

East Hampton Planning and Zoning Commission
Regular Meeting
May 2, 2012
Town Hall Meeting Room

Unapproved Minutes

1. **Call to Order and Seating of Alternates:** Chairman Philhower called the meeting to order at 7:00 p.m.

Present: Chairman Mark Philhower, Vice-Chairman Ray Zatorski (7:02), Members Peter Aarrestad, Roy Gauthier, Richard Gosselin, James Sennett, Alternate Members Scott Sanicki, Paul Hoffman, Meg Wright, and Planning, Zoning & Building Administrator James Carey were present.

Absent: Rowland Rux was not present.

Alternate Member Meg Wright was seated for Regular Member Rowland Rux and Alternate Member Scott Sanicki was seated for Regular Member Ray Zatorski.

2. **Approval of Minutes:**

A. April 4, 2012 Regular Meeting:

Mr. Aarrestad moved, and Mr. Sennett seconded, to approve the Minutes of the April 4, 2012 meeting as revised. Page No. 7, Paragraph No. 3 the text should be amended to read, "The Commission discussed the lot coverage requirement and would like the calculations to include both the parking areas and the buildings, as well as the buildings separately." The motion carried unanimously.

The Chairman unseated Mr. Sanicki and seated Mr. Zatorski.

3. **Communications, Liaison Reports, and Public Comments:**
Communications:

Mr. Carey reported that the Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter has been scanned and emailed to the Commissioners.

Liaison Reports:

Mr. Sennett explained he was unable to attend the ZBA meeting held on April 9th. However, he reported that they heard one application for a variance to reduce the sideyard setback from 25' to 19' and the rear yard setback from 50' to 25' to construct a garage at 12 Birchwood Drive. This variance was granted. The minutes of this meeting are available online and in the Town Clerk's Office.

Mr. Aarrestad reported that as a Steering Committee member of the Salmon River Watershed Partnership he is in receipt of an email from Shelley Green announcing that the Lower Connecticut River Valley Council of Governments (LCRVCOG) is the new administrative home for coordination of the Salmon River Watershed Partnership. The newly formed LCRVCOG will be comprised of the former Midstate Regional Planning Agency and Connecticut River Estuary Planning Agency which includes 17 towns under the direction of Linda Krause. Ms. Green congratulated those involved in the Salmon River Watershed

Partnership for their role in forming a partnership so noteworthy that the new regional planning agency would like to feature it as an example of how successful regional collaboration can work. This communication will be forwarded to the Commissioners and more information will be distributed as it is available.

Mr. Gauthier reported that he attended the regular meeting of the EDC on Tuesday, April 17, 2012. During that meeting Mr. Carey gave the EDC an update on the potential project at 13 Summit Street, which is currently attempting to identify the availability of the necessary water for the project. The EDC also made some headway on their Home-Based Business Initiative. They have made an arrangement with the Planning, Zoning & Building Department and the Town Clerk's Office. Home-based businesses will register with the Town Clerk's Office which will forward the information to the Planning, Zoning & Building Department at which time a determination will be made as to whether that business will need to be reviewed by the P&Z Commission for a zone change or a site plan review. The minutes from this EDC meeting are online and on file in the Town Clerk's Office.

Mr. Carey explained that enforcement has always been a concern regarding home-based businesses. The Regulations require that any home-based business must be invisible. As long as it is invisible no enforcement is required. Once a business is successful enough to be visible to the neighborhood and require additional considerations the business owner needs to transition the business into a more appropriate zone and facility intended for a business of its type. This agreement will work well with the Regulations as written because the home-based business will be registered and legitimized and the Planning and Zoning Commission will not need to enter the homes once a year to inspect for violations, etc. The EDC concurred with this scenario.

Ms. Wright reported that she attended the Conservation-Lake Commission meeting of April 12, 2012 where they finalized their preparations for the presentation to the Town Council. Dr. Ken Wagner will be meeting with the group to train them on taking water samples. April 28th was Lake Clean-Up Day. Lake Watershed Brochures have been printed and by now should have been distributed. The minutes from the meeting are online and on file in the Town Clerk's Office.

Mr. Zatorski reported that the IWWA met on April 25, 2012. Anything relevant to the applications being heard at this meeting will be discussed under the relevant agenda item. The minutes of this meeting are available online and are on file in the Town Clerk's Office.

Mr. Philhower reported that Midstate Regional Planning Agency met on May 1, 2012. In this meeting the Agency reviewed two Transportation Improvement Program applications. They were both for bridge improvement projects and where both approved.

Public Comments: The Chairman opened the meeting to the public for comments.

Mary Ann Dostaler, 56 William Drive, questioned the reformation of the regional planning agencies that were Midstate and Connecticut River Estuary.

Mr. Philhower explained that the Town of East Hampton has been underrepresented during the process. The CEOs of each town are involved in this reformation not the members of the individual agencies. East Hampton has been apprised of the information but no one from East Hampton has attended the meetings. Mr. Philhower is hopeful that when the Town Manager situation is straightened out the new Town Manager will be involved in the process. The reformation is underway. If East Hampton does not join the new planning agency they will not

benefit from any federal funding. He believes East Hampton has approximately a year from now to hold a Town vote to join the planning agency. As long as East Hampton continues to pay its dues it will continue to be a member.

Ms. Dostaler, 56 William Drive, discussed her disappointment with the agreement between the EDC, Town Clerk's Office, and the Planning, Zoning & Building Department to register home-based businesses. She believes that this agreement represents no change.

4. Set Public Hearing:

A. Application of LCS Properties LLC, 130 East High Street, 138 East High Street & 0000 East High Street, for Phase 1a & 1b Site Plan Review and Lake Pocotopaug Protection Area – Map 10A/Block 85/Lots 5, 5A & 5B:

Mr. Zatorski moved to schedule the public hearing for the application of application of LCS Properties LLC, 130 East High Street, 138 East High Street & 0000 East High Street, for Phase 1a & 1b Site Plan Review and Lake Pocotopaug Protection Area – Map 10A/Block 85/Lots 5, 5A & 5B, for June 6, 2012. Ms. Wright seconded the motion. The motion carried unanimously.

5. Read Legal Notice: Mr. Carey read the legal notice for tonight's public hearings into the record.

6. Public Hearing for May 2, 2012:

A. Application of West High Enterprises LLC, 195 West High Street, for a 2-Lot Commercial Subdivision, Site Plan Review, and Special Permits Section 7.6.2.P, Self-Storage, & 7.6.1.A, Retail – Map 12/Block 36/Lot 3:

Chairman Philhower recused himself from the meeting at this time. Vice-Chairman Zatorski seated Alternate Member, Paul Hoffman.

Attorney Tim Furey, Bristol Connecticut, was present to represent the applicant. He reported that the IWWA has issued a permit to the applicant for this project. The project will include the dedication of 5.23 acres of this site to a permanent conservation easement including all of the wetlands and some uplands. The applicant will restore wetlands previously compromised by the farming operations conducted on this parcel. The IWWA permit requires a three to five year period where the applicant is responsible for maintaining an 80% or greater success rate of the plantings in this area.

Mr. Furey reported that the building coverage proposed for the commercial lot is 14.6% and is 2.9% for the residential lot. The impervious coverage on the commercial lot is 38.5% and the residential lot is 9.8%. Regardless of how the Regulation is interpreted the applicant is with the 60% maximum lot coverage.

Mr. Furey explained that the area proposed for self-storage would be fenced and that fencing will be covered with a nylon screening. The fence will be 6' to 8' in height. No equipment greater than 13.5' in height will be stored in the area.

The applicant has received approval with conditions from the Chatham Health District. CLA, the Town's Engineer, has provided the applicant with comments in response to their review. The applicant will be required to obtain a Connecticut Department of Transportation encroachment permit; however, the applicant may not apply for that until they have received the Town approvals. The applicant would like all of the other comments made by the engineer to be addressed by the Commission as conditions to the approval, if granted, if at all possible.

Mr. Carey read the conditions of the IWWA permit and Chatham Health District into the record.

The Vice-Chairman opened the Public Hearing at this time.

Mary Ann Dostaler, 56 William Drive, questioned the intention for the retail use on the property.

Mr. Furey explained the applicant hopes to develop up to four retail spaces. Nothing has been leased as of yet. The front building will house the retail space. It is a 7680 sq ft building of that 5760 sq ft will be retail. The remainder will be self-storage.

Ms. Dostaler, 56 William Drive, discussed the fencing proposed for the outdoor storage facility and indicated that similar storage areas with similar fencing in Town do not provide sufficient screening and are not successful. She suggested that another type of screening would be more successful.

Mr. Gosselin confirmed that the upgraded septic plan would not be necessary at this point in the phasing and the applicant would address it at a later date with the Commission.

Mr. Gauthier discussed his concern with the fencing and screening as discussed.

Mr. Furey reported that the applicant has agreed to installing a privacy fence with slotted vinyl strips on the north side of the enclosure facing Route 66. The fencing on the east, west, and south side of the enclosure would be the fabric type of screening. This outdoor storage area would only be in place while the phases of the project are being built-out and would be in use during Phase 1 of the build-out.

Mr. Sanicki expressed concern that stored vehicles of 13.5' in height would be visible over a 6' to 8' fence.

Mr. Carey explained that as the applicant stated the storage would be limited to road legal vehicles. A 13.5' or 14' fence would be a terrible wind resistance problem and would probably accentuate any unsightly conditions.

Ms. Wright asked for additional information on signage, lighting, and hours of operation.

Mr. Furey explained that there is no current plan to limit the hours of operation as it is a commercially zoned site. The site lighting is designed to avoid spillage over the property lines. For security reasons limited lighting would be in use all night long.

Mr. Erlandson explained that the lighting on site has been designed to allow people to operate safely but not illuminate the entire site.

Mr. Hoffman asked for clarity on the sightline from the driveway in both directions of Route 66 and the use of directional signage in the facility.

Mr. Furey explained that from the main site driveway the sightline to the east is 1114' and from the main site driveway to the west the sightline is over 622'.

Mr. Erlandson indicated that there would be directional signs located in the rear of the larger building to ensure reasonable traffic flow. Signage for the property is proposed to be placed just to the east of each driveway on the commercial lot.

Bob Chapone, 179 West High Street, questioned the meaning of a conservation easement, the zoning of the residential lot, and the use and proximity of the most southerly building.

Mr. Furey explained that the conservation easement would entail a recorded easement that runs in favor of the Town that provides what activities can and cannot take place within the area in perpetuity. Typical permitted activities involve removal of debris and the maintenance of the sedimentation basin within the conservation area. The Town must be advised of activity prior to conducting any activity.

The Chairman explained that the residential lot will continue to be zoned commercially; however, it will continue in its historical, non-conforming, residential use.

Mr. Furey explained the most southerly building will also be a self-storage building and is no closer than 25' to the southerly property line. This building will only be entered from the north. The middle building will have front and rear access. The front building will have front, rear, and potentially side access.

The elevation of the front retail building was held up for the audience. The color rendering that is available was indicative of the materials that would be used for all the buildings. The storage buildings would have less glass and garage doors.

Mr. Carey reported that the buildings would not exceed 30' and that building details are typically not received until application is made for building permits, unless the Fire Marshal requires them to do so. The Fire Marshal has reviewed this application and indicated that he had no comments.

Mr. Sennett moved, and Mr. Hoffman seconded, to close the public hearing for the application of West High Enterprises LLC, 195 West High Street, for a 2-Lot Commercial Subdivision, Site Plan Review, and Special Permits Section 7.6.2.P, Self-Storage, & 7.6.1.A, Retail, Map 12/Block 36/Lot 3. The motion carried unanimously.

Mr. Zatorski moved, and Mr. Sennett seconded, to approve the application of West High Enterprises LLC, 195 West High Street, for a 2-Lot Commercial Subdivision and Special Permits Section 7.6.2.P, Self-Storage, & 7.6.1.A, Retail, Map 12/Block 36/Lot 3, in accordance with the presentation to the Commission and the plans dated January 10, 2012 and revised on March 22, 2012 and again on April 5, 2012 with the following conditions:

- *Outdoor storage areas to be enclosed by an 8' high fence with screening approved by Town Staff;*
- *Maximum height of equipment, machinery, and vehicles in storage shall be 13.5' in height;*
- *All required permits, approvals, and conditions of Chatham Health District, Inland Wetlands and Watercourses Agency, and CLA Engineers, Inc. to be in place and addressed prior to commencing construction;*
- *All Erosion & Sedimentation Controls must be in place prior to commencing construction;*
- *Town Staff shall be notified prior to commencing construction;*
- *The Conservation Easement required by the IWWA must be on file in the Town of East Hampton Land Records; and*

- *The Special Permit granted for this application applies only to Lot No. 2 for the commercial self-storage use.*

This application has been approved because the application meets the criteria established in the East Hampton Zoning Regulations for the zone. The motion carried unanimously.

The Vice-Chairman called a five minute recess at this time.

The Chairman reconvened the meeting at 8:15 pm. He unseated Mr. Hoffman at this time.

B. Application of LCS Properties LLC, 130 East High Street, for a Zone Change from DD to MUDD and Lake Pocotopaug Protection Area – Map 10A/Block 85/Lots 5, 5A, 5B & 5C:

Attorney Harry Heller, Uncasville Connecticut, was present to represent the applicant. He presented the Master Plan for Edgewater Hill, a traditional neighborhood development, on 73.6 acres located on the easterly side of Route 66. He explained that the presentation to be made this evening is the culmination of more than three years of work by the applicant's design professional team. The team consisted of surveyors, engineers, attorneys, land planners, scientists, and architects. The Commission adopted Section 7.11.B of the Zoning Regulations incorporating a new overlay zone, the Mixed-Use Development District (MUDD) last year. The MUDD considers development in a traditional neighborhood scheme with a mix of both residential and commercial uses, including a significant variety of different types of residential products. These products offer housing alternatives from the traditional single-family detached residence on subdivision building lots.

The application is for the approval of the Master Plan, which by Connecticut Law is a zone change application. It is to change the zoning classification from the DD Zone to the MUDD Zone. The change requested must be consistent with the Plan of Conservation and Development (POCD). The Commission's findings must be on the record. The applicant believes that this proposal is very consistent with the Town's POCD.

The Edgewater Hill project will be developed on 73.6 acres. The proposal is to develop 28% of the acreage and 71% of that total acreage will remain in permanently protected open space. The Inland Wetlands and Watercourses Agency has issued a permit for the activities proposed in the first two phases of this project. In designing the project great consideration was given to the protection of all the wetlands and watercourse resources both on the property and on adjacent properties. Potential impacts on Lake Pocotopaug where seriously considered while designing the project.

Kent Schwendy, Professional Engineer with Fuss & O'Neill, delivered a PowerPoint presentation entitled **Edgewater Hill Master Plan – MUDD Zone – A Traditional Neighborhood Development** to the Commission. A copy of the presentation was delivered to Staff for the record. Mr. Schwendy clarified that the numbers in the presentation include the daycare facility which has already been approved.

****Attachment 1****

Mr. Schwendy explained that Connecticut Water will be supplying the water for this project. It will be provided by a combination of their existing and proposed supply systems. Mr. Heller delivered a copy of a letter from Connecticut Water dated May 1,

2012 to Staff for the record. When this project is finished there will be a new water supply system for Edgewater Hill. That water supply system will be interconnected to both Laurel Ridge and Baker Hill. Laurel Ridge and Baker Hill have separate systems that are currently connected with a pipe in Route 66. There is a valve closed between the two. Both systems serve their own needs at this time. They are interconnected but they are not sharing water. This project will sit in between these two existing developments. Once Edgewater Hill's full water supply is on-line it will be linked to the other two systems and all three will have the ability to share water to adjust water distribution according to need. The early phases of Edgewater Hill will be served by excess (added) capacity in the Laurel Ridge and Baker Hill systems as is indicated in the letter submitted from Connecticut Water.

Sewer will be a gravity system to the existing system in Route 66. Electrical and communication utilities are also available through the existing systems in Route 66.

The project considers the recommended water quality volume which will be 2.28 acre-feet and proposes 3.76 acre-feet. The recommended groundwater recharge volume was .7 acre-feet and the proposed is 3.76 acre-feet. Peak flows and runoff are both reduced.

The State Traffic Commission (STC) has jurisdiction over this project. The project meets the size criteria to be managed by the State and it is located on a state road. It also has a connection to Laurel Ridge. Laurel Ridge has a Major Traffic Generator Certificate. Therefore Edgewater Hill must add onto the Laurel Ridge certificate. There will not be a new certificate issued for this site. STC is trying to do this more often because they want to review projects as to how they affect the whole traffic flow for an area. The morning peak for trip generation will be 381 new trips. Afternoon peak for trip generation will be 386 new trips. Phases 1a and 1b which will be coming before the Commission next month does not require a signalized intersection on Route 66. This phase will include the daycare and the first five apartment buildings. Phase 1C will trigger the need for a traffic signal which will be at the main entrance. That will need to be approved by STC and DOT.

Parking spaces required will be 918 total based on the current means of calculating required spaces. In case it is not accurate they have designed Phase 4, adjacent to Market Square, to be more residential area; however, it will be converted to parking if necessary. The parking study and the traffic study are done in conjunction with each other.

Snow removal will be handled early in the project development by designating specified areas outside of wetlands and away from rain gardens for snow storage. At a certain point there will be nowhere to put it. In large snow events it will need to be hauled away from the development. The project has a phased approach that results in hauling the snow away during large snow events beginning when the project is close to completion.

Mr. Sennett questioned the buildable area on the parcel. Mr. Schwendy indicated that there about 8.5 acres of wetlands. The remainder of the site is essentially buildable. There are some steep slopes along the back side and along the Baker Hill side.

Mr. Sennett questioned the plans for active recreation areas. Mr. Schwendy explained that the applicant's team does not believe that large active spaces are appropriate for

this type of development. They did include an area identified on the plans as a community center. This space is available for a community center, pool, tennis courts, or a bocci course if the community decides that it is desirable to have one of those. Additionally small "pocket parks" are located throughout the site. Each park can have its own theme such as a dog park, playground, or butterfly garden. The concept involves not just having places to walk around but having places to go and things to do. Large parks such as ball fields require large, flat, dry spaces which are not available here.

Mr. Heller reported that the applicant has been in contact with the Water Pollution Control Authority (WPCA) and they have indicated that the WPCA has capacity for Phases 1a and 1b. Each phase will need to be addressed incrementally as they applicant applies for each site plan approval.

Mr. Carey explained that the WPCA is not going to approve a project, or a phase of a project, that is not going to be built for many years. They will not reserve that capacity and with hold the availability from a project being built in the near future. The water company's approvals are handled the same way.

The Chairman opened the meeting to the public at this time.

Steve Motto, applicant, explained that the WPCA has approved Phase 1a for the daycare. They have seen the total site plan and have no issues or concerns with the proposed project.

Priscilla Connors, 10 Whittier Road discussed her concerns for the wells in the neighborhood. Blasting and building on the east side of Route 66 have caused well problems in her neighborhood.

Mr. Schwendy explained that there will very likely be blasting during the development of this project. A pre-blast survey will be conducted. A post-blast survey will be conducted as well and any problems should be brought to Mr. Carey's attention immediately.

Mr. Carey explained that blasting permits are strictly regulated by the Department of Public Safety. The Fire Marshal's Office oversees that permitting and seismic readings are often required. Blasting companies are regulated by the State of Connecticut which requires comprehensive liability insurance.

Ms. Connors also questioned plans for stormwater management.

Mary Ann Dostaler, 56 William Drive, discussed the tremendously instructive benefit of the Master Plan and appreciates the Commission asking the questions about the economic impact analysis. She believes this development will benefit the community in many ways including job creation and assessed value. She questioned whether the developer is interested in the tax deferral programs because that will also impact the economic benefit of the development for the Town.

John Perra, 8 South Hollow, discussed the benefit that this project would bring to the community and recommended that the Commission approve this project.

Mr. Heller discussed the association restrictions submitted to the Commission. He explained that this is a template for the declaration of the master association. He anticipates that there will be sub-associations within the master association. The master

association will be responsible for all maintenance of roads and core infrastructures. A sub-association will be responsible for uses, maintenance, and repairs within a specific phase or neighborhood within the entire project. One sector of the master plan will not be subsidizing another sector in an inequitable manner. The land will all be common land owned by the master association. Buildings and blocks of buildings will be owned by sub-associations. Townhouses, tower houses, and bungalows will be under condominium association.

Mr. Zatorski moved, and Mr. Sennett seconded, that the public hearing for the application of LCS Properties LLC, 130 East High Street, for a Zone Change from DD to MUDD and Lake Pocotopaug Protection Area, Map 10A/Block 85/Lots 5, 5A, 5B & 5C, be continued to the next regularly scheduled meeting on June 4, 2012. The motion carried unanimously.

Mr. Zatorski moved, and Mr. Gauthier seconded, that the application of LCS Properties LLC, 130 East High Street, for a Zone Change from DD to MUDD and Lake Pocotopaug Protection Area, Map 10A/Block 85/Lots 5, 5A, 5B & 5C, be continued to the next regularly scheduled meeting on June 4, 2012. The motion carried unanimously.

C. East Hampton Zoning Regulations, Repeal Section 24, Timber Harvesting:

Mr. Carey explained that this issue was brought to his attention by DEEP's Forestry Office. The State has had regulatory authority over timber harvests since 1991. The East Hampton P&Z has been regulating Timber Harvests since 1989 by Special Permit in conjunction with the Conservation Commission and IWWA. The State has indicated that the P&Z does not have the authorization from the State to perform this regulatory function. A complaint has been filed with State Forestry who has asked us to cease this activity. He did request the State add East Hampton to the municipalities who are authorized to perform this function. The response was that under no circumstances would DEEP allow the P&Z to continue to regulate forestry practices. He agreed that rather than have the Town formally ordered by the State to cease this activity, he would propose to the Commission that it repeal Section 24 of the East Hampton Zoning Regulations and pass an advisory on to the IWWA asking them if they would like to pursue inclusion in the § 23-65k to be approved to take over regulation of these types of activities. The DEEP representative did indicate that the State is not anxious to make additions to this list of Towns eligible to regulate forestry; however, it would never be granted to a P&Z Commission. Mr. Carey's recommendation to the Commission is that Section 24 be repealed immediately and advise the DEEP that we are in compliance with their request. Currently there are no active timber harvests in town.

The Chairman opened the meeting up to the public. There were no comments made at this time.

Mr. Zatorski moved to close the public hearing for the repeal of Section 24, Timber Harvesting, of the East Hampton Zoning Regulations. Ms. Wright seconded the motion. The motion carried unanimously.

Mr. Zatorski moved, and Mr. Gauthier seconded, that the East Hampton Planning & Zoning Commission repeal Section 24, Timber Harvesting, of the Planning & Zoning Regulations for the reason that the Town is not in compliance with the State Statute

regulating this activity, effective May 21, 2012 after the appeal period has lapsed. The motion carried unanimously.

7. **New Business:**

A. Bond Release – Laurel Ridge Phases 3 & 4 – Final Bond Release: Mr. Carey reported that Laurel Ridge Subdivision is comprised of private roads. CLA did conduct a full inspection. The final course of pavement is in place. CLA has found all work in Phases 3 and 4 to be acceptable and recommends release of the bond.

Mr. Zatorski moved that the East Hampton Planning and Zoning Commission grant the final bond release for Laurel Ridge Phases 3 & 4 based on the recommendation of Town Staff. Mr. Sennett seconded the motion. The motion carried unanimously.

B. P&Z Bylaws Discussion – Possible Revisions: Mr. Carey explained that the Commission has requested that the attendance policy of the Commission be reviewed. The Chairman requested a copy of the Attendance Policy as referred to in the Bylaws for further review at the next meeting.

C. Discussion – Public Hearing Notification Requirements: Mr. Carey reported that it has come to his attention that the P&Z's requirement to notify abutters of public hearing by certified mail with return receipt requested is not in compliance with the State requirements. Our regulation requires a sign posted on the property in question and certified/return receipt requested mailings two weeks prior to the public hearing. The state statute actually requires that a sign be posted on the land and proof of mailing shall be evidenced by a certificate of mailing. A certificate of mailing involves the Post Office certifying a list of all the addresses that have been mailed the notification. The cost is tremendously less than notification being mailed for \$5.75 each to every abutter. Mr. Carey proposes that the East Hampton Planning and Zoning Regulation be amended to be consistent with the language in the state statute. The Chairman requested that a public hearing be scheduled for the regular July meeting.

8. **Old Business:** The Commission briefly discussed the wording in the Bylaws regarding the simultaneous absence of the Chairman and the Vice-Chairman.

9. **Adjournment:** *Mr. Zatorski moved to adjourn the meeting. Mr. Gosselin seconded the motion. The motion carried unanimously.*

The meeting adjourned at 10:24 p.m.

Respectfully submitted,

Daphne C. Schaub
Recording Secretary