

**CITY OF NEWARK
DELAWARE
BOARD OF ADJUSTMENT
MINUTES
APRIL 29, 2014**

Those present at 7:00 p.m.:

Members: Jeff Bergstrom, Presiding
Curtis Bedford
Kevin Hudson
Jim McKelvey

Not present/recused: David Levandoski

Counsel: John W. Paradee, Esquire, Prickett, Jones, Elliott, P.A.
Special Council to the Board of Adjustment

1. READ AND MEMORIALIZE THE FORMAL WRITTEN DECISION OF THE CITY OF NEWARK BOARD OF ADJUSTMENT WITH REGARD TO THE SPECIAL MEETING OF THE BOARD HELD ON MARCH 19, 2014.

Mr. Paradee, Special Council to the Board of Adjustment read the formal written decision, (copy entered into the record.) After Mr. Paradee read the decision, he stated there would be six proposed exhibits attached to the written decision which were either referenced in the body of the decision or in the footnotes. They were as follows:

- Exhibit A – Stipulation and proposed order signed by the Chair of the Board on March 15, 2014. That stipulation set forth the scheduling, protocol and the conduct of the March 19, 2014 hearing.
- Exhibit B – Copy of the Power Point Presentation made by the City of Newark at the March 19, 2014 hearing
- Exhibit C – Copy of an aerial map that was presented by TDC at the March 19, 2014 hearing.
- Exhibit D – Copy of the materials submitted by the appellants represented by Mr. Kristl, Esquire that was presented at the March 19, 2014 meeting.
- Exhibit E – Official Transcript of the hearing that was prepared by Lorena Hartnett of Wilcox & Fetzer and presented at the hearing on March 19, 2014.
- Exhibit F – Stipulation entered into by and among parties on April 10, 2014 which serves to supplement the transcript by making a number of corrections and filling in areas where the court reporter found the recording to be inaudible.

Mr. Paradee stated the Board had before them his best effort to memorialize what occurred at the March 19, 2014 Board of Adjustment hearing. Mr. Paradee asked if any of the Board members had any questions.

There being none, Mr. Bergstrom made the following motion:

MOTION BY MR. BERGSTROM, SECONDED BY MR. HUDSON: TO APPROVE THE WRITTEN DECISION WITH EXHIBITS.

MOTION PASSED UNANIMOUSLY: VOTE: 4 to 0.

Aye: Bedford, Bergstrom, Hudson, McKelvey
Not present/recused: Levandoski

Mr. Paradee instructed each Board member where to sign. Mr. Paradee wished to emphasize the decision was not formally final until the decision was filed in the City Secretary's office the following morning (April 30, 2014). He further stated it would be inappropriate to distribute copies until such time.

3. The meeting was adjourned at 7:17 p.m.

Tara Schiano
Secretary