

City of Northfield Planning & Zoning Board
1600 Shore Road
Northfield, New Jersey 08225
Telephone (609) 641-2832, ext. 127
Fax (609) 646-7175

Minutes: February 7, 2008

Notice of this meeting had been given in accordance with Chapter 231 Public Law 1975, otherwise known as the Open Public Meetings Act. Notice of this meeting has been given to The Press, posted on the bulletin board in City Hall, and filed with the City Clerk, stating the date, time and place of the meeting and the agenda to the extent known.

The regular meeting of the Northfield Planning & Zoning Board, held on Thursday, February 7, 2008 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:28 p.m. and the following members were present:

Dr. Richard Levitt-Chairman
Clem Scharff-Vice Chairman
Mayor Vincent Mazzeo
Jason O'Grady, Councilman
Chief Robert James
Lou Milone
John Clifford
Ron Roegiers
Henry Notaro
Pete DaPrato
Jim Shippen-absent

Norman Zlotnick Esq., Solicitor
Matt Doran, PE-Engineer

After a reading of the Sunshine Law and the roll call, a new Board member was sworn in by Mayor Vince Mazzeo. The Mayor read the Oath of Office to Ms. Linda Dyrek who will be filling the unexpired vacated seat of Pete DaPrato who resigned January 28, 2008. She joined the Board on the dais and was welcomed by Chairman Levitt.

There are three applications on the agenda this evening. The first application is from Lynn and Thomas Fitzpatrick who are seeking a "D" use variance to operate a self-service Pet Washing Business at 331 Tilton Road, Block 17, Lots 7 & 9 in the Tilton Shopping Center, specifically Building 3D, Unit 1 which is located in the RC (Regional Commercial) zone. There are no proposed changes to the site. The attorney for the applicants is John M. Sommers, Esq. of Northfield. Ms. Lynn Fitzpatrick was sworn in by Dr. Levitt.

Mr. Sommers described the zone and the business and noted this type of business will cater to pet owners who want to avoid the mess of bathing at home. Ms. Fitzpatrick testified that the closest pet washing businesses are located in Fort Washington, Pennsylvania and Annapolis, Maryland. She feels it is time for South Jersey to have this type of business. The pets will be leashed at all times and all animals will be accommodated within the building. There will be seating areas and the hours of operation will be 8 a.m. to 8 p.m. Ms. Fitzpatrick said that the business is not a grooming facility. She intends to sell specialty pet items and will employ five to 10 people with two to three employees per shift. Five photographs (Exhibits A-1 to A-5) were submitted and described by Mr. Sommers. There are two photos of the shopping center and three photos of the vacant end unit which the Fitzpatrick's want to occupy. Dr. Levitt confirmed that the owner does the pet washing. Ms. Fitzpatrick described the unit as 800 sq. ft. and the parking lot has ample parking and lighting. Neither will have to be changed. The unit is an end unit and previously was occupied by a cobbler. She assured the Board that the business will be clean and well kept and the employees will be vigilant about cleanliness. Ms. Fitzpatrick described the types of products that will be sold as shampoos, sprays, dog mouthwash, and products to groom pets and prevent shedding. Mr. Sommers described copies of photos that were provided with the application which show examples of the type of setup for the tub areas. Dr. Levitt commented that this is a unique concept. Ms. Fitzpatrick said the business is very popular in California and that her and her husband traveled to Maryland and Pennsylvania to view the actual businesses. She added that customers pay according to the size of the dog based on weight and that there will be three weight classes.

Mr. Clifford asked about the proximity of the unit to Tilton Road. Ms. Fitzpatrick described exactly where the unit was located. It is located in the same strip as Phat Steaks at the very end going toward Tilton Road. Mr. Clifford expressed concerns with safety issues should the dogs break loose and he asked about vaccines. Ms. Fitzpatrick answered that the business would expect, but not demand that pets be up to date on vaccines since the owners themselves would be handling the animals not the employees. Dogs will be leashed to the tubs while being bathed and crates will also be provided and available for use for pets that are not leashed in the tubs. She added that the process is a fun-filled, family- activity. Mr. O'Grady expressed concerns and agreed with Mr. Clifford

since the business will be located a few hundred feet from Tilton Road. Dr. Levitt asked Ms. Fitzpatrick to provide a sign stating that pets must be leashed. Ms. Fitzpatrick agreed and said that the corner unit is ideal for parking and for getting pets in and out of the unit and she is excited about the location. Dr. Levitt said that an appropriate dimension for the permitted sign should be a 2 ft. sq. sign. Mr. Scharff added that there is a leash ordinance within the City. Mr. Roegiers asked about muzzling dogs since any dog can bite. Dr. Levitt felt this may not be reasonable since most people do not own muzzles. Ms. Fitzpatrick added that her employees will be pet savvy and will be able to deal with any problems. She will have six bathing tubs available and they will be able to manage any situation.

Dr. Levitt opened the session to the public and seeing no one, closed the public session.

Mr. Sommers summarized with special reasons. He said the site is well-suited for this type of business and is not in a residential section. The type of business is not inconsistent with permitted uses in the district and a professional service will be provided. The use is consistent with the zoning use (commercial, retail shopping center) and there is plenty of parking and the store is self-contained. Dr. Levitt asked if there was anything negative pertaining to the operation of this business and Mr. Sommers answered that there is nothing negative.

Mr. Zlotnick reviewed positive and negative use and criteria and the law for the new Board members and said the Board has power for special reasons to permit a use in a district that is not specifically listed in the zoning ordinance. The use is not necessarily prohibited because it is not in the ordinance. Dr. Levitt continued by adding that the RC zone contains the most intense types of uses and that when the ordinance was written, this type of use wasn't considered at the time. Mr. Scharff added that this business type has a family recreational component. Mr. Milone said that he feels the location is a good one. Dr. Levitt asked if cats would be bathed at the facility as well as dogs. Ms. Fitzpatrick answered yes; the business is a 'pet' wash.

Mr. Doran referred to his Engineer's report. He stated that the applicant must prove that the granting of this variance will not be inconsistent with the intent and purpose of the Master Plan and Zoning Ordinance. The new Master Plan will hopefully be adopted at the next meeting and a recommendation will be that SIC codes not be used and that more general types of uses be allowed. This type of application will fit into that category and may not even be a use variance in two to three months since the definition of what is allowed will be more broad-based.

Dr. Levitt asked for a motion. Mr. Scharff made the motion for a use variance to permit a self-service dog wash as described with the condition that a 2 ft. x 2 ft.

sign be placed in the window notifying patrons about leashing both in the parking lot and within the building. Mr. Milone seconded the motion. Mayor Mazzeo and Mr. O'Grady abstained since they are elected officials and are not able to vote on use variances. The eight other members present voted unanimously for approval by roll call vote.

The second application was from Richard Simon, Trustee, Block 41, Lots 15 & 21.02, commonly known as 407 Northfield Avenue & 1337 Tilton Road. The applicant was represented by Keith Davis, Esq. of Nehmad, Perillo & Davis of Somers Point. Mr. Davis gave the logistics of the project. The applicant wants to construct one free standing sign 18 sq. ft. and 12 ft. high on Northfield Avenue. They are currently rehabbing the two-story office building on Tilton Road. There are two lots. One fronts on Northfield Avenue and the building fronts on Tilton Road. The main parking lot is on Northfield Avenue. The applicant wants to adequately identify the parking area for safety reasons. The building is located between Swift Law Firm and Mark Sykes Realty in the O-PB zone.

Mr. Craig Hurless, an Engineer and Planner for 8 years, was qualified as a witness. He is employed by Polistina & Associates, LLC of Egg Harbor Township. Mr. Hurless and Jake Simon were sworn in by Chairman Levitt. Mr. Hurless prepared the sign plan. The site is one acre on an irregularly-shaped lot and the office building is 11,800 sq. ft. Most of the parking fronts on Northfield Avenue and there are six spaces on Tilton Road. He described the sign and said it complies with signs in the OP zone. Mr. Hurless said the address will not be on the sign as shown in the photograph (Exhibit A-2; Exhibit A-1 being the Plan for the sign) since the address is on Tilton Road and the sign will be on Northfield Avenue. They would like to have the name of the future development (depending on the main tenant) and put this on the stucco sign. The sign will be illuminated and the base is stucco and is architecturally pleasing.

Mr. Davis stated that front and side yard setbacks are needed. The front setback is required to be 15 ft. and 6.5 ft. is proposed. The side setback is also required to be 15 ft. and 2.5 ft. is proposed. There is also a variance request for the sign itself since free-standing signs are not allowed in the O-PB zone, but there exists criteria for signs in the OP zone. Mr. Davis and Mr. Hurless discussed the criteria for C1 and C2 variances and the justification for approving the variances. C1 variances are justified due to exceptional shape of the property which creates peculiar difficulties and Mr. Hurless agreed that this was the case due to the L-shape of the lot. When traveling down Northfield Avenue, it is unclear which lot is to be used for their building. The building and lot are not visually connected and it is difficult to associate the building with the lot. C2 variance criteria involve the advancement of the Land Use Laws and that there will be no detriment due to the project. Mr. Hurless explained that the project involves good civic design and the sign design is in keeping with the ordinance. Mr. Hurless also agreed

that the site is appropriate for the building and he agreed that there is no negative impact on the public good; the project provides clear sight and there is no drainage issue or lighting problems.

Dr. Levitt asked for further description of the sign. Mr. Simon said the stucco on the sign will match the building. Mr. Hurless said the signage is inset into the stucco. Dr. Levitt expressed concern that the sign resembles a big monument at the base and seems excessive for Northfield Avenue. Mr. Simon explained that the location of the parking lot is the reason they need the sign. He is afraid people will park in other business lots or in Sigano's vacant lot. Future tenants are afraid their clients will get lost locating the parking lot. Mr. Davis stressed that this area of Northfield Avenue is more commercially oriented. Dr. Levitt asked what is located on Lot 14. Mr. Simon said Sigano's owns that lot and has trailers parked there. He added that a person could easily miss the parking lot traveling on Northfield Avenue.

Dr. Levitt asked about the sign lighting. He felt backlit signs can be glaring and asked if it was possible to do without the backlighting. Mayor Mazzeo expressed concern that the light would be on all night and asked about timers. Mr. Simon suggested floodlights as an alternative instead of the face being lit. Mr. Davis considered making this a condition of approval and offered to work with Mr. Doran. Mr. Davis said the hour's preference for lighting would be 24 hours. Mr. Roegiers compared the size of the sign to an average door at 18 sq. ft. and 12 ft. high. Mr. Scharff commented that not all backlighting is glaring. Mr. Davis offered to dim the lighting in off hours. Mr. Davis continued saying the sign is a modern sign and they do not want an antiquated sign. They can install timer devices, but they want full use of the sign. Dr. Levitt reminded that they are not proposing a sign for advertising and that this sign is for identification of the parking area. Mr. Hurless offered downward lighting using only one light. Mr. Scharff commented that they are now taking a modern sign and putting it back into the 1940's with a sign with a light on top. He agreed that the sign needs to blend in with the neighborhood and has no problems with the design as long as the lighting is not overly bright. He also noted that we do not have a design criteria in the Ordinance as of yet. Mr. Simon stressed that the advertising is on Tilton Road.

Mr. Doran read his Engineer's report and addressed issues not already discussed. He noted that one free standing sign is allowed for 300 ft. of frontage and they are proposing two. He also noted that this property has two road frontages. He also noted that the setback requirement from a residential zone is 50 ft. and they are proposing 25 ft. to the center of Northfield Avenue. Dr. Levitt added 3 ft. is also required at the bottom of any free standing sign. Mr. Davis interjected that this is a unique design and setting it off the ground would not be aesthetically pleasing. Mr. Clifford commented that he has concerns that a car could be

parked within two feet of the sign and the sign could possibly fall on a parked car. Mr. Davis said his client would provide an adequate concrete barrier. Mr. Clifford also proposed a question about the square footage of the sign. Mr. Hurless said the square footage, including the base, would be less than 50 sq. ft. Mr. Davis added that the name of the building will be on the base of the sign and the main tenant's name would be on the upper top-lighted portion of the sign. Mr. Hurless said the square footage of wording on the base of the sign dedicated to the office building name would be 6 sq. ft. Mr. Simon added that they may name the building for a tenant they are negotiating with and will use ground up lighting if the Board prefers. Mr. Davis asked the Board to clarify its desire for the lighting since the applicant submitted plans for an internally lit sign and the Board has discussed both top lighting and ground lighting. Dr. Levitt said this would be discussed and clarified.

At this time, Dr. Levitt opened the public session. Mr. Pat McGowan was sworn in. He resides at 2005 Shore Road in Northfield and is the president of a neighborhood group called The Committee for a City of Homes whose focus is to keep commercial properties out of residential zones. Mr. Davis told Mr. McGowan that they are not located in a residential zone. Dr. Levitt said the residential zone is across the street. Mr. McGowan asked that if the business were to close at 5:00 p.m., why does the sign have to stay lit after that time? Mr. Davis answered that some businesses stay open later than 5:00 p.m. and in the winter, it gets dark early. They want the lot to be able to be safely accessed with the sign being lit. Mr. McGowan asked how far back from Tilton Road and was told by Mr. Hurless 300 ft. Mr. McGowan commented that the sign should be on Tilton Road. Mr. Davis said they gave testimony as to why the sign is needed on Northfield Avenue. Seeing that no one else from the public wished to speak on this application, Dr. Levitt closed the public session.

Dr. Levitt asked the Board for comments. Mr. Roegiers has no problem with the sign being lit since it is a safety factor, but questioned why it has to be lit late in the evening and that it then becomes a sign for advertising. Mr. Davis commented that his client would agree to turn off the light at 11 p.m. Mr. Roegiers stated that the challenge is how to light the sign. Dr. Levitt questioned the signage on the base and has concerns that it is across the street from a residential zone. He agrees with a small light shining upward and also a light on top shining downward as long as it is soft lighting. Mayor Mazzeo said that the building is beautiful and the lot will be lighted anyway. He suggested possibly the lighting may be strong enough to eliminate more lighting. Dr. Levitt said some directional bulbs will be necessary. Mayor Mazzeo added that the area is not as residential as it once was and he likes the direction the area is going. Dr. Levitt added that he prefers professional office signs off Tilton Road to be less intense and softened with indirect lighting. Ms. Dyrek asked what the purpose of the lighting is between the hours of 6:00 p.m. and 11:00 p.m. Mr. Simon answered

that certain Law Offices can keep hours until 10:00 p.m. or later and he cannot dictate what time the professional offices can be open since they are not retail stores. Mr. Clifford asked if the later night parking could be on Tilton Road. Mr. Simon said that the main entrance to the building is off the parking lot on Northfield Avenue. Mr. Davis said his client would rather encourage parking in the Northfield Avenue lot. Mr. Clifford commented that he thinks 8:00 p.m. for bright lighting and 11:00 p.m. for soft lighting is acceptable. Mr. Davis clarified the lighting for the sign as a down lit sign in lieu of an illuminated sign. There will be down lighting onto the signage and smaller up lit lighting directional on the base of the sign. He added that his client wants to be a good neighbor and blend in with Northfield Avenue recognizing its character. Dr. Levitt added that any glare from the sign cannot interfere with driver's eyes while driving on Northfield Avenue. Mr. Zlotnick clarified the variances with Mr. Doran's report. There are four "C" variances: front yard, side yard, setback to residential, and a variance for the sign itself. Dr. Levitt added that he has concerns about pedestal type signs in that as tenants are added to the building, the sign will contain verbiage from top to bottom. Mr. Simon said that one tenant is taking up 2/3 of the building. Mr. Scharff agreed with the Chairman using Sigano's sign as an example. Mr. Davis said the signage will be only 6 sq. ft. and Mr. Simon added that the reason for the height of the sign at 12 ft. is due to the trees on the corner property being large.

Dr. Levitt summarized the variances. There will be a waiver for the required 3 ft. open design at the base of the sign. The variances include front yard setback of 6.5 ft., side yard setback of 2.5 ft., setback to the residential zone at 25 ft. to the center of Northfield Avenue, a variance for the free standing sign itself, the conditions include a concrete parking bumper at the first parking stall, the lighting will be indirect and not generate excessive glare, the lighting will be turned off after 11:00 p.m. Also, the sign will be lit to the degree that it is discernable at night and people will be able to see it. There will be no more than 6 sq. ft. of signage on the pedestal and no more than 18 sq. ft. on the raised portion. Chief James made the motion and Mr. Roegiers seconded. All present members voted in favor of the variances with Mr. Clifford not casting a vote as second alternate with nine members voting.

The 3rd application of the evening was from Michael Ahearn, Esq. Chuck Endicott, PE with Polistina Associates of Egg Harbor Township was sworn in. The property is located at 2712 Shore Road, Block 153, Lot 1 and the application is for a "D" Use variance and minor site plan. Mr. Ahearn explained the project. He is seeking approval to allow a Professional Law Office in a residential zone, to add a parking lot off East Vernon Avenue and a small free standing sign. He described his practice as being worker's compensation related and Police administration hearings. He is not asking for his sign to be lit. Mr. Ahearn produced an exhibit of photographs showing area businesses surrounding the property in question.

There is a Methodist Church, Coastal Design, Palombo's Med-Rite Pharmacy, and Law Firm, a CPA Office that is for sale and an Attorney's Office on the corner of Revere Avenue.

Mr. Ahearn testified that the area has changed from residential to offices. His entrance will be from the parking lot in the rear. He stated he does not have a lot of clients as pertains to the type of law he practices and he expects to have one other Attorney working with him and one secretary that they will share. He doesn't believe the business will generate a lot of traffic. There is a separate garage on the property that needs to be demolished. There is no driveway and any new tenant would have to install a driveway. He wants to add a berm and river stones to make the rear aesthetically pleasing. The building is a 1600 sq. ft, two-story structure with a basement. The basement will not be used for file storage. He expects the business to be low-key.

Mr. Ahearn described the sign as being gold leaf with a navy or green background with lettering stating Law Offices, the attorney names, address, and telephone number.

Mr. Ahearn began to describe the positive and negative criteria. There are many professional offices in that area as described and he would be increasing the value of the property. The home is dated and falling apart and he intends to clean it up and improve it with landscaping. The parking lot will provide safety and the business won't be detrimental to the neighbors due to the type of law practiced.

Mr. Doran began reading his Engineer's report concerning the site plan portion which is on file with the application. There was a discussion concerning fencing. There is a 6 ft. existing fence which belongs to the neighbors and a 3 ft. fence. Mr. Ahearn would like to add river stones, ornamental grasses and a berm instead of fencing. He feels this would be prettier and would give the property more of a 'shore-feel'. He wants to keep the property residential-looking. Mr. Doran continued reading his letter in reference to the bulk variances. Mr. Ahearn discussed tree removal. There is a scrub pine and a dead ivy tree which he would like to remove and there are two trees that his neighbor would like to see him remove so that he would have more space near his driveway. He also commented that he went before the Atlantic County Board and received Conditional land development approval. Mr. Doran continued reading his report review comments and said the 8 parking spaces comply with a 1600 sq. structure.

At this point, Dr. Levitt commented that since there are many site plan issues, the Board should deal with the use variance first.

Dr. Levitt opened the public session. Frances Goodwin, who resides across the street at 4 E. Vernon Avenue, stated that the street is small and narrow and she cannot believe the Board would consider offices on the corners of the streets in this area. She thinks the Accounting office is for sale due to lack of parking. She thinks the street is very busy and there are a lot of younger people moving in. Also, Carol Drive uses Vernon Avenue as an outlet. She has concerns about where cars will be parked. She understands the house does need repair, but is concerned about the increase in traffic. She feels that two professional offices at the end of the street will increase traffic too much. She stated that she has lived in the area for a long time. She thinks the parking lot will be at her front door. Mr. Ahearn responded that he wants to plant grasses rather than install a fence and feels this will better hide the parking lot. He also said that his practice will not increase traffic since he only sees a few clients a week and his practice is small. Dr. Levitt reminded the members of the Board that a variance granted stays with the property. Mr. Ahearn stated that if approved, he expects to be at the property for a long time.

Pat McGowan spoke next. He stated that his group's purpose is to keep business out of residential neighborhoods as stated during the previous application. He questioned the client base for two attorneys and feels that two attorneys mean two businesses. Mr. Ahearn stated that the other attorney has a similar practice. Mr. McGowan asked if Mr. Ahearn has already purchased the house and Mr. Ahearn answered that it is under contract subject to Board approval and he reminded that the County has already approved it. Mr. McGowan said there are already traffic flow problems at Central and Oakcrest Avenues. Mr. Endicott said that Mr. Ahearn is not proposing any changes to the structure. Mr. McGowan had concerns that there are not proper setbacks and sees many things wrong with this project. Dr. Levitt stated that applicants have every right to apply for a variance before the Board and Mr. McGowan asked the Board not consider it. Mrs. Goodwin said she has a letter from a neighbor and Dr. Levitt told her that the Board cannot accept personal comments from someone who is not at the meeting. Mr. McGowan finished by stating that he has concerns about the neighbor removing his fence. Dr. Levitt closed the public session seeing that no one else wished to speak.

Dr. Levitt suggested that the Board discuss the use variance. Mr. Zlotnick discussed the differences between positive and negative criteria in comparison with the first application. In the first application, the Dog Wash was not provided for in the Ordinance whereas, with this application, the use is specifically prohibited. This is not allowed since it is a commercial use in a residential zone. This is a burden the applicant has to meet. Dr. Levitt said that since this is a residential zone, office professional use is not permitted and he noted that a provision exists in the Master Plan (#16) and the goal is to maintain Shore Road in a residential manner.

Dr. Levitt asked that the applicant address the positive and negative criteria. Mr. Endicott explained that there are several reasons for which a Board can grant a use variance. He feels this application falls into two of the positive criteria provisions granting a use variance. The first is he believes the site is well suited for commercial use. The neighborhood has become more suited for business along Shore Road and he feels Shore Road has transformed and become more commercial. Shore Road is a high traffic County Road and is no longer conducive to residential uses anymore. Mr. Endicott said the proof of positive criteria is that Shore Road is now a corridor for commercial uses. The other positive criteria provision is Letter D from Mr. Doran's report which involves development not conflicting with the general welfare of neighboring municipalities, communities, regions and to preserve the environment. Mr. Endicott said that it is not correct to say that this area is better suited for residential or to call it just residential. The house in question has been listed on the market for seven years and has not sold. It is Mr. Endicott's opinion that it is not the best area for residential purposes. The only negative criteria is that they will be taking a residential building off the residential tax rolls. He believes the positive far outweighs the negative.

Mr. Zlotnick asked Mr. Endicott to demonstrate that the project will not be a substantial detriment to the public good and will not be a substantial detriment to the purposes of the zoning ordinance in the City of Northfield. Mr. Endicott answered that granting the variance will not be detrimental to the zone. The business will have limited hours and will not be an intense business. The business will be no more intense than if it remained residential and there will be no substantial increase in traffic. Dr. Levitt agreed that the area has been changing to commercial and added that there have been no uses granted for 25 years. He said if the business was well suited, it would be more conforming with buffers, setback requirements, etc. Dr. Levitt did not agree with Mr. Endicott's interpretation and referred to the Master Plan and the discouragement of more commercial development on Shore Road. Mayor Mazzeo asked Mr. Doran if the project would require a road opening permit. Mr. Doran answered it would be required only if the driveway was widened. Mr. Endicott said they would like to leave the driveway opening as it is at 18 ft. wide since he feels that this is adequate for the eight parking spaces. The Mayor said that Shore Road is now a brand new road which has a five year moratorium to open the road and would need to come before Council for approvals. He also added that even though he cannot vote on the use variance, he believes in maintaining the residential character of the corridor. He also has spoken to neighbors who have complained about the amount of traffic. Dr. Levitt added that even though there are commercial properties across the street, it is adjacent to residential properties and also surrounded by residential homes. Mr. Ahearn added that the property will not be noticeable as a business and he intends to have a small tasteful office. He said it will not be noticeable at all at night. Mr. Endicott added that

they have presented the positive and negative criteria and the property is well suited for business. The existing property is in need of repair and is in disarray and he feels the impact to surrounding properties will be minimal. Mr. Ahearn said if someone were to buy the property and keep it residential, they would need to install a driveway and tear down the garage. He also noted that there is a bathroom in the kitchen, which is not desirable for residential purposes. Mr. Endicott stressed to the Board to consider this application on an individual basis and he said the use is appropriate for this location.

Dr. Levitt added that the use variance is for professional office use only and must be non-medical due to the number of parking spaces. Mr. Roegiers made the motion for the use variance and Mr. Scharff seconded. Dr. Levitt commented that he agrees that the property is in need of renovation, but due to the Land Use purpose, he does not think positive and negative criteria issues have been met. Mayor Mazzeo and Councilman O'Grady abstained from the vote since they are elected officials. The remaining members present voted no for the use variance. Mr. Scharff voted for approval. The hearing did not proceed for the site plan portion of the application.

Dr. Levitt addressed a letter from Mr. Doran requesting that the Planning Board draft a letter endorsing \$300,000 for improvements at Birch Grove and \$100,000 to construct an addition to the Football building. Mr. Doran referred to a development application last year involving property on Oak Avenue that the City was looking to purchase from open space funds. The Birch Grove project is looking to acquire similar funds and Mr. Doran is asking all groups within the city to write letters of endorsement. Mr. Scharff added that he is a member of the Parks and Recreation Board and reported that the former ranger house is currently being utilized as a snack bar, etc. and they really need new facilities where they can meet and operate at the park. A voice vote of all members present unanimously favored endorsing the project. Mr. Doran will get a draft of the letter to the Secretary to type.

Dr. Levitt requested that City Council take another look at the tree ordinance.

There were no resolutions to memorialize this evening.

The meeting was closed at 9:46 p.m. with a motion from Mr. Clifford and a second from Mr. Roegiers.

Respectfully submitted,

Robin Atlas, Secretary to the Board

