

**BUFFALO TOWNSHIP PLANNING COMMISSION – REGULAR MONTHLY MEETING – MAY 6, 2020**

The Regular Monthly Meeting of the Buffalo Township Planning Commission was held Wednesday, May 6, 2020 via video conference and convened at 7:30 pm. The Meeting was called to order by the Chairman, Grant McConnell. This Meeting is being recorded. If anyone is taping this Meeting, please state your name and address.

**Roll Call**

Grant McConnell - Present  
Chris Foust - Present  
Sue Gregory – Present  
Amy Trulik - Present  
Tim Gottus – Present  
Joe Charlton - Present  
Ken Howard - Present  
Rick Healey – Absent

A majority of the Planning Commission Board being present, the Chairman declared the Meeting open for the transaction of business.

**APPROVAL OF THE MINUTES** of the March 4, 2020 Regular Monthly Meeting of the Buffalo Township Planning Commission, as recorded, was on motion of Sue Gregory, seconded by Amy Trulik. Motion Carried. Un. Approval.

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**LAND DEVELOPMENT**

**SARVER DOLLAR GENERAL – 339 N. PIKE ROAD – NEW PRELIMINARY/FINAL SITE PLAN**

Sarver Dollar General Preliminary/Final Site Plan was tabled at the March 4, 2020 Meeting. Remove from table.

On a motion of Tim Gottus, seconded by Chris Foust to remove the Sarver Dollar General Preliminary/Final Site Plan from table.

PTV 1078, LLC is resubmitting a new proposal to construct the Sarver Dollar General Store located along N. Pike Road (SR 356) located in Buffalo Township, Butler County, PA. The site is currently meadow land cover and a small gravel driveway area. The site has no existing buildings. The proposed development includes the construction of a 9,100 square foot Dollar General retail store, access driveway from N. Pike Road, parking areas, drive aisles, stormwater management facility(s), onsite sanitary disposal system, and other associated site improvements. Because the area of disturbance is greater than one (1) acre, and application for a general NPDWES Stormwater Permit Authorizing the Discharge of Stormwater During Construction Activities will be submitted to the Butler County Conservation District and the Pennsylvania Department of Environmental Protection (PADEP).

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The Township Office is in receipt of New Preliminary/Final Site Plan, Filing/Review Fee, Site Plan Application, BCPC Comments have not been received as of 3/4/2020. Municipal Authority Comments received 4/28/20; Public water and sewage are not available to this property. Bankson Engineer comment letter received 5/4/2020; STORMWATER MANAGEMENT: 501.B.3: 2/28/2020 Original comment: The minimum horizontal distance between any structure and any stormwater management facility shall be at least 25 feet. *Applicant Response: CEC is requesting a waiver to reduce this horizontal distance requirement to 13 feet. The bioretention basin was revised and relocated to protect the 100' riparian buffer zone measured from Stream 2 (INT). The new location of the basin was shifted toward the proposed building and encroaches within the 25' offset requirement. In order to meet both volume and rate controls, the basin must be located 13' away from the building at its nearest location to the building.* **All waiver/modification requests will be considered by the Board of Supervisors.** 1. Jefferson Argyros, P.E., of Arcadis U.S. Inc, Consulting Engineer for Winfield Township, mentions the following in his review letter dated March 11, 2020: on Page 8 of the PCSM Narrative that gravel under pre-development is considered impervious surface, whereas, in Section 302.E of the Buffalo Township Stormwater Management Ordinance, gravel in existing condition shall be considered pervious, and gravel in proposed condition shall be considered impervious. We recommend that the Applicant demonstrate that an acceptable curve number for gravel in pre-construction has been used for the stormwater analysis. 2. It appears as if the bio-retention facility will be constructed with two 4-inch diameter underdrains, which are to be installed at two distinct elevations. Each underdrain will be installed with a 1-inch diameter orifice. However, Drawings C400 and C803 show differing elevations for the underdrain and 1-inch orifice systems. The plans and details should be revised for consistency. 3. The level spreader detail, Detail 829 on Drawing C804 shows contradicting diameters for the level spreader discharge pipe. The dimensions should be revised for consistency. Additionally, it appears as if the level spreader will have a 24-inch standpipe, presumably for maintenance access. A track rack or capping mechanism should be provided for safety purposes. We recommend that Approval of the Sarver Dollar General Store Land Development may be granted at this time, contingent upon adequate resolution of all comments outlined above. The Applicant should make all necessary revisions to the Land Development Application, then provide evidence of adequate resolutions outlined above. Additionally, the Applicant shall obtain all required Winfield Township Approvals and government permits.

Marc Seiavitch with PennTex Ventures and Ethan Brice Civil Engineer with CEC were in attendance. Ethan stated that they have been working with Bankson Engineers and have submitted new documents and are seeking approval at this time. Ken Howard with Bankson Engineers recommended approval with contingencies and shared what the outstanding items are that need to be addressed.

On a motion of Tim Gottus, seconded by Chris Foust to make a favorable recommendation of the Sarver Dollar General contingent upon resolving all of the comments in the Bankson Engineer letter dated 5/4/2020. Motion Carried. Un. Approval.

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**PALKO’S/WALTERS PLAN NO. 1 – EKASTOWN ROAD - SUBDIVISION**

Timothy Walters is purposing to subdivide property located off Ekastown Road. The main tract of land is 102.8 acres. After the subdivision, 4 acres will be removed from the original tract of land making it 98.8 acres. Once subdivision is completed a culvert will be installed (GP-7 pending), driveway off existing right of way will be constructed and grading of approximately 0.5 acre will occur so that a 2,100 square foot house with attached 2 car garage can be built.

The Township office in receipt of the application, filing fee, plan drawings, Butler County Planning Commission comments rec’d 2/24/2020; BCPC recommends a clear and concise statement on the plan identifying who is permitted to use the right of way, who is responsible for maintenance of the right of way and the permitted uses of the right of way. BCPC did not have any other comments on this plan. BC Conservation District comments rec’d 4/16/2020; Sewage permit issued; Municipal Authority of Buffalo Township comments rec’d 4/28/2020; Public water and sewage service are not available to this property; Bankson Engineer comment letter rec’d 4/30/2020; We reviewed the application and recommend that approval of the subdivision plan may be granted at this time; Fee In Lieu of rec’d 5/4/2020.

Tim Walters was present regarding this plan. Ken Howard with Bankson Engineers stated that we have reviewed the plan and have received a few minor changes and recommend approval as submitted.

On a motion of Amy Trulik, seconded by Chris Foust to make a favorable recommendation of the Palko’s/Walters Plan No. 1 Subdivision and move on to the Board of Supervisor’s Meeting May 13, 2020. Motion Carried. Un. Approval.

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**OVERG INDUSTRIES – 275 N. PIKE ROAD - PRELIMINARY SITE PLAN/LOT LINE REVISION**

Oberg Industries, Inc. is planning for the construction of the Oberg – Building Addition project, located at 275 N. Pike Road (SR-356) in Buffalo Township, Butler County. The proposed development will require a Major Modification to the existing NPDES Permit #PAI-0610-14-003 and will consist of construction of a 62,500 sq. ft. addition to an existing light manufacturing building, associated parking and loading areas, additional erosion and sediment control and post construction stormwater management facilities, utilities, and earthmoving activities.

The Township office is in receipt of the applications, filing fees, plan drawings, Municipal Authority of Buffalo Township comments rec’d 4/28/2020; Public water and sewage service are available and currently exist to this property. Use of the current connections for the expansion are approved; however, the Authority requests a pre-construction meeting to better understand the scope of the project prior to installation of water and sewage. There is a “Slug Discharge Prevention and Control Plan” that exists for this location. Since the last date of this plan is 2009, the plan should be reviewed , updated and submitted to the Authority. Tapping fees will apply and be based on the Authority’s Act 57 calculations. Information concerning materials, installation requirements and tapping fees can be found on the Authority’s website or can be obtained by calling the Authority office. Bankson Engineers comment letter rec’d 4/30/2020; **ZONING:** This site is located within the M-2/B-2, Manufacturing District and Business District, as well as the A-2 Access Management Overlay. The

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proposed use ( Light Manufacturing ) is in accordance with the Permitted Uses of the M-2 Manufacturing District and is a Conditional Use of the B-2 Business District, per the Zoning Ordinance. Because the site location is within the A-2 Access management Overlay, the Application must comply with the standards set forth within both zoning district. The Applicant may be required to obtain Conditional Use Approval prior to commencing activities on site. 405.1: Off-Street Loading – It appears as if three additional loading berths will be required, as determined by the gross square footage of the building addition. These loading areas are to be in addition to any loading areas required by the original building construction. Loading Areas should be shown on the plan drawings. 405.3: Off-Street Parking – It appears as if the proposed parking lot will exceed 20,000 square feet and will therefore be subject to the additional standards for landscaping and stormwater management. Additionally, the Applicant should provide occupancy information proving that adequate parking have been provided. 410: Signs – All proposed signs are subject to review by the Township. 603.4.A.1: A continuous service drive or cross-access corridor shall be reserved. 607: Applicant should demonstrate that adequate buffering will be provided. 1. We recommend the applicant show the applicable zoning classification of each Lot in the proposed Plan on the drawings for clarity. 2. A note should be added to the plan drawings stating that the residence on Lot 3 is a Non-Conforming Existing Use. Additionally, we recommend that I should b clarified as to whether Lot 3 is served b public utilities. If public water and sanitary sewer service is not available for Lot 3, the applicant should demonstrate that adequate on-lot systems exist on the parcel, and that the newly created parcel fully complies with the requirements of the Township Ordinances.

**SUBDIVISION:** 202.4: It is not immediately clear how utility service will be provided to the building addition. The applicant should revise the plan drawings to clearly demonstrate all utility services to the building addition. 303.2: We recommend that a traffic impact analysis be conducted by the applicant that specifically addresses additional truck and heavy vehicle traffic on the PennDOT highway, which will be a direct result of the Land Development. As the facility access drive and point of ingress/egress to the state highway are already existing, we do not anticipate requiring a complete traffic study at this time. We recommend that the applicant provide a summary of the proposed traffic impacts including, but not limited to average daily traffic increase, modal split of vehicles entering the site, anticipated increase in trip count, rush hour impacts, etc. The applicability of a complete traffic study will be determined upon receipt of this summary. 402: Monuments and Markers – the applicant should provide monuments or iron pins at property corners. A lot closure report should also be provided.

**STORMWATER MANAGEMENT:** 401.b: We recommend that the applicant provide an Existing Resources and Site Analysis Plan. 501.B.9: It appears as if the exterior slopes of Bio-Retention Basin #3 are proposed to be 2:1. Stormwater detention facility side slopes shall not exceed 3:1 grade. 501.B.198: We recommend that the applicant provide anti-floatation calculations for the stormwater facility outlet control structures. Additionally, the outlet structures should be furnished with trash racks. 501.B.22.e: Permanent channels are proposed to be installed with 2:1 side slopes. Swale conveyance facilities are not permitted to have side slopes steeper than 3:1. We recommend that the permanent channels should be revised accordingly. Additionally, a C factor of 0.3 should be used for pervious areas with respect to swale calculations. 1. Post-Construction Stormwater Management Plan Drawings should possess the seal of a registered professional engineer in the Commonwealth of Pennsylvania. 2. The runoff curve number analysis shows 0.72 acres of Type A soils, whereas the Web Soil Survey only shows 0.5 acres f Type A soils. Runoff curve numbers need to be revised for consistency. 3. It appears as if street sweeping for water quality credit is proposed. We recommend that a fully developed street sweeping schedule should be included in the Developers Agreement. 4. The Bio-Retention Area #3 discharge pipe invert elevation shown on the drawings is not consistent with what is shown in the Post-Construction stormwater Management narrative. We recommend that this elevation information be

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revised for consistency. 5. The Applicant should provide emergency spillway calculations for Bio-Retention Basin #3. 6. The applicant is proposing to modify existing pond #1; however, no details are provided in the PCSM Drawings. We recommend that the Applicant provide a detail drawing of pond #1.

**GENERAL COMMENTS:** 1. We recommend that an outdoor lighting plan, which conforms with the Township’s Outdoor Lighting Ordinance, should be provided for review. 2. A Developer’s Agreement which lists the maintenance responsibilities, bonding requirements, and ownership of facilities will be required. 3. Design of water and sewer systems must be reviewed and approved by the Buffalo Township Municipal Authority. Receipt of approval should be forwarded to the Township. 4. A Final Inspection of all improvements will be required prior to issuance of the Occupancy Permit. 5. Prior to granting Approval, the applicant shall enter into a Stormwater Management Infrastructure Operation and Maintenance Agreement with the Township. 6. It appears that the proposed plan is in compliance with the joint Municipal Comprehensive Plan. 7. Any and all permits, including, but not limited to those shown below, shall be obtained prior to Final Approval: a. Major Modification of existing NPDES permit for stormwater discharges associated with construction activities. b. Sanitary Sewage Facilities Planning Module. c. Township Grading Permit. d. Penn DOT Highway Occupancy Permit. We recommend that action on the Oberg Building Expansion Land Development be tabled at this time. The Applicant should make all necessary revisions to the Land Development Application, then provide evidence of adequate resolution of all comments outlined above.

Mike Ogin with Gateway Engineers and Dan Felack with Oberg Industries were in attendance. We were in several years ago and are now back to mirror the image of the building that is already there. All the utilities are there to add to the new building and we will be adding some more parking. In addition, we are purposing to reconfigure the lot line. A lot for the expansion, the original Oberg building and a residential house on its own lot including the land development item. We have 2 applications for your review. We received comments from Ken today. Dan Felack with Oberg shared some information regarding the plan and that the business has taken off and the building is full and are looking at adding approximately 180 jobs to the area. Ken Howard reviewed the comment letter supplied by Bankson Engineers and suggested that he recommends this plan be tabled until all necessary revisions are resolved.

On a motion of Tim Gottus, seconded by Chris Foust to table the Oberg Industries Preliminary Site Plan/Lot Line Revision until all necessary revisions to the Land Development Application and evidence of adequate resolution has been provided. Motion Carried. Un. Approval.

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**TWIN OAKS PRD NO. 1 PHASE 3 – SITE/SUBDIVISION PLAN**

Lennon, Smith, Souleret Engineering Inc. is submitting the proposed Twin Oaks PRD No. 1 Phase 3 Site/Subdivision Plan located on 44 acres on the eastern side of Hepler Road in Buffalo Township, Butler County, PA. The Tentative PRD approval was granted in 2016 for 98 single-family homes (AKA Rolling Ridge). In 2017, Phase One was granted final approval and construction was initiated. The Tentative Approval called for 37 lots in Phase One, 21 Lots in Phase 2 and 40 lots in Phase 3. Due to the rate of lot sales, the developer switched Phase 2 and Phase 3. The prior Phase 2 became Phase 3 and now Phase 2 will become Phase 3. Phase 3 has a total number of 21 lots and which run along Red Horse Drive and Blue Meadow Drive. This is the final phase of the Twin Oaks PRD Number One.

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The Township office is in receipt of the Application, Filing Fee, Plan Drawings, Butler County Planning Commission comments rec'd 5/21/2020; BCPC did not have any comments regarding this plan. Municipal Authority of Buffalo Township comment letter rec'd 4/30/2020; The Municipal Authority of Buffalo Township is able to furnish water and sewage service for Twin Oaks PRD No. 1 Phase 3. For a formal review of the construction plans, the Developer has been notified that escrow money will need deposited with the Authority. Upon approval of construction plans, the Developer will need to enter into Agreement with the Authority and provide the necessary documents and fees prior to construction, which still is not completed in Phase 2. To prevent confusion, the Authority is requesting the Developer change the lot numbers since the numbering is the same as Phase 2. Bankson Engineer comment letter rec'd 5/5/2020; **ZONING:** 205.B: This site is located within the R-1, Residential District. The Applicant previously received Planned Residential Development (PRD) Approval. We recommend that the applicant demonstrate on the Drawings that the modified requirements of the Zoning District, per the terms of the planned Residential Development are met in Phase 3. Additionally, setback dimensions should be labelled on the Subdivision Plan Drawings. 520: We recommend that the applicant confirm that maintenance responsibilities for Recreational Land and Stormwater Management Facilities for Phase 3 are clearly defined in the Developers Agreement and/or Homeowners Association Documents. 521: Staging Development – The Applicant should provide evidence that the site improvements, including the reservation of adequate open space are provided, as required to offset the Phase 3 development density. The Phase 3 development density is in excess of the overall permitted density. **SUBDIVISION:** 206/405: Improvements-We recommend that the Applicant provide a cost estimate for the Township's review, for the purposes of posting financial security for Phase 3. 213: Public Sites and Open Spaces – The Applicant will be required to pay a fee in lieu of recreational land dedication for the Planned Residential Development. 307: Water and Sewer – We recommend that the Applicant provide evidence of Buffalo Township Municipal Authority review and approval of water and sewer system design for Phase 3. 403.2: We recommend that the applicant add a note to the construction plan drawing stating that roadway underdrains will be installed in accordance with the Township standards. 410: Street Signs – We recommend that stop signs shall be installed with positive reflector poles. 1. We recommend that a lot closure report is submitted to the Township for review for Phase 3. 2. The Subdivision Plan Drawing No. M677-01-15-03 shows John Allen as the owner of Lot 1. We understand that Lot 1 has since been sold, and John Allen is no longer the current property owner. We recommend that the property ownership information be updated accordingly. **STORMWATER MANAGEMENT:** 401.B: Existing Resources and Site Analysis Plan – We recommend that the applicant include the PRD Master Plan in the Land Development submission to serve as the Existing Resources and Site Analysis Plan. 1. It appears as if the time of concentration hydraulic flow path for Pre-Construction Drainage Basin 2A flows outside the drainage basin. We recommend that the time of concentration flow path for this basin should be updated to accurately reflect the hydraulic conditions. 2. We recommend that the Applicant provide the calculations for the Post-Construction Drainage in Basin 1A time on concentration. 3. The Post-Construction Drainage Basin 2A-2 time of concentration is shown in the Narratives to be 7.18 minutes; however, the calculation worksheet in the Appendix shows 12.51 minutes. Time of concentration for this drainage basin should be shown consistently. 4. The curve numbers shown in the Summary Table of the Reports for Post-Construction Drainage Basin 1D and 2A-1 do not match the calculation worksheets in the Appendix. 5. The Stormwater Infiltration Basin 24-inch discharge pipe slope shown on the drawings does not match the calculations. The detail drawing show 0.65 feet of drop over 66 feet, or approximately 1 percent slope, whereas the Pond Report shows a discharge pipe slope of 1.45 percent. We recommend that the drawings and/or calculations be updated for consistency and confirmed using the stormwater management pond as-build information. 6. The Stormwater

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Infiltration Basin Pond Report shows a 6-foot weir at 1114.00. This is the same elevation as the proposed emergency spillway, which is shown to be 50 feet in length. We recommend the Applicant revise the pond report, and if necessary, the state storage and discharge hydrographs to accurately represent the proposed basin conditions. 7. General Note 2 on the Construction Plan Drawing references grading to create a berm for lots 214-222. Is tis an applicable note for Phase 3 of the PRD? If not, we recommend the note and corresponding detail be removed from the plans. **GENERAL COMMENTS:** 1. A Developer’s Agreement for Phase 3 which list the maintenance responsibilities, bonding requirements and ownership of facilities will be required. 2. Design of water and sewer systems must be reviewed and approved by the Buffalo Township Municipal Authority. Receipt of approval for Phase 3 should be forwarded to the Township. 3. A Final Inspection of all Phase 3 Approval, the applicant shall enter into a Stormwater Management Infrastructure Operation and Maintenance Agreement with the Township. 5. It appears that the proposed plan is in compliance with the Joint Municipal Comprehensive Plan. 6. Any and all permits, including but not limited to those shown below, shall be obtained prior to Final Approval: a. Major Modification of existing NPDES permit for stormwater discharges associated with construction activities. b. Township Grading Permit. We recommend that approval of the Twin Oaks PRD No. 1, Phase 3 Land Development may be granted at this time, contingent upon satisfactory resolution of all comments outlined above and receipt of all required government permits. The applicant should make all necessary revisions to the Land Development Application, then provide evidence of adequate resolution of all comments outlined above.

John Wright with LSSE was in attendance. The Application and fees were delivered to the township office. This is the final phase for the Twin Oaks PRD. John Wright stated that we are looking for recommendation to move forward. Ken Howard stated that they are working at sending out a response letter in regard to our comment letter. Ken asked John if they could have everything ready for the Supervisors meeting next week. Ken stated with that in mind we could make a motion contingent upon items being addressed adequately.

On a motion of Chris Foust, seconded by Amy Trulik to make a favorable recommendation of the Twin Oaks PRD No. 1 Phase 3 contingent upon satisfying all of the comments in the Bankson Engineer letter dated 5/5/2020. Motion Carried. Un. Approval.

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**REMARKS FROM THE FLOOR**

Riley Macurdy and his fiance’ Stephanie had a question regarding a property in the township. The property is 495 Monroe Road, the former J-Barn Restaurant. They are not looking at using it as a restaurant but as possibly a venue hall and to use it for seasonal festivals throughout the year. Is it zoned to be able to do this? Can we build on this property, such as a Wedding Barn. Is water and sewage accessible and the number of people permitted on the property by the township. Grant stated that this property is Zoned A-1, Agricultural. Atty. Charlton stated that they would have to contact the Municipal Authority of Buffalo Township regarding the water and sewage. Riley asked could we build on that property and have that amount of people on the property. Atty. Charlton stated that it is hard to tell without having a site plan and without having a survey map in front of us and shared some other options. You will need to see if the type of use you are suggesting is permitted in our Zoning Ordinance Book. Grant asked since this was previously used as a restaurant does that give them any type of leeway in terms of what they want to do. Atty. Charlton stated that if they are using it as a restaurant but if

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they are using it as something else it then they would have to comply with the code. There should be something on file granting that use or changing that use. I don't think that is classified as a Bed and Breakfast. Grant asked, you are looking to build another structure to host the events? Riley replied, yes. We are looking to build a barn to use for weddings and use the restaurant as hall in conjunction with the barn that we would be looking into building. Tim asked if this would be considered as being a family business? Will you be having more than 2 full time or 2 part time employees? Atty. Charlton asked how many acres? Riley stated 5. More discussion between the PC Board and Mr. Macurdy regarding this. Atty. Charlton was trying to decide where to go next with this. More discussion was shared regarding the Zoning Ordinance. Check into where your setbacks will be. Tim asked is everything for the Zoning Ordinance on the website? Grant replied, yes. Atty. Charlton stated that most of the Wedding venues that have been discussed have been located in Agricultural areas. Atty. Charlton suggested he look through the Zoning Ordinance Book that is online and that he would be happy to help him with any questions. Grant asked, is this going to be for a Wedding Venue or will you be using it for other things as well. Grant asked if they would be producing or selling or just using it as an Entertainment venue. Riley replied we would not be using this for anything except an Entertainment venue and for seasonal festivals. We would not be producing anything. Atty. Farrington stated that commercial recreation intensive does contemplate seasonal festivals. Atty. Charlton stated that he was looking at commercial and recreational outdoor. TJ Stephens with Bankson Engineers stated that outdoor commercial recreation is a conditional use in B-2 Central Business District. Matt Sweeny stated that this was explored when an outdoor venue/Winery was talked about on Bear Creek Road. They looked into promoting their product and outdoor events simultaneously. Grant and Tim both stated that everything in that area is zoned A-1 Agricultural. Atty. Charlton stated that in section 306 it states that it should have a lot of not less than six (6) acres in size. It is not fitting into anything in Agricultural. Ken Howard suggested to go to the township and see if there was any zoning approval granted for that to be a restaurant. It actually may spell out what it is approved for if there is any record. It could be that it is predating the ordinances. Ken suggested to check into city water and sewer service in that area. Grant suggested that he contact Rhonda at the township office to see what records can be located regarding that property.

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**ADJOURNMENT** was on a motion of Tim Gottus, seconded by Chris Foust at 8:30 pm. Motion carried. Un. Approval.

**APPROVED:**

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**CHAIRMAN**

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**SECRETARY**