in one lot be made up in the other lot and was told that they are two distinct parcels that each stands on its own.

Mr. Burgis responded to Councilwoman Geever's question about the last sentence in the Public Benefits Test paragraph. This is called Positive Criteria, and the applicant can argue either one of those two options, i.e. the physical features that affect the ability to comply or the Public Test Benefits, which the applicant is not obligated to address. Applicant has to choose one, and it appears that the applicant is focusing on the Physical Features Test.

Mr. Burgis said that the Physical Features Test is based on the fact that so many of the lots in the immediate area are below 20,000 square feet and to have one lot at 40,000 square feet would be inconsistent with the overall character of the neighborhood.

Councilwoman Geever's brought up that anytime another house is added, this adds to the number of school children and it is generally more than the taxes that come in on that house. Mr. Burgis replied that the board does not focus on that issue, and it is not favorable to have a lot double the size of all the lots in the neighborhood.

Mr. Guzik was sworn in to comment on his report dated September 19, 2018. First comment is on the right of way situation and required exclusion of right of way area from the lot area calculation. There were opinions on whether right of way should be fee simple dedication or separate easement; and Mr. Guzik's preference is fee dedication to the township, mostly because of the simplicity of it. If the right of way is used for features such as turning lanes, sidewalks, or shoulders that could be handled through easement dedication.

North Mill Road section of this frontage indicates existing right of way of 16 ½ feet and 22 ½ feet for Hendrickson Drive.

Second part of Item 1.01 deals with the classification of this roadway on the master plan as a minor collector in the township circulation element. For that type of roadway, the required right of way width is 60 feet, which is 30 feet from the centerline, and that is obtained through fee simple dedication when possible. Where the existing dwelling is located, requesting 30 feet from the centerline would run through a portion of the property with the existing dwelling. Any proposed dedication or easement would be reduced so the physical structure remains out of that area to prevent problems for the township and current and future property owners. As a result, Mr. Guzik seeks 25 feet from the centerline being sufficient for this purpose, if the board deems that favorable.

Counsel Muller asked Mr. Guzik for his recommendation in which Mr. Guzik responded that he recommends a dedication for the existing right of way as shown on the map which would be 16 ½ feet along North Mill Road and 22 ½ feet along Hendrickson Road. Anything beyond that would be provided as an easement, if the board chooses 25 feet from the centerline.

The intersection is an odd configuration and with the traffic being what it is, he can see a need for intersection improvement in the way that North Mill and Hendrickson meet. There is an odd curve there and whether that is because of the proximity of Route 571 and whether that is a future county related improvement or future township master plan improvement, eventually he sees making some improvements to the intersection.

Mr. Rabin said they will go with the recommendations of Mr. Guzik or the majority and whether it be an easement with fee restrictions or dedication of property or a combination, it will be acceptable to them.

Mr. Guzik said the next few comments deal with minor subdivision checklist items. Item 1.02 talks about provision for portions of the township tax map to be provided and for some of the reasons discussed in Mr. Burgis' report about some of the adjacent properties already being under 20,000 square feet, this information is usually in the plan so it is recommended that this be added.

Next few items are checklist items not applicable for the development and there is no objection to granting the waiver for those requirements.

The next item about landscaping plan will be addressed by Mr. Dobromilsky.

Item 2.01 is about sidewalks. Normally they are required for these developments but there are no sidewalks in this area; so he is recommending a contribution by the applicant for future construction of sidewalks.

Item 2.02 about fencing was addressed. Fencing will remain but is to be removed upon future development of Lot A.

Item 2.03 the storm water management triggers in the land use ordinance don't apply to this project. For the record, it will be documented that storm water management is not required for this project nor for future development of Lot A.

Item 2.04, lot numbers and street address numbers will be assigned as a condition of approval. As previously indicated, the zoning data table references Lot 5.01 and 5.02, and this will be corrected. Also, rear lot line dimensions measure differently than dimensions indicated on the plan and need revision.

Remaining items 2.05, 2.06 and 2.07 are typical comments for minor subdivisions and conditions of approval.

Mr. Guzik agrees that future driveway should be restricted to north half of new Lot A avoiding the street that needs to remain preserved for future developer of Lot A.

Mr. Huey asked if it is possible to have a condition that applicant maintains trees. Mr. Guzik said this property is already indicated as being a right of way for the township or county; and, therefore, township would have responsibility for the trees.

Mr. Huey then asked if the township has to mow the lawn and was told that property owners maintain the lawn areas in the right of way.

Mr. Dobromilsky was sworn in and discussed three points on his September 18, 2018 report. First comment indicates minimal impact on existing vegetation. When plot plan comes in for development of the lot, determine if it is possible to save some of the mature trees on the lot. Single-family houses would be exempt from a tree removal permit requirement. He suggests a condition to review existing trees with the development of the new lot.

Second comment concerning sidewalks has been addressed.

Third, since North Mill Road is a minor collector, no requirement for reverse frontage.

No comments by members of the public; motion was made by Mr. Huey to close the public session and seconded by Mr. Pankove. Roll call vote; motion approved.

Mr. Hoberman said he was concerned with undersized lot but, since there are other undersized lots among conforming lots in this zone, he is fine.

Mr. Schectel commented in reference to the Public Benefits Test that setbacks on the property and contribution to sidewalk fund is a public benefit.

Chair O'Brien would like to propose a condition on applicant that curb cut for driveway on new Lot A should be no more than a specified distance from the northern boundary of new Lot A and it does not feed into any portion of the intersection of North Mill Road and Hendrickson Drive.

Mr. Guzik felt that 65 feet would get past the mature 24-inch diameter trees. What is indicated on the plan is the row line or property line for Lot 5. It is not where the actual road falls. The actual intersection of North Mill Road comes closer to where they are proposing the common property line that is dividing where the edge of the pavement exists.

He is unsure whether the county has any jurisdiction over Hendrickson Drive near Route 571. If the board's view is favorable on this application, he would encourage a discussion between the applicant and county to defer or decide if they are fine with some lesser right of way on Hendrickson Drive; and he will agree with whatever the county deems acceptable.

Mr. Hoberman questioned Mr. Harris on how he got 189.32 feet for the front property of Lot A and was told this was the total of 133 and 56.

Mr. Guzik summarized his proposal one more time to make sure the board is in agreement. As indicated on the existing survey prepared by Mr. Harris, the right of way from the centerline of the front of the property is 16 ½ feet from the centerline on North Mill Road, and along Hendrickson Drive it is 22 ½ feet from the centerline. He recommends that the same area be dedicated to the township as a fee simple right of way, because both roads are a minor collector in the township master plan. The right of way is slightly larger to the left for future improvements; so typically what is recommended in the master plan and township ordinance is right of way width of 30 feet from the centerline. The problem with the 30 feet is the existing dwelling would fall within the 30 feet. On the survey, the existing corners of the building as it exists today are just over 25 feet from the existing centerline; so that is why he is recommending the additional width from the existing right of way to 25 feet from the centerline be the limit for the condition of this application and the additional area be granted as an easement to the township in lieu of dedication.

Mr. Guzik said if some of Hendrickson Drive turns out to be under county jurisdiction, some deferment to Mercer County on the portion of roadway under their jurisdiction should be made.

Mr. Surtees said that while it is not applicable now, he asked Counsel Muller if it should be made a condition of approval that the new lot be required to pay affordable housing share. Any new developer pays a percentage to the Affordable Housing Trust Fund. Payments are 1½% up front, 50% when permit is issued and 50% at time of certificate of occupancy.

Counsel Muller provided summary:

- Two variances for lot size are required and this excludes the existing right of way.
- Third variance for setback is needed if dedication by fee simple and not needed if by easement.
- Three waivers: percolation test, EIS, and landscaping plan.
- Sixty-five foot curb cut from northern property line is a condition.



- Dedication for existing right of way is fee simple and additional dedication by easement with the exception if it turns out that some of Hendrickson Drive is jurisdiction of county; then it is county choice of how much right of way and the form of the right of way.
- Mr. Guzik said no need to make plot plan an additional condition since there is a whole section in the code that talks about issuance of building permits and what has to be indicated on plot plans for new development.
- Not necessary to add affordable housing contribution being imposed on second lot as long as there is a description.

There was more discussion on Item 2.01 Sidewalks and if it is the obligation of the builder of the new lot or up to the homeowners, in which case Mr. Surtees said that the potential homeowner of the new lot would have to be noticed that they have to contribute for the other lot. Prior to the signing of deed by Chairman or board secretary payment of this contribution has to be made.

Mr. Guzik would have to come up with the cost based on linear feet of sidewalk in front of both lots.

Applicant was asked if she understood this; and Mr. Rabin asked what is triggering this obligation and if it will be a condition of this approval regardless if sidewalks will ever be installed. He read in all the reports that it is unlikely that sidewalks will ever be constructed.

Lot B will have that obligation for whatever portion of sidewalk that Mr. Guzik determines should be in front of Ms. Schnitter's house; and that money will have to be paid prior to Chairman or board secretary signing that subdivision creating two lots.

Mr. Hoberman said that there is a conflict in Mr. Dobromilsky's and Mr. Guzik's report concerning the likelihood of sidewalks being constructed.

Mr. Guzik said that there may be a demand for sidewalks on North Mill Road in the future; and even though it may not be in current six year capital plan, it is not unanticipated.

Mr. Guzik estimated the cost based on \$40/linear foot, half of 189 feet equals roughly \$3600. The frontage of Lot A is 133 feet and frontage of Lot B is 148.

Mr. Schectel asked how the building department will know to assess that. Mr. Surtees explained that before the building department accepts a building plan the applicant has to apply for a zoning permit. Mr. Surtees is responsible for making sure proper approvals are gotten and will collect the money at that time. That is the process in the procedure manual; and in the block and lot file there will be a copy of the resolution.

Mr. Rabin said it seems that there will be a dedication of space to the township and now there is an assessment for sidewalk construction ranging about \$6000. He is requesting that this be levied at the time the sidewalk is constructed or the new building permit is issued, whichever comes first.

Mr. Guzik voiced concern about levying it in the future because costs increase and \$6000 will not be enough to yield the full frontage of the property in the future.

Chair O'Brien asked if language can be added to say that the cost will be deferred but the applicable cost for linear foot would be in the calculations and is not based on today's cost.

Mr. Surtees emphasized that the new deed would have to have something in there to alert who ever buys existing home on new lot that they have this obligation.

Councilwoman Gevers asked if this is how it is usually done; and Mr. Surtees said it is not usually done this way.

Mr. Schectel felt that the money should be received up front. He said that is a benefit to do it now, because cost will go up; and Mayor Marathe agreed that levying it when the deed is signed is better because you know the cost.

Mr. Rabin asked if it would be better if levied at time new lot received its' building permit.

Mr. Schectel made a motion to impose the sidewalk fee on the existing structure Lot B and defer collection until zoning permit is sought on new Lot A. Motion seconded by Mr. Baig.

Mr. Pankove asked if we get the money from applicant now, what happens when new sidewalk on North Mill Road gets built in 15 years? Who pays the difference in cost? He was told the township pays the difference.

Roll call vote, motion defeated 5-4.

Ms. Mandel made a motion to defer collection of sidewalk fee on both lots until the new lot files for a zoning permit. Mayor Marathe seconded this motion. Roll call vote 8-1 in favor, motion approved.

A motion was made to approve application PB18-01 by Mayor Marathe and seconded by Mr. Huey. The vote was 9-0 in favor; motion carried.

### **LIAISON REPORTS:**

#### **Environmental Commission**

Ms. Mandel reported that the main thing they are working on is Sustainable New Jersey Rating Review. Finally got the silver rating and will go back before the board to continue or possibly improve that rating.

Discussed pervious parking. Mr. Guzik is open to pervious parking but not on the roads. Next step is to invite Mr. Guzik to talk about current ordinances and how to improve them and what other towns may have.

The Drive Electric Car Show was very successful. Parking Authority is trying to get money to put chargers in for car parking at the train station.

She participated in the food truck festival.

Home composting demonstration and students did a reusable tray project. Looking for ways to continue that program.

If looking to re-do the master plan, let the Environmental Commission know if they can do anything to help.

#### **Affordable Housing**

Councilwoman Geever said they met on September 6, 2018 and continued discussion on re-qualifying tenants for affordable housing. One resident mentioned that when people move up the ladder it is hard to get security deposit back and Mr. Piazza will look into that.

A question came up about Artis Senior Living facility concerning six Medicaid beds and if any have been released yet and what is the schedule.

Mr. Surtees asked if Mr. Piazza approves Medicaid recipients for these beds and Counsel Muller said he does not.

Councilwoman Geever asked how people know there are six beds to which Mr. Surtees replied that it is deed restricted; so when the zoning board approves, part of that approval is Medicaid beds, and we get credit for six whether occupied or not. Councilwoman Geever asked for an update on how far along they are.

A closed session is needed to consider March 28, 2018 closed session minutes. Also, counsel and Mayor want to go into a closed session to talk about another topic.

A motion was made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to go into closed session. Motion approved via voice vote.

The Board came out of closed session.

Motion to approve closed session minutes with changes was made by Mr. Hoberman and seconded by Mr. Schectel. Voice vote, all approved.

Meeting was adjourned by Chair O'Brien at 9:51 pm.

Respectfully submitted,

Terri Jany  
Recording Secretary