

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
SEPTEMBER 28, 2011 7:30 PM**

This meeting of the Malabar Planning and Zoning was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER, PRAYER AND PLEDGE:

Meeting called to order at 7:30 P.M. Prayer and Pledge led Chair Bob Wilbur.

B. ROLL CALL:

CHAIR:	BOB WILBUR
VICE-CHAIR:	PATRICK REILLY
BOARD MEMBERS:	DON KRIEGER
	BUD RYAN
	LIZ RITTER
	WAYNE ABARE
ALTERNATE:	CINDY ZINDEL, excused
SECRETARY:	DENINE SHEREAR
TOWN ENGINEER	MORRIS SMITH, P.E.

C. ADDITIONS/DELETIONS/CHANGES: Reilly we don't have minutes.

D. CONSENT AGENDA:

1. ~~Approval of Minutes Planning and Zoning Meeting 09/14/2011~~ Not ready yet

E. PUBLIC HEARING:

F. ACTION:

G. DISCUSSION:

2. **Continued Discussion with Morris Smith, P.E. Town Engineer- List of Requirements for Site Plans as they relate to Excavation and Ponds less than ¼ acre of water surface area**

Exhibit: Agenda Report No. 2

Recommendation: Discussion

Town Engineer Smith referred to information a pond applicant should provide. The typical property owner in Malabar would have a document showing well and septic locations. The State requires 75' separation between well and septic. They discussed the distance between a septic drain field and a body of water. Malabar could set this at 50' feet instead of 75 on this.

- Construction setback for ponds should be the same as it is for structures.
- Provide for a spill over into the Town's drainage system via a 4" pipe. Eng Smith noted they are already seen all over town. He also proposed as an alternative a swale around the pond to detain the spillover and then direct it to Town's system.
- Boundary survey – most owners would have as banks/mortgage companies require it in closing documents.
- Accurate layout to scale of proposed pond and where excavated material will go. Krieger clarified this did not mean a new survey. No.
- BMP (best management practices) is on town to make sure applicant understands that adjacent properties must be protected; silt fencing for wetlands. This is educating applicant. We would guide them.
- Typical section of side slopes would look like: either 3:1 or 4:1 or 5:1 along the sides.
- Disclosure of ownership – putting Mortgage Company on notice that the property will be changed. Make this clearer. Page 8 or 33 of packet. Town already has this form in use.
- Stabilization of side slopes of pond and any swale area leading to Town ditch – any of the disturbed areas - do seed and hay or hydro seed. Or sod.

- Require some evidence from DEP or GIS mapping showing there are no wetlands in area of project site.
- Last item permit fee. In 1980's until the change the pond permit was 350.00 or more. There is staff time involved – Denine, Engineer whether a permit fee is charged or not.

Board then discussed site plan application. The site plan application they had in packet is for commercial development. The application should state that – non-residential. Denine stated single family home construction does not require this to be filled out. The Flood zone and wetlands are shown on survey that is submitted with the building permit for a single family home. Abare stated much of the same information is still needed if you are going to build a single family home. Denine said a separate checklist is provided for single family home construction.

Eng Smith said that the checklist he is proposing is for a pond $\frac{1}{4}$ acre in size or less. That is 104' x 104' if it were square. Abare clarified that the site plan application for non-residential would not be used for a residential pond. Pond would require a mini-site plan.

Reilly asked if the Board was proposing a reduced fee for a pond review. Yes. Krieger wanted to review the old ordinance that specified the fees from 1994. Abare said if Town Eng has to do additional work related to the pond that is an expense to the Town. It needs to be covered by fee. Eng Smith had thought P&Z intended to make the review for this type of pond so simple it would not require a review by Town Engineer. Krieger said like a Ted's shed permit – show where the pond will be, go over the checklist and pay the fee. Eng Smith said they can go to Property Appraiser website and look at new maps for wetlands. Abare said we should show on the application what we want: have a sample application showing the pond location, the pipe coming out of it at diameter of 4" the setbacks. Then there is no guessing by applicant. Abare then asked about setback requirement from easements. Survey if done properly will show easements. Does town want to allow pond within an easement. Property owner owns land and grants easement to Town for public utilities. Would not be issue in most cases.

Krieger questioned need for permit or review if pond was going on lot in an already approved subdivision. He also stated that some subdivisions, like Sugar Pines have an end date for the deed restrictions. Sugar Pines deed restrictions died in 1999.

Reilly referred to last item - asked if P&Z Board would review these smaller ponds. What would Board provide? Wilbur said if they are building a pond $\frac{1}{4}$ acre or less there would be no review. He proposed putting it all back under pond and provide definition for mini-pond so the other items like removing fill from Town would still be covered by code. The criteria would just be less for a small pond. Don't get rid of it. Reilly said why should P&Z approve or disapprove? Wilbur said they shouldn't it should be by staff. Have a pond permit and provide the criteria for both types.

Krieger said call $\leq \frac{1}{4}$ acre hole a decretive water feature and just provide a checklist so you don't have to change the ordinance. Wilbur said you still have to change language in code saying a permit is not required for ponds less than a $\frac{1}{4}$ acre.

Reilly stated Wilbur wants to go back to pre-Booth ordinance and include a Part A criteria and a Part B criteria. It is still going to require a review to ensure it was put where they proposed and that it was $\frac{1}{4}$ acre or smaller in size.

They ask Denine to provide the ordinance that was in place before the ordinance Booth proposed that was adopted. Have for next meeting. It is currently under Section 1-5.27.

Abare said and Board agreed that applicant should also show on drawing any trees that would be coming down –other parts of Code would be tripped if protected trees were proposed for removal. The checklist is for the homeowner to fill out. It is a guidance thing. Wilbur said they need to be signed off by owner so they are responsible.

Eng Smith said that they were proposing the checklist to provide guidance without having to change the code. If P&Z were going to say there is not fee then someone other than Engineer would have to review. Board all agreed there should be some minimum fee to cover costs.

Abare said that is the purpose of having an example with a diagram. Abare asked if this is different issue if you are building a small pond alone or building a pond only on a vacant piece of land. No problem with that by P&Z Members.

Eng Smith gave example of fill from a typical 8' deep 140' x 140' pond (1/4 acre) 131 truck loads or 2370 cubic yards of excavated material. That is a lot of dirt. If you are not doing building. Right now Malabar Code allows not the top soil but the excavated material to be removed from town. Ritter and Wilbur then say code should be amended. Wilbur restated that pond permit should be required/

Reilly stated consensus of P&Z Board that they will not be involved with review of ponds. It will be done at staff level. They will start up with consideration of ordinance changes at next meeting with review of old ordinance.

Eng Smith reminded Board there was a contractor and a pending application waiting on this outcome. Board thought they agreed to let him construct. Eng Smith said no. Contractor could proceed with land clearing but wanted to do at same time to mobilize once instead of twice. Krieger questioned P&Z Board ability to make authorization. He thought that should come from Council.

Board then went back to discussion about building a barn on a vacant piece of property. Under a prior Building Official you had to have principal structure before accessory structure. Last couple of years that has not been the case. Wilbur is not sure that is correct. Krieger wanted clarification. Mentioned Gentiles barn. Building Official also wanted the lots joined. Krieger questioned Town's ability to require that. The Gentile barn was done as agricultural building. Same with one on Weber. Board then discussed principal uses. Krieger said Board recommends to Council and they direct staff. He thought they should get a legal opinion. Wilbur said he would rather have the applicant wait another couple weeks so ordinance can be done right rather than rush it.

Krieger said we are asking this property owner to act like a conditional use but questioned if Board had authority. He could follow the existing code and pay 3K for a survey and go forward with project. Abare questioned the 131 loads of fill - that is a lot of fill to place without adversely affecting adjacent property owners. Wilbur asked Engineer if there is a requirement to show elevations of area where proposed fill will be placed. Eng Smith stated yes it is in current regulations for site plan that are tripped by disturbance of 1000sf of area. Most new homes would use the fill for the house pad. This applicant already has a house so they question his motivation. Krieger said there lies the reason to have the rules. How do you most fairly administer this? Wilbur said this application raises a number of potential problems.

Krieger referred to mining issues that came up in past. They then discussed the affect of 131 trips on our dirt roads since less than a ¼ acre can be removed from Town. Board agreed this needed more work. Krieger said we are discussing the maximum and we should establish maximum depth at 4 feet or use an average depth of 4 feet.

Engineer Smith asked Board to consider the checklist and left at 8PM.

3. Continued Discussion Recreational Vehicles & Trailers in front yards of Residential Zoning, adding parking of Tractor Trailer Trucks in Residential Zonings.

Exhibit: Agenda Report No. 3

Recommendation: Discussion

Reilly stated the attorney provided clarification on front yard. It is the area in front of the straight line of the front of the house. Krieger disagreed. He thought they resolved the definition with front yard only being that area within the set back. Wilbur thought that the change came in when they changed the fence ordinance. Wilbur read from email from Attorney Bohne. Ritter said the front yard is the area between house and street. If you say required front yard it is only that area within the setback. Krieger said he had not seen memo. Wilbur said we changed 1-5.15 to read required front yard. Reilly read definition from Article XX of Code. Definition stated the area between structure and street is front yard. Abare stated that hurts their case. Ryan said that definition is like Palm Bay code; they don't allow anything in front of the structure. Ritter said that is why we want to go to required front yard and not just front yard. That requires a change to the code – Section 1-5.15 to add that word "required".

Board then discussed allowing recreational vehicles to be parked between the setback line and the edge of the street. Ryan said it would depend on type of vehicle. Ritter said you shouldn't have commercial vehicles there. Ryan said it would depend on how long you parked it there. Abare said if it is just parked on grass and not mowed then that could become an issue. Krieger said if you pour a slab and build a small wall in front you then have moved your front line. He went by properties that there were complaints about and he does not see an issue except aesthetics. Then it could be addressed with the nuisance code. Ryan said that is the issue. Ritter said it should be required front yard; you should not be penalized for setting your house back farther than setback line. Abare agreed with Ritter. Wilbur said we did once define front yard in 1-5.8 however when we recently amended that section we removed that section.

The Board stated they were first supposed to look at RVs in RR-65 and now they have been asked to look at other types of vehicles, trailers and trucks and also consider all residential zonings. Krieger referenced nuisance ordinance regarding 18 inch high grass and said that even council would be in violation of that. They haven't discussed boats and trailers yet and he also had issue with licensing requirements; do they mean registration? A trailer is not a vehicle. A boat is a vehicle.

Abare said he thought the intent was recreational vehicles that did not have current tags and had not been moved and would probably not look very nice. Ryan questioned if they were behind the front line of the house would that be an issue. Krieger said he could install posts for a fence and that would be fence line between the front of the house and setback area. Ryan said what if he had multiple RVs without tags but he owned them; collected them. Krieger also has issue with requirement of vehicle registration by owner. He drives a company car that is not owned by him and he would be in violation of code. It could be the family race car. He does not think Board should make a quick move.

Krieger would like more time to review this. He also thought it was 72 hours not 48 hours. Abare said there were two persons that came in and spoke against parking in the front yard. Until the changed the fence ordinance this was allowed. You have a lot of people in Malabar that already have RVs and are parking in front. What about grandfather. You will have some people in Town thinking we are allowing anyone to do anything they want. Krieger said we are trying to simplify things.

Krieger thought 1-5.8 was exclusive to fences and walls. He didn't know it affected other areas within the code.

Ryan said we have also been asked to look at the parking of tractor trailers and those associated issues. Parking a rig overnight versus parking in yard for month or season. Ryan said they can park in Wal-Mart lot at I-95 and Palm Bay Road.

Abare said the Attorney has made his ruling and what is the message the Board is sending the Attorney? Wilbur said we could go back to adding "required" front yard in 1-5.15. Maybe there is other wording in other areas of the code that challenges what

Pg 615 says it right there. He doesn't have to follow from the 1985 code. That was to protect people.

Does that mean once he moves it or when he sells it?

Continue at next meeting.

Check code for other places in code that will be affected

Now they have been asked to look at commercial vehicles in residential zoning. They agreed to look at this separately.

The case was in RS-21. The trailer does not belong to the individual. Can't put it in storage yard because it wouldn't be covered with insurance. He asked Denine. Company needs a letter from Town to company saying he was allowed to park it at his house. Ritter said case in point was a rig parked on Highway 1 and Orange Avenue and someone ran off road and crashed into it and was killed. Tractor trailers do not belong in residential areas.

Wilbur said he talked to Town Administrator and there were several similar cases and parking on week-ends and crushing culverts and damaging rip-rap on headwalls. Damage to town improvements. Ryan said it is bad for emergency vehicles. Wilbur recalled incident with tractor trailer parked on Marie Street and would park on the trail or park on the road and would stay there for extended periods and cause a safety issue with visibility. Ritter recalled the car hauler that went in across the street and got stuck on the roadway and blocked the traffic. Ryan said they are not supposed to use that road except for emergencies. Ritter said we are not pro-active. She needs to come down and make a complaint. Abare said Code Enforcement should be able to address these issues under current code. Wilbur explained that is why these have been added to the issue they had already been given. First it was RVs in RR-65 and now it is also tractor trailers and other commercial vehicles and review it for all residential zonings.

Ritter said they should not be driving large trucks on dirt roads anyway. Wilbur said that is why we need the light industrial designation.

Abare said we are going to be making more changes to Code regarding this so we can address all the issues. He did not think it should be with the fence ordinance.

Wilbur said that the residential areas should not have to provide parking for tractor trailers, even by owner operators. A commercial vehicle used in your business would be ok. What about dump trucks. They discussed a ton and half limit. They are not as long but are as heavy. Ryan asked if we should ask Attorney to draw something up. Krieger would like to see some of these complaints. Even Waste Management can cause damage to Town culverts. Abare said the Mayor was there and said there were 30 or so of these incidents. Krieger said that did not mean they were all destroying the culverts. Krieger said we are being led by them saying there have been complaints. Krieger said there is already an ordinance that says you can't have a commercial vehicle in a non-commercial area. If someone wants a letter ask them to come in for a conditional use permit. Ask

the neighbors it they like it. Ryan still thinks they should separate the recreational vehicles from the tractor trailers, dump trucks and any kind of commercial. Krieger said they should also discuss commercial vehicles by weight. He didn't think semis should be allowed to park in the road.

Reilly stated the issues are separate: Section 1-15.15 and 1-5.16. Let's keep them separate. Recreational under .15 and tractor trailers under .16.

Board all agreed to look at it separately. Krieger said he is not sure there is an issue. How can they review them. Ryan referred to memo from Town Administrator replaced culvert at Kelly Lane. Krieger said giving one or two examples is not reason to limit the freedoms of everyone in the town. Abare said we have to have some regulations and he like Wilbur's idea to do by tonnage. Krieger said we already have regulations. Wilbur asked if a property owner built a garage large enough for their tractor trailer could they park in residential. Krieger thought if they planted bushes it would be enough.

Wilbur said the Weber Woods subdivision had planned attached garages for motor coaches that could be 40-42 feet; as long as a tractor trailer and maybe as heavy. It is behind the front line of the house. Would there be an issue? Ritter said it is not a commercial vehicle – it is a recreational vehicle.

Ryan wanted Board to move along. Krieger said he had not had adequate time to read material. Reilly suggested continuing it at next meeting.

Krieger referred to the picture of the culvert and said it could just be a culvert that wasn't built right. The crack could have been caused by Waste Management truck. Denine offered that the tractor trailer goes down that lane. Ryan said that was circumstantial. Krieger said it looked like there was only a foot of dirt over it. Someone could have gone over it the first day and put the crack in there. Denine offered that when the tractor trailer goes into Kelly from Atz you can see where the wheels cut the corner. Krieger stated that is illegal now. We don't have to change anything in code. Reilly said it is 1-5.16.

4. Setbacks in All Residential Zoning Classifications

Exhibit: Agenda Report No. 4

Recommendation: Discussion/Action

Reilly said this got sent back because they wanted board to look at all other residential zonings. There is a Speaker's card.

Tom Eschenberg 2835 Beran Lane, Malabar. He said it was his error. He should have included all residential zonings in his first request. He asked that they look at Table 1-3.3. A. The current setbacks are larger in RR-65 and then are less as the lots get smaller. The Board has already made a recommendation of allowing a setback of 15 feet in RR-65 so perhaps they want to reduce the smaller lots as well proportionately. He thinks they ought to be reduced in the other districts also. He also stated that he is confused with the motion that they did make. If he was confused others may be confused. He read the proposed footnote 7: RR-65 side & rear setbacks reduced to 15 feet for auxiliary structures only. It is the next section "and for the maximum height not to exceed the modified setback". That part he doesn't understand. Ritter said that is not complete. The intent was if the auxiliary structure was 20 in height then the setback would be 20 feet. If the axially structure was 30 feet in height then the setback would go back to 30 feet. Board agreed with Ritter. Denine said the recommendation and minutes went to the Clerk and when the minutes were corrected it was not sent to the Clerk. Ritter said that is why it is good to see the final version before it goes to Council. Mayor Eschenberg said motions especially have to be correct. Ritter said they went over this thoroughly. The minimum would be 15 feet so even if you had a 10 foot high auxiliary structure you would have to use the 15 foot setback. Mayor said the 15 feet was an arbitrary number. Abare said they looked at setbacks in the Town and determined 15 foot to be the

minimum. Mayor asked if they would consider 10 feet instead of the 15 foot. Krieger suggested changing all setbacks: front, rear and side to half of the current requirements for auxiliary structures but he would question that with the discussion of pods. It should be all the things they could build other than a house. He does not see why it has to be 40 in the front and 30 on the side. They split the distance in half. They could use the same proportion deduction in all the zonings.

Ritter said traditionally they like a nice looking front yard. They did not want to have more auxiliary buildings in the front yard than anything else then...

Krieger said if you wanted to build a carriage house or a gate guard, he would consider that an auxiliary structure. That can be built right now anyhow because of the new fence ordinance. He said the fence is a structure and would conflict with the setback and they are already in violation. Krieger then referred back to required front yard in 1-5.8 and those definitions were only intended for that section. That is in the preamble of the fence ordinance.

Krieger said setbacks are related to grandfathering and parking of vehicles. They need to have some consistency before they start changing and nit picking things. He did like the idea of auxiliary building height and setback relationship. He did not know what the setbacks were in other zonings. He said if the most restrictive setback in any zoning is 10 feet then why not make that the requirement in all zonings whether it is the front, side or back. Wilbur did not support that idea. Ritter said if you provide adequate setbacks then the first guy could build close to the property line and the next guy would have to move his structure back. That is not fair. Krieger said for principal structures the setbacks would remain as they are. These proposals would only be for auxiliary structures. Wilbur said if you had two barns with 10 feet setback each and then there is a fire what are you going to do? You don't allow for space to get around or landscaping or buffers. He has seen some huge auxiliary structures in this town. Ritter said if the building is higher than the setback would be increased. Abare said the setbacks seemed reasonable until the Mayor made an impassioned argument and the logic was when you looked at the percentage of land you could use 50% of it. That resonated with him. He was comfortable in reducing it to 15 feet. Reilly said we only did the sides; changing it from 30 to 15 feet. Ritter said we also did the rear. Krieger said we cut them in half; not for principal but for auxiliary structures only. Then why not change it for front yard also; change from 40 to 20 feet for auxiliary structures. Make it consistent. Ritter and Ryan do not want to include the front. Krieger then referred to the entranceway issue they just went through and the reason to move it back to the setback was because it was a structure. Then they discussed setbacks and they said the setbacks are from the center of the road. They still had to discuss RM-4 and RM-6; all residential zonings. Wilbur said leave all other residential zonings along. Reilly agreed. Regarding rear setbacks, Reilly suggested looking at it at next meeting.

Reilly asked each Member to look at the Table and mark it up the way they think it should be changed. They have already done side and rear in RR-65. Look at other classifications for residential. Denine has already gotten the correction to the footnote. Multiple conversations going on by Board.

Bring back to next meeting. Wilbur said on smaller lots the setbacks should remain. Krieger said the setbacks remain the same for principal structure. He is proposing if they cut the side and rear setbacks in RR-65 for auxiliary structures why shouldn't they do the same in the other residential classifications. Ritter said why not require the minimum of 15 feet with the footnote for all single family residential zoning classifications. Not the mobile home zonings or commercial zonings. Reilly mentioned the setback in R/LC. Reilly said think about it and come back next meeting.

Wilbur then read Article V, Section 1-5.6 regarding the requirement for a principal structure prior to an accessory structure. There can be exceptions for Ag exempt land but they require large

acreage. Wilbur also stated the Table 1-3.3.A. does not specially state the setbacks are for either the principal or accessory structures. He said before they change anything they should make sure what the Table applies to.

Ryan referenced the Footnote 7 wording on page 24 of packet. Board said that is what they are proposing to change. They are proposing a change to the table to allow a lessor set back for accessory structures. Ritter said the Code said accessory structures and their notes say auxiliary.

Abare asked if they were to look at setbacks for all zoning classifications. Yes. Wilbur asked what they thought the change should be in RS-10 and RS-21 for side and rear setbacks. Multiple conversations by Board. Krieger said instead of a specific number have it a general; whatever the setback is for principal structure can have half that setback for auxiliary structure as long as height is not more than setback. His example is an 8 foot setback would only allow a 4 foot high structure. Instead of an arbitrary number, allow half of setback for.

Wilbur wants to see regulations from Sebastian, Palm Bay and the County for the average side rear and front setbacks for accessory structures. Ritter said their documents spell it out and also provide for combustible items or not. In a MHP a porch, carport and shed are considered. Wilbur would also like to hear from Fire Marshal on setback requirements. Krieger said you can't build anything against the fire code, electric code or building code.

Abare said when you talked changing setback from 30 to 15 he was comfortable. He is not uncomfortable reducing it to 8 or 4. Ritter said you should be able to drive around a building. Krieger said then we should be discussing increasing the setbacks at next meeting.

Reilly recommended we do not talk about items 4, 5 or 6. Board agreed.

5. **Continued Discussion Residential/Limited Commercial Zoning & Density Clarification- Attorney R/LC (Ord. 2011-49)**
Exhibit: Agenda Report No. 5
Recommendation: Discussion/Action

6. **Continue Discussion of "Light Industrial"**
Exhibit: Agenda Report No.6
Recommendation: Discussion

7. **Continue to Work on Requirements for Assisted Living**
Exhibit: Agenda Report No.7
Recommendation: Discussion

H. PUBLIC:

Tom Eschenberg, 2835 Beran Lane, Malabar. He took notes during their discussion. He said he allowed his grandson to dig on his vacant lot a hole 4' sq by 5ft deep and fill it with water. He asked the Board if they would consider that a pond. His point was when does a hole in the ground with water in it become something they have to regulate. Something to think about.

Regarding the Fence Ord. The definition in the fence ordinance went away.

He then said the Attorney referenced definition in Article XX. Reilly and Krieger said the memo was given to them just this date.

Under current code, you can park any vehicle in your yard as long as you own it. That is the issue. Should we allow parking of vehicles in their yards that they don't own?

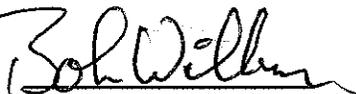
Suppose I have a friend that live beach side, snow bird that has a boat in the garage. Before I go back north can I leave my car or truck at your house so it doesn't get salt spray? Under current code he can't do it. Similar issue, friend in Palm Bay that has some sort of business and he has signs on his truck and he can't park it in Palm Bay. He wants to park it at your house. Under our code you could not allow that because you do not own the vehicle. That is the issue he explained to Council and asked if he could send to P&Z. He did not mean to cause confusion. They are definitely two separate issues. Should we change code to allow for simple relief. Wilbur said the thing about owning it was so it didn't become a storage yard. Ryan also said they would have issues with people leasing out land to park vehicles on. Krieger said that if you lease a vehicle you don't own it. So you are in violation of code if it does state you must own vehicle. Who is going to check up. Ritter said you are responsible for the vehicle. Krieger said then he would say to friend sure bring you vehicle to house and he will rent it for 6 months for a dollar. Ritter said no because if you have their boat in your carport and it does damage to others property in a storm who is going to pay? They do not allow that in their park. They are just trying to avoid paying for storage. Krieger said it is a different issue in Town. It infringes on others. Krieger then gave example of using mother's car who is in nursing home. Do they mean control of or responsible for or do they mean own. Mayor Eschenberg said the words the code uses is "have title to" and he thinks they should make reasonable allowance for. Wilbur asked him to make a list.

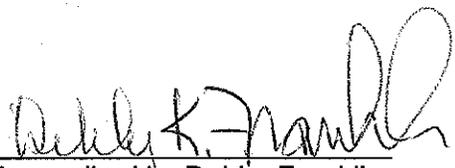
I. OLD BUSINESS/NEW BUSINESS:

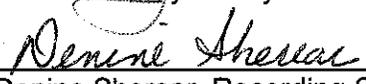
Krieger referenced recent accident on Malabar Road at Corey Road where a bicyclist was killed by a Sheriff Deputy. He thought we should look back at EAR and see what was proposed for off road trails to get bikes off high speed roads. Maybe item is more for Park Board. Ryan said the bicyclist pulled out in front of the motorcyclist. Wilbur said he did a u-turn in front of motorcycle. Bicyclist was operated irresponsibly.

J. ADJOURN:

There being no further business to discuss, **MOTION:** Ryan / Reilly to adjourn this meeting. **Vote:** All Ayes. The meeting adjourned 10:22 P.M.

BY: 
Bob Wilbur, Chair


Transcribed by Debby Franklin


Denine Sherear, Recording Secretary

11/9/2011 as corrected
Date Approved