BOROUGH OF GIBBSBORO PLANNING BOARD MINUTES

October 11, 2022 7:00 P.M.

Meeting called to order at 7:01 p.m.

Secretary Troxel read the Opening Statement: "All the notice requirements of the Open Public Meeting Act have been complied with in full"

ROLL CALL

Present:

Chairwoman LuAnn Watson Mayor Edward G. Campbell

Mr. Dennis Deichert

Ms. Barbara Gellura

Mr. Mike Kelly

Mr. John Ritz

Professionals: Solicitor, Donald S. Ryan

Engineer, Gregory Fusco Planner, Brian Slaugh Absent:

Vice Chairwoman Susan Croll Councilman Michael MacFerren

Mr. Barry Rothberg

RESOLUTIONS

PB2022-10-20 RESOLUTION APPROVING A CERTIFICATE OF APPROPRIATENESS TO EMT RENEWABLES/GEORGE STILWELL FOR INSTALLATION OF SOLAR PANELS AT PREMISES BLOCK 7.03, LOT 26.01, ALSO KNOWN AS 85 EAST CLEMENTON ROAD, GIBBSBORO, NEW JERSEY

On September 13, 2022, the Borough of Gibbsboro Planning Board held a virtual public hearing at which time the following members were present:

LuAnn Watson, Chairperson

Edward Campbell, Mayor

Michael MacFerren, Councilman

Susan Croll, Vice Chairperson

Dennis Deichert

Barbara Gellura

Michael Kelly

John Ritz

Barry Rothberg

The following were also present at the meeting:

Donald S. Ryan, Solicitor

Amy C. Troxel, Planning Board Secretary

Greg Fusco, Planning Board Engineer

Brian Slaugh, Planning Board Planner

John Ritz Barry Rothberg

The following were also present at the meeting:

Donald S. Ryan, Solicitor Amy C. Troxel, Planning Board Secretary Greg Fusco, Planning Board Engineer Brian Slaugh, Planning Board Planner

SUBJECT

The Board considered the application of Scioto Properties SP-1 6, LLC seeking a use variance of the premises 36 Marlton Avenue as a residential group home in the R-15 and C-2 zones for treatment of individuals with traumatic brain injuries.

This application is made pursuant to the Gibbsboro Zoning Code Section 4001 9 and the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-70 (d).

The applicant was represented by Trevor Williams, Esquire.

The following individuals virtually appeared, were sworn and testified in support of the application:

- 1. Patti Rowe director of real estate of Scioto Properties.
- 2. Bill Lepper property manager of Gibbsboro location Scioto Properties.
- 3. Steve Miller Facilities operation manager for Scioto Properties
- 4. Tiffany Morrissey Licensed N.J. Planner

The Planning Board also received sworn testimony from the Planning Board Planner, Brian Slaugh, and Planning Board Engineer, Greg Fusco.

No one testified during the public portion of the hearing.

The following exhibits were also included as part of the record:

- A-1 Application for Use Variance and minor site plan dated August 4,2022.
- A-2 Historic Preservation Application dated August 4, 2022.
- A-3 Proof of taxes paid
- A-4 Affidavit of Service
- A-5 Notice of Publication
- A-6 Notice of Hearing to property owners
- A-7 Existing and Proposed Plan, Proposed Elevations, Plot Plan and Zoning prepared by Daniel Scott Mascione, RA dated July 21, 2022, consisting of 2 sheets, Z-1 and Z-2.
- A-8 Grading Plan prepared by Brian Peterman, PE dated 7/11/2022.
- A-9 Survey prepared by Joseph Maxcy, PLS dated 7/12/2022.
- PB-1 Review letter of Brian Slaugh, Planning Board Planner, dated 9/12/2022

FINDINGS OF FACT

The Planning Board having determined that the Application, Notice to Property Owners, Notice of Publication and affidavits were in proper form and having examined the Exhibits and considered the testimony, finds as follows:

- 1. The Gibbsboro Planning Board has jurisdiction to decide an application for use variance pursuant to N.J.S.A. 40:55D-70(D)(1) the Gibbsboro Land Development Ordinance Section 400-19.
- 2. In accordance with the provisions of the Municipal and Use Law, the applicant has served notice of the application on property owners within 200 feet of the property and has published a notice of hearing in the designated newspaper.
- 3. Scioto Properties SP-16, LLC is the applicant and the owner of the property designated as 36 Marlton Avenue. The property is also designated as Block 14.01, Lot 1 .03 on the Gibbsboro Tax Map.
- 4. The property is on approximately 30,000 square foot lot with frontage on Marlton Avenue near the intersection of Haddonfield Berlin Road.

The property is split zoned having the westerly portion of the tot in the R-15 Residential Zone and the remaining portion in the C-2 Highway Business Zone. Along Marlton Avenue to the south and west the properties are single family residential homes. To the east and north, the property adjoins Colombo Liquors. To the immediate south and east is an office building.

- 5. The current use of the property is residential.
- 6. The applicant proposes to reuse and expand the residence as a group home for eight adult residents for treatment of traumatic brain injuries. The applicant proposes to renovate the existing residence and to construct a 1228 square foot addition. An existing gravel driveway and turn around area are also proposed to be modified and expanded to provide paved parking for seven vehicles via a new two-way driveway. An existing one car driveway accessing an existing attached garage will remain. Two detached garage/workshops have been removed.
- 7. Based upon the review letter of Brian Slaugh and the testimony of Mr. Slaugh and the Planning Board engineer, Greg Fusco, the Planning Board determined the use variance application to be complete subject to the applicant submitting the site plan submission check list at subsequent date.
- 8. Based upon her testimony, the Board finds that Patti Rowe is the director of Real Estate operations for the Scioto Properties. Scioto Properties acquires and owns properties which operate group homes in forty states. Scioto Properties has approximately 150 group homes in New Jersey of which at least nine are for Traumatic Brain Injury treatment. Scioto Properties has been in operation for twenty years.

Scioto Properties selects an operator which services each of its properties. NeuroRestorative will be the operator of the Gibbsboro site.

- 9. Based upon his testimony, the Board finds that Bill Lepper is a property manager for the Gibbsboro site and testified that he has addressed code violations which the Gibbsboro Zoning Officer has cited. Craig Fallstick, the Gibbsboro Code Enforcement Officer commended the curative work of the applicant.
- 10. Based upon his testimony, the Board finds that Steve Miller is the General Manager of all of Scioto Properties facilities in the United States. He has been in this capacity for ten years. He testified that NeuroRestorative, which is licensed by the State of New Jersey, operates hundreds of similar group homes. The Gibbsboro site will have a maximum of eight adult residents with eight individual bedrooms. There is continuous supervision of the residents. The residents are not permitted to go off site without supervision. The average stay of the residents is nine months but can be longer under some circumstances.

The number of employees is about eleven in three shifts. There would not be more than four to five employees at one shift. Steve Miller testified that the residents don't drive or have

vehicles on site. There is one staff vehicle. There are no large truck deliveries.

The residents receive three meals a day while at the home. They have therapeutic services in day clinics Monday through Friday at Delran.

11. Tiffany Morrissey, a New Jersey licensed Professional Planner was qualified as an expert witness. Based upon her testimony, the Board finds that the property is split zoned having the westerly portion of the lot in the R-15 Residential District and the easterly portion in the C-2 Highway District, however group homes qualify as an inherently beneficial use under the Municipal Land Use law thereby satisfying the positive criteria for granting a use variance.

Sica and Township of Wall 127 N.J. 152 (1992) setforh the criteria for addressing the negative criteria for granting a use variance. These include:

- a) Identification of the public interest which is at stake.
- b) Identification of the detrimental effect from granting the variance.
- c) Identification of the conditions which may be imposed to reduce any detrimental effect.
- d) Weighing the positive and negative criteria to determine whether on balance the grant of the variance would cause substantial detriment to the public good.
- 12. Ms. Morrissey opined that applying the above criteria and the balancing test granting the use variance will not substantially impair the Gibbsboro zone plan and zoning ordinance and can be granted without substantial detrimental to the public good.
- 13. The Planning Board Planner, Brian Slaugh, and the Planning Board Engineer, Greg Fusco, concurred with the opinion of the applicant's planner subject to the applicant applying for and obtaining site plan approval with reasonable conditions. In this regard, Mr. Fusco testified that the Planning Board should consider appropriate conditions related to parking on the neighbor's property along Marlton Avenue.

CONCLUSION

The Planning Board concludes that the proposed use is an inherently beneficial use and that the negative and positive criteria for granting a use variance as a group home for treatment of traumatic brain injuries is warranted provided site plan approval is applied for and granted.

RESOLUTION

On the motion of Susan Croll, seconded by Dennis Deichert, the Planning Board unanimously granted the use variance for the group home to Scioto Properties SP-16, LLC subject to site plan approval.

ROLL CALL VOTE

LuAnn Watson	Aye	
Susan Croll		Aye
Dennis Deichert		Aye
Barbara Gellura		Aye
Michael Kelly		Aye
Barry Rothberg		Aye
John Ritz		Aye

Motion to approve resolution Mr. Deichert, second Mr. Kelly

Poll: D.D. Aye B.G. Aye M. K. Aye L.W. Aye J.R. Aye

PB2022-10-22 RESOLUTION GRANTING A FRONT YARD VARIANCE WITH CONDITIONS TO JAMES DRAGANI AND JENNIFER BARBAGIOVANNI FOR THE CONSTRUCTION OF A NEW HOUSE AT THE PREMISES BLOCK 96, LOT 4.02, ALSO KNOWN AS 150 WEST CLEMENTON ROAD, GIBBSBORO, NEW JERSEY

On September 13, 2022, the Borough of Gibbsboro Planning Board held a virtual public hearing at which time the following members were present:

LuAnn Watson, Chairperson Edward Campbell, Mayor Michael MacFerren, Councilman Susan Croll, Vice Chairperson Dennis Deichert Barbara Gellura Michael Kelly John Ritz Barry Rothberg

The following were also present at the meeting:

Donald S. Ryan, Solicitor Amy C. Troxel, Planning Board Secretary Greg Fusco, Planning Board Engineer Brian Slaugh, Planning Board Planner

SUBJECT

The Board considered the application of James Dragani and Jennifer Barbagiovanni who are submitting revised plans for a front yard variance to construct a new home on a lot located at the intersection of Clementon Road and Pine Road in Gibbsboro. The property is known as Block 96, Lot 4.02 on the Gibbsboro Tax Map.

The property is located in the Historic District.

In February 2022, the Planning Board granted the applicant a Certificate of Appropriateness in accordance with Section 222-7 (a) (1) of the Gibbsboro Historic Preservation Ordinance and the New Jersey Municipal Land Use Law, N.J.S.A 40:55D-111. The Planning Board action was memorialized in Docket #21-31. By reason of the fact that a stormwater drainage swale exists on the lot, the applicants require a front yard variance to shift the location of the proposed house.

James Dragani and his architect, Kim Bunn, were sworn and testified in support of the application.

Brian Slaugh, Planning Board Planner, and Greg Fusco, Planning Board Engineer, virtually appeared, were sworn and testified in connection with the application.

The following exhibits were also included as part of the record:

A-1 Application for variance dated August 16, 2022.

- A-2 Site Plan Drawing prepared by Kimberly Bunn, Registered N.J. Architect dated 11/2/2021, revised 8/2/2022.
- A-3 Proposed Elevations, Drawing Z2, prepared by Kimberly Bunn, dated 1/2/2021, revised 8/12/2022.
- A-4 Proposed Elevation and Floor Plan, Drawing Z4, prepared by Kimberly Bunn, R.A., dated 11/2/2021, revised 8/12/2022.
- A-5 Revised Survey Site Plan prepared by Kimberly Bunn, R.A., dated 9/2/2022.
- A-6 Grading Plan prepared by James A. Clancy, PE, 9/6/2022.

PB-I Memorandum of Brian Slaugh, PB Planner, dated August 30, 2022.

No one appeared during the public portion of the hearing to testify.

FINDINGS OF FACT

The Planning Board having determined that the Application was in proper form and having examined the Exhibits and considered the testimony, finds as follows:

- 1. The Gibbsboro Planning Board has jurisdiction to grant a bulk variance in accordance with the Municipal Land Use Law N.J.S.A. 40:55D-70(c) and N.J.S.A. 40:55D-26.
- 2. James Dragani and Jennifer Barbagiovanni are the owners of the residential property currently designated as 150 Clementon Road, Gibbsboro and also designate as Block 96, Lot 4.02 on the Tax Map.
- 3. The applicants acquired the property in 2021 with the intent to demolish a dilapidated residence and to construct a new home at the intersection of Clementon Road and Pine Road. There is currently no house on the property. The lot is a corner property and because Clementon Road is a high-volume road, the applicants want to have the driveway and front porch entry off of the Pine Road side with a fence enclosing the Clementon Road side.
- 4. Based upon the review and recommendation of the Planning Board Planner Brian Slaugh, the Planning Board deemed the application complete based upon the ordinance checklist requirements and with a waiver of items 8d and 14.
- 5. The Planning Board engineer, Greg Fusco, testified that the proposed orientation and location of the proposed house would first require variance approval. There is an existing drainage swale and the topography is unique as shown on Exhibit A-6.
- 6. Based upon the testimony of Greg Fusco, the Planning Board finds that, as a condition of a bulk variance, the applicant must submit a stormwater drainage pipe proposal approved by the engineer and an easement agreement which must be approved by the governing body of Gibbsboro.
- 7. The applicants propose a relocation of the house which has been shifted from a conforming side yard set-back of 12 feet on the northwest property line to 32 feet with a corresponding shift of 20 feet to the southeast, to reduce Clementon Road front yard from a conforming set back of 40 feet to 20 feet which does not conform to the zoning ordinance.
- 8. Although Drawing Zl depicts a "Future Pool Above Ground" that encroaches on both the front yard and rear yard, (Section 324-3A), the applicant testified that he would relocate the proposed pool to conform to the zoning set back requirements.
- 9. The applicant's architect testified that the proposed relocation of the house subject to the conditions recommended by the Planning Board engineer satisfy the bulk variance requirement for granting a C-2 variance. The Planning Board Planner concurred with the opinion.

The general welfare and common good will be served provided the conditions of approval are met, N.J.S.A. 40:55D-70c(2). The Planning Board further finds that the proposed relocation of the home with conditions can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Gibbsboro Zone Plan and zoning ordinance.

CONCLUSION

The Planning Board concludes that the applicant has satisfied the criteria for granting a front yard bulk variance with conditions.

The Planning Board concludes that the applicant has met its burden of proof for a C-2 variance because the variance with conditions serves the purposes of the Municipal Land Use Law.

Further, the Planning Board concludes that granting of the variance will not substantially impar the intent and purpose of the Gibbsboro Zone Plan and Zoning ordinance and will not cause substantial detriment to the public good.

RESOLUTION

On the motion of Susan Croll, seconded by Mayor Campbell, the Planning Board voted unanimously to grant the front yard variance for the construction of a new home subject to the following conditions:

- 1. Applicant must submit a grading plan and stormwater drainage pipe proposal which must be approved by the Planning Board engineer.
- 2. Applicant must execute an easement agreement for the stormwater drainage pipe which must be approved by the Governing body of Gibbsboro.

ROLL CALL VOTE

LuAnn Watson	Aye	
Edward Campbell		Aye
Michael MacFerren		Aye
Susan Croll		Aye
Dennis Deichert		Aye
Barbara Gellura		Aye
Michael Kelly		Aye

Motion to approve resolution Mayor Campbell, second Ms. Gellura

Poll: E.C. Aye D.D. Aye B.G. Aye M.K. Aye L.W. Aye

MINUTES

Motion to dispense reading and approve the minutes of 9/13/22 Ms. Gellura, second Mayor Campbell

Vote: Ayes unanimous*

^{*} Mrs. Croll, Councilman MacFerren, Mr. Rothberg absent

OLD BUSINESS

1. SIGN APPROVAL AT 80 SOUTH LAKEVIEW DRIVE (DOCKET #22-12)

Motion to amend prior approval to delete requirement to obtain a roof variance as a condition to obtain a sign permit Mayor Campbell, second Mr. Deichert

Poll: E.C. Aye

D.D. Aye

B.G. Aye

M.K. Aye

L.W. Aye

J.R. Aye

2. DETERMINATION OF SITE PLAN COMPLETENESS FOR SCIOTO PROPERTIES S-16, LLC AT 36 MARLTON AVENUE (DOCKET #22-15)

Suspected Hazardous Substance Discharge Notification received from Department of Environmental Protection, 10/6/22. Testing indicated low levels of contaminated substances, particularly cobalt and mercury. Mr. Trevor Williams, Esquire, reported that the applicant is working on a remediation process with the DEP and will share the LSRP plan with the Board. He does not anticipate that the remediation will affect the timeline to complete the project.

Mr. Ryan swore in Mr. Slaugh and Mr. Fusco, who both testified that the application could be deemed complete.

Mayor Campbell recused himself from the application.

Motion to adopt the recommendation of the Board professionals to deem the application for Site Plan complete Mr. Deichert, second Mr. Kelly

Poll: D.D. Aye

B.G. Aye

M.K. Aye

L.W. Aye

J.R. Aye

NEW BUSINESS

1. CERTIFICATE OF APPROPRIATENESS (Docket #22-13)

Applicant:

Gibbsboro Carwash

Project:

Demolition of Existing Structures

Address:

11 North Lakeview Drive

Block 7.04; Lots 19.12, 19.13 & 19.14

Fee/Escrow:

Paid

Taxes:

Q3 (\$9223.63)

Mariel Giletto, Esquire, of Flaster Greenberg appeared on behalf of the application. Also in attendance was Edward Henry, the owner, who was sworn in by Mr. Ryan.

The applicant proposes to demolish the existing deli and ice cream parlor in order to construct a carwash. The work will be performed by licensed professionals. Mr. Fusco testified that he must be present for the disconnection of the sanitary sewer. Mr. Slaugh testified that photos of the buildings interior and exterior have been provided for the historical record, but that both buildings can be demolished without a significant loss to the historical or cultural record.

Public comment: None

Motion to grant a Certificate of Appropriateness for the demolition of two existing structures Mayor Campbell, second Mr. Deichert

Poll: E.C. Aye

D.D. Aye

B.G. Aye

M.K. Aye

L.W. Aye

J.R. Aye

2. CERTIFICATE OF APPROPRIATENESS (Docket #22-17)

Applicant:

Ad-Energy/Walter Dzierzgowski

Project:

Installation of Solar Panels

Address:

36 Glenview Way East

Block 59.04, Lot 11

Fee/Escrow:

Paid

Motion to deem application complete Mr. Kelly, second Mayor Campbell

Poll: E.C. Aye

D.D. Aye

B.G. Aye

M.K. Aye

L.W. Aye

J.R. Aye

Victoria Stanish, a representative for Ad-Energy, appeared on behalf of the application and was sworn in by Mr. Ryan.

The applicant proposes to install 25 panels toward the rear of the structure facing south-southwest. No panels will be installed in the front. The plan proposes a skirt around the edge at the lower portion, which is consistent with the Planner's recommendation for previous similar applications.

Public Comment: None

Motion to approve application as submitted Mayor Campbell, second Ms. Gellura

Poll: E.C. Aye

D.D. Aye

B.G. Aye

M.K. Aye

L.W. Aye

J.R. Aye

3. AMENDMENTS TO LAKEVIEW NORTH REDEVELOPMENT AREA

PB2022-10-19 RESOLUTION RECOMMENDING THE ADOPTION OF THE AMENDED LAKEVIEW NORTH REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40:A12A-1, et seq.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1, *et seq.*, as amended (the "**Redevelopment Law**"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, pursuant to *N.J.S.A.* 40:12A-6 of the Redevelopment Law, the Commissioners of the Borough of Gibbsboro, in the County of Camden, New Jersey (the "**Borough**") must authorize the Planning Board of the Borough (the "**Planning Board**") to conduct an investigation of the area and make recommendations to the Borough; and

WHEREAS, the Borough Council by Resolution #2014-06-70, adopted June 11, 2014

pursuant to the Redevelopment Law, authorized and directed the Planning Board to undertake a preliminary investigation to determine if a specific area located in the Borough, commonly known as the Lakeview North Site and consisting of a 3.58 acre site located on the west side of Lakeview Drive (Route 561) and designated on the Gibbsboro Tax Map as Block 7.01, Lots 1.01, 1.02, 1.03, 1.05, 1.06, 1.09, 1.10, part of Lot 4, 5.04 and 5.05; Block 7.02, Lots 2, 3.02, 3.03 and 3.04 (together, the "Study Area") constituted an area in need of redevelopment according to the criteria set forth in the Redevelopment Law; and

WHEREAS, on July 12, 2016, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and by Resolution, made a recommendation to the Borough Council to determine that the Study Area constituted an area in need of redevelopment (the "Study"); and

WHEREAS, on August 10, 2016, the Borough determined that, based upon the recommendations of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law as memorialized in its Resolution 2016-8-99; and

WHEREAS, **Brian Slaugh**, PP, AICP of Clarke Caton Hintz prepared and submitted to the Planning Board the "Comprehensive Preliminary Report" dated May 12, 2016 for a Determination of Area in Need of Redevelopment (the "**Preliminary Reinvestigation Report**"), which was reviewed by the Planning Board; and

WHEREAS, on September 13, 2016, the Planning Board memorialized in Resolution 2016 PB-9-16 recommended that the area qualified as an area in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, the Borough Planner, Brian Slaugh prepared a plan for Redevelopment Area, entitled the "Lakeview North Redevelopment Plan" dated July 11, 2018 (the "Redevelopment Plan"), and said plan included a right of condemnation by the Borough of Gibbsboro; and

WHEREAS, the Planning Board recommended adoption of the Redevelopment Plan by Resolution 2018PB-7-13.

WHEREAS , the Borough Council did adopt the Redevelopment Plan and appointed Sonraj LLC as the redeveloper.

WHEREAS, Borough Council has proposed an Amended Developer's Agreement in accordance with Exhibit A attached hereto and made a part hereof.

WHEREAS, the Planning Board has reviewed the Amended Developer's Agreement and has determined that the Amended Developer's Agreement is not inconsistent with the Gibbsboro Master Plan. And the Planning Board recommend that Borough Council implement the Amended Developer's Agreement.

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Gibbsboro, as follows:

- Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.
- Section 2. The Planning Board hereby affirms that the Redevelopment Plan is consistent with the Borough's Master Plan and recommends to the Borough that the Amended Redevelopment Plan attached hereto as **Exhibit A** be adopted by the Borough in order to accomplish the effective redevelopment of the Redevelopment Area.
- <u>Section 3</u>. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

<u>Section 4</u>. A copy of this resolution shall be available for public inspection at the offices of the Borough Clerk.

<u>Section 5</u>. This Resolution shall take effect upon final passage.

Motion to approve resolution Mayor Campbell, second Mr. Deichert

Poll: E.C. Aye

D.D. Aye

B.G. Aye

M.K. Aye

L.W. Nay

J.R. Aye

PENDING BUSINESS

1. CERTIFICATE OF APPROPRIATENESS (Docket #22-18)

Applicant:

Fusion Solar Energy

Project:

Installation of Solar Panels

Address:

25 Clementon Road

Block 19.01, Lot 7

Fee/Escrow:

Not paid

EXEMPTIONS GRANTED

1. 7 Foster Avenue – roof replacement (8/3/22)

- 2. 17 Yarmouth Way roof replacement (8/11/22)
- 3. 27 Eastwick Drive deck replacement (8/11/22)

CORRESPONDENCE

INFORMATIONAL

- 1. DEP Annual Stormwater Training required to be completed by Board members by 12/31/22.
- 2. Next Planning Board meeting is scheduled for Monday, November 7, 2022 at 7:00 P.M. (due to Election Day).

PUBLIC COMMENTS

None

ADJOURNMENT

Motion to adjourn at 7:53 p.m. Mr. Kelly, second Mayor Campbell

Vote: Ayes unanimous

AMY C. TROXEL, Secretary