

PLAN COMMISSION
VILLAGE OF DEERFIELD

The Plan Commission of the Village of Deerfield held a Public Hearing Meeting at 7:30 P.M. on January 12th, 2017 at the Village Hall, 850 Waukegan Road, Deerfield, Illinois.

Present were: Larry Berg, Chairperson Pro Tem
Al Bromberg
Elaine Jacoby
Jim Moyer
Stuart Shayman

Absent were: Mary Oppenheim, Chairperson
Bob Benton

Also present: Jeff Ryckaert, Principal Planner
Dan Nakahara, Associate Planner

Public Comment on a Non-Agenda Item

No public comment on a non-agenda item

- (1) Public Hearing on the Request for a Special Use for a Proposed Accounting Office to be Located at 711 Orchard Street (business owner Robert Gassman and property owner Dr. Al LaPelusa)

Michael Collins, petitioner and resident, commented that his small family business accounting firm would like to relocate to the 711 Orchard Street tenant space. Their business has been run out of home office in Deerfield for about fifty years. The business has grown to the point where they could use extra office space. The 711 Orchard Street property fits their needs perfectly. The space is an efficient size space for their four employees to conduct their business. Mr. Collins noted that their business is appointment based with only a few customers visiting the office on a daily basis. The petitioner was granted a waiver for a parking and traffic study since their parking demand would have little impact and there is adequate parking spaces to meet their parking needs.

Chairman Pro Tem Berg asked how many parking spaces the petitioners were anticipating to utilize on a typical business day. Mr. Collins responded that their employees' vehicles would occupy four spaces during their business hours, and another one or two parking spaces would be used by their customers at different times throughout the day. Customer appointments are staggered throughout the day.

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Chairman Pro Tem Berg asked if there were going to be any changes to the exterior of the building. Mr. Collins responded that there would be no changes to the building. Commissioner Jacoby asked if the stenciled window signage was the only signage that the petitioners were requesting. Mr. Collins confirmed this.

There being no further business to discuss a motion was made and seconded to close the public hearing.

Respectfully Submitted,
Mary Glowacz

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The Plan Commission of the Village of Deerfield held a Workshop Meeting at 7:30 P.M. on January 12, 2017 at the Village Hall, 850 Waukegan Road, Deerfield, Illinois.

Present were: Larry Berg, Chairperson Pro Tem
Al Bromberg
Elaine Jacoby
Jim Moyer
Stuart Shayman

Absent were: Mary Oppenheim, Chairperson
Bob Benton

Also present: Jeff Ryckaert, Principal Planner
Dan Nakahara, Associate Planner

(1a) Discussion of 711 Orchard Street

The Commissioners discussed their support of the petition amongst themselves. Commissioner Shayman commented that the petition is consistent with the type of business office use the Commissioners had previously discussed with the C-1 zoning update going into that size tenant space in the Village Center.

Commissioner Jacoby motioned to approve the request for a Special Use for a proposed accounting office to be located at 711 Orchard Street. Commissioner Moyer seconded the motion. The vote was as follows:

Ayes: (5) Bromberg, Jacoby, Moyer, Shayman, Berg
Nays: (0) None

The motions passed and will be on the February 6th Village Board of Trustees Meeting agenda.

(2) Prefiling Conference for a Resubdivision of the Property at 1530 Woodland Drive and 1509 Wilmot Road

Lawrence Freedman, attorney, Ash, Anos, Freedman & Logan, L.L.C., commented that the petitioners are requesting a resubdivision of the two lots at 1530 Woodland Drive and 1509 Wilmot Road into three lots. He noted that the proposed plat of resubdivision is in full compliance with all of the codes, ordinances and subdivision code, and no variations are being sought. Jason Doland, Doland Engineering, LLC., commented that the subdivision is located at the northeast corner of Woodland Drive and Wilmot Road.

The subdivision is currently devised of two lots that are being divided into three lots that follow the R-3 Zoning standards. R-3 Zoning standards require a lot size of 9,000 square feet, and the proposed three lots are all going to be 12,000 plus square feet, which exceeds the minimum required square footage. He noted that the lots meet the R-3 Zoning standards and the intent is to have homes that are complimentary to the surrounding neighborhood, built on each of the lots. The petitioners are working with the Village's Planning and Engineering Departments to ensure that the resubdivision is done in an efficient manner. Commissioner Bromberg asked how long the 1509 Wilmot Road lot has been vacant. Mr. Doland responded that, from his recollection, it has been vacant for quite some time.

Commissioner Bromberg asked if the houses to be built on the site will be consistent with the other homes in the neighborhood. Mr. Doland confirmed that they would be consistent. Commissioner Jacoby asked what the proposed square footage for each of the houses would be. Matt Pollack, President, Red Rock Custom Homes, confirmed that the homes will be consistent with the neighborhood. He noted that Red Rock Custom Homes have built the majority of the homes on the south side of Woodland Drive and the new homes will be in the range of 4,000 to 4,800 square feet, including the garage. The homes alone will be between the high 3,000 to the low 4,000 square foot range. Chairman Pro Tem Berg asked if Red Rock has talked to staff about tree replacement for the property. Mr. Pollack responded that they have started to work on the engineering for the site, and tree replacement will be a part of their overall engineering plans. Chairman Pro Tem Berg asked if the houses will be conforming in regards to height, lot lines, setbacks and so forth. Mr. Pollack confirmed. Commissioner Bromberg asked if the corner lot has different setback requirements. Mr. Pollack confirmed that the corner lot has two front yard setbacks; one on the south and the other on the west. The setback on the west side of Wilmot Road is 40 feet and the corner side yard of this lot will keep this 40 foot building line.

The Commissioners discussed the front yard setbacks of the new lots. The average front yard setback for the other homes on the block is 45 feet. Chairman Pro Tem Berg pointed out that the petitioner's materials reflected a front yard setback of 40 feet. Mr. Doland noted that the average front yard setback was determined after they submitted their plans and they will comply with the 45 feet setback and set the building line to 45 feet.

Commissioner Shayman asked if the petitioners could discuss the storm sewer situation on Woodland Drive, and clarify if the storm water detention depicted in their materials reflects the current storm sewer or a proposed updated storm sewer. Mr. Doland explained that the detention chamber shown on the lots is what was originally proposed. However, after discussing the storm sewer with the Village's Engineering Department, they determined that the storm water main in the street needs to be upgraded, and they will share the cost with the Village of upgrading the storm sewer section serving the three proposed lots. Commissioner Shayman asked if the developer is going to pay for the new storm sewer upgrades. Mr. Doland confirmed that Red Rock will be paying for

part of the storm sewer in front of their property as a partnership with the Village, and assured the Commissioners that the developer is going to collaborate with the Village to ensure that the new storm sewer is put in prior to the construction of the homes.

Bob Phillips, Deputy Director of Public Works and Engineering, Village of Deerfield, commented that the Village's Engineering Department met with the petitioner last week, and they have come to the conclusion that they're going to work together to rebuild the section of the storm sewer that will serve the proposed subdivision. They are going to add capacity to the Village's storm main that runs along Woodland Drive, and the Village will be facilitating the work. This work will be incorporated as a part of a Village capital improvements project. Over the last few years, the Village has considered upgrading the storm sewer along Woodland Drive with all of the new development going up in that area. The Engineering Department is also concerned about the overall drainage in that area, since that storm main in the right of way is near capacity. Mr. Phillips commented that adding capacity to the storm main would be a benefit to the Village and especially that neighborhood, by improving the drainage in that area. He noted that the cooperation between the petitioner and the Engineering Department has been a positive. Chairman Pro Tem Berg asked if they were replacing the existing storm water main. Mr. Phillips confirmed, and commented that the new storm main is going to go in the same location as the existing and the new infrastructure is going to consist of a larger pipe. He commented that the new homes for the proposed subdivision will tie into the water main and will not have underground retention basins on each lot. The Engineering Department looks at each individual residential building site, and determines the drainage demands of each lot. Mr. Phillips commented that the new houses are most likely going to have standard straight connections with the front sump pumps and down spouts tying right into the new storm main, and the back down spouts having a swale that drains to the south.

Commissioner Jacoby asked how long it takes to install a new storm sewer. Mr. Phillips responded that the Engineering Department has discussed a time frame with the petitioner. The Village's Engineering Department's projects are usually let in March and April, and the new storm sewer would be included as one of the projects. Once the Engineering is complete, and a contractor is selected, the work will begin around July/August, and run into the end of the construction season around September/October. The petitioner has confirmed that the summer would be a good timeframe for them as well. Chairman Pro Tem Berg asked if they anticipate an overall improvement in the drainage, even with the additional houses tying into the storm sewer. Mr. Phillips responded that they expect an overall drainage improvement with the upgrade of the storm sewer. The engineering plans for the project will include a capacity analysis on the storm main along Wilmot Road, which the new storm main will tie into. The engineering study is going to be done on in this area to ensure that capacity is sufficient and that the pipe on Woodland can be effectively upsized.

Mr. Phillips commented that the Village's Engineering Department is confident that increasing the pipe size on the storm sewer is going to greatly improve drainage in the

area. Commissioner Moyer asked if the storm sewer upgrade was contingent upon the petitioners receiving approval to move forward with their resubdivision. Mr. Phillips confirmed that if the development doesn't go through then the Engineering Department is not going to move forward with the storm sewer upgrade this year, but if the petitioners are granted approval to build the three houses, then they will partner up with the petitioner and move forward with the improvement. Commissioner Shayman asked if there would be modifications to the grading to keep the storm water runoff to the south and west, in order to protect the neighbors to the north. Mr. Phillips commented that the majority of the run off will be directed to the south, and once the grading is complete and the down spouts are tied into the storm sewers the neighbors to the north should not have any issues with the drainage runoff.

Commissioner Bromberg advised the petitioners that there was a similar subdivision built in that area a couple of years ago, and many of the neighbors were upset about it because the neighbors felt it was too dense for that area. Mr. Freedman commented that it's his understanding that the subdivision is not seeking a rezoning, map amendment or any variations and meets all of the requirements. The petitioner would be happy to meet with neighbors to discuss any of their concerns, but since the subdivision meets the code there shouldn't be any discretion in this petition being approved. Commissioner Moyer commented that the biggest issue is the drainage, but the petitioner and the Village already have a plan in place to improve the drainage situation. Mr. Freedman commented that the Engineering Department has indicated that the new storm sewer is going to improve the area as a whole, and that is contingent upon the subdivision being approved and built. Commissioner Moyer commented that it was indicated tonight that the existing storm sewer is at maximum capacity.

Mr. Ryckaert inquired if a sidewalk waiver is required along Woodland Drive. Chairman Pro Tem Berg asked the petitioners to address their request for a sidewalk waiver on Woodland Drive. Mr. Freedman commented that there is not currently a sidewalk on Woodland Drive, so the petitioners are requesting a sidewalk waiver for the new development, since the sidewalk would not have any other sidewalk to connect to on Woodland Drive. Chairman Pro Tem Berg commented that the petition is conforming in every aspect; however, like Commissioner Bromberg, he also recommends meeting with neighbors prior to the Public Hearing. Mr. Freedman confirmed that the petitioners would try and set up a neighbor meeting. Commissioner Shayman commented that his main concern was the tree replacement, since trees will be lost. Commissioner Bromberg commented that the real estate tax revenue should increase for these properties once the new homes are built.

(3) Prefiling Conference for the Request for an Amendment to a Commercial PUD to Allow the Removal of the Restaurant Prohibition at Cadwell's Corners, and Approval of a Special Use for Brunch Café

Rob Costello, Principal, Torch Architecture, Inc., commented that the ownership is requesting removing the prohibition on restaurants at Cadwell's Corners that was a part of the original ordinance for the development in 1981. The property is currently zoned C-2 Outlying Commercial District which has its own zoning requirements for restaurants under a certain size. There are two potential tenants that are interested in leasing space in Cadwell's Corners; one would be a Special Use and the other would be a Permitted Use under the C-2 Zoning requirements. He explained the Deerfield Public Library vacated the space in 2013; it was located on the far south end of the center. Since then, tenants have moved in along the north side, but the south side (about 16,000 square feet) has remained vacant. The greenhouse structure on the south end is currently under construction to remove the glass, and enclose it with a solid roof and walls to match the rest of the building. The construction should be done in about a month. He noted in 2014, twelve additional parking spaces were added to the parking lot as an effort to try and attract tenants by improving the parking in the center. Cadwell's Corners has received a number of inquiries from restaurants over the years; however, the restaurant prohibition has always scared those potential tenants away. Fresh Thyme is a large anchor tenant in the center of the space. The north end has seen some change in tenants but has been mostly full over the years. The pet store is the tenant space (furthest to the south) that has been occupied for the longest amount of time (about 2 years). However, the rest of the tenant space to the south has remained vacant, since the library left. The greenhouse has been transformed into three new tenant spaces, which are going to face Lake Cook Road. The proposed Brunch Café would be located to the right of the Pet Supplies Plus; and the proposed Firehouse Subs would be located in the new tenant space in the lower south corner.

Commissioner Jacoby asked if the new tenant spaces would consist of more space than the greenhouse. Mr. Costello explained that the greenhouse was only about twenty-five feet from front to back, and the new tenant spaces are about sixty-five feet deep from front to back. The greenhouse was reconstructed so that the new tenant space entrances would be facing Lake Cook Road, which was appealing to prospective tenants. In addition to the potential Firehouse Subs, there would be two other tenant spaces facing Lake Cook. The back of the building consists of service drives. There is a small amount of parking in that back of the building that can be used as employee parking. Brunch Café would share a dividing wall with Pet Supplies Plus, and their entrance would be facing Waukegan Road. There is an existing landlord sprinkler room in the back of that space; and all service doors would be located in the back.

The proposed Firehouse Subs restaurant would be located in the corner tenant space facing the south and west, and would not have access to the service drive. Firehouse Subs would have two entrances; a south and a west entrance. Mr. Costello confirmed, and explained that the main entrance to Firehouse Subs would be facing Lake Cook

Road, and the side entrance would be facing Waukegan Road. He commented that some parking for Firehouse Subs would be to the north, so the side access facing west would definitely be utilized.

Commissioner Bromberg asked if Brunch Café would receive their deliveries through the back service drive, and Firehouse Subs would receive their deliveries through the front entrance. Mr. Costello confirmed. Commissioner Bromberg asked if any of the south tenant spaces would ever request a drive thru. Mr. Costello responded that those tenant spaces are on the wrong side of the road so a drive thru would never work. Commissioner Jacoby asked if Brunch Café would have their own trash enclosure, or if there would be a shared trash area in the back. Mr. Costello explained that instead of allowing each tenant to have their own individual dumpster, the existing trash enclosure is large enough to hold a number of dumpsters, so ownership is going to centralize the enclosure to have one managed trash area. Commissioner Jacoby asked if the trash area is enclosed to keep animals out. Mr. Costello confirmed that the dumpsters are fenced in. Commissioner Moyer asked if ownership would consider supplying a compact dumpster similar to Fresh Thyme's compactor, to ensure that the trash area is being kept in the most modern, efficient manner. Mr. Costello ensured the Commissioners that the existing trash enclosure would sufficiently serve the café and the other businesses; the dumpsters are enclosed behind two large gates.

Commissioner Jacoby asked about Bruch Café's delivery schedule; advising that starting deliveries as early as 6:00 AM to 7:30 AM (as proposed) may be an issue for neighbors that back up to Cadwell's Corners. Mr. Costello responded that it will most likely come in off of Waukegan Road, since there's a median on Lake Cook Road that restricts vehicles traveling east from turning into Cadwell's Corners. Cadwell's Corners is designed to have large trucks go behind the building rather than through the parking lot. Commissioner Jacoby asked if the trucks would enter behind the building on the northern most part and come down south. Mr. Costello confirmed. Commissioner Bromberg pointed out that Fresh Thyme has restricted delivery times (no earlier than 8:00 AM). Mr. Ryckaert commented that there was an ordinance specifically for Fresh Thyme that restricted their delivery times from 8:00 AM to 5:00 PM, Monday through Saturday. Mr. Costello commented that the tenant would be willing to have their delivery door as far south as possible.

Commissioner Shayman commented that early and late delivery times are a concern, since the truck traffic is routed over the back of a number of homes. The Commissioners agreed that the issue was the noise that the delivery trucks generate for neighbors. Mr. Costello asked if the restrictions for Fresh Thyme were specifically for delivery times. Chairman Pro Tem Berg explained that the restrictions were on delivery times, and this included associated noise with deliveries. The ordinance further reads that if delivery trucks arrive prior to the delivery hour (8:00 AM) then the trucks need to stage in the parking lot in front of the building (away from the homes). If deliveries occur after 5:00 PM and the deliveries have not been completed, then the trucks need to vacate the service drives. Chairman Pro Tem Berg asked the petitioners if they would

be amenable to conform to those restrictions for deliveries for Brunch Cafe; explaining that as a practical matter, it would be very difficult to police different delivery restrictions for tenants in the same shopping center.

Andy Zatos, Owner, Bruch Café, explained that Brunch Café's deliveries are determined by the delivery companies (Sysco and Gordon Food Service) and their delivery schedules. Brunch Café receives deliveries about three times a week in the early morning, and each delivery takes about fifteen minutes. Commissioner Shayman asked how large are the delivery trucks. Mr. Zatos responded that the size of the delivery trucks ranged from small semi-trucks to small box trucks, depending on the trucks route and delivery schedule. Commissioner Jacoby asked what days the deliveries are typically made. Mr. Zatos responded usually Monday, Wednesday and Friday. Commissioner Bromberg asked if the deliveries consisted of fresh food that's needed in the restaurant that morning, or if the delivery days and times were determined by the delivery service companies to fit in according to their schedules. Mr. Zatos explained that delivery times and days were determined by the delivery service companies, and when their trucks are scheduled to come through the Deerfield area. However, he would be willing to request specific delivery time(s) and day(s), in accordance with the Village's preferred delivery times for that area.

Chairman Pro Tem Berg advised the petitioner that conforming to the same restricted delivery times as Fresh Thyme, in order to appease the surrounding residential neighborhoods, would be beneficial to the Village's consideration of their request to remove the prohibition of restaurants in Cadwell's Corners. Mr. Zatos assured the Commissioners that he would definitely look into the matter, and find out if their delivery services could conform to those hours. There was a discussion amongst the Commissioners about potentially having the early morning deliveries dropped off at the front entrance of Brunch Café. Mr. Zatos commented that deliveries through the front entrance would not be feasible because of concern about getting the dining room dirty on the way to the kitchen. He assured the Commissioners once again that the delivery process was a quick in and out standard routine. Commissioner Moyer explained that the Village has to be consistent with their decisions and recommendations for that location, and advised the petitioners that a crucial element of their final approval would be their ability to conform to the delivery hours currently in place for Cadwell's Corners (specifically Fresh Thyme). Commissioner Bromberg commented that if the petition is approved, the new ordinance is likely going to set the delivery restrictions of 8:00 AM to 5:00 PM for all of Cadwell's Corners, and Brunch Café would have to comply with that ordinance if they choose to occupy that tenant space.

David Meek, attorney for Newcastle Properties, asked if the issue with truck traffic (in the past) was the movement of trucks around the site or the type of trucks and the duration of time the trucks are at the site and the level of noise the trucks make. Specifically, he asked was the (Village's and the surrounding residential neighborhood's) main concern the fact that Fresh Thyme had large trucks staged for longer periods of time in a location more adjacent to the neighborhood. If so, there may

be a basis for ownership to argue about distinguishing that the restaurants on the south side of the property would have smaller trucks, further away from the neighbors, for a much shorter duration of time. Commissioner Moyer clarified that the primary concern was the noise created by the delivery trucks, and the unloading of the trucks. Chairman Pro Tem Berg commented that the truck traffic was the main concern. Commissioner Bromberg commented that the north drive off of Waukegan Road that the delivery trucks come in on is pretty close to those homes, and the issue is the trucks driving through early in the morning or late at night. Commissioner Jacoby commented that the construction hours during the week in Deerfield start at 7:30 AM. Chairman Pro Tem Berg commented that he thinks it's important that the restriction is consistent with Fresh Thyme's delivery hours, which is 8:00 AM to 5 PM, Monday thru Saturday.

Commissioner Bromberg asked if Firehouse Subs would have deliveries after 5:00 PM. Mr. Costello advised that all of the Firehouse Subs deliveries would be coming through the front entrance. A representative from Firehouse Subs, commented that each location generally receives two deliveries per week anytime between 10:30 PM to 6:00 AM. Their central distribution center is in Danville, IL. Deliveries take about twelve minutes; and the custom delivery service make their deliveries through the front entrance. Their other delivery is produce, and this delivery is determined by the delivery company's schedule. The produce deliveries, which consist of one dolly per delivery, come in smaller trucks between the hours of 8:00 AM to 5:00 PM. Commissioner Moyer asked if their delivery trucks will be able to easily maneuver in the parking lot area. The Firehouse restaurant representative confirmed, and added that the deliveries are done in a quick and efficient manner. The drivers know the stores, and have a key to the restaurant to get in and unload the products in their respective areas (fridge, freezer, restaurant area), and quickly move on to the next location. There are 1,038 Firehouse restaurants that are all delivered to in the same way.

Chairman Pro Tem Berg asked staff if Deerfield has any restrictions in regards to overnight deliveries, even if the business is away from residential areas and not conflicting with another delivery time restriction. Mr. Ryckaert commented that the Village's noise ordinance doesn't have any specifics about the timing of deliveries, but rather that deliveries need to be done in a manner not making loud and raucous noise when unloading the vehicle. Conditions for deliveries can be made as a part of the Special Use approval. Commissioner Bromberg commented that it's a great plan, and the delivery times are the main issue.

Chairman Pro Tem Berg commented that one other issue that he foresees is that currently the entire center has the prohibition on restaurant use, and there may be objections from the surrounding residential neighborhoods to having restaurants located in an area that abuts their properties. The proposed restaurants (Brunch Café and Firehouse Subs) fortunately are on the south end and do not back up to the residential neighborhood. Chairman Pro Tem Berg asked ownership if they would have any objection if the Plan Commission recommended lifting the prohibition for restaurant use only in the area where they currently requesting having restaurant use on the south end

of the property (essentially from the Brunch Café space to the south). Mr. Costello confirmed that ownership would consider restricting restaurant use to only the south end of the center.

Commissioner Jacoby asked about wall signage for the proposed restaurants. Mr. Costello commented that their intent is to have the wall signage meet the Village's signage requirements; and more signage details are to come. Ownership is requesting a variation to add four more signage spots on the pylons at the bottom of the existing sign panels on both Waukegan Road and Lake Cook Road, in order to allow their new tenants to have signage closer to the street front. The tenant spaces can be difficult to see from the street, especially with the orientation of Just Tires at the front of the center, and additional signage can help to attract new tenants. Additional signage that can be easily seen from the street is a recurring tenant request that ownership has taken note of over the years. The petitioner noted that the additional sign panels will match the existing pylon sign panels. Chairman Pro Tem Berg asked if the proposed panels are going to appear seamless on the signage. Mr. Costello assured the Commissioners that the additional panels are going to be the same exact color and type of box, and it will fit directly under the existing signage. Commissioner Shayman suggested that the Plan Commission should look at the approval of the pylon signage at Deerfield Park Plaza, since the signage is similar. Chairman Pro Tem Berg asked if the petitioners were also going to request a variance for the height of the Brunch Café signage. Mr. Costello confirmed, and explained that the signage for Brunch Café would be centered in the existing sign band. Commissioner Jacoby asked if any of the lighting is going to be changed. Mr. Costello responded that the recent changes to the south end matched the new lighting, so everything in the center is going to remain that same.

Chairman Pro Tem Berg asked if the petitioners were going to have a traffic study done. Mr. Costello confirmed, and explained that the traffic engineer wasn't able to start taking a traffic counts until this week because of the holidays. He added that the traffic study will be completed for the Public Hearing. Chairman Pro Tem Berg asked how many employees will be at each location at any given time. Mr. Costello responded that Firehouse Subs has five employees (on average) per shift, and Brunch Café would have eighteen to twenty employees during peak times (on the weekend) and twelve employees on average during the week. Commissioner Jacoby asked if the employees would be required to park in the back of the lot. The petitioners confirmed. Chairman Pro Tem Berg advised the petitioners that it would be beneficial to their traffic study to take careful consideration of the parking spaces in front of Brunch Café and how that area of the parking lot affects the overall traffic flow. Chairman Pro Tem Berg asked if any of the neighbors have approached ownership about their proposal at this time. Mr. Costello commented that ownerships intent is to set up a meeting with neighbors to answer any of their questions prior to the Public Hearing. Chairman Pro Tem Berg asked if any alcohol was going to be served at either establishment. The petitioners confirmed that there would not be any alcohol served at either the Brunch Café or Firehouse Subs restaurant.

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There being no further business to discuss the meeting adjourned.

Respectfully Submitted,
Mary Glowacz