

**South Harrison Township
Planning/Zoning Board of Adjustment
January 11, 2010**

Requirements of the "Open Public Meetings Act" were met.

Roll Call: James McCall – present, Gary Spinner – present, Thomas Sorbello – present, Melvin Robertson – present, Marc Nagtegaal – present, Joseph Wille – present, Robert Schenk – present, Joseph Marino – present, Jonathan Roth – present, Stephen Galati – present, Donald Palmucci – present, Gary Thompson, Board Solicitor – present, Robert Hunter – Board Engineer – present, Leah Furey, Planner – present, Celeste Keen, Secretary – present.

Minutes:

Motion to approve the regular and closed session minutes of December 14, 2009 was made by Gary Spinner, second by Joseph Wille. Motion carried.

Roll Call: James McCall – abstain, Gary Spinner – yes, Thomas Sorbello – yes, Melvin Robertson – yes, Marc Nagtegaal – yes, Joseph Wille – yes, Robert Schenk – abstain, Joseph Marino – abstain, Jonathan Roth – yes, Stephen Galati – present, Donald Palmucci – present
R.C.V.: 6 – yes, 0 – no's, 3 – abstentions. Motion carried.

Old Business:

Resolution R-10-05

Resolution for Excluding the Public - Litigation Matters

Motion to adopt resolution R-10-05 was made by Robert Schenk, second by James McCall.

Roll Call: James McCall – yes, Gary Spinner – yes, Thomas Sorbello – yes, Melvin Robertson – yes, Marc Nagtegaal – yes, Joseph Wille – yes, Robert Schenk – yes, Joseph Marino – yes, Jonathan Roth – yes, Stephen Galati – present, Donald Palmucci – present
R.C.V.: 9 – yes, 0 – no's, 0 – abstentions. Motion carried.

James McCall and Gary Spinner stepped down due to conflict.

**Use Variance
008-313-09**

Harrisonville Mobile Home Park

Lori Greenberg, attorney for the applicant, and Peter Brandt, representative for the applicant, appeared before the Board; Mr. Brandt was sworn.

Leah Furey Bruder and Robert Hunter, Board Planner and Engineer respectively, were sworn. Mr. Hunter referenced former Board Engineer, James Spratt's, review letter dated December 2, 2009. Waiver requested for inclusion of a key map/tax map/road map as well as a north arrow on the plan submitted. Item 3 of Mr. Spratt's letter pertains to the submission of a survey. It is at the Board's discretion whether or not a survey is necessary. If deemed not necessary, a waiver would be required. Item 4 pertains to items that would appear on a survey. Applicant advised that a waiver is being requested. Additional items from Bach are in regards to septic system and design.

Motion to deem the application incomplete due to a lack of a current survey was made by Robert Schenk, second by Jonathan Roth.

Roll Call: James McCall – abstain, Gary Spinner – abstain, Thomas Sorbello – yes, Melvin Robertson – yes, Marc Nagtegaal – yes, Joseph Wille – yes, Robert Schenk – yes, Joseph Marino – yes, Jonathan Roth – yes, Stephen Galati – present, Donald Palmucci – present
R.C.V.: 7 – yes’, 0 – no’s, 2 – abstentions. Motion carried.

James McCall and Gary Spinner resumed their seats.

Open Meeting to the Public:

Motion to open the meeting to the public was made by Robert Schenk, second by Thomas Sorbello. Motion carried.

No public present.

Close Meeting to the Public:

Motion to close the meeting to the public was made by Gary Spinner, second by Joseph Marino. Motion carried.

Payment of the Bills:

Motion to approve payment of the bills was made by Joseph Wille, second by Robert Schenk.

Roll Call: James McCall – abstain, Gary Spinner – yes, Thomas Sorbello – yes, Melvin Robertson – yes, Marc Nagtegaal – yes, Joseph Wille – yes, Robert Schenk – yes, Joseph Marino – abstain, Jonathan Roth – yes, Stephen Galati – present, Donald Palmucci – present
R.C.V.: 7 – yes’, 0 – no’s, 2 – abstentions. Motion carried.

Motion to enter into closed session was made by James McCall, second by Jonathan Roth. Motion carried.

The Board entered Closed Session

Motion to return to open session was made by James McCall, second by Robert Schenk. Motion carried.

Leah Bruder advised that she has been working on revising the checklist.

Gary Spinner advised that recent court determinations have made impact fees illegal and recommended that the Board send a letter of recommendation to the Committee to repeal, prospectively, all impact fees.

Motion to repeal impact fee ordinance in prospective was made by Jonathan Roth, second by Joseph Marino. **Motion carried.**

Melvin Robertson inquired if it would be possible to require builders to increase the size of stormwater basins by up to 25% during construction to mitigate water runoff issues. Board professionals to consider and offer their opinions.

Joseph Marino inquired as to who is responsible for water runoff damage to a property when the property responsible for the runoff although constructed has never been issued a certificate of occupancy. Mr. Hunter stated that he would look into the matter.

James McCall advised Ms. Bruder that he has five (5) individuals who are prepared to sit on the newly formed Agricultural Advisory Board. A meeting will be set up to allow Ms. Bruder to familiarize the new members as to the purpose of the Board.

Adjournment:

Motion to adjourn was made by Robert Schenk, second by Jonathan Roth. Motion carried.

Respectfully submitted,

Celeste Keen
Board Secretary

Information

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