

Exhibit M

10/17/18 Board Meeting Minutes

Transcript of Request, Fill & Grade Permit
2610 Pearson Rd, 16-20200039 Joel
CHARTER TOWNSHIP OF MILFORD

October 17, 2018

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MEMBERS PRESENT: Donald Green, Supervisor; Holly Brandt, Clerk;
Trustees, Dale Wiltse, Brien Worrell William Mazzara,
Randal Busick

ABSENT: Cynthia Dagenhardt, Treasurer;

ALSO PRESENT: Jennifer Elowsky, Township Attorney; Thomas Moore, Fire
Chief; Tom Lindberg, Police Chief; Natalie Scime, Recording
Secretary; 20 Audience Members

REQUEST, FILL & GRADE PERMIT , 2610 PEARSON ROAD, 16-20-200-039 – JOEL
HACK

FOR LITIGATION PURPOSES:

Green- Next is the request for fill and grade permit 2610 Pearson Road Parcel 16-20200039 it's a Mr. Joel Hack. You have letter in front of you from our engineer with three bullet points on it.

Attorney- Good evening board my name is RJ Cronkhite the law firm of Maddin Hauser, I represent Joel Wren Hack in regards to this matter. I would like an opportunity to address the permit that is before you permit request and touch upon some issues that I think the board should be aware of before it makes any decisions regarding the application. May I proceed?

Green- You have the floor

Cronkhite: Thank you, I do appreciate the opportunity to speak. I do feel like I am a little late to this party. I know that this has been going on for quite some time. And part of the reason I was not here last month when this was before the board was because I had received and my client had received a letter from the townships engineer HRC that had confirmed to me that the engineer had reviewed my clients proposal regarding the construction of a driveway and a proposed culvert for drainage purposes and had concluded that it was sensible and that he did object to the proposal and I think and I am looking at the August 24th letter from HRC that I was just referring to and that letter states and I quote "that it can be assumed that any flooding that occurs post development" regard referring to my clients development " should be similar to the flooding elevations predevelopment" therefore " this office does not object to the post grading plan" this is just a fancy way of saying my clients project is going to have no effect on flooding on this property it is going to be the same as it was before, the property is what it is the construction is having a minimal impact on the land there including flooding, so when I saw that letter from the expert HRC, your expert I concluded well the experts recommending it be approved So I was shocked when the board met last month and I discovered afterwards that the board postponed the decision and I was further shocked that the basis for postponing at least extensively was that the

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neighbor of my client had expressed some concerns about flooding, had shown some photographs to the board and perhaps raised enough of enough concerns that further evaluation may need to be done. I know that Bill Rogers who is the construction manager for my client on this project which is building a residential home, a single family detached home with all of the normal perks like a driveway I know Bill Rogers was here and explained to the board that the neighbors' concerns were however well intended were factually just not only factually incorrect but factually impossible and I want to take the opportunity to re-raise that issue, I actually have what I believe is going to be a very helpful packet for the board to consider and if I could approach and hand that packet out to each one of you because I will be referring to some documents inside of it I think it will help guide the board to what I am actually discussing and why I am requesting what I am requesting so if I could pass that out I would like to request the opportunity to do so.

Green- does your paperwork include the Three bullet points from the letter of October 8th from Hubble Roth and Clark?

Cronkhite - It does not and

Green- that is what we have requested

Cronkhite - The issue supervisor is that the oct 8th letter is unwarranted and there is no ordinances thorough review of the townships ordinances I can say this confidently there are no ordinances that can authorize

Green- you can submit the documents while you are talking

Cronkhite - Thank you. There are no ordinances or law that I found or that has been pointed out to me by the your city attorney that actually authorize the process that my clients are currently going through and I will be specific there is no ordinance authorizing the township to require drainage plans, to require site engineering plans, to require topographical surveys. This is unauthorized in your ordinance and as best I could discern looking at your ordinances it appears to me that what's happening here is requirements are being pulled piecemeal from more complex developments such as industrial developments, commercial developments, multifamily developments and apartments complexes which the ordinances do address, and say that for the construction of anything other than a single family detached residence which is what my client is seeking to build and has built, the driveway is really the only thing major thing that brings me here today for all other developments other than a single family detached home, yes you can require engineering plans and drainage plans and in fact those are required and that makes good sense because those have greater impacts on the land and it makes sense to impose some costs on the developers to make insure that the impact to not only that land but surrounding parcels will not be adversely affected. There is no such process or procedure set forth in your ordinances for a single family detached residence. And in fact your ordinance expressly exempts that sort of

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development from these oneriest costly requirements, now when my client bought this land back in 2016 for substantial sum of money it was vacant unimproved, contracted to have a home built there we are now talking you know 300 and 400 thousand dollars I think almost even between the purchase of the parcel and the construction of the home. Part of that process of course requires my client to apply for a building permit, that's what is done, the ordinances make that clear, we have to apply for a building permit before you can build a building even a single family detached residential home. That application was filled out and submitted by the construction manager I have in the index documents I have handed out, a building plan on tab 1. The application included this building plan and the building plan specifies the schematics of what was to be built, it shows the home shows the septic shows the garage and importantly for our purposes today it shows that 380 ft driveway, 10 by 12 feet wide that was to be constructed on the property. It is promptly displayed and of course it would be, because when you build a home on vacant land you have to have a driveway you have to ingress and egress from a home that is sitting back 380 feet on muddy property. You have to have a driveway to connect it to the county roads that's a right, that's a common law right, so it included a driveway that plan and application was approved by Tim Brandt it was approved by the building administrator and we have a permit which is tab 2 and it refers to the application in shorthand authorizing the work to be done. That was in November of 2017, you can see on tab 2 the permit says the application the permit was issued on November 13, 2017 it was there was no issue client had the construction company build assemble the home you know do the septic system no issue whatsoever until 8 months later in June we received a cease and desist letter because we had started to build the driveway. Now I want to be very clear there was no extra activity on the property other than what was in the building plan that was approved and the permit which the permit authorized there was no other extracurricular activities here the driveway was simply being constructed and incidental to any driveway construction is a certain amount of land and stone must be put underneath the driveway to stabilize it that land was brought to the property in order to build a substantially large driveway 380 ft because of the setbacks here. My client's project was stopped on the basis of constructing the driveway, which had already been approved, the reason given was very vague. It claimed we needed to obtain a grading and fill permit in order to build a residential driveway. Board there is nothing in your ordinances that authorizes a requirement like that, not for a single family detached home.

Wiltse- let me stop you, were you doing any grading and filling?

Cronkhite - there is no filling

Wiltse- no fill was brought in for the driveway?

Cronkhite - It's not there is a difference between filling and having and having land brought in incidental to an approved building plan used on the property its not there is no filling going on with that property.

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Wiltse- I did not see anything on the building plan showed that you were going to have to bring in as you call land, I will refer to as fill whatever brought in, earth if we want to use a common term, I did not see anything on the original plan that showed you were going to bring in fill, earth

Cronkhite - Two things, two things what first I believe the building administrator was well aware of the nature of this land, I think it's actually it is pretty well known the area in terms of what it deals with water, it is relatively low lying parcel it is by nature go ahead, I'm sorry

Busick- so the fill material that you brought in to elevate the driveway above the surrounding areas?

Cronkhite - correct, its to build it up approximately two feet in order to bring it out of the water.

Mazzara- Can I ask, can I ask a question at this time?

Busick- so then your essentially building a 300 foot dam along the axis of the property along the axis of the driveway

Cronkhite - I think to call it a dam is a mischaracterization it is a mischaracterization there is nothing being dammed there is no water being dammed, that that implied that there is such an abundance flow of water back and forth that this driveway is somehow going to dam water there is nothing that has been shown to me or my client showing that a dam situation would be created.

Mazzara- I have a couple of questions

Cronkhite - sure please

Mazzara- this earth that you brought on site, did it alter the existing contour lines to a different contour elevation?

Cronkhite - when you say contour lines do you mean of the

Mazzara- topographic; topographic contour lines when you brought the earth on site did you alter the existing contour lines?

Cronkhite - not to the extent that they would affect the neighbor's property

Mazzara- but you did alter the existing contour lines?

Cronkhite - ! I don't I think that's a vague question

Mazzara- its not a vague question

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Busick- I understand it, the answer is yes.

Mazzara- there is something called there is something called cut and fill, when you cut or you fill you alter the existing contour lines, so that's not vague question it is a very direct question, so when you bring in earth the contour lines have to be altered because you have brought in material so it cannot exactly be the same contour lines it was to begin with.

Cronkhite - There is certainly is...

Mazzara- so a result of altering the contour lines did that did that change the contour line as it exited the property on the property line?

Cronkhite - absolutely not, and I think I think Bill Rogers during the last board meeting showed the topographic survey which my client commissioned at his own cost which showed that the elevation levels of my clients parcel and this is with construction mind you and the elevation levels of the complaining neighbor's property is such that post construction the elevation of the neighbors parcel is significantly higher than my clients land and I think we probably all learned this in elementary school, water does not run uphill and I and I this is topographic survey that was done by a registered engineering outfit Boss Engineering it cost thousands of dollars to do this.

Mazzara- Ok and I am under the understanding that the contour lines that I am looking at on this sheet of paper that was offered to us was not the existing contour lines prior to construction, it was the contour lines established by Boss after the fill was brought in so if you look at the county records and you go to the county contour lines in the aerial you will see there is a difference between the recorded contour lines of the property prior to construction and the contour lines on this Boss drawing which raise to me the fact that maybe Boss looked at this from the contour lines that were given to him but not the existing lines prior to the start of construction, by bringing the material on site the only question we had because the engineer HRC had to make some assumptions in order to get a better understanding what were the contour lines prior to the start of construction because your right the ordinance do not call for a grading type plan on a residential piece of property, but the law does not allow you to shift water from your site to another site, so the investigation was primarily to understand what were the existing contour lines before construction started, before the fill material was brought on site which ultimately altered the contour lines which we thought maybe was possible that's what Boss went out there used their study from, so we went back and said lets take a look at this because this is a large area, it is not just one lot, and the understanding was that yes it did look like the earth that was brought in to control water that was there before the start construction so during construction the contour lines were changed which did divert the water to a different area.

Cronkhite -there is nothing in the record there is nothing from HRC there's nothing from this board there's nothing from the building administrator there is no nothing whatsoever

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that corroborates what you just said in terms of evidence, evidence let me just finish, evidence that the limited fill we are talking a .05 percent impact of land its under half a percent for the driveway

Worrell- where did you get that statistic?

Cronkhite - from math, if you look at the amount of land that is

Worrell- what math?

Cronkhite - from my construction engineer

Worrell- your ok your math

Cronkhite - which has been sworn to in an affidavit which and that is for the 10 foot to the 12-foot strip of land that is going to go from the road to the home there is no evidence that I have seen of that limited amount of land altering a water flow, that is the first time I have actually heard that said. In HRCs letter from October 8th does not claim that and also HRCs recommendation does not ask my client to look at what the predevelopment contours were that is not what is being requested of my client and I think I would be very interested to see what evidence there is that my clients limited .05% amount of land, stone.

Busick- I'm sorry, crunch that number for me where is the .05 come from, what is that value?

Cronkhite - Sure its something like 200 sq yards that are going over 3.15 acres.

Multiple people speaking at once unintelligible conversation

Busick- so what you are saying is when you take the material of the driveway of the of the driveway elevation and spread it over the entire, that's a bogus number excuse my speaking

Cronkhite - I don't think that's bogus

Busick- sure it is

Cronkhite - because what your looking at is the amount of water

Busick- its as if your standing in a pool of water 5 1/2 feet deep with a hole beside you and you step into that hole and went over your and you said the surface of the ocean has increased you know that's a foolish number.

Cronkhite - well I would be interested to say that HRC claimed that's fallacious in the August 24th letter from HRC they very clearly refer to the numbers that we provide and

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said that those numbers would not affect the flooding it is completely contrary with respect sir to what you just expressed to me. HRC concluded that the proposed land that was going to go in for this driveway would not affect flooding. That is exactly that's what HRC said not.

Elowsky- It actually does not say that anywhere in that letter.

Mazzara- Yeah Jennifer why don't you just take this over.

Cronkhite - It said that the pre the post development flooding will be the same.

Elowsky- It said that it can be assumed that it should be similar.

Cronkhite - Ok so

Elowsky- so it's an assumption and nowhere does it say anything they did not give any guarantees or assertions in that letter.

Cronkhite - That October 8th letter that was later directed by the board to be rereviewed by HRC and revised also does not conclude what has just been said here that there is going to be a diversion of water based upon placement this limited amount of dirt.

Busick- I'm going to need you to back up, because I understand clearly what our attorney just said, do you dispute what she just said? You seemed to kind of move on.

Cronkhite - I'm not I'm saying that HRC used a word that I think is being used to escape the conclusion and the recommendation which.

Busick- It can be assumed

Cronkhite - It can be assumed which is what happens because HRC does not go out there and physically double check all of Boss engineering's work, that's normal

Busick- sure, but

Cronkhite -but what the recommendation was

Busick- but that does not support your assertion that was true but what they said was that it can be assumed that, and you said oh no they said it's true, that's not an accurate

Elowsky- so HRC was given one piece of paper a grading plan from your client and they reviewed that and then they made a lot of different assumptions using that one piece of paper and at the last board meeting the township board had concerns and needed more information, more engineering information which is outside its expertise, so directed that to happen, which it did, HRC pulled Oakland county GIS information, which is available to you, but wasn't going to entirely hinge their report on that because it should be

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information provided by you, by the applicant, so you can just as easily go look at Oakland County GIS Information for the data that we actually sat and looked at printed maps from Oakland county, that's why they've asked you for a tributary, a map of the tributary area.

Cronkhite - so that

Elowsky- so that you could provide the information that we are talking about right now

Cronkhite - so if I

Elowsky- and just to go back it was 780 cubic yards of fill

Cronkhite -it's a little confuse your talking about cubic yards verses square yards in terms of surface

Elowsky- because its cubic yards

Cronkhite - the conclusion is the same

Busick- he's talking about distributing 50 yards over the entire property

Cronkhite - thank you the

Busick-no I'm actually don't thank me because I'm actually pointing out the absurdity of the proposition

Cronkhite - So the I guess if I understood you correctly you were stating that you will not provide the numbers that actually support the additional requirements by HRC.

Elowsky- no we are saying that you need to provide a drainage area map of the tributary area which we looked through Oakland county records which you could easily do that, it's your application.

Cronkhite - the application is not authorized by the law and I guess I will just get to the chase and I appreciate the board listening to me.

Worrell- Mr. Supervisor what is the question tonight?

Elowsky- If you're going to approve the fill and grade permit based upon the conditions by HRC

Green- based upon the three conditions

Worrell- ok and he's just answered that they do not have the question the answers so I am ready to call the question, but

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Hack- May I speak

Worrell- If you would like to say something too I will let you

Hack- Well am I aloud to speak?

Worrell- yes

Hack- I'm not familliar with a lot of

Green- please state your name

Hack- I'm sorry, I'm sorry, I'm Joel Hack I'm sorry, Joel Hack 2610 Pearson Road. My wife wren also, thank you for hearing us tonight a lot of this stuff I do not understand, it is not my area of expertise and just to give you a little history we bought this property two years ago, we knew there would be some challenges, but we knew it would be a buildable plot and to build our dream home we didn't want to live in the suburbs anymore, we wanted to come out to a rural area, my wife grew up in a rural area this is what we wanted and we finally got our wish, and its been great, we set up our beehives that we have had for seven years and haven't gotten any honey until this year we got two pints of honey. It doesn't seem like much to anybody but that's excitement we have about it, please don't say there is an ordinance against beehives. And the first day they started construction I went next door or when I knew they were going to start construction I left a note for Dave and I said if there are any problems let me know, I don't want to cause any issues, I want to make sure and there weren't any issues at that point, as it progressed they had some issues and I tried to addressing as much as possible, he wanted me to get a survey, I got a survey. I you know I got a civil engineer to do it so I've been trying to do this and try to make everybody happy and not have anybody suffer for it but the problem is we have been suffering for it, you have no idea how much tension, how much stress this has put us under because of a driveway. We don't want to dam anything we want the water to flow underneath, it's not a hole, it's a what's the term called that you put under the

Busick- a culvert

Hack- Thank you the culvert and I know that they are going to put some more swells, his property is higher, we know that, but I'm not saying to him prove that your water is not coming on us, whatever is coming down, if we can build a big enough hole to put it in we will do that its not a problem, our neighbor to the west is above us, we don't have a problem with that we would like to have a little bit of water that would be great for us and if it helps everybody else we are the bottom of the funnel of that area I mean every one drains to us so we know that the water is going to come and we are trying to figure out the best way to do that.

Worrell- Our engineering firm

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Hack- I'm sorry?

Worrell- Our engineering firm is here to help you.

Hack- Ok, I know, but at times it seems like

Worrell- but the way it's coming across tonight

Mazzara- It's argumentative

Hack- yeah

Worrell- it's, it's argumentative and its going to go sour

Hack- right, and I don't want to spend more time and money for your

Worrell- so to help, no, no I'm going to tell you how I'm going to vote right now, I am going to approve based upon these recommendations and your going to have to follow those

Hack- ok

Worrell- if you follow those we can move forward everybody can, we are going to listen to the engineers, we are not going to listen to people are not engineers, and we are going to listen to these people and follow what they recommend to us and right now they have recommend three if not four points for you and if we can do that we are all going to move forward and your stress will be gone because they are going to work with you and help you, but if you want to argue it then that's your choice

Hack- I don't want to argue it I want to be able to make everyone satisfied, I mean the building department...

Worrell- unfortunately you won't

Busick- I think actually speaking, I think that

Hack- I want, I want this is not a competition

Worrell- no this is not about a competition, we are just trying to

Hack- I don't want to antagonize my neighbor, I don't want to antagonize anybody, I just want to live in peace and I want everyone else around me to live in peace

Worrell- right, we are involved and we are helping now

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Mazzara- I was in the meeting with the engineer and I think the whole goal was not to go down the route that you want to go down

Hack- no not at all

Mazzara- I think all we want to do is make sure that the this works for you and works for your neighbor

Hack- right I understand that

Mazzara- so out of this came as this real simple understanding that there is so much water there that one culvert that you show is probably not going to work.

Hack- ok

Mazzara- the elevations that you have on the culvert are going to hit the limit in which the water is going to stop flowing through the culvert, so the whole question came back down to what are we going to have to do with the water? And do it effectively, so the thought was if you could gather the information on the surrounding area with how much water you have to deal with so then you could size that excavations, which some people call an detention basin and put enough culverts through there so, you know the culvert you have right there shown I don't know what the direction the Boss engineer is a great engineer, but it seems that if you get sticks and leaves in there you will probably diminish the amount of flow. I think that all we are trying to do, we are ready to approve this with these understandings, but you cannot you got to understand there's a lot of water, I think you just said it, I drove by there

Hack- I know there's a lot of water

Mazzara- and you gotta really sort of and you can't just attempt to fix this, you have to understand from an engineering standpoint, you have to how much water is coming in here how it's going to get across your driveway into that retention basin and at what flow? Because just because the attempt here the water goes through the culvert into the recessed area and solves everyone's problem, and I hate to see you go through all of this work and find out the culvert isn't big enough or the retention isn't big enough and all you had to do is dig a little bit deeper, so I think that's all they are trying to do here is understand it a little bit better.

Hack- Can't we just put more culverts in and dig it a little bit deeper? I mean I know it sounds very simplistic but

Multiple people speaking at once

Hack- but that was the, I know, but there was more stuff that we had to do before that I mean it just seems like we did something wrong and we offended someone.

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Elowsky- this is it, I mean this is it

Buslick- I think we kind of wanted to leave you with a punch list of to say ok if I can fulfill these three conditions, one of which you said you were getting ready, two of which cause you said you want to make improvements to the swales, two of which you are already on the track of doing essentially just leaves you with a punch list, if you fulfill these three conditions than you can move in, we are happy to have you as neighbors we are happy to move on

Mazzara- There was some thought that towards the back of the house coming to the front of the house that the swale is not large enough to move that kind of water to the culvert, this is so much easier to resolve with a bulldozer then it is you know then going through a legal battle, which may end up with a bulldozer, so if we work together on this, take a look at the three conditions, I am sure that you know Michael Darga is a good person to work with, talk with him directly, figure out what is a common understanding you can come to, to size the excavation to the right size, to hold the volume of water to put enough culverts through there. I don't think putting one culvert in there is going to make you very happy in the future you are going to be out there all the time trying to get leaves out of the culvert

Hack- I understand, ultimately we are always responsible for our water, whether it this plan works or not we would still have to modify the next plan to be able to get that water situation taken care of, so the burden is always going to fall on us, my question is why can't we initiate the plan that we had proposed and that was originally proposed, approved by your building, your engineer, I'm sorry, and increase the number of culverts, and if for some reason that doesn't do it because doing all of the things that you are continuing want me to do is just costing us so much money, and we just can't get past that and how long is it going to take? You've seen my driveway as fine as the fire department we have, if it gets to the point where its impassable and god forbid we have a medical emergency, what's that going to do how long is that going to take us to do, we need to have something done, so it can prevent like anything like that, because minutes are important as well and we are getting close to the winter time and it just seems like its being dragged out and we are just at our wits end, every time it rains, every time it looks like its going to rain you have no idea how nervous I get, is this going to be the day I can't get to my house or get out of my house? Now at least if we can start to do something and with the fill that came in I think the excavator was just premature, he thought it was going to happen and it was going to go on the driveway and not to the side and so all that stuff going to come up, I think that's what happened with him, I don't think it was intentional to change anything on the grade, but if we could at least you know initiate a plan and you know if we need to increase culverts right now we will do that and if we have to do, again I'm always responsible so if its not working its my responsibility, so I would ask that you would approve the original plan from us and was originally approved by your engineer and we go from there because we put up a bond to get into our house, Tim was tremendous, because he knew our daughter was

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having surgery, we have been cooperative every step of the way, we have been trying to work with everything, like I said not my area of expertise I don't want it to cost the township more money, I certainly don't want it costing me more money, but it's the more the stress and the aggravation that we go through every single day so I would ask you if you would do that, and everything will be fixed if it doesn't work, but I don't think its unreasonable to ask that question.

Mazzara- so what the difference between the contour line that's shown here and what are on the county records

Hack- I don't know what a contour line is

Mazzara- these dotted lines here

Hack- so the elevation

Mazzara- the elevation on the property that, even when you show a dotted line it typically is an altered contour line, so it does look as though some of the contour lines here were altered during construction of the home.

Hack- can you show me?

Mazzara- if you go and look at the if you go and like at the county lines there is a pond that sits right here its sort of small, and there is other activity back here that looks like it got blocked off right there, right where that swale is.

Hack- (too close to mike to understand) is that how it does that

Mazzara- The question is where it says existing swale then existing swale would mean that its there now, it doesn't appear, without knowing the volume of water that you have to get from here to here, they are saying that it doesn't look to be enough

Hack- but that here is not me but from my neighbor above me

Mazzara- right, but at one point in time that all came through here

Hack- right and it still does, it still does

Mazzara- and it all comes through and at some point in time someone altered all this coming through here and you cannot alter the exiting conditions for your neighbors, granted you can do what you are saying, but what the engineer is saying if they had more information on how much water volume is here, and I think we knocked it to a 10 year rain it's not a like a 100 year rain or 50 year rain, just to get an understanding to let you move ahead, at the end of the day it wasn't so much that this plan need to be verified that it would work based on the surrounding areas, I really think that the things that we talked, that are in here we can't just go backwards and say its negligible.

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Elowsky- At the last board meeting the board needed more information they needed to understand the engineering and the drainage of the site and which they did their due diligence and they their engineer looked at the information available from predevelopment and its not an assumption any longer, but you need to provide information as well its your application, so the conditions that have been set up by HRC have an end to them and they are very quick simple resolutions that the township and the engineer are willing to work with you on, but Mr. hack you realize now that there has been litigation filed against the township, so a quick resolution isn't going to happen and your saving costs isn't going to happen, this is a simple solution to the problem.

Cronkhite - with respect this is not a simple solution to the problem with respect there is no end site.

Worrell- Mr. Supervisor I would like to call the question

Green- Ok

Cronkhite - Please call the question

Brandt- we need a motion

Worrell- I would move to call the question on the request to the fill and grade permit 2610 Pearson Road 16-0200039 Joel Hack

Busick- that's a motion to call the question, I support

Worrell- yes

Elowsky- and that's to approve the fill and grade permit?

Busick- no, no just to call the question

Elowsky- oh ok

Busick- Just to call the question

Brandt- no one has made a motion

Green- we need a motion to approve the fill and grade permit

Multiple conversations

Elowsky- but you haven't had a motion

Worrell- not yet, no !

Transcript of Request, Fill & Grade Permit
2610 Pearson Rd, 18-20200039 Joel
CHARTER TOWNSHIP OF MILFORD

October 17, 2018

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Elowsky- so what are you calling to question?

Worrell-well then, I would move to support I would move, excuse me, I would move to permit the fill and grade permit 2610 Pearson Road 1620200039 for Joel Hack with the conditions provided in the October 8th letter provided by Hubbell Roth and Clark with the three points as submitted in writing, I don't want to read them.

Mazzara- Support

Green- it's been moved and supported, any discussion?

Busick- just to be sure you incorporating those three points by reference in your motion?

Worrell- yes sir

Busick- ok, just wanted to be clear

Green- all in favor say I

All board members- I

Green- opposed same sign, motion carried