

**MINUTES
EMERGENCY TOWN BOARD MEETING
APRIL 22, 2016**

The meeting was called to order at 11:55 a.m.

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Attorney: Lemmons;
Finance Officer: Kelly; Planner: Riedesel; Engineer: Studenski.

APPROVAL OF AGENDA (Additions/Deletions): Ruzek moved approval of the agenda as submitted. Prudhon seconded. Ayes all.

NEXTERN, INC. – 1185 BIRCH LAKE BOULEVARD SOUTH – REQUEST FOR APPROVAL OF ASSUMPTION OF RISK AGREEMENT TO ALLOW CONSTRUCTION TO BEGIN PRIOR TO FORMAL TOWN BOARD APPROVAL: The Clerk reported that Nextern, Inc. is requesting Town Board approval of an Assumption of Risk Agreement. He reported that the shipment of the tip-up construction panels will be received this week but that the Permitted Use Standards Permit has not been approved by the Town Board yet. The Planner reported that the Planning Commission will be reviewing the request for a Permitted Use Standards Permit on April 28, 2016. He reported that the location of the building, elevation, parking and drive areas have not changed from the initial submittal. He noted that the building design has changed but not in the past four months. He noted that the loading dock on the west side of the building has been moved to the north side. The Planning Commission will also review a Zoning Ordinance amendment to allow paved parking areas and driveways in the Light Industrial Zoning District to have a minimum side and rear yard setbacks of at least five feet provided that the front yard setback exceeds 60 feet; green space exceeds 50%; all adjacent properties are zoned light industrial; and the parcel area is five acres or less. Melissa Douglas, Nextern, Inc. stated that they are requesting to move forward based on feedback received from the Township. The Clerk reported that the Town does not issue the building permit until all reviews and approvals are made. However, the Township does have a procedure for an Assumption of Risk Agreement to allow a project to move forward before a permit is issued. This does not exceed what was previously presented but is an interim condition. He reported that Nextern, Inc. will accept the risk of moving forward prior to approval of the Permitted Use Standards Permit. In response to a question if he was comfortable with approval of an Assumption of Risk Agreement without an approved Permitted Use Standards Permit, the Code

MINUTES
EMERGENCY TOWN BOARD MEETING
APRIL 22, 2016

Enforcement Officer stated that he is comfortable and would provide a building permit accordingly.

Prudhon moved to approve an Assumption of Risk Agreement to allow construction to begin prior to formal Town Board approval of Permitted Use Standards Permit, subject to tracking of the building permit by the Building Official. Ruzek seconded. Ayes all.

RECEIPT OF AGENDA MATERIALS & SUPPLEMENTS: Ruzek moved to receive all of the agenda materials and supplements for today's meeting. Prudhon seconded. Ayes all.

The meeting adjourned at 12:21 p.m.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approved as Official Meeting Minutes

Town Board Supervisor

Date