

**TOWN OF ALTON
ALTON PLANNING BOARD**

**September 15, 2009
APPROVED 10-20-09**

Members Present: William Curtin, Chair
Timothy Roy
David Hussey
Scott Williams
David Collier, Alternate
Thomas Hoopes

Others Present: Sharon Penney, Town Planner
Stacey Ames, Planning Assistant
Members of the Public

I. CALL TO ORDER

William Curtin called the meeting to order at 6:00 p. m. and stated that anyone who was going to speak needed to sign in.

II. APPOINTMENT OF ALTERNATES

William Curtin appointed David Collier as a member for this meeting.

III. APPROVAL OF AGENDA

Case P09-15 was removed from the agenda due to a request for continuation to the October meeting. Approval of the minutes was moved to the end of the meeting under other business.

Motion to accept the agenda as amended by T. Roy, seconded by S. Williams and passed by unanimous vote.

IV. PUBLIC INPUT

Chairman Curtin opened the floor for case non-specific public input. Hearing none, he closed public input.

V. PUBLIC HEARING

**Case #P09-16
Robert Lavaasseur**

Map 2, Lot 5

**Subdivision
Dudley Road, Proctor Road,
and Route 28**

Application submitted by Jack Szemplinski of Benchmark Engineering Inc. on behalf of applicant Robert Levaasseur to propose a 5 lot subdivision with frontage on Dudley Road, Proctor Road and Route 28. This parcel is located in the rural zone.

Jack Szemplinski of Benchmark Engineering came to the table and introduced himself. He stated that he had been before the Board last month with the same subdivision plan. At that hearing the Board had found that they had not notified the Town of Barnstead, which is one of the abutters. That has been corrected.

This is a 40 ½ acre property on Dudley Road in the southern part of town. The owners would like to subdivide four lots for their children.

At the last hearing there was a lengthy discussion regarding 3:1 shape of the lots; they were asking a waiver for that for the two lots in the middle. The two middle lots don't quite meet the regulation that requires a 3:1 ratio for all the lots. They are asking for a waiver to that regulation and he has brought pictures to show why that waiver is reasonable.

Basically, what is happening is that the property is utilized as a horse farm and has a large field. The area that the owners would like to subdivide is directly adjacent to Dudley Road, and that area is wooded. The stone wall, which they were hoping would be the property line of the new lots is actually dividing the field from the wooded section. The most desirable area for housing would be in the woods and this would also preserve the field, which is why they are asking for that waiver.

The frontage is all on Dudley Road. The property will still have 32 acres of land left, so they are hoping to preserve the farm as it is and get those four lots for the owners' children.

Mr. Szemplinski offered to answer questions. He was asked if they were proposing any change to the shape of the lots. He answered that they were hoping not to, and stated that this is basically the same plan they brought last time. Using the large rendering of the plan, Mr. Szemplinski went on to explain the photos he had brought this time.

T. Hoopes asked if Proctor Road is the main access for the existing house and barn. Mr. Szemplinski answered that it is.

S. Williams asked if Proctor Road actually continues all the way through the property all the way to Route 28, or does it terminate at the residence? Mr. Szemplinski answered that it's all fields; there is no road. He believed that at one time it did. S. Williams also remembers that it did, and pointed out that it shows on the print; he re-asked the question as to whether Proctor Road comes out to Route 28. Mr. Szemplinski answered that there was a trail, but it is not used by anybody. S. Williams stated that he does remember when it was used, and he wants to know if that is still active; does DOT have it on the listing still? Mr. Szemplinski answered that he had not seen any records from DOT as far as Proctor Road. S. Williams stated that it is there; it's grown in, but he remembers it does. Mr. Szemplinski stated that it is a private road; S. Williams asked if the town does winter maintenance on it. Mr. Szemplinski said they do not maintain it beyond the farm. S. Williams is concerned that later on if that private road continues down to Route 28, is

the town going to be expected to plow it. Mr. Szemplinski does not think anybody is expecting the town to plow the road to Route 28.

A person from public seating said the road was all overgrown and asked if it was okay for him to speak. W. Curtin said it was okay if he was at the table. One of the property owners, came to the table to continue speaking. He said that before they had bought the farm, the road they were talking about, the continuation down to Route 28, serviced a driveway to a house down on Route 28. A seasonal brook washed out a culvert, and completely washed the road out, making it impassable. Those folks got a driveway off Route 28 and they discontinued using that road; it's a big gully. A farm tractor can get down there. S. Williams stated that there is nothing to say they could not fix it. The speaker said he is sure it can be fixed. S. Williams said he thinks they should know if that is an access at this point; since they are talking about the property in general they should know if that is an access point to Route 28. The speaker stated that they had also relinquished that access when they added a wood burning stove; it is right in where the road continues through by the mailbox. There is absolutely no way it can be plowed or anything. Their outdoor wood furnace is right there, and when they did an addition about four years ago, the continuation of that road was brought up, and basically they relinquished any rights to continuing that road. S. Williams asked where that is documented. The speaker stated that it was discussed with Snow Storage. It's all grown over and washed out.

W. Curtin asked the speaker to state his name for the record. He stated that his name is Jim Goyette, and he is one of the owners.

Mr. Szemplinski stated that if this were a discontinued town road it would be one thing, but this is a private road; it's nothing more than a glorified driveway, and he does not think they could make it a public road at this point because it doesn't meet any standards.

T. Hoopes asked how they would deal with Proctor Road on a deed to Lot 5-1. Mr. Szemplinski answered that Proctor Road would be an easement through the property and there is still plenty of buildable area on that lot and it would be just an easement. The road would be pretty much where it is now.

S. Williams asked for a point of clarification; when Mr. Szemplinski was here last month and requested the waiver for lot ratio, that was denied. Mr. Szemplinski said he did not think it was denied; there was discussion. T. Hoopes said that he recalls that they said they were not willing to grant the waivers at that time. S. Williams read from the minutes of that meeting "Motion to accept the application as complete but not to grant the waivers by Tom Hoopes, seconded by myself (S. Williams)." Mr. Szemplinski recalled that at the very end of the meeting he asked if the Board wanted to see the same plan or something different and the consensus of the Board was that they wanted to see the same plan because they wanted to discuss it because one of the abutters had not been notified. He thinks that the motion would not be valid if the abutters weren't notified and he understood that he was coming back in for a new hearing.

T. Hoopes said he thought they had discussed the concept of the shape of the lots. He understands the need to try to keep a field, because there are not a lot of open fields. But at the same time, his description was that some of the lots seemed to be a tortured shape. In other words, they are not what you would consider a convenient lot shape, and it's dealing with and coping with that wetland that creates this funny shape.

Mr. Szemplinski reminded T. Hoopes that at the last meeting, when the plan was accepted by the Board, T. Hoopes had made a motion to deny the shape of the lot before he even heard any presentation or argument. Typically, when a plan is accepted by the Planning Board, they review the plan, they open it to the Board, then they discuss the merits of the plan, or the merits of the waivers. He was hoping that once they see the pictures, they will see that they did not just arbitrarily draw the lines anywhere they wanted; there was actually a reason behind it. It's a very nice field, and they have a septic plan if the Board wants to see it, for this lot. The house is going to go where it's going to go, so if they move the lines further back, it's not going to make any difference as far as the location of the house or the driveway.

T. Hoopes explained that the reason the Alton Planning Board created the requirement for different size ratios is because they had a whole lot of very weird lots that were in and around town. For different size subdivisions, they wanted to create different types of ratios so that you didn't create problems that were down in the future. When you have odd shaped lots it sets precedent that other people want to create odd shaped lots. Unless there is a really valid reason for it, it becomes awkward for the Board. The Board represents the town, and all of the citizens within the town, not just the individual applicant that happens to come before them, because if somebody says, "Oh, so and so got such and such, why can't I?" They're trying to establish a normal pattern and do things in a regular way, and that's the requirement that they have to deal with.

Mr. Szemplinski answered that he does fully understand that, however, we are in New England; there are wetlands, there are mountains, there are hills and there are good reasons for granting these. That's all he's asking; for the Board to consider it. If they consider it and decide that's not the case; that's still not a good enough reason, he can certainly live with that.

D. Collier stated that he thinks if they created the lots with a 3:1 ratio and held an easement in the owners' name that would be reasonable. As far as the land and the field are concerned, that's what they are wanting to protect. If they were to do the lots in a 3:1 ratio, like it's regulated in the zoning, then you can create an easement, hold it in the owners' name, and you still maintain the easement.

C. Balcius joined the Board as a member at 6:20 p.m.

S. Williams asked if the field is pretty well run with the stone walls on the northwesterly portion of the lot, which would abut the Secret Field Farm? Does the field go all the way up to that stonewall? Mr. Szemplinski answered that the stone wall is the divider between them. S. Williams said that his question is that they found it okay on Lot 5-4 to

use a better ratio going out into the field, but not the others. Mr. Szemplinski said that there really was no other way unless they took it from the corner; the last time he was there he heard that the Board was at least willing to consider it. If they are not still willing they can reconfigure the lots if there is no other way. S. Williams stated that the Board did take a vote on that night about the configuration. Mr. Szemplinski said that they did talk about it at the very end and he was directed to come back with the same plan after notification of abutters because one of the abutters was not notified. S. Williams stated that was what was voted on.

A question was asked concerning contacting legal counsel. S. Ames stated that there was a question from D. Hussey whether there was a legal issue with the lot ratio requirement; however, his answer was that it is in the regulations and the Board has every right to regulate the lot ratio requirement. S. Penney stated that she had the draft minutes if anyone needed points of order.

T. Hoopes remembered that at the end of the meeting he had mentioned something about the shape and talked about the possibility of alternative concepts and he does not think that they as a Board should even deal with the concept that it is a subdivision for children, because they have seen those subdivisions which, once approved, are turned around and sold. So, they're trying to do something for the citizen in town; so they can't even consider that concept. That's not for them to look at. They're looking at this in a long term subdivision concept, and how do you deal in a rational way with a wetland?

S. Williams said that he thinks the biggest point is the fact that it can be done, and it's not being done. T. Roy said there is no specific hardship; nothing that they could not work around. Mr. Szemplinski stated that he does not think this Board has to work on the same criteria that the Board of Adjustment does, and if he had been told last time that this is unacceptable, he would have come back with a different plan. S. Williams said that they did, and that's the point he makes. It was unanimous as a Board last month that a different plan was needed.

Mr. Szemplinski said that if there was no other way he would ask the Board to deny the waiver and ask to be continued to the next meeting at which point he would present a different configuration. S. Williams said they had already voted; they did it last time. Mr. Szemplinski stated that at the very end of that meeting he had specifically asked the Board if he was wasting his time bring this plan back; if they had told him that the Board was not going to approve this, he would not have come back and wasted everyone's time. S. Curtin said he believed they had told him that, other than the fact of a hardship, and they do not see any hardship. He went on to say he had read the minutes that afternoon, and that there was a point in there that if there was proof that it had to be this way.

Mr. Szemplinski said that is why he had brought the pictures; if that was not adequate, was there a problem with just continuing the plan for the next date and he will present them with something they want to see. S. Williams referred back to D. Collier's earlier statement; a way around it to save the field for whatever use the main parcel will still want to use. You would still be able to do that via an easement. Mr. Szemplinski stated

that he guessed that is what they would do. He went on to say that he had not brought this plan just to have empty discussion; he totally understood that at the other hearing, because abutters were not notified, that this was pretty much a new hearing. W. Curtin said that was certainly one of the reasons; S. Penney added that there was the qualification of the whole ratio, and it has been duly qualified. That is the Board's prerogative, so that sends it back to the whole question of what the Board wants to see, which is a change in what has been presented.

S. Curtin asked Mr. Szemplinski if he had questions. He then asked the members if they had anything. D. Collier said he would like to see the status on Proctor Road mentioned on the plan and what the future of it is going to be. Mr. Szemplinski said he believed it was noted someplace. S. Williams also wants clarification of the extension of Proctor Road down to Route 28; he would like DOT to give them a confirmation on what that road is, whether it is a legal access in their eyes or not. Mr. Szemplinski asked if they wanted to know if there is a curb cut there; S. Williams stated that there is a curb cut there. Mr. Szemplinski said that all DOT can tell them is whether there is a curb cut there; they can not tell if it is legal to access it. S. Williams said he thinks he (Mr. Szemplinski) will be surprised what kind of records DOT will have. He remembers making access to that property from Route 28; he did it himself, so there was an official road cut there at one time. As far as abandonment goes, he doesn't know what the rule is on that, but he thinks they do need to clarify that so it's not an issue some other time.

D. Collier said he also wanted to know if the driveways for the lots were going to be improved. Discussion continued concerning Proctor Road; S. Williams stated that he is sure the town does winter maintenance on it. Mr. Goyette said they do plow, but they (the owners) pay for that. When they first moved in they didn't pay, but a few years back they changed things. S. Williams said that there had been a shake up over private roads that were town maintained. S. Goyette pointed out that right there they are saying it is a private road. S. Williams said they had drawn it on their map as a road that went all the way down to Route 28, so clearly, they think there is a road there, because they drew it there. Mr. Szemplinski said they show trails they find in the field; even if there is a trail that was never ever a road, they will still show it. He said he would qualify the status of the road; he will find out if there is a curb cut there or not. He's pretty sure his surveyor already has that information.

Mr. Goyette said that that area had just been repaved; they do an expanded area for curb cuts for everything. T. Hoopes stated that they only do it where there is a legal access. Often along Route 28 North, where they cut through and built the new road, if you had a deeded access to that, and no other access to any other road, then you got a deeded access to Route 28, and they put a cutoff, but you can't get one any other way. They are actually deeded, so it's a limited access highway on the north end. Pretty much they are trying to control what access is on the road.

Mr. Szemplinski asked to clarify the Board's position on the two middle lots; that is the shape they are objecting to. S. Williams clarified that it is Lots 5-2 and 5-3. Mr. Szemplinski said that if he squares those lots off and makes them smaller, they are going

to look better, but they are going to have a smaller area. S. Williams said that as long as they meet the two acres with 1.5 acres of buildable land. T. Hoopes added that it had to be one area, and not all broken up; they had to be contiguous.

Mr. Szemplinski asked if anyone had any objection to Lot 5-1. S. Williams suggested that he look at the lot configuration criteria and come to that determination himself; they are not surveyors. Mr. Szemplinski said it meets a 3:1 ratio right now; he is asking the Board so that, if he has to redesign the whole thing, they will be happy with it. W. Curtin said that might change depending on how he did the other two lots anyway. Mr. Szemplinski asked if there had been any real objection to that lot; D. Collier said the status of Proctor Road was a concern. S. Williams said they would definitely have to show easement for the road across that lot. Mr. Szemplinski stated that he believes there is easement shown on the plan. S. Williams also asked, for the Board, where there is a 50' cut on the northern corner of the lot, would Lot 5-3 fall under corner lot criteria? He is thinking that some day, that is going to be a corner lot. T. Hoopes said that could also be handled by the easement. S. Williams answered that it would have to have frontage; a corner lot has to have frontage on both roads. It doesn't fall under it now because it's not a road, but with a 50' ROW, they're providing area for a cut. It is his position that it would need to follow the criteria for a corner lot. D. Collier said that if they make the 3:1 ratio, and straighten the line out, it's going to do it.

T. Hoopes pointed out that the same holds true as an access on the extreme right hand side of the plan; where it cuts through to the other land. S. Williams said that he doesn't believe there is 50' there on the dogleg. S. Williams pointed out to the applicant what they had been talking about.

D. Collier stated that he remembers they had discussed wetlands, too. Mr. Szemplinski stated that the wetlands had been flagged by a wetlands scientist. T. Hoopes pointed to the fact that the "mother lot" where the barn and farm will be, will become a new lot and those wetlands still have to be mapped because if they are substantial enough, there is still a requirement for a 25' setback on that. Mr. Szemplinski pointed out that it is mapped. They used the soil map and the wetlands map to make sure there was adequate area. He asked if they were saying that they wanted to see additional wetlands in the area of the farm house. T. Hoopes stated that the question becomes one of what there is on the remainder of Lot 5? W. Curtin said that if there were any wetlands, they want to see them. Mr. Szemplinski said there were additional wetlands as he had mentioned last time; they're hoping they don't have to do an entire 30 acre wetlands to subdivide this area, but they will show that the mother lot, Lot 5, will have adequate buildable area, according to the regulations. He thinks that is the standard they go on. T. Hoopes stated that the requirement is that any lot that is being subdivided, the wetlands need to be shown. In other words, even though this is the mother lot and it is creating a whole new shape and becoming a new lot. Therefore, the requirement is that the wetlands be shown on that lot. Mr. Szemplinski asked if he was saying that if he had a 200 acre lot and he takes a one acre lot out of it, he is required to show the wetlands on the 200 acre lot. T. Hoopes stated that if there is a restriction on the access you have to show where the access is. Mr. Szemplinski voiced confusion and asked if they were looking for the

frontage; there is extensive frontage on Route 28. T. Hoopes answered that if the acreage of the wetlands is substantial, you must show a 25' setback on that wetland. So, if there is an adequately large wetland it must be mapped, and if you're subdividing one acre out of a large lot, they have always insisted that people show that the access on the road is adequate enough to reach it because they have had cases where somebody sold off the only dry land and then they wanted to get a access through the wetlands, and that is not an approvable thing.

Mr. Szemplinski asked if it would be adequate to map if there is proper access to Route 28. T. Hoopes said not to Route 28, because they are saying they are not going to use the road to Route 28. Mr. Szemplinski pointed out that that is the legal frontage for the remaining lot; are they asking him, they want to see where the wetlands are, so they can make sure there is access. T. Hoopes said this brings up another question S. Williams asked earlier. Either legally or verbally, they have given up their access to Route 28. Ultimately if this becomes a separate lot the legal access; the frontage is on Route 28, but the frontage is coming off Proctor Road, too. Mr. Szemplinski stated that they have easement access into the property; they have a ROW to get there and they have a legal frontage on Route 28. They have a legal lot. If they do subdivide the property any further they will obviously have to come back and show. T. Hoopes said that if they subdivide any further it either has to be through the 50' ROW or through 28. Mr. Szemplinski agreed, then said that if they don't do anything, nothing has to be done. S. Williams said that they are saying they have already given up access from Route 28, and that is one of the things they need to find out; can they count that as frontage if there is no access through it. Mr. Szemplinski stated that he thinks the regulation says 200'; it doesn't say... S. Williams said that if they have already given up a right of way to access a property – this happened on Route 28 North; people gave up their right of way or driveway for a small sum of money. Now if they want to get that cut back again, they're not going to give it to you. Mr. Szemplinski said they have everything they need right now, and if they do come back for any further subdivision then they will have to deal with that issue.

S. Williams thinks they should ask Attorney Sessler is that with a lot surmising that they do not have access to Route 28; can they count Route 28 as the frontage? D. Collier said he would think so; it is legal frontage as far as the road is concerned. They have a double frontage lot, basically. S. Williams said that whether they can do anything with it or not is a different story. S. Penney said that the question boils down to whether access and frontage are the same thing; they are not necessarily the same. D. Collier said they have access off of Dudley; they just need to prove the Proctor Road situation. S. Penney said that this is a huge parcel, and the scale is so big that a little bit of insight into it would be good to see if there are any additional wetlands. She feels they are missing a little context.

C. Balcius suggested that, as they have done in the past, ask for the additional wetlands work around the existing structures and maybe down to 28 where there may or may not be legal frontage with access. That way, they're covered, and it's not going to take that much longer to hang those additional flags. That way they know this lot size is over 30

acres and that they have a doable lot based on their current regulations. They have done that before, so there is precedence.

T. Hoopes suggested that another thing that can be done is that, if the wetlands scientist is going to be there they can simply walk the property and check; if there is a wetland that is over 10,000 square feet, it has to be mapped as does the 25' wetlands setback/ no cut marker.

C. Balcius stated that the reason for the buffer is to protect the wetlands in the immediate area of the subdivision. The newer subdivisions with 2 acre lots; this is a 30 acre lot, and there is a preexisting house. We're not sure about the potential of access onto Route 28 so it would make sense to delineate the wetlands and post the new buffer close to the existing structure. If they go and do more on that lot they are going to have to come in and show everything. Mr. Goyette asked if an aerial photo would help; C. Balcius answered that it would not help, as it is very tough to do a wetlands delineation based on an aerial photo interpretation. You have to look at the soils; you have to see if they're hydric or non-hydric.

Mr. Szemplinski asked if, if he mapped along the existing structures, which has already been mapped, and the 150' swath along the eastern property line to Route 28, would that satisfy. C. Balcius took one of the plans and drew around the existing buildings and down to Route 28. It shows the wetlands; they can apply the buffer. S. Williams said it should wrap around the existing structures and down to Route 28; C. Balcius agreed.

T. Hoopes said it would not be hard in a very short time of walking across the property to determine if there are any wetlands over 10,000 square feet. By walking across it, they will know if there are any substantial wetlands; then they could go back, and if there is nothing substantial, you don't worry about it. If there is, then you need to map it. Mr. Szemplinski said that was not what they were just saying. They said that for subdividing property on the other side of this tract, they don't have to map the entire property for wetlands. C. Balcius shared the drawing she had made with the applicants, and drew similarly on his plan.

T. Hoopes stated that in Section 327, 4-2, there is a relief that can be granted by the Planning Board in the design of this, as long as they prove there is valid access to Route 28. If anything else is going to happen with the property, then it would have to be done.

T. Hoopes made a motion to continue Case P09-16 to October 20, 2009. Motion was seconded by D. Collier, and passed unanimously.

Application submitted by Melissa Gulbrandsen of Alton Law on behalf of applicant Ryan Heath to amend a previously approved Elderly Housing Site Plan to Workforce Housing as allowed by RSA 674:60. This is an allowable use. Parcel located in the Rural Residential zone.

W. Curtin introduced the next case. S. Williams asked to be recused; recusal was granted by W. Curtin. This is a continuation from last month's meeting, which the public input has been closed; there will be no public tonight. A member of the public asked if that was legal; W. Curtin said it is, per the town attorney. A member of the public asked if he could be heard on that; he was told no.

Attorney Melissa Gulbrandsen and the applicant, Ryan Heath came to the table.

Mr. Malcolm McNeill, a land use attorney from Dover, stated that he had read the minutes. They have had one hearing on a proposed amendment. The case was continued until this date. There is other information that is going to be supplied by the applicant with regard to the application, which it appears that they are not going to permit any response. He has supplied them (the Board) with a detailed writing, why the action of this Board, even in accepting this application was illegal. He wishes to be able to address them on this issue. W. Curtin stopped him, saying that he had talked to Town Counsel that day and he guesses he (Mr. McNeill) sent something in. Public input has already been closed. He can not accept any new information because they have not made any new determination. Mr. McNeill said that this case has not been approved or disapproved; there is further information to be given. There are abutters here to respond to the information; to respond to the process. He supplied to the Planner, last week, information. Is every case up here a one-night stand? A one-shot deal. W. Curtin interrupted him saying no, and he does not want to say that it is because that is one of the reasons why they closed public and continued this case; so they could absorb all the information the public had given them.

Mr. McNeill said that is what the public is attempting to do as well. That is to absorb all of the information that came in in one night, where someone is attempting to amend an elderly housing project into a workforce housing project, and attempted to compel them, in one night, to approve it. So now, with a significant program of consequence in this town, they are suggesting that after one meeting, where further things have to be discussed and considered, that the public is not going to be allowed to speak? W. Curtin stated that they have already spoken. Mr. McNeill said the public has spoken, they are going to speak again, and they should have an opportunity to respond. He supplied to them an elongated letter that he does not have to supply in advance of a meeting, but he did that out of courtesy to the Board. He indicated all the reasons why the actions they took at that initial public meeting with regard to this project should not have been done. Beyond that, in terms of a final approval, are they going to suggest now that they are going to allow this party to respond? W. Curtin said they are not going to respond to

anything tonight. They (the Board) have to make their decision as to which way this thing is going to go forward.

Mr. McNeill asked why he could not be heard on that. Why could he not... W. Curtin interrupted to tell him that it is because public was already closed; it was last month that they had public. Mr. McNeill went on, saying that for the first time, someone comes in to propose a change. Is he saying that after one hearing, trying to change an elderly project to workforce housing project in a community where they do not even have a workforce housing ordinance that they are not going to permit the public to speak on the issues? W. Curtin said they spoke. Mr. McNeill would like to respectfully request that he speak again, and he is going to make an offer of proof for the record of what he is going to say. What he is going to say is contained in the letter he has supplied to the town, that the Planner should have supplied to them. All of his arguments are there, and it seems to make much more sense to debate these issues here rather than someplace else. W. Curtin said this was not a courtroom. Mr. McNeill said he knows it is not a courtroom, and that is where he is seeking not to go. It is unimaginable to him, as a land use lawyer for 37 years, that they are telling him they can not speak on this issue. He objects, and he does not care what their lawyer said. In terms of this process, it's a contrived process. If someone comes in a year after the fact, where they have an elderly approval. Where your elderly ordinance has changed. When there is a suggestion that you can substitute workforce housing for elderly housing when there is nothing in the state law that permits it, and then after one hearing they are suggesting that representatives of people that are going to be affected by this project can't respond to the matters that they (the Board) and we (the public) are digesting from the minutes? He thinks that is a denial of procedural due process.

W. Curtin answered Mr. McNeill saying that Mr. McNeill is an attorney and he is not, so he does not know what the laws are. Mr. McNeill said he does. W. Curtin said that unfortunately, they had their meeting last month, and they had everybody that wanted to speak; they even had some speak twice. They closed the public input so they could make a decision and that decision is going to be made tonight. He does not know what the decision is going to be; it might be thrown out, it might be approved.

Mr. McNeill asked if they approved cases in one night based on one hearing. W. Curtin said it depends on what the case is. Mr. McNeill asked if he was suggesting that if someone brings in a brand new project that is attempting to morph workforce housing after elderly housing, at one meeting; all of these issues are raised and they say, in their minutes, that they need additional time to digest, and they're not going to afford the abutters the opportunity to digest the information? What are they afraid of? W. Curtin said they are not afraid of anything. Mr. McNeill said that in terms of a public hearing on these issues. This is a case of consequence, there's been an acceptance, there's been no final approval, and they have a right to speak. This should not be a circumstance where a town employee proposing a project to this town is in a position where the public can not be heard on the issues. W. Curtin stated that they have already been heard. Mr. McNeill answered that they have not been heard enough and asked if that is the position of this Board that there cannot be a public hearing after this initial hearing. He asked W.

Curtin to poll the Board and have them determine... W. Curtin said he did not have to poll the Board; he has already talked to the Town Attorney; he closed public input last month and that is it; they have to make a decision.

Mr. McNeill started to speak again; W. Curtin said he was going to have to ask him to leave. Mr. McNeill stated that he was not leaving; he was staying right there. He would stop talking, but he thinks the conduct of this Board, in not permitting public comment, denies his clients substantive and procedural due process, is inconsistent with the Planning Enabling legislation, and is just plain unfair, and he is very disturbed that he sees on none of their desks the material that he worked on and gave to the planner and talked about; that he requests be made part of the record. He requests that they take no action on this hearing tonight in any fashion without further public notice... W. Curtin interrupted, saying he had also talked to their town counsel and because of the fact that public portion was closed makes this new information, and technically they can't receive it. They can receive it, they're just not going to look at it because it's new information which should have been brought up at public. Unfortunately, he (Mr. McNeill) was not there.

Mr. McNeill asked if in Alton you get one shot. W. Curtin said no. Mr. McNeill then asked why he was not being allowed to speak. W. Curtin answered that he was not scheduled to speak on the agenda. Mr. McNeill said this was scheduled as a continuation of a hearing on site review. He is here to speak to a continuation of a hearing on site review. He is here to speak on the issues they (the applicants) are going to talk about. If he can't talk, they can't talk. W. Curtin answered that they are not going to talk. Mr. McNeill went on to say that it seems to him that, after there is a presentation of evidence by one side, and there is discussion and there are issues raised, isn't it in the town's position to consider these issues and respond to concerns that are expressed by the citizens? W. Curtin asked who was to say they weren't going to concentrate on those? Mr. McNeill said he didn't know, but he found it so completely unusual in the context of a large case, that after one hearing the case is shut down and nothing further is done and no further evidence is allowed.

He went on to say that with all due respect, and he is giving the respect that is due, he is suggesting that he is not a rookie at this; he's been doing it for many years, and he would like to respectfully suggest to him (W. Curtin) that the course he is taking is not in the best interest of the community, the applicant, or the abutters. He thanked the Board for their time.

M. Guldbrandsen stated that they actually did not have anything new; they had anticipated... W. Curtin stopped her, saying that is what they (the Board) are going to discuss.

W. Curtin asked if anyone had made any decision on this. T. Hoopes stated that he is quite uncomfortable with the way they are looking at this application and he was hoping they were going to have something in writing from Jim Sessler. He would like to see a face-to-face meeting with Jim Sessler and this Board to discuss the legal procedures they

are dealing with here. He is not a lawyer, but changing a site plan from one system to another type of site plan with different requirements is not something he is comfortable with. They are covered from an insurance point of view as a town volunteer/board member. As long as they do what is recommended by the town's attorney. But, he is not comfortable with the verbal exchanges he has heard. He has not heard from Jim; others have spoken to Jim, but he would like them as a group to sit down with Jim and discuss the procedures necessary in dealing with a site plan that has changed; change of use; whatever else. He is not trying to give the applicants a hard time; he wants to make sure this is done right. He is not comfortable with the changes that have been made. For what it's worth, that's a motion.

T. Roy agreed, saying that this should not go in on the shirrtails of elderly housing. To him it is a totally different project. There were conditional approvals, and more than one of them will not be met. He would be very uncomfortable having this fly on the shirrtails of elderly housing.

C. Balcius stated that in addition the change impacts the drainage, traffic and storm water; all that would have to be looked at, and she does not feel it is appropriate going from elderly housing to another type of development without looking at those impacts, because they are obviously looking at a lot more trips generated on this type of development, based on what their engineer has let them know. In addition, she thinks it is a good topic to discuss that when a plan does get approved, then goes and gets a state permit, then the changes are substantial enough, they should be back here for an amendment on the original approval because she thinks they lost units on that first plan, and they had significant drainage changes to the storm water system. In two ways, she thinks they can not approach this; it needs to be a new site plan.

D. Collier feels the same way. He stated that there is a lot more they would have taken into consideration if this had been a situation where they had come in with workforce housing versus elderly housing, there is a lot more impact that they would definitely consider.

M. Guldbrandsen stated that the issue coming to her mind is that they, in putting forward an amended site plan talked with the Planning Department and raised the topic of the best way to proceed. They went through this last month; the Board accepted the application as an amended site plan. That was a decision of the Board a month ago, so she does not think it is reasonable for that to be questioned tonight after they already went through that discussion last month, and the Board voted to accept the application as an amended site plan; it's not a change in use. They left the meeting with very specific questions from the Board about the DOT permit, which has since been amended. There were very specific questions about the alteration of terrain and DES... At this point a member of the public (Mr. McNeill) spoke out against any testimony about the project. Ryan Heath stated that he (Mr. McNeill) got to speak. W. Curtin stopped further testimony/discussion.

T. Hoopes stated that one of the things he did know and he mentioned at the last meeting was that he wanted a comment from Jim Sessler as to the standing of everything; since

they do not have that...That is to him the part that...They represent the Town of Alton; he wants the town's attorney to properly give them the advice they seek.

S. Penney stated that when this was brought to their attention again, there was a question of whether it needed to be an amended site plan or not; that was the primary and initial quantification of what was going on. She and Attorney Sessler discussed it, and they decided that, yes it needed to be an amended application, which came in with amended information. She believes that is what they got at the last meeting – additional, amended information. They took it under advisement, and they are chewing it over; to her that's where they're at. Maybe there's misunderstandings here and there, but she definitely didn't think this was a done deal. W. Curtin stated that he didn't think so either. S. Penney continued, saying that at the outset, they put the brakes on this to make sure they did due diligence by having an amended site plan. It's not just a done deal so they need and are requiring a little more in depth insight, and if that begs another decision of them, then so be it.

C. Balcius asked if they needed to deny this amended application, then make the suggestion that they need to come back with an amended site plan application. S. Curtin answered that he thinks they would have to. C. Balcius continued that given some of the suggestions they have already talked about; the concerns and types of material they would like to see for this new and different type of housing.

A member of the public spoke up and asked if they did not have a motion on the floor; a motion that had been made and seconded. W. Curtin said no; T. Hoopes stated that they had been expressing individual comments – he had said you could take that as a motion, but it was never seconded, unfortunately. Basically, the chairman was polling the Board.

T. Hoopes went on to say he is concerned about their legal standing; how they are dealing with this case. Since there are different requirements over different time periods as changes were made in the zoning, whether those would be applicable or not, or whether or not the way in which an original application was made under one case can be applied to something entirely different, and that has totally different requirements. That's where he wants to see a real sit-down with Attorney Sessler.

C. Balcius made a motion to deny the amended application; motion was seconded by T. Roy.

M. Guldbrandsen said that she objects to that; they are following the procedure that Town Counsel laid out with the Town Planner, and if the Board has questions about the procedure going forward – she hears members saying they would like to hear from Town Counsel – to deny this application outright seems like an injustice based on the fact that their Town Attorney suggested that this proceed as an amendment to the site plan.

W. Curtin stated that this was what he wanted to talk to Counsel about in the first place, before they actually make a decision. T. Hoopes suggested that they continue instead; C. Balcius said they could do that, but it would put them behind 30 days if they do come

back with a decision on a site plan; it's up to them on that line. She knows there are enough people with questions with this new development that the public should have some input in it; they have genuine concerns with traffic and impact to town services. She understands public hearing was open last week; but there are too many questions outstanding here and she thinks in the past they have reopened public input on cases on this substantial of a nature, and she thinks work force housing is great, and they want to be a leader in their community with it, but it needs to be done right and carefully, with plenty of public input. W. Curtin agreed and said that he does not think they need to wait 30 days; they can have a different meeting between now and then; S. Penney said it was contingent on meeting face-to-face with Attorney Sessler.

M. Guldbrandsen asked if it was realistic to think it could happen soon, because if the Board is going to deny, time is certainly of the essence. T. Hoopes said that personally, he is not in a position to deny anything until he has legal opinion. He would rather see the situation continued.

C. Balcius withdrew her original motion; T. Roy withdrew his second.

T. Hoopes asked if he (W. Curtin) was comfortable with continuing the case until they have a chance to talk to Attorney Sessler.

T. Hoopes asked to continue to October 20th; C. Balcius said she would second that..

W. Curtin said no; instead of waiting until the 20th, they could have a special within the next couple of weeks; just have a special meeting with him. T. Hoopes said he was not waiting until the 20th to meet with Attorney Sessler; he wanted to meet with Sessler as soon as they could.

Ryan Heath asked for clarification. They have talked about six different issues and they have raised a lot of issues; they talked about seeing stuff with drainage affect, and storm water and all that stuff when he has already talked to DES and none of that is affected and they're willing to sign off on it. There are a lot of other issues. So, you (the Board) are saying two weeks or so, roughly, they get a legal opinion as to whether they are going to continue, and then from there they are going to go out to another meeting and decide whether or not they need to revisit the whole design again?

W. Curtin said that he wants to have everything wrapped up here and have them come back in two weeks, and have them get in touch with Attorney Sessler. S. Penney added that, playing devil's advocate, there is a new site plan required; then that kind of throws the whole thing off. C. Balcius stated that even if it is amended, they have to make sure their T's are crossed and their I's are dotted. Their engineer should review the drainage plan; this is basically a substantial change. M. Guldbrandsen said that the engineer was at the last meeting; C. Balcius said she know he was; she read the minutes. She would like to make sure he reviewed everything and looked at the drainage plan before she is comfortable with voting on an amended site plan. So, make sure they have all the T's crossed and I's dotted as to what they are going to expect, what the Board is expecting...

There was discussion as to possible upcoming dates for a special meeting.

W. Curtin made a motion to continue this case until September 29th at 6:00 p.m. and to have the public noticed as to the continuance; motion was seconded by T. Roy, and passed unanimously.

Mr. Malcolm McNeill stood to make a procedural request. He stated that he had sent a six page letter to the Planner relating to all of the issues he spoke about, as well as a procedural manual for work force housing from the Rockingham Planning Commission. He would like to respectfully request that the Board authorize their Planner to send it to Mr. Sessler; if they don't he will send it himself. It seems to him that under the circumstances, a legitimate abutter, represented by counsel provided in a timely fashion a writing to this Board; he would like to respectfully request that they send the writing to their lawyer to assist him in making his decision. W. Curtin said he would have it sent up to him. T. Hoopes said he would want to be discussing it with Attorney Sessler at their meeting. Mr. McNeill said that is why he provided it here before their meeting so they could all look at it. W. Curtin said that before anyone else reads it, he wants Attorney Sessler to read it. Attorney Sessler had told him that they received it yesterday afternoon. Mr. McNeill said it came in last Friday in an e-mail, and that he had confirmed receipt with S. Ames. S. Penney said that it had not come in it's entirety until yesterday. Mr. McNeill asked if there was any harm with people on the Board going to a meeting with their lawyer to look at a report he has prepared. W. Curtin said he wants to send it to Attorney Sessler's office, have him review it, and due to the time frame in which it was received whether they should look at it or not. Depending what happens with this case, if it comes back later, it comes back later. Mr. McNeill stated that this document is a public document, so he is asking all the members of the Board to take a look at it and use it when they consult with their attorney.

W. Curtin asked for the next case. S. Williams returned to the Board with the chairman's acknowledgement.

RECESS

**Case #P09-18
Richard Coskren**

Map 20, Lot 3

**Subdivision
Mount Major Highway**

Applicant is requesting a continuance to October 20, 2009.

Motion to continue to October 20, 2009 after 6:00 p.m. with the public so noticed was made by W. Curtin and seconded by S. Williams. Passed unanimously.

Application submitted by Tom Varney of Varney Engineering LLC on behalf of applicant Paul Beckett for a proposed 8 lot subdivision with frontage on Route 28 and a new road, "Hilltop Drive". This parcel is located in the Rural Residential zone.

Tom Varney of Varney Engineering came to the table. W. Curtin noted that they had a site walk a while back; he asked for the minutes from that.

Mr. Varney introduced himself, saying that he was representing Paul Beckett, the owner, and Paul Zesgrow, the land surveyor. On September 1, he submitted a new set of plans; the following items were added:

- The well by the existing house is on Sheet 2
- Slope easements for the road are on Sheet 2 and 3
- Drainage easements are on Sheet 2 and 3
- Ledge outcrop is on Sheet 3
- Wetlands impact area note on Sheet 3, 14, and 15
- Note about the public utilities on Sheet 2 and 3
- Vernal Pool label on Sheet 1 and 2

He submitted a letter responding to the Conservation Commission comments explaining how the wetland was delineated, and talked about the vernal pool and the alteration of terrain, and the lot size calculations were based on the actual topography and the actual soils. He has a revised DOT permit for the road, which he passed over to S. Ames. He has a list of items from Farmhouse Land Development; he has gone through those and he will deal with those. That's where they stand.

S. Ames handed out engineering reports.

C. Balcius asked about sizing; all the slopes greater than 25% are not shaded, and that is crucial to the lot sizing. T. Varney stated that he has a sheet that has that on it. C. Balcius answered that they usually have a chart in the subdivision so they can make sure they meet the numbers for Section E, under Section 452. T. Varney answered that the computer generates the slopes over 25%; it is hard for them to see them on the plan, but they are there if you look real close. He colored them in on his sheet 4; they are in purple over 25%. It is the same on sheet 5. C. Balcius acknowledged the outline.

C. Balcius asked about the existing wetlands permit that is good for five years; that's what he is utilizing here. She asked if the approval with the Wetlands Bureau was done with a similar subdivision with similar plans, or has it changed. T. Varney answered that it is very similar; he moved the road and he moved the lots but it is essentially very similar. C. Balcius asked if he had talked to them to make sure he could transfer it. He has made it less impacting and moved it away from the wetland area; there is a lot less impact now. C. Balcius asked if the amount of square footage of impact was the same or

less. T. Varney answered that the permit is for X amount of impact; they are going to use a lot less.

T. Hoopes stated that the application he remembers was for a four unit building; two four unit buildings. T. Varney said no; it was for a nine lot subdivision and had a building that is there now, and there was talk about how many units are in the building, but it was never four units. It might have come in as a four unit, but they were going to call it a single family home. T. Hoopes said there was a Brian Bailey who had come to them at one point with two four unit things... T. Varney said that might have been, but once they realized that was in violation they changed it to single family homes.

C. Balcius asked S. Penney if the last correspondence from Farmhouse was from September 8. S. Penney answered yes. C. Balcius asked T. Varney if these things had been corrected yet, or if he was in the process of correcting them. T. Varney answered that he had received it the other day; he has gone through it, and scoped all of it out, and he can make all the changes in a couple days. There are no game changes in there that he can see; he can add a stop sign and pole numbers and more driveway details and more culvert driveway details. S. Williams asked if Hilltop Drive had been approved by the 911 board or the selectmen. T. Varney answered that it has not; he then asked who does that. S. Penney and S. Williams both answered that Sheri does it; he needs to pick three names and, because there is a Hilltop Estates, and a Hillcrest Drive...

C. Balcius asked S. Penney if she had talked to Peter today about this project; S. Penney answered that she had not. C. Balcius said there is a lot of stuff, and some of it is dealing with basins and the modeling and the two culverts going across Route 28. She thinks once they get this ironed out, and she thinks T. Varney really should talk to the state about transferring the Wetlands Permit; she doesn't think that will be an issue, but somebody related to the AOT might have some issues. She clarified with T. Varney that it does need an AOT; she wants to make sure he is all set there, because it might require substantial changes because of the change in the vernal pool rule. But, that is a valid permit, but they might kick it out of it by transferring ownership; it's an interesting animal. She suggested that maybe they should continue this until T. Varney finalizes everything with Peter; she thinks it will be a no-brainer after that, as it is her opinion that it meets everything else.

T. Varney stated that they would like to get approval to solidify this plan and he can start adding all the information on there. His concept is that they come here and they know that they could be on shaky ground; anything can happen at these meetings. He would like to solidify it before he spends hours and hours putting all these extra grades and analyzing and all this. He would like to have a conditional approval then go through this (the list) between him and Farmhouse; Peter Julia, and then submit his other permits to the state at some point, including the AOT. That covers all the drainage; when he submits a drainage plan to them, it goes on a basic outline. It's a 25 year storm that they require. He's done all that, and all the basic calculations. When you do the alteration of terrain it's a whole different level. Every square inch of ground is covered and they don't want the ground to move; he has spent 40 hours at a whack just calculating that on the

computer, then if he has to change something because he has to come back here, then he has to do it all over again. C. Balcius answered that is why they don't want to approve it until the next time because there will be some changes, and they'll solidify the plan. If they approve it now, he is going to have to come back to them again with some of the changes, which is something they were discussing. S. Williams said that Peter would need to review to make sure all his ducks are in a row. C. Balcius said that they don't have an issue with the plan; they just want to make sure the ducks are in a row and then they're all set. T. Varney said that was okay.

T. Hoopes asked if he (T. Varney) needed to speak to the Wetlands Board. C. Balcius said that she would anyway because it's a tricky animal in their amendment language and the statute. Inspectors look at it differently; very subjectively depending from inspector to inspector. To her, it is an active permit and if the subdivision is similar..., but some take it to the letter of the law that there is a change which constitutes a difference. It's going to depend on the inspector he ends up having. She would at least preliminarily talk to them; that way he's not stuck in the long haul. T. Varney asked if that could be an amendment to the approval; C. Balcius said it could, at that point.

S. Williams asked if there was anything from Farmhouse that he took exception to. T. Varney said he might be able to take exception to a few things, but he's not going to. S. Williams asked if these were things he could talk to Peter about. S. Penney said Peter would meet with him; T. Varney said he understood that. They don't have a problem there, and they can work this all out. C. Balcius said that was good; in the end they would get a decent plan and put their rubber stamp on it.

D. Collier asked if he had submitted the plans/applications to the state already as far as DES? T. Varney said that was his next item to do; he has the driveway permit. His plan is from here to do that. S. Williams asked if they said the sight distance was no problem; T. Varney said they had field checked it and surveyed it like he had surveyed it and did their thing, and it was fine. A board member asked what the chances were of getting all the plans on one page; T. Varney said they are all on page 14 and 15.

T. Hoopes made a motion to continue to October 20, 2009 with the public so noticed; C. Balcius seconded and the motion passed by unanimous vote of the Board.

VII. OTHER BUSINESS

S. Williams asked what was going on with Andrews Marine about the situation up there; he believes that the building inspector gave him a cease and desist. S. Penney said she did not know about that. This is regarding outside storage. W. Curtin brought up that if they are discussing somebody, they need to be there.

S. Williams made a motion to ask Andrews Marine to come to the October 20, 2009 meeting; T. Roy seconded.

Discussion continued concerning timing and the reason to get them in; status report and to discuss the conditions of his approval. They were vague. W. Curtin asked to have Attorney Sessler go over the conditions of approval; S. Penney stated that she and Attorney Sessler have already gone over them with a fine toothed comb and the conditions were not as compelling as they might have been; that's been settled. W. Curtin asked if S. Penney would let Attorney Sessler know that it is one of the things they are going to be talking about. T. Hoopes asked about having S. Ames at the meeting with Attorney Sessler if S. Penney couldn't be there. Questions for Attorney Sessler will come through the Planning Office for a meeting prior to the meeting on September 29 concerning workforce housing.

T. Hoopes said he does not know what the legal status is if they have an approved site plan and they want to change it to something which has different requirements. Where do you start over? There was discussion about the fact that they had conditional approvals; one of the conditions was that 62 year old people would be moving into them, and now they have eliminated that. That's one thing; that can be a waiver, maybe. But, now you're going from single story to two story. Now they are getting different. There is a whole litany of things. They offered to waive the curbing and go one-way streets and narrower because it was elderly, and now if you paint stripes on the side of the road instead of curbing, all that is going to be is extra parking. The conditions were set-focused for elderly. T. Hoopes said that each time they meet with him about site plan, they are each going to take away something new about the concept if site plans; he thinks they should meet more often because there is a lot of legal stuff that comes up. He doesn't know if anyone else has looked at the Law Lecture Series, but there is one workshop that he would encourage everyone to go to. T. Roy is going with T. Hoopes. T. Hoopes went on to talk about the workshop.

S. Williams said that one question would be that he thinks the Board accepted the Change of Use application; when does that clock start? T. Hoopes said that is the type of questions they need to talk to Jim about. They are amateurs in a lot of ways and they need to know how to deal with these situations in a professional way as they can. S. Penney said they would get him the questions before hand, but to send them to the Planning Office so they can consolidate them. He has already given a ruling on the Marina, but if there are additional questions about that, bring them on.

W. Curtin said he would like to ask what to do when something like that happens; C. Balcius said that, as a taxpayer, she would say that they handle it carefully.

S. Ames said that Dennis and Susan Gray asked for an extension last year, which was given to them. This is on Route 140 across from the Keller residence, on the corner. S. Williams asked if he is vested; he has the road cut all the way back in there. The road is cut but there is no topcoat or anything. They don't have any bond. The road is up to subgrade. S. Ames said that due to the economic situation, they are looking for a two-year extension. They do come under the new legislation; however the new legislation is from the original approval, which would only grant them until August of 2010. They are looking for something through August of 2011.

There was further discussion about the length of time they could extend. The original approval was in 2007. The new legislation has them already in that time frame.

T. Roy made a motion to extend this approval to August 22, 2010. Motion was seconded by D. Collier.

There was further discussion to clarify the length of the extension.

Motion passed with six votes in favor and C. Balcius abstaining.

S. Ames asked if there were any changes for the site plan regulations; some have turned them in and some are still working on it.

S. Penney pointed out that there is a very busy agenda on the 20th, plus the special meeting on the 29th, but at some point they are going to have to address the excavation issue of Lamper Morrow because they are going to have to tell them to get their ducks in a row. She suggested a workshop. C. Balcius asked what she was talking about. S. Penney said they have apparently been excavating without town permits. Discussion continued about this and how they wanted to build a pond so they could excavate a hill. S. Penney said that between that and site planning, at some point they will need a workshop. S. Penney said that the principals have had a lot of correspondence back and forth from Cathy and the Assessing Office. There was further discussion concerning the location of this excavating. A date needs to be set as soon as the agenda allows. C. Balcius suggested that they could get in touch with Ana Ford; she is the one at DES in charge of AOT. S. Penney said there is a whole file from DES; this is just an FYI that it needs to be addressed by the Board.

There was discussion concerning review of active excavation sites and other topics.

VI. APPROVAL OF MINUTES

T. Roy made a motion to accept the “Site Walk” minutes of 8/25/2009. Motion seconded by D. Collier and passed with one abstention (C. Balcius wasn’t there).

Minutes of 8/18/2009

On Page 3 of 16, paragraph 1, William Curtin was spelled wrong

On Page 7 of 16, 7 lines down, where it says “for the” it should be “forth”

On Page 8 of 16, first line “settles” should be “settled”

On Page 2 of 16, halfway down the first paragraph, T. Roy voiced concern “of the daycare” should be “with the daycare”.

Next to the last sentence in the same paragraph, it says “other requests were unable to be relocated” and it should be “other requests were unable to be located”.

W. Curtin made a motion, seconded by S. Williams, to accept the minutes of August 18, 2009, as amended. Motion passed unanimously.

IX. ADJOURNMENT

T. Roy made a motion to adjourn; motion was seconded by S. Williams and passed unanimously. Meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Mary Tetreau
Recorder, Public Session