

MINUTES OF THE PLANNING AND ZONING BOARD
PUBLIC HEARING/REGULAR MEETING

CITY OF DELRAY BEACH
DELRAY BEACH, FLORIDA

MEETING DATE: November 21, 2011

LOCATION: CITY COMMISSION CHAMBERS

MEMBERS PRESENT: Mark Krall, Cary Glickstein, Craig Spodak, Al Jacquet, Clifford Durden, Connor Lynch, and Gerry Franciosa

MEMBERS ABSENT:

STAFF PRESENT: Mark McDonnell, Terrill Pyburn, and Denise Valek

I. CALL TO ORDER:

The meeting was called to order by Chairman Glickstein at 6:05 p.m. Upon roll call it was determined that a quorum was present.

II. MINUTES

Motion made by Mr. Lynch, seconded by Mr. Durden and approved 7 to 0 to approve the Minutes of October 17, 2011 with the following correction: Courtesy Notices Item IV.C. and IV. D. Progressive Residents of Delray (PROD) has been replaced with The Delray Citizen's Coalition.

III. COMMENTS FROM THE PUBLIC: None

IV. LAND USE ITEMS

- A. City-initiated amendment to Land Development Regulations (LDR) Section 4.4.9, "General Commercial (GC) District", Subsection (G), "Supplemental District Regulations", Sub-subsection (3), "Four Corners Overlay District", to correct outdated references.

Mr. McDonnell entered the project file into the record.

Periodically, during review of the Land Development Regulations, it is discovered that the LDR text amendments were processed which changed section numbers, but corresponding references to those Sections elsewhere in the code were not amended.

The permitted, accessory and conditional uses allowed within the Four Corners Overlay District are specified within the "Supplemental District Regulations" section of the General Commercial (GC) District through references to specific uses (by number) in the Permitted, Accessory and Conditional Use sections of the District. Earlier this year, there was a change in the numbering of the uses listed within the "Conditional Uses and Structures Allowed" Section, which made the references used for the Four Corners Overlay District incorrect. The proposed amendment corrects these references.

Public Comments: None

Motion:

Motion made by Mr. Jacquet, seconded by Mr. Lynch, and approved 7 to 0 to move a recommendation of approval to the City Commission approval of the amendment to Land Development Regulations Section 4.4.9, "General Commercial (GC) District", Subsection (D), "Supplemental District Regulations", Sub-Subsection (3), "Four Corners Overlay District", to correct outdated references therein, by adopting the findings of fact and law contained in the staff report, and finding that the text amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).

- B. City-initiated amendment to the Land Development Regulations (LDRs) Sections 4.4.6 "Medium Density Residential (RM) District", 4.4.9 "General Commercial (GC) district", 4.4.12 Planned Commercial (PC) District, 4.4.13 "Central Business (CBD) District" and Section 4.4.28 Central Business District Railroad Corridor, in order to provide that Assisted Living Facilities will be allowed in the same manner as multiple family residential developments with respect to the number of units and density.

Mr. McDonnell entered the project file into the record.

The item before the Board is to make a recommendation to the City Commission regarding a City-initiated amendment to the Land Development Regulations pertaining to Assisted Living Facilities.

Pursuant to Section 1.1.6, an amendment to the text of the Land Development Regulations may not be made until a recommendation is obtained from the Planning and Zoning Board.

On April 15, 2008, the City Commission adopted Ordinance 20-08, pertaining to Assisted Living Facilities (ALF) and Continuing Care Facilities to comport with State Statues and achieve compliance with the Federal Fair Housing Law. The Ordinance added Assisted Living Facilities and Continuing Care Facilities to certain zoning districts in the same manner in which multiple-family residential uses were allowed within those districts.

In order to achieve compliance with State Laws, a subsequent LDR text amendment was adopted by the City Commission on January 19, 2010 (Ordinance 01-10). This amendment allowed assisted living facilities to be accommodated similarly (with respect to the number of residents and units) to either single family, duplex, or multi-family uses in the zoning districts in which those uses were allowed.

It was subsequently discovered that assisted living facilities were not accommodated in the same manner as other multi-family residential uses under two certain situations where special regulations allowed increased densities and in certain overlay districts where residential uses are permitted. Under the proposed ordinance, additional provisions are made to allow assisted living facilities where increased densities are permitted through the conditional use provisions and within certain overlay districts which allows residential uses.

Review by Others:

- The Pineapple Grove Main Street committee reviewed the amendment at their November 2, 2011 meeting and recommended approval.

- The Downtown Development Authority (DDA) reviewed the amendment at their November 15, 2011 meeting and recommended approval.
- The West Atlantic Redevelopment Coalition (WARC) reviewed the amendment at their November 15, 2011 meeting and recommended approval.
- The Community Redevelopment Agency (CRA) reviewed the amendment at their November 10, 2011 meeting and recommended approval.

Courtesy Notices:

Courtesy notices were provided to the following homeowner and civic associations:

- Neighborhood Advisory Council
- Delray Citizen's Coalition

Public Comments: None

Mr. Durden inquired about the excess of 30 units per acre on NE 2nd Street. Mr. Glickstein inquired did we list ALFs in that category. We must allow ALF density. We cannot treat them differently. Mr. McDonnell advised they were not listed as a conditional use with density in excess of 30 units. Mr. Franciosa inquired what is the benefit to the City. Mr. McDonnell advised it brings us into compliance with State statutes. If we allow multiple-family at 12 units/acre we have to allow it for ALFs. Ms. Pyburn advised this ordinance will bring us into compliance with Federal housing laws. The law changed a couple of years ago. We realized in certain zoning districts where we allowed it we had to include the ALF areas as well. Once you increase the density for multiple-family we had to change the ordinance.

Mr. Lynch advised it does not many any sense to include the ALFs. Mr. Franciosa advised you are passing this amendment to give Delray the ability to open ALFs. The State law is 30 units/acre.

Mr. McDonnell advised we have to give the ALFs the same consideration as the multiple-family units. Ms. Pyburn advised the inquiry (5th Avenue at Delray) by this facility brought the oversight to our attention. They made the inquiry and we realized we were not in compliance.

Mr. Franciosa advised if this doesn't pass we are in violation of Federal law. Mr. Lynch advised that would supersede the LDRs as it is a technicality. Ms. Pyburn advised this is a housekeeping matter. Mr. Jacquet advised this sounds like housekeeping to me.

Motion:

Motion made by Dr. Spodak, seconded by Mr. Jacquet, and approved 6 to 1 (Mr. Franciosa dissented) to move a recommendation of approval to the City Commission for a city-initiated amendment to Land Development Regulations as reflected in the attached Ordinance, by adopting the findings of fact and law contained in the Staff Report and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M)(5).

- C. City-initiated amendment to the Land Development Regulations (LDRs) by amending Section 4.3.3, "Special Requirements for Specific Uses"; by enacting a new Subsection 4.3.3(AAAA), to prohibit Simulated Gambling Devices and enacting a new definition for the same.
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Mr. McDonnell entered the project file into the record.

The businesses that utilize these simulated gambling devices are known by several names including Cyber cafes, Sweepstake cafes, or Internet cafes. These businesses can range from storefront locations which install fold out tables, add a few decorations and put out laptop computers with internet access to much larger facilities that install many computers, big screen TVs and have sitting and snack areas.

These facilities sell internet access or telephone cards which allow customers to enter a sweepstakes system on computers at the business. Customers then enter games where they can win cash prizes. This circumvents the current gambling laws, because the purchase of computer time or phone cards to enter sweepstakes on a gaming web site is technically not paying to play a game to win money. After players "buy time", they can win credits in various online sweepstakes that can then be transferred back to cash.

These cafes differ from regular internet cafes which charge a fee for computer use and are usually associated with the sale of drinks and snacks, but do not offer or promote sweepstakes as their primary business. They also differ from "adult gaming facilities", which are allowed in certain zoning districts as a conditional use in the following way: Cyber cafes, Sweepstake cafes, or Internet cafes utilize web based games connected with sweepstake winnings with significantly higher payouts than adult gaming facilities, where the maximum retail value of individual prizes is limited to 75 cents per game and no cash awards, gift certificates, gift cards, credit cards or other cash substitutes are allowed.

The Cyber cafes have cropped up in other parts of the State. Lake County, and Orange County had serious issues. We have received zoning verification requests and we have denied them. This is for the safety of Delray Beach.

Courtesy Notices:

Courtesy notices were provided to the following homeowner and civic associations:

- Neighborhood Advisory Council
- Citizens Coalition
- Chamber of Commerce Progressive Residents of Delray (PROD)

Public Comments: None

Mr. Jacquet advised his concern is the gaming issue because we have had it piecemeal they are making it across the Board for a system how we handle gambling. Cyber cafes and pari-mutuels have been a big part. How is this State law going to affect what we are doing now? It is in the Legislature now. I need clarification when the current bill passes and becomes law. Should we sit until the State does their thing? Ms. Pyburn advised this is a reaction from the City Commission and City Manager. There may be a bill pending now but it depends on the language whether it affects this ordinance. It may overturn this ordinance. If that is not what occurs we will have to take a look at the bill once it is passed. We got direction from the City Commission and City Manager.

Mr. Jacquet advised it is not gambling as money is not involved. My concern remains the same. If we pass this ordinance and the State legislature passes the bill, isn't this a waste of time. Session starts in January and ends in March. Is it a waste of time for us knowing this? It is a moot point. If it doesn't pass, we need some sort of ability to block

these things coming into Delray Beach. The issue is timing, why right now? Ms. Pyburn advised she knows there has been an issue with a particular facility. There was a Federal court case where their ordinance was upheld as a result of everything that went on there. There is a concern that there is a proliferation of these types of facilities. The City Commission did not direct a moratorium until the legislature has a chance to direct it.

Mr. Jacquet asked if this is an issue that just came up. Mr. McDonnell advised we have had inquiries and this has become an issue and it is best for us to have a mechanism in place. We need to get it done. Mr. Franciosa inquired if we knew of any other cities with this issue. Mr. Pyburn advised the County does not have an ordinance. North Palm Beach has one in the works.

Mr. Lynch advised he knows this is meant for the facilities where they are using credit cards. Would this also affect the arcades? Ms. Pyburn advised the arcades are considered to be gaming facilities. That is already addressed by State law. At those facilities you can't win any more than 75¢ and you exchange it for merchandise inside the facility.

Mr. Lynch advised this new ordinance is referencing a lot of State statues. Ms. Pyburn advised we are not prohibiting the adult gaming but we regulate the zoning. Mr. Durden advised he agrees with this change. I think it is a good thing. Mr. Glickstein advised it is irrelevant what the other cities are doing. There never should be a litmus test if we are doing something correctly. I think we are being proactive. I wholeheartedly agree with this ordinance.

Motion:

Motion made by Mr. Lynch, seconded by Dr. Spodak, and approved 7 to 0 to move a recommendation of approval of an amendment to the Land Development Regulations, by enacting a new subsection 4.3.3 (AAAA) to prohibit Simulated Gambling Devices, and amending "Appendix A" to enact a new definition for the same, by adopting the findings of fact and law contained in the staff report, and finding that the text amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).

- D. City-initiated amendment to the Land Development Regulations (LDRs) by amending Section 4.6.16, "Landscape Regulations" to provide an updated landscape code.

Mr. McDonnell entered the project file into the record.

The following Advisory boards reviewed the proposed amendment and made the following recommendations to the City Commission:

The Site Plan Review and Appearance Board (SPRAB) on October 12, 2011 recommended approval of the proposed text amendment.

The Community Redevelopment Agency (CRA) on October 13, 2011 recommended approval of the proposed text amendment. The Board and the CRA Assistant Director had some concerns. These included the proposed:

- Landscape island expansion from five (5) feet to nine (9) feet within the limits of the Central Business District
- Removal of compacted rock within the landscape islands and its effect on the integrity of the curbing and asphalt
- Requirement for upgrading tree height as it relates to structure height for all required trees
- Cap on the percentage of required trees that will be allowed in the form of palm trees
- Requirement for the installation of street trees within residential developments

The landscape code has been modified based on the above comments.

- The Pineapple Grove Main Street on November 2, 2011 recommended approval of the proposed text amendment.
- The Downtown Development Authority (DDA) on November 15, 2011 recommended approval of the proposed text amendment. The Board chose to adopt the same concerns as the CRA. One additional suggestion was to increase the maximum maintained height of hedges for residential properties.
- The West Atlantic Redevelopment Coalition (WARC) on November 15, 2011 recommended approval of the proposed text amendment. The only suggestion made was to add a provision to review the landscape code every five years for updating purposes.

Mr. Peter Anuar, Sr. Landscape Planner, City of Delray Beach, presented a PowerPoint presentation of the revised Landscape Code to the Board. It has been 15 years since the last update. We are required to add Florida-Friendly landscape principles as per the South Florida Water Management District (SFWMD). The code needs to be more defined, to allow for adequate canopy growth, implement latest Green industry standards, and best management practices, and allow for a sustainable urban landscape. The report is attached.

Public Comments: None

Board discussion ensued relative to the following:

Mr. Glickstein inquired is the measurement exclusive of curbing outside of the CBD? Mr. Anuar advised it is 7 feet exclusive of curbing. We have a water percolation problem. We are proposing to create a second inspection. We will also remove any type of compacted rock and inspect and make sure the rock is taken out. Mr. Glickstein inquired if that is going to be a paving inspector or a landscape inspector. Mr. Anuar advised it will be a landscape inspector. Mr. Glickstein inquired how was the excavation going to be accomplished? Is the ordinance taking in the CRA's comments? Mr. Anuar advised yes the CRA's comments are included and we revised the code. Our City standard has a 6 foot buffer but we are going out 12 feet. Mr. Glickstein advised this language is going to need massaging. Mr. Anuar advised the idea is to improve the situations we have now. Dr. Spodak inquired if there was some sort of medium that is a paving product that takes the place of the rock that allows roots to permeate. Mr. Anuar advised it is extremely expensive. Dr. Spodak advised long-term you will have a lot less cost over a ten year period. Is there a provision that you can use structural soil? Mr. Anuar advised we do not have that provision. Mr. Glickstein advised in reality the cost for structural soil is prohibitive. There is no reason why you couldn't give people an alternative. Dr. Spodak advised we should gear the wording to do the best thing. Mr. Glickstein agreed that it is a good idea to give people

an alternative. Mr. Glickstein advised you could not get an inspection if you had soil contaminating that soil.

Foundation Landscaping

Mr. Anuar advised landscaping on multi-story structures will be sized to the building. We are talking about foundation trees. Dr. Spodak inquired if they were looking for the board to approve the specifics of these guidelines. You are talking about nature, and you are precluding a whole section of our native trees. Mr. Glickstein advised all this is doing is raising the minimum height. Mr. Glickstein advised this is just for foundation plants. Mr. Glickstein advised the higher you get the more difficult it is to get suitable material.

Mr. Anuar advised the following Board's thoughts on this plan:

- At their meeting on October 12, 2011 the Site Plan Review and Appearance Board (SPRAB) recommended approval of the text amendment.
- At their meeting on October 13, 2011 the Community Redevelopment Agency Board (CRA) and Assistant Director of the CRA recommended approval of the text amendment but with the following five concerns:
 1. The proposed landscape island expansion from five (5') to nine (9') feet would be impacting to parking within the CBD.
Solution: Staff agreed and has adjusted proposed landscape island width in the CBD from 9' to 7', assuming site constraints prevent larger island width.
 2. Removal of all compacted rock within islands and strips (to 30") may compromise integrity of curbing and adjacent asphalt.
Solution: Staff agreed and adjusted code to allow for a one (1') buffer along the inside of curbing or asphalt that rock can be compacted. See diagram.
 3. Upgrading of all required trees on site to relate to size of building. Size of trees TBD by table.
Solution: Staff agreed that only foundation trees enveloping building should be upgraded. Spacing of trees TBD by species used, but canopies shall be touching at average maturity.
 4. Limit percentage of required trees that can be in the form of Palm Trees. Concern is that there should be more flexibility in the amount of Palm Trees to be used.
Solution: The proposed percentage (50%) is actually an increase from the current code requirements of 25%. Staff feels that this new percentage addresses concern and propose no change.
 5. Requirement for adding Street Trees within residential developments. Concern is that Street Trees would affect on-street parking.
Solution: Proposed regulation does not impede with on-street parking as it would place these Street Trees within the green space located from the right-of-way inside edge of the sidewalk and the edge of pavement, which is typically designated for water retention or swales. Staff proposes no change.

- At their meeting on November 2, 2011 Pineapple Grove Main Street (PGMS) recommended approval of text amendment.
- At their meeting on November 15, 2011 the Downtown Development Authority (DDA) recommended approval of text amendment but chose to adopt the same concerns as the CRA Board. The DDA Board also had one suggestion:
 1. To increase current allowed height of hedges within front (6'), side and rear (8') residential yards. Staff feels that the current heights are acceptable and propose no change.
- At their meeting on November 15, 2011 the West Atlantic Redevelopment_Coalition (WARC) recommended approval of text amendment with the following suggestion:
 1. To Review the landscape code every five (5) years to update regulations. Staff has already implemented a program and will be reviewing and updating the code every five years.

Mr. Glickstein advised he appreciated the work Mr. Anuar put into this. It is overdue. Landscaping is relegated to the stepsister issue. I have some questions and issues.

- Regarding the CBD – how do you define site constraints, is it subjective? Mr. Anuar advised it is going to be subjective on a case by case basis.
- Canopy trees – if you have a canopy tree it has to have clearance of 12 feet. You could not find a tree other than a slash pine. You are not going to find any preferential trees where you have 12 feet of clear trunk. It would be a massive tree that you would have to trim. You would end up with deformed trees.

Mr. Anuar advised hopefully they would be maintained and trimmed over the years. Mr. Glickstein advised when you are trying to mitigate a building that is 12 feet high you can't use a live oak. At Cannery, the live oaks within the islands have 7 to 8 feet of clear trunk. You are not going to get a bigger tree planted. Those trees have been there for 3 or 4 years. I have not had any complaints. Picture that site with 3 story townhomes with 5 feet off the property line and you have a 12 foot live oak. It doesn't work. I am suggesting you should err on the side of requiring bigger trees, higher quality trees. Mr. Anuar advised he can also look at the species that are chosen. Mr. Glickstein advised he can't approve it written this way. I know as a developer who has an interest in landscaping. What this code is asking for is not possible. If somebody wants to do something nice you are telling them they can't do it. If you look at downtown Charleston, Savannah and New Orleans, the landscaping and architecture has taken priority. Mr. Lynch inquired if he was referring to the 12 feet. Mr. Glickstein advised this is a great thing but I know that we should be doing everything possible to encourage developers to put in more mature stuff when they are building 2 or 3 story buildings.

Mr. Glickstein advised some trees will not impact parallel parking. At Cannery Row we are building the landscape islands with aesthetic appeal in a 5 foot setback. We need to go out to the right-of-way and pick the biggest trees. We need to do more to get these bigger trees in the ground and right-of-way. The way this is written places it back into the hands of developers who want to plant those tiny trees. Mr. Glickstein inquired why are you regulating the ficus trees? Mr. Anuar advised we have some concern regarding privacy, traffic, and next door neighbors. If they want a taller hedge

they can do that. Mr. Glickstein inquired why limit it to 8 feet. Mr. Anuar advised that is the standard. Mr. Glickstein advised if you drive through Palm Beach they look beautiful. Mr. Anuar advised the CRA wanted to know why can't the residents grow the hedge to 15 feet. Mr. Glickstein thought this was overreaching. There has been some confusion with past applications where you have trees. As an example, you are giving the developer for contiguous parking by increasing the island by 1 foot. That does not solve the problem by itself. He would have to increase the size of the tree. The idea of the parking island is to break up the sea of asphalt. Mr. Anuar advised some complaints we get is that it is cost prohibitive. Mr. Glickstein advised there are some cases where it is legitimate. I think you would rather have bigger islands and bigger trees. When developers plant bigger trees that tree has a better chance of survival. They will require more maintenance.

Mr. Lynch advised this plan is awesome. I see a lot of islands have roots. I do agree with some of the points Mr. Glickstein brought up. I would like to see this move forward. Is there a way we can give direction? Mr. Glickstein advised this is a very important change and I am not going to support it the way it is drafted. There are some structural problems. I am focused on the CBD area. Builders are taking a suburban design downtown. I am hoping all the standards come up in the City. I am happy with Mr. Glickstein comments. There is a disconnect from block to block. We have to have uniformity. There needs to be a downtown that feels like it has been there for some time. Mr. Anuar advised when doing the review process we tried to look at that.

Mr. Franciosa advised we are going to have a problem with parking. Is it down to 7 feet in the CBD only? Dr. Spodak advised in removing the compact rock will that adequately remedy the situation and allow the trees to flourish. Mr. Anuar advised we achieved what the maximum would be and we looked at this and that was the University of Florida's recommendation.

Dr. Spodak inquired if canopy sustainability increases the usage of palms. Most of them are not indigenous. Mr. Anuar advised it came from the CRA. Some time you can't plant the large oak trees. Our landscape code defines a tree at minimum of 20 feet. If you want to use a foxtail you have to plant 3 of them.

Dr. Spodak advised what works in the downtown does not work in the suburban areas. Mr. Glickstein advised the downtown should look different. In Florida palms planted with the right trees to compliment live oak and coconut palms in the parking area. They are planted as clusters.

Mr. Durden advised Atlanta's landscaping in the downtown area has a magnificent display of what a downtown area should look like. When I look at the Donald Trump golf course – he put the trees in first and they are still impressive because of their size. Why don't we look at doing something like that starting with the downtown area? Mr. Anuar advised creating more of an instant landscape rather than the basic tree code is not advisable. Mr. Durden inquired if larger trees could be planted. Mr. Anuar advised there is a cost involved in that. Dr. Spodak advised a lot of plants that are planted are small. Mr. Glickstein advised Savannah is a great example. The city is two hundred years old, and it has a climate that is more conducive for those trees to grow. Savannah has an open streetscape. That is the standard by which this town should be looking at stuff. We are so far away from where we should be. This code needs to be ratcheted up. Get more out of developers, I am talking about the downtown. We need

to do more here. The CBD setbacks need to be looked at again. It is a double disconnect between the Architect and landscaping in our Planning Department. You can't look at landscaping without looking at what the building setbacks are. If you have setbacks that don't make sense with the landscaping then something is wrong. I can't support this – that is my own view. You have to come back with something with a lot more teeth.

Mr. Lynch inquired if there was some way we could postpone with direction and bring it back at the next meeting. It is the CRA that should be driving this. Dr. Spodak advised it is not too much to ask of these developers. Every restaurant and business wants to open in Delray Beach. Mr. Lynch advised it makes such a huge difference on the aesthetic appeal of the project. Mr. Lynch advised we should postpone with direction.

Mr. Glickstein advised what the CRA and developers think are secondary to which this City is going to look short term and long term. We are not close to pushing the envelope where it should be. This is a great opportunity to make a personal impact on the short and long term.

Motion:

Motion made by Mr. Lynch, seconded by Mr. Krall, and approved 7 to 0 to move a recommendation to table the amendment to Land Development Regulations Section 4.6.16, "Landscape Regulations", to modify the requirements of the landscape code, by adopting the findings of fact and law contained in the staff report, and finding that the text amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M), and come back to the Board reflecting the direction given to staff by the Board.

Board Comments:

A. Staff

Parking Management Advisory Board – Mr. Krall advised they will meet November 22, 2011.

Meeting Dates for December

City Commission Meetings

Tuesday, December 6, 2011, City Commission Regular Meeting, 6:00 p.m., City Commission Chambers

Tuesday, December 13, 2011, City Commission Regular Meeting, 6:00 p.m., City Commission Chambers

Planning and Zoning Board Meeting

Monday, December 19, 2011, Planning and Zoning Board Regular Meeting, 6:00 p.m., City Commission Chambers:

1. Master Development Plan for Bellantica Gardens located at the southeast corner of West Atlantic Avenue and Military Trail.

2. Amendment to the Land Development Regulations Appendix "A" Definitions modifying the definition of restaurants.
3. Amendment to the Land Development Regulations Appendix "A" Definitions to add a definition for deli.
4. Amendment to the Land Development Regulations to define the spatial arrangement of uses in mixed-use developments.
5. Amendment to the Land Development Regulations regarding the undergrounding of utilities.
6. Amendment to the Land Development Regulations Section 4.4.13 "Central Business District" pertaining to the parking requirement for offices

VIII. ADJOURN

The meeting adjourned at 7:45 p.m.

The undersigned is the Secretary of the Planning and Zoning Board and the information provided herein is the Minutes of the meeting of said body for November 21, 2011 which was formally adopted and approved by the Board on December 19, 2011.

Denise A. Valek

Denise A. Valek, Executive Assistant

If the Minutes that you have received are not completed as indicated above, then this means that these are not the official Minutes. They will become so after review and approval, which may involve some changes.