

1 **TOWN OF SUNAPEE**

2 **PLANNING BOARD**

3 **SEPTEMBER 3, 2015**

4 **PRESENT:** Tanner Royce, Vice Chair; Kurt Markarian; Shane Hastings; Richard Osborne; Joseph Butler,
5 Alternate; Joseph Furlong, Alternate, Michael Marquise, Planner

6 **ABSENT:** Peter White, Chair; Donna Davis Larrow; Sue Gottling, ex-officio member

7 **See attached sign in sheet**

8 Vice Chair Royce called the meeting to order at 7:00 pm.

9 Vice Chair Royce appointed Mr. Furlong and Mr. Butler as voting members for the meeting.

10 **PARCEL ID: 0101-0008-0000 & PARCEL ID: 0104-0039-0000: SUBDIVISION / ANNEXATION: SUBDIVIDE**
11 **4.78 ACRES FROM LOT 0101-0008-0000 AND ANNEX TO LOT 0104-0039-0000. 61 EASTMAN RD AND**
12 **PROSPECT HILL RD, NOEL EASTMAN JR. IRREVOCABLE TRUST.**

13 Mr. Marquise said that the application was filed in advance, fees were paid, notices were posted, and
14 abutters were notified. The application falls under Article 6.04 of the Subdivision Regulations and is
15 eligible for waivers under Article 6.05-b as it is a minor subdivision. The applicable waivers are:
16 boundary survey of the entire parcel, existing and proposed contours, existing and proposed utility lines,
17 storm water and water supply facilities. Mr. Marquise continued that he believes that with those
18 waivers the application is complete.

19 Mr. Markarian made a motion to accept the application as complete for Parcel ID: 0101-0008-0000 and
20 Parcel ID: 0104-0039-0000 a subdivision / annexation subdividing 5.83 acres from the first Parcel ID and
21 annexing it to the second, 61 Eastman Rd and Prospect Hill Rd, Noel Eastman Jr Irrevocable Trust. Mr.
22 Osborne seconded the motion. The motion passed unanimously.

23 Patrick Dombrowski presented the case on behalf of the applicants.

24 Mr. Marquise said that in the notice it says they are subdividing 5.83 acres but it was revised to 4.78
25 acres. Mr. Dombrowski confirmed that the amount of acreage has been changed as Mr. Eastman didn't
26 like the previous proposed layout of the lots.

27 Vice Chair Royce asked if there were any abutters present with any questions or concerns and there
28 were none. Vice Chair Royce asked the Board if they had any questions and there were none.

29 Mr. Markarian made a motion to accept the application merits for Parcel ID: 0101-0008-0000 and Parcel
30 ID: 0104-0039-0000, subdivision / annexation, subdividing 4.78 acres from the first lot and annexed to
31 the second lot at 61 Eastman Rd and Prospect Hill Rd, Noel Eastman, Jr. Irrevocable Trust. Mr. Hastings
32 seconded the motion. The motion passed unanimously.

33 **PARCEL ID: 0237-0025-0000: SITE PLAN REVIEW / PUD (PLANNED UNIT DEVELOPMENT):**
34 **RECONFIGURE ORIGINALLY APPROVED "PRESERVE OF MT. SUNAPEE" DUPLEX CONDOMINIUM**

35 **PROJECT INTO A NEW RESIDENTIAL CONDOMINIUM DEVELOPMENT CONSISTING OF FIVE (5) SINGLE**
36 **FAMILY HOMES AND SIX (6) DUPLEX UNITS. BROOK ROAD SUBDIVISION, HP SUNAPEE, LLC.**

37 Mr. Marquise said that the application was filed in advance, fees were paid, notices were posted, and
38 abutters were notified. The application falls under Subdivision Regulations and is a PUD and in terms of
39 the plan items the application is complete. There are outstanding State Permits: the Alternation of
40 Terrain (AoT) Permit; the Subsurface Subdivision Permit; and the Subsurface Septic Permits, which he
41 understands from Mr. Hirshberg are in the process of being completed. There is an existing Wetlands
42 Permit that is not being changed.

43 Mr. Markarian made a motion to accept the application as complete for Parcel ID: 0237-0025-0000,
44 noting that three permits are still outstanding for AoT and Subsurface Subdivision and Septic, for a Site
45 Plan Review / PUD (Planned Unit Development), reconfiguration of originally approved "Preserve of Mt.
46 Sunapee" duplex condominium project into a new residential condominium development consisting of
47 five single family homes and six duplex units, Brook Road Subdivision, HP Sunapee, LLC. Mr. Osborne
48 seconded the motion. The motion passed unanimously.

49 Charlie Hirshberg and Brian Vincent of CLD Engineers and Matt Burrows, the attorney for HP Sunapee,
50 presented the merits of the case.

51 Mr. Hirshberg gave a history of the project. The original approval was for 24 units / 12 duplexes back in
52 2005. The previous developer started construction on the project in 2006 and he built 1050 ft of the
53 road from Brook Rd. The road was built to Town specs and it is paved. The developer built one duplex
54 unit and then defaulted on the project. The property was sold to HP Sunapee and during the period of
55 time from the approval and the construction of the road. The AoT Permit, Subdivision Permit, and
56 Septic Permits all expired. The regulations changed in the period of time between approval and now.
57 Mr. Hirshberg gave further explanation regarding the changes, including more storm water
58 requirements. Mr. Hirshberg said that the State said that whatever has been built, including the portion
59 of the road, falls under the old regulations. They are in the process of submitting a new AoT Permit to
60 the State.

61 Mr. Hirshberg said that they came before the Board in January for a conceptual and explained that they
62 want to continue the road and make a loop road. The density allows for 24 units but what they got from
63 the Board is that they would like fewer. Mr. Hirshberg said that in order to allow for the storm water
64 requirements they need more area and it is too difficult to fit 24 units on the property. They are
65 proposing 17 units, 6 of the buildings being duplexes and 5 individual units.

66 Mr. Vincent said that the proposal is for approximately 300 ft of new road to extend Nature's Way.
67 Flander's Way was also constructed but as a driveway so it has to be enhanced as a road, which means it
68 needs to be widened. Millhouse Way will be about 800 ft of road and is an extension to make the loop.
69 The proposed roadway widths are 22 ft, the main road will have 2 ft gravel shoulders and then the other
70 2 roads will have 1 ft shoulders. The driveways are proposed to be 14 ft wide. Road slopes do not
71 exceed 10% and driveway slopes are limited to 12%. Mr. Vincent continued that the project was
72 designed for 25 MPH design speed, with the exception of the intersections as there are three stop signs
73 proposed.

74 Mr. Vincent said that the proposed units will need septic systems and wells as there are no public
75 utilities. Consistent with the prior design there are shared leach fields with up to 4 units per leach field.
76 There are a couple of leach fields that will have fewer than 4 units going to them. The unit that has been
77 built already has a leach field and it will be used as a shared leach field.

78 Mr. Vincent said that the proposed buried electric, telephone, cable and data lines will follow the road
79 alignments on the outer side of the ditch.

80 Mr. Vincent said that there is a proposed cistern which will be a 30,000 gallon tank that will be
81 accessible to the Fire Department for their use.

82 Mr. Vincent said that talking to the Highway Director he asked for snow storage at the ends of the
83 hammerheads which has been designed into the project.

84 Mr. Vincent said that they met with the Fire Chief and discussed the project with him. Chief Ruggles
85 wanted to make sure that the cistern was going to be in place and seemed to be comfortable with the
86 loop concept. Mr. Vincent continued that they met with the Highway Director and his comments were
87 about the road slopes and the snow storage. He also wanted to make sure that there are provisions in
88 the plan to get the proper slopes to the leach fields, which they will do when they do their septic
89 submittals to DES. Mr. Vincent said that they did not meet with the Police Department but they did
90 correspond with them and he has received an email saying that they were comfortable with the design.
91 Mr. Vincent said that they met with Mr. Marquise briefly when they submitted the plans and talked with
92 him about the requirements.

93 Vice Chair Royce asked and Mr. Vincent confirmed that the project will be done in stages and that there
94 is a plan of which sections will be completed first.

95 Mr. Butler asked and Mr. Vincent confirmed that the existing plan is grandfathered under the old
96 regulations. Mr. Vincent said that they are not planning on doing anything to the road as it is built and
97 as far as he knows they were built to Town requirements.

98 Mr. Vincent said that they suggested to the owner to phase the project. To try and build the
99 infrastructure at once is expensive and it makes more sense to phase the project and build sections at a
100 time over a period of years. Storm water management is important for this as it limits the amount of
101 area that is disturbed at one time. Mr. Vincent explained the 4 phases to the Board and the work that
102 will have to be done during all the phases.

103 Vice Chair Royce asked if there will be any issues with the work being done in phases and the loop road
104 not being completed until the end if it creates a dead end issue. Mr. Marquise said that it does but
105 originally there was a dead end situation and the Board accepted it, even though it was over the 1200 ft.
106 Mr. Vincent explained that part of the reason for the hammerhead / turn around areas is for this issue.

107 Mr. Vincent said that they are proposing building the cistern after Phase 2, during Phase 3. This means
108 that there would be 4 duplexes in place before building the cistern. It was their understanding that this
109 is what was approved in 2005. Vice Chair Royce asked if Fire Chief Ruggles is OK with that plan. Mr.
110 Vincent said that it is his understanding but they may need to make sure. Mr. Hirshberg said that it was

111 their understanding of how it was phased before that the condition was that the cistern would go in
112 after the first 4 units were in.

113 Mr. Vincent explained the grading and drainage to the Board as the project needs to meet DES
114 Alteration of Terrain (AoT) requirements and they have spent a lot of time making sure the storm water
115 management and drainage is in place. Mr. Vincent said that what they are proposing meets DES
116 standards. Mr. Vincent showed the Board on the Plans and continued to explain the storm water
117 management designs. They have designed the drainage plan to make sure that things are stabilized as
118 they go. Because of the size of the project, an EPA Storm Water Prevention Plan is required. That
119 permit is typically secured by the contractor and is incorporated into the construction phase. Mr. Butler
120 asked and Mr. Vincent confirmed that the drainage will need to be maintained. Mr. Vincent continued
121 that the Road Agent was asked about taking over the roads and he said that he would be willing too,
122 however, he does not want the responsibility of maintaining the storm water features such as the
123 ponds.

124 Vice Chair Royce asked and Mr. Vincent confirmed that all of the buildings would be part of a
125 condominium association. Vice Chair Royce asked if the association has been formed and Mr. Hirshberg
126 said that it has not. The existing duplex is under the ownership of the entire property. Mr. Hirshberg
127 said that condominium documents have not been written. Vice Chair Royce said that the Board would
128 like to have a copy of the documents when they are written to ensure that the storm water
129 management is maintained. Vice Chair Royce asked and Mr. Marquise explained that the conditions,
130 such as reviewing the condominium documents, would be done before the Board signs the Mylar.

131 Mr. Vincent was asked and confirmed that the proposed units are meant to be sold. Mr. Hirshberg said
132 that it is there understanding that the client wants to get everything approved so the property can be
133 marketed to a builder or contractor as he does not intend on building the units himself. He wants to get
134 it re-permitted so that he can sell the project. The unit designs that have been proposed are like what is
135 there now as they felt as though they should stick with that unit design to remain consistent. The single
136 units will be half of the duplexes. If a new owner wanted to use a different design, they calculated the
137 project with large footprints so that drainage wise they handle the impact a bigger unit may have. They
138 understand that a builder may need to come back to the Board with a building design that is different
139 from what they have.

140 Mr. Vincent said that there is a proposal for plantings around each unit. The plan is modest but does
141 include trees and shrubs. There is also a plan for limited tree plantings around the roadway alignments.
142 When this project was started they did do a lot of clearing in 2007; since the project was abandoned the
143 area has grown up and there are a lot of saplings which have approximately 2" to 6" diameters. They
144 are trying to maintain the areas and thin them to create a healthy forest and provide a natural
145 landscape.

146 Mr. Vincent said that they are not proposing any street lights. They do recommend building mounted
147 light fixtures for each unit.

148 Vice Chair Royce asked if the proposal includes a sign designating the specific development. Mr. Vincent
149 said that there is one there now. Mr. Hirshberg said that he thinks that it is more of a sign board now
150 but it is where the sign is intended to go and the intent is not to have the sign lit.

151 Mr. Marquise asked about drainage near one of the ponds as it looks like it goes across the road to a
152 spreader. He does not see that on C14 and asked if there were concerns about it being right above a
153 septic area. Mr. Vincent said that they are concerned about that and this week they were analyzing a
154 stretch of drainage runoff and decided that they needed to get some of the storm water to the other
155 direction. The way they conveyed it is close to the leach field and they are now trying to work out a way
156 to get the water so it is not as close to the leach field.

157 Vice Chair Royce said that there are some significant slopes and that he does not see any retaining walls
158 on the plan. Mr. Vincent said that the slope across the site is about 12% and while it is not flat it is not
159 very steep so they were able to create the plan without retaining walls. They do have one diversion
160 area that is about 9% slope and some of the driveway slopes are near 12% and they have roadside
161 swales. They usually only build retaining walls if they need them and in this case they have been lucky.
162 Mr. Hirshberg said that all of the houses are set up as walkouts and they have some where the drives
163 actually go underneath; they are designed for slope sites.

164 Mr. Marquise asked if the AoT permit will have inspection requirements. Mr. Vincent said that they will
165 probably reference the EPA requirements, which require inspections every 2 weeks or every rainfall
166 more a quarter of an inch. Also, if there are any significant construction changes they will have to
167 inform the State. Mr. Hirshberg said that they have not been putting in their approvals that they need
168 to do inspections.

169 Mr. Markarian asked if the thinning of the trees will be done in each phase or all at once. Mr. Vincent
170 said that he would imagine it would be done in each phase unless it makes sense to hire someone to do
171 it all at once. Mr. Markarian asked if they will be working with a local arborist to remove the trees that
172 are less beneficial to the area. Mr. Vincent said that he does think that they will need to hire an expert.

173 Mr. Butler asked about the drainage calcs and if each phase is calculated to take on its own storm water.
174 Mr. Vincent said that they are probably too big for any one single phase but anything they impact they
175 want to make sure that they build drainage features downstream. They are going to build everything to
176 the correct size when they build it.

177 Vice Chair Royce said that any Condo docs that are presented for approval could be changed by the next
178 owner and asked how they would address it as a Board to ensure continuation of the maintenance of
179 the drainage plan. Mr. Marquise said that it becomes a condition and if there is a problem the Board
180 does have the opportunity to revoke the approval. Mr. Hirshberg said that there is another step in this
181 process when they are doing over a certain number of units. At the Attorney General's (AG) office for a
182 condo type project there are a lot of documents that are recorded and reviewed at that level. There is
183 also a plan for each unit that is recorded before the units can be sold. Vice Chair Royce said that a
184 concern of the Board is about when things start to sell and when the association starts to become
185 responsible for everything. Mr. Hirshberg said that this is typically spelled out in the condo documents
186 so all the buyers are aware of when it becomes their responsibility and not the developer's. Mr.
187 Marquise said that even if the new condo documents go to the AG's office, they typically do not go back
188 to the Board unless there is a new Mylar and there isn't a procedure for this. Vice Chair Royce
189 suggested that the Board make a regulation that requires that new condo documents need to be
190 presented to the Town for their review. Mr. Hirshberg said that the maintenance associated with the

191 storm water features have been recorded so that there is a trail if anyone purchases a piece of property
192 in the project they are aware of the responsibility.

193 Vice Chair Royce asked if there were any abutters present to discuss the case and there were none.

194 Mr. Markarian asked and Mr. Marquise confirmed the conditions of approval would be the
195 condominium association documents and the Department Head sign-offs. Mr. Marquise said that with
196 the size of the project he wonders if the Board should wait for the written comments from the
197 Department Heads. Vice Chair Royce asked Mr. Hirshberg about the State permits and if he thinks they
198 will have them for the next meeting. Mr. Hirshberg said that he does not think that they will because
199 the AoT permit has 50 days from submittal to be approved or denied. Mr. Hirshberg said that one of the
200 concerns that they had was that typically Mr. Landry gets the Department Heads to fill out their sign off
201 forms but he has not been around. They made a point of going around to all the Department Heads and
202 meeting with them but did not have the forms to have them sign off; ideally they would like to get the
203 conditional approval. Mr. Marquise said that as they are waiting for State approval it would not hold
204 them up for anything. Vice Chair Royce said that he thinks that it would be good to continue the hearing
205 until the next meeting to get the sign offs and to see if they get any permits.

206 Mr. Burrows asked if a bond would be required for this project. For his client it would be ideal to have a
207 conditional approval and then work their way up to the bonding phase. Mr. Marquise said that there
208 will need to be a separate bond hearing and if they have the ability to put together the bond for the first
209 phase, which would be what the Board would be approving, they could do that at the approval so they
210 would not have to have a separate bond hearing. The bond would need to be calculated on an
211 engineer's estimate of the infrastructure and 110% of the amount. Mr. Hirshberg asked and Mr.
212 Marquise said that the bond would need to cover the roadways, the drainage structures, the waste
213 water components, and the wells. Vice Chair Royce asked if they could continue the case to the next
214 meeting and also hold the bond hearing at the same time. Mr. Hirshberg said that he thinks that could
215 be done but asked when the bond will have to be in place and if it could be prior to the start of
216 construction. Mr. Marquise said that if they wanted to avoid the hearing process he thinks that the
217 bond will need to be presented when they present the estimate. Mr. Marquise said that if the owner
218 just wants to sell the property then maybe the bonding isn't appropriate. Mr. Hirshberg said that
219 looking at the Town's perspective he thinks that the bond would come from the actual developer prior
220 to construction. Mr. Markarian said that his concern is that if the Board approves this as is how they
221 would get the bond from the new developer if they are going to continue with the plan as approved.
222 Mr. Marquise said that it may be an approval from the Board but not a filed Mylar because the bond
223 needs to be in place before the Mylar is filed. Mr. Hirshberg explained that they need the Board's
224 approval to move on to the AG's process, which they need to do before the owner can market the
225 property. Mr. Marquise asked if they can go to the AG without a Mylar recorded. Mr. Hirshberg asked
226 that as this is for a Site Plan Review if a Mylar would be recorded. Mr. Marquise said that he believes
227 that they would as it is a PUD and that the AG's office would require it. Mr. Hirshberg said that for the
228 AG process a Mylar gets recorded that shows the entire subdivision plus a typical unit design. Mr.
229 Marquise said that the Planning Board cannot sign the Mylar for the AG's office until there is a bond in
230 place. Vice Chair Royce said that he thinks that they should continue the hearing to the next meeting on
231 October 1st to get additional information. Mr. Marquise said that he would also like to have the
232 Department Head signoffs and any feedback from the State, though those could still be conditioned.

233 **PARCEL ID: 0136-0018-0000: SIGN-OFF DRAWINGS AND MYLAR. LAKE AVE, BRUCE MCCARTHY.**

234 Vice Chair Royce explained that though the Board typically signs Mylars at the end of the meeting, they
235 are going to discuss the subdivision before proceeding with the sign off as there was a discussion at the
236 last meeting about drainage and runoff from the property. Vice Chair Royce asked Mr. McCarthy for an
237 update on the work.

238 Mr. McCarthy started by apologizing to his neighbors for the problems that the construction of the site
239 has had on their properties. Mr. McCarthy said that the 2 large rainstorms that recently occurred
240 caught them without the site being completed with their drainage control system. As a result, water
241 and silt escaped the site and caused some problems across the street from where they are located,
242 specifically the Pasculano and Lowrie properties. Mr. McCarthy said that after each incident they have
243 tried to remedy the problems. After the first one they expanded the swale nearest Lake Ave at the
244 suggestion of Charlie Hirshberg and in addition to expanding it they installed some stone dams to act as
245 filters. They also built a new swale at the foot of Lot 1 at the suggestion of Mr. Pasculano and it
246 functioned well during the storm. Mr. McCarthy continued that they seeded and mulched a fairly
247 significant part of the site, though they did not get it done in time for the second storm so they did have
248 another incident so water and silt escaped the site. They have since completed drainage ditches along
249 two of the new driveways leading to a new culvert which feeds into the retention pond that is in the
250 center of the cul de sac and it should divert a fair amount of water that was going directly into the
251 swale. They also got some input from Scott Hazelton, the Highway Director, as well as the Department
252 of Environmental Services and as a result they installed a stone apron at the entrance to the site to
253 prevent mud and dirt from being tracked onto Lake Ave by the truck traffic and construction vehicles.
254 They have completed about 99% of the seeding and mulching of the site so just about everything is
255 covered, though the question is whether it will be enough. Mr. McCarthy said that they have looked at
256 several options and their engineer, David Eckman, is with them to talk about some of them. One option
257 is to use the existing design and installation. Another option would be to substitute a new control
258 structure at the outfall of the swale as there is some concern that it is not adequate. The third option is
259 to expand the swale further and add the new control structure.

260 Mr. Eckman said that Mr. Hirshberg made some recommendations that they have implemented. Mr.
261 Eckman explained that the storms came before the site was stabilized and before the management
262 ponds were installed. They do have an extended detention pond at the cul de sac and a swale at the
263 bottom. The original design was focused on treatment, they met the requirements and made it a little
264 less than it was. Treatment means getting the sediment out of the first flush from a ½ inch storm and
265 the swale was a treatment swale that would hold back on lower storms and balance other storms. Mr.
266 Hirshberg recommended making the swale 3 ft wider. Mr. Eckman continued that the Board has a
267 water shed plan that has a table on it that shows the analysis, which is obsolete now that they expanded
268 the swale. Option 1 is what is built on the site, which is actually vegetated now and would be
269 unfortunate to run an excavator on it. Mr. Eckman gave further explanation about this option. Mr.
270 Eckman explained that Option 2 is a box outlet structure much like what was done in the cul de sac and
271 is more focused on detention and knocking the peak down because it holds more water. Mr. Eckman
272 said that the third option is go to in with an excavator and dig the swale out to the property line to make
273 it as big as they can. He does not know if this would make a lot of difference and he would hate to disturb
274 the vegetation.

275 Mr. Eckman said that currently the only change that was made to what was approved was the extension
276 of the swale and he has calculations for the Board. The other options came from brainstorming with the
277 Highway Director. Mr. Eckman gave further explanation about the options and said that they want to do
278 what they can to make it right.

279 Vice Chair Royce said that the Board appreciates the activity that has gone on and the attempts to fix
280 the issues. As a Board they approve a completed plan and how the water leaves the site when the
281 project is done. Some of the conversation from the last meeting was that these issues are happening
282 during construction rather than when the project is completed. The Board normally doesn't ask for
283 storm water management plans during construction, they hope that the construction managers control
284 the issues during construction. The Board takes the information from the professionals that are hired by
285 the land owners. Vice Chair Royce continued that as a Board he is not sure which way they will go other
286 than looking at what they require in the future.

287 Mr. Marquise said that there are always 3 issues when it comes to storm water, one is the peak which
288 needs to be addressed as part of their rules, another is quality and the other is volume, both of which
289 are not part of their rules. Mr. Marquise continued that he was on the site with Mr. Hazelton, who is
290 very much in favor of the control structure. Mr. Eckman said that he never got permission to tie into the
291 Town's pipe and he used a swale which provided treatment for the first flush storm. They focused on
292 treatment and now are thinking of trying to knock the peak down, which is why the box structure is a
293 good idea. Mr. Eckman continued that Mr. Hazelton has said that they can tie directly into the Town's
294 pipe. The box structure will fill up and hold the water rather than just letting the water flow out and it
295 will offer some treatment as well. Mr. Eckman gave further description about the box structure.

296 Mr. Eckman said that the last option they looked at would be to make the swale bigger as well as use
297 the box structure but he doesn't favor that option because the site is vegetated. The options need to be
298 worked out with Mr. McCarthy, the abutters and the Highway Director, who has given his input. They
299 have met the requirements and once everything is stable, it will function as designed. The pond and cul
300 de sac didn't see water in the last storm and the storm before didn't have the swale constructed. A lot
301 of progress has been made and grass is growing so they are almost to the point where everything is
302 completed.

303 Vice Chair Royce said that he understands that there are people who would like to comment, however,
304 he would like them to understand that while the Board is happy to take suggestions about what they
305 should require in the future when requirements are met and approval is given there is little that the
306 Planning Board has to do during construction of a project. They are willing to listen to the concerns, but
307 asks that they consider the limitations they have as a Planning Board. Vice Chair Royce continued that it
308 seems to him that Mr. McCarthy is attempting to address the issues, which is what they can all hope for.

309 Matt Lowrie of 313 Lake Ave gave the Board some pictures and said that there are a few issues. One is
310 that there was an initial plan submitted and there were drainage calculations for that plan. When the
311 plan was amended, the drainage calculations were never revisited. Another issue is that what happened
312 on the site is not what is on the plan; there is more clearing, the roads are bigger, etc. Mr. Lowrie
313 continued that what is being done has to be in the plan and it isn't. It is in the Board's authority to
314 revoke a subdivision approval, which is what would ordinarily be done if the plan was not followed. He
315 is not asking the Board to do that, however, he would like to see an existing conditions plan and the

316 drainage calculations for it. Mr. Lowrie said that he feels like there should be a verification process to
317 ensure that what is in the plan is being done and the Town should be a part of that. At the last meeting
318 they were told that it was being fixed, and it was started the next morning, but the problem was that it
319 was not good enough. The Town does not have the information that the plan was followed and is
320 correct. He does not feel as though the Town has done enough to protect his property.

321 Mr. Lowrie said that he requests that the Board not give approval until after they make sure that the
322 plan was followed and everything is OK. Vice Chair Royce said that approval has already been given and
323 Mr. Lowrie was noticed and had the ability to come and give his opinion on both the approval and the
324 amended approval. None of the Board members are experts on drainage and they ask questions but
325 their knowledge is limited. As a Board, they really don't have the ability to go to the site and make sure
326 the plan is being followed properly. Mr. Marquise said that Mr. Landry does the enforcement and
327 informs the Board of changes made but it is not something that has been brought to them. Vice Chair
328 Royce said that they are currently talking about drainage during construction and not at the project's
329 completion, which is what they approve. He feels as though the Board would need more information
330 before they would decide to revoke the subdivision approval.

331 Mr. Marquise asked if the amount of clearing that has been done was on the plan. Mr. Lowrie said that
332 the first plan for which the drainage calculations were done then had the street redone so there is
333 greater area of street. There are retaining walls that are not in the plan, which does not concern him
334 except for how they may effect drainage. On the right hand side of the property the water runs along
335 the retaining wall to a drain that runs to the swale so there is no retention facility for all that water. Mr.
336 Lowrie continued that he thinks that the driveways are different and a lot larger than what was called
337 for in the original plan.

338 Mr. Lowrie said that he is not asking for revocation of the subdivision approval, he is asking for the
339 Mylar not to be signed, though he is not quite sure what that means. He is asking for the approval not
340 to be moved forward as they have not received an existing conditions plan and the new calculations.

341 Mr. Marquise said that normally in a subdivision they look at drainage but do not consider what
342 happens on site because that is up to another individual. Mr. Marquise asked Mr. Eckman if he feels as
343 though the additional clearing would have an impact on the calculations to the point where he would
344 want to revisit the 3 options. Mr. McCarthy said that he does not think that there is additional clearing.
345 Mr. Marquise asked if there additional clearing which was not considered part of the additional design
346 because he knows that impervious surfaces have a tremendous impact. Mr. Eckman said that the W-S
347 sheets have a table of the drainage. He did give Mr. Hirshberg a booklet of the calcs but they haven't
348 changed other than from the widening of the swale. The booklet also contains the calculations for the
349 other options. Mr. Eckman continued that a little bit of additional clearing shouldn't have an impact and
350 he does not even know that it is outside the limits they proposed. He assumed the woods were in good
351 condition so they calculated on the worst possible conditions. The soil is Group C and they only had to
352 make it less in the proposed conditions, but they did more than that. It is not good soil condition and is
353 probably close to poor, he would have called it fair, at best, so there are minimal changes.

354 Mr. Butler asked if the Town requires the owner and the engineers to give an as built where they can
355 review what was approved to what is built. Mr. Marquise said that this may come up only in the
356 releasing in the bond if they knew that something wasn't done properly. They do not usually ask for as

357 builds because outside the improvement, which is the road, they do not regulate what goes on in the
358 individual lots. Mr. Butler said that he does know of other Towns that do require these and also check
359 during construction to make sure that things are done as per the plan and that this may be something to
360 consider in the future.

361 Mr. Hirshberg said that his concern is that when subsoils are exposed and cut down 8 to 10 ft there are
362 different conditions than what is there for the surface soils. He has not seen the full calculations but his
363 concern is the downstream receiving area is somewhat limited in its capacity to take on water and part
364 of it has a flat gradient, which means that the channel may not have the capability to move the water
365 fast enough and can cause issues downstream. Some of the flow is going subsurface to the Lake and
366 part of the concern is that the materials that have been washed downstream may be clogging the soils
367 because they have seen the runoff occurring in areas where it did not occur before. Mr. Hirshberg asked
368 that if the bond is to protect, if it can it be applied off site if they need to correct situations that have
369 changed. They don't know if things have changed below the surface and need to wait until after
370 another event before seeing the issues.

371 Mr. Lowrie said that if the plans were followed they wouldn't have had the silt plume because the
372 approved plans did have provisions for during construction protection of the properties. Though they
373 do not typically require an as built, they do have a reason to now because it is indisputable that
374 something went wrong during the construction phase and it shouldn't have happened. He is not looking
375 to stop the subdivision but he wants to make sure that there is not a problem so he would like the as
376 built to see if the calculations are OK. Mr. Lowrie continued that at the last meeting he gave the Board
377 a letter that said that the calculations were materially incorrect because they assumed wooded
378 undergrowth and what was on the site was very different and the runoff would be faster.

379 Vice Chair Royce said that as a Board the as built are not something that they are going to ask for or
380 supply specifically to Mr. Lowrie as an abutter. This is not something that they require and they are not
381 going to require it now. They may have a discussion about requiring them in the future but their
382 responsibility is laid out in their regulations and those are what they follow and what the Townspeople
383 have voted on. They are always happy to take suggestions and bring them to the voters to see if they
384 want regulations changed. Vice Chair Royce said that what they as a Board right now can oversee they
385 are attempting to do and if these problems occur they will attempt to learn from them.

386 June Fichter from the Lake Sunapee Protective Association (LSPA) said that she wanted to make clear
387 about the damage that has been done to the Lake. Ms. Fichter showed the Board a picture of the water
388 from a brook flowing into the Lake before and after the project was started and the sediment from after
389 the last storm. She also showed photos of the silt plume going well into the Lake. Ms. Fichter continued
390 that, while not on purpose, there has been serious damage done to the Lake. They are concerned about
391 runoff into the Lake because it carries phosphorous, which feeds algae and cyanobacteria. Every week
392 she receives notices from DES that portions of NH lakes and ponds are closed because of blooms and
393 Lake Sunapee has had small blooms; they do not want the blooms to get larger.

394 Ms. Fichter said that she has two concerns. This evening she expected a plan; though they have been
395 lucky this week, she would like them to fix the problem so there is not another blow out at the next
396 storm. They also have some suggestions, one being that what could be instituted is to have an
397 independent engineer look at the plans. She lives in Newbury and that is what they do; it is at the

398 expense of the land owner but it is an independent look at the plans. Vice Chair Royce asked if there is a
399 specific distance from the Lake that spurs the requirement in Newbury. Ms. Fichter said that she is sure
400 that it is within the 250 ft Shoreland but she is not sure if it is in the watershed area. Vice Chair Royce
401 said that a lot of what they rely on is the State's regulations. Ms. Fichter said that the Board may want
402 to look at their regulations and having erosion control plans throughout the watershed area. It is not
403 just about the water quality, but also about intruding on someone else's property. Ms. Fichter said that
404 Article 4.07 of the Subdivision Regulations does sound like someone was thinking about some of the
405 cases where the Board may need special advice. Vice Chair Royce asked and Mr. Marquise said that it
406 may have been used once or twice. Mr. Marquise continued that he thinks that Ms. Fichter has the right
407 idea but what they may need to consider is that the plan is not the issue, it is the implementation that
408 has created a problem. The proper thing might be that they have onsite review by an engineer during
409 construction and then reported back to the Board at regular intervals; something to connect the
410 contractor with the plan.

411 Deb Pasculano of 323 Lake Ave gave the Board some pictures for their review, one being the check dam
412 that she said will do nothing to reduce flow onto her property. Others pictures showed what used to be
413 a clear stream on her property as well as her lakefront before and after. The water is not being
414 controlled enough to not go onto their property. Mrs. Pasculano said that the Board said that they need
415 Mr. Marquise or Mr. Landry to bring the problem to their attention and asked why it has not been
416 brought to their attention because there is clearly a problem. The reason that the State was brought in
417 was because she called them and said that there was damage to the Lake. The reason that Mr. Landry
418 went to the site was because she called him and he talked to Mr. McCarthy about what needed to be
419 done. Mrs. Pasculano said that she is concerned because she is leaving and will not be at her property
420 to watch it and asked who will protect her property and the Lake as both have already been damaged.
421 The Town has approved the plan and she does not feel as though her house should be flooded out
422 because of something the Town approved, it seems as though no one is accountable. Mrs. Pasculano
423 was asked how her property was damaged and explained that the water is widening her channels, it is
424 overflowing, it has exposed her buried wires and if it continues flowing in its current state it will go into
425 her house. Mr. Furlong said that the plan is for after it is constructed, not for construction, and the work
426 is not done so it does not pay to get upset until it is completed. Mrs. Pasculano said that she sees the
427 final thing and it is not working. Mr. Eckman said that not everything was built prior to the storms and
428 all the flow from the site was going to the one spot. Mrs. Pasculano said that the second pond was built
429 and did not do anything. Mr. Eckman said that the ditches were not built then. Vice Chair Royce said
430 that he understands Mrs. Pasculano's concerns but damage to her property caused by another is
431 beyond the Planning Board. Mrs. Pasculano said that she wanted the Board to understand what has
432 happened because of their approval. Mr. Lowrie said that he does not understand how they approved
433 something and have received complaints about what has happened on the site and yet are saying they
434 can't do anything. Vice Chair Royce said that they have received multiple complaints and they need
435 some sort of verification about the complaints. The Board would now need to have it verified that what
436 is constructed on the site is not what was originally approved, and as a Planning Board it is not their role
437 to go inspect sites. The enforcement side of the Town government is not the Planning Board. There was
438 further discussion regarding this matter.

439 Mr. Hirshberg asked about the purpose and capability of the bond relative to damage to properties.
440 Vice Chair Royce said that he does not believe that the bond is there to cover someone else's property.

441 Mr. Marquise agreed and said that they can ask Town council but the usual intent of the bond is to
442 ensure that prior to the property being sold the infrastructure is there to service the properties. He
443 does not think that liability is an issue to the Town but is a civil issue. Vice Chair Royce said that it is not
444 the role of the Planning Board to be a court.

445 Mr. Lowrie said that Mr. McCarthy has offered to take care of the damages. However, he would like an
446 as built with the calculations to see if they are going to get flooded again. The thing that was supposed
447 to control the soil didn't work, though it was there during the storm. Mr. Lowrie said that he wants to
448 hire an engineer to look at it for him so he can see where the water is running as there were two outlets
449 on the first plan submitted and there is only one now. It seems to him that there should be a way of
450 doing this without amending the regulations. Vice Chair Royce said that this would be an amendment to
451 a regulation and would need to be voted on. Mr. Marquise clarified that though they have to go
452 through a process, the Subdivision Regulations can be modified by the Board. Mr. Lowrie said that the
453 Board is given the power to exercise judgement and they can ask questions without it being a
454 regulation. The regulations do not constrain the Board in making reasonable requests for information or
455 to make decisions. If they were to ask the Board to revoke the subdivision, they would be required to
456 exercise due process in exercising their request, which may entail asking for an as built. Mr. Lowrie
457 continued that he does not understand what signing a Mylar means but if it is a meaningful event the
458 Board could ask for an as built before signing it. He does think that it is the Board's power to do it. Mr.
459 Butler said that he recommends that the parties get together and work it out.

460 Mr. Marquise said that the Board has been asked to sign the Mylar, which allows it to be filed with the
461 Registry of Deeds and allows lots to be sold. He would recommend that the Board of Selectmen not
462 release the bond until all of the issues are resolved between the parties and to see if there will be a
463 change in the outlet structure. There isn't a reason not to sign the Mylar as there is an approved plan
464 and a bond in place. Vice Chair Royce said that his concern is about who would need to be satisfied
465 before the bond would be released as he does not think that the Board would want to put it on abutters
466 being satisfied before releasing the bond, he thinks that it should be that the Selectmen are satisfied
467 with the resolution. Mr. Marquise said that he thinks that the Board can make the recommendation
468 about who should decide and the past precedence is that the Selectmen have deferred to the Road
469 Agent. The Board could also ask for a supplement to that such as an outside engineer. Mr. McCarthy
470 asked and Mr. Marquise confirmed that the Board could do a partial release of the bond. Mr. Marquise
471 said that in this case there are so many unknowns that he would recommend holding it all until there
472 was some satisfaction to confirm that it is done according to the plan. Vice Chair Royce asked and Mr.
473 Marquise recommended that the Board make a motion that the Mylar will be signed subject to the bond
474 being held until satisfactory completion as decided by the Selectmen.

475 Mr. Markarian said that he has a question about the weir as they had to remove the material that was
476 there when it was put in and there is no silt fencing at all. He used to work in the environmental
477 business and they put silt fence everywhere. Mr. Eckman said that the plans show silt fencing
478 everywhere and matting. Mr. Markarian said that a picture shows that there is none there so it is a
479 straight run off and he is not sure that any has been put in since. He understands that there is
480 vegetation put in but it is just starting and it is not filtering the way that it is supposed to. Mr. Eckman
481 said that it is a treatment swale and the upper pond did not get any water but that it will. Mr.
482 Markarian said that he is not worried about the upper pond as it is downhill from that there is no silt

483 fence there. Mr. Eckman said that he designed it to have silt fence and the owner will have to be asked
484 why there is none. He designed the plans but has not been involved in the construction. Mr. Markarian
485 said that he sees a hay bale in the picture and when he worked in the environmental business any time
486 he had a hay bale he always had a silt fence. Mr. Eckman said that DOT does not even allow hay bales
487 any more.

488 Mr. Markarian said that another thing that he was concerned about hearing is that there was no tire
489 wash at the entrance of the project. Mr. Eckman said that it is on the plan. Cary Whipple from United
490 Construction said that there was a tire wash; as they went up through the different layers of the
491 subgrade they installed a tire wash each subgrade. Typically when you install the last 6 inches of gravel
492 it is a finish product and you do not put a tire wash there. The gravel was in place just before the storms
493 started and they covered up the tire wash just before putting the gravel in. Mr. Eckman said that the
494 DES inspectors came out and said that there was no construction entrance and he said that there was
495 gravel. She said that it was not enough so they put a construction entrance down on top of the gravel
496 for the road.

497 Mr. Eckman went over his credentials for the Board and explained that this is a small project with no
498 monitoring on it because it was not required. Mr. Markarian asked if there is a silt fence there now. Mr.
499 Eckman said that they have a lot of erosion control measures now but that is more on the contractor.
500 Mr. Whipple said that there is silt fence on site. Mrs. Pasculano said that it is not where they are talking
501 about but is in other spots. Mr. Whipple said that to put silt fence there between the outflow and the
502 12 inch concrete pipe he felt was more disturbing than having the 10 ft zone, which is considered stable
503 after they put the jute mat down, which is meant to stop the erosion.

504 Vice Chair Royce asked Mr. Eckman if the site looks like how it was designed. Mr. Eckman said that
505 there were ditches that were supposed to bring water to the upper pond which were not built when he
506 visited the site so no water got there for the last storm. The roadway looks good and pretty much per
507 the plan. He does think that there is a little bit of fill that was shifted onsite instead of removed and as
508 far as he can tell that is the only difference. The only concern that he has that he talked to Mr.
509 McCarthy about is the cut off ditches that bring the water around to the inner pond are supposed to be
510 2 ft deep. Mr. Butler asked if the road was surveyed and it was confirmed that it was. Mr. Eckman said
511 that there was only so much room because there was an existing driveway, which is where the swale is,
512 then the road, and a wall. The pond can't be completed because there is a telephone poll in the middle.
513 Vice Chair Royce said that he was just curious because there have been people saying that it is
514 dramatically different from the plan. Mr. Eckman said that they are working some things out with the
515 ditches but as long as they can get it go where it is supposed to by design it is going to work.

516 Vice Chair Royce said asked if even though the flow that is coming off the site is less if it is more
517 concentrated in one area now. Mr. Hirshberg said that he believes that there are two points of
518 discharge as they have reestablished the second point of discharge. Vice Chair Royce said that they have
519 been worried about the flow leaving the property and not how it has been leaving the site. Mr.
520 Hirshberg said that he thinks that they are looking at the 2 common points of discharge, pre-
521 development and post-development and he believes that the points of discharge are in the same
522 locations. Vice Chair Royce asked if you take a large area of flow and consolidate it into one smaller area
523 if it has an impact on the overall volume leaving the site. Mr. Hirshberg said that it can if there are

524 multiple points of discharge and now it is being concentrated it could mean that you are seeing more
525 water because it was being dispersed before. Vice Chair Royce asked if the Board should look at adding
526 a regulation for this in the future and Mr. Hirshberg said that they should look at the overall area of
527 discharge and the balance because, even if there is no net increase, there may be a one point where the
528 discharge is increased. Mr. McCarthy said that Mr. Hirshberg said that there were points that he could
529 not see and asked where this is. Mr. Hirshberg said that on Mrs. Pasculano's property there is a channel
530 that goes through the property and at some point the water infiltrates into the ground and travels in the
531 ground to the Lake for a fair distance. There is sediment that has been carried onto her property and
532 they do not know if the sediment has caused a blockage because they cannot see it. Mr. McCarthy
533 asked if there was a way to put a camera down and see if it is clogged and Mr. Hirshberg said that he
534 does not think it is that easy because it is not a culvert, it is just void spaces between rocks. Mr. Lowrie
535 said that before the water did not go onto his property but during the last storm it is going over the
536 surface of his property. Mr. Hirshberg said that previously the way that it was running was that it
537 traveled under the surface to the Lake and they did not see it on the surface. They don't see the
538 sediment until it is in the Lake. Mr. Marquise asked and Mr. Hirshberg confirmed that with an AOT
539 application they look at the volume. Mr. Hirshberg said that because they are in the construction phase
540 they are concerned about what is moving until it is stabilized. Mr. Eckman said that they did apply a lot
541 of the AOT techniques such as the pond but it hasn't operated because it wasn't built. Mr. Marquise
542 said that his question was about the volume and amount of water going down. The Board has no
543 requirements about it so it was not part of the numbers. Mr. Eckman said that they are looking at
544 volume metric flow and that it is a C soil so a lot goes off in the existing so the difference between a few
545 gravel driveways and what was there isn't that drastic; the volume difference will be small. Mr.
546 Marquise said that for the Board going forward he is wondering if this is something that they should be
547 addressing. Mr. Eckman said that Lake Sunapee doesn't have a volume problem, which is why he
548 focused on treatment and treating the first flush, not on walking the peak down. This is why they are
549 trying to decide if they want to knock the volume down or just concentrate on treating it. They have
550 met the Board's requirements and are happy to work with them to make changes, which is why they
551 have the 3 different options. He was not aware of the holes and water going into the ground and may
552 have concentrated more on infiltration if he had known about it.

553 Mr. Butler asked and Mr. McCarthy confirmed that his intent is to sell the lots. Mr. Butler said that he
554 recommends that Mr. McCarthy rectify the problems before selling the lots because the repercussions
555 could come back to him.

556 Mr. Hirshberg said that one question that he had about the development is if the individual house lots
557 have to address their own runoff onsite or if it is figured in. Mr. Eckman said that what he did was that
558 the new houses are supposed to be infiltrated by catching the roof runoff and putting it into the ground.
559 Other than that, they assumed a certain area of lawn and driveway, which are included in the analysis;
560 they did not put a requirement of placement for the houses and driveways.

561 Mr. Osborne made a motion to proceed with the signing of the Mylar for Parcel ID: 0136-0018-0000,
562 sign off on the drawings and Mylar for Lake Ave, Bruce McCarthy with the condition that the Board of
563 Selectmen holds the bond until site conditions meet the approval for the drainage, at which time they
564 can release the bond. Mr. Markarian seconded the motion. The motion passed with six in favor and
565 one opposed (Mr. Furlong).

566 **PARCEL ID: 0237-0025-0000: SITE PLAN REVIEW / PUD (PLANNED UNIT DEVELOPMENT):**
567 **RECONFIGURE ORIGINALLY APPROVED "PRESERVE OF MT. SUNAPEE" DUPLEX CONDOMINIUM**
568 **PROJECT INTO A NEW RESIDENTIAL CONDOMINIUM DEVELOPMENT CONSISTING OF FIVE (5) SINGLE**
569 **FAMILY HOMES AND SIX (6) DUPLEX UNITS. BROOK ROAD SUBDIVISION, HP SUNAPEE, LLC.**

570 Mr. Burrows, the applicant's attorney, asked to confirm that notice has been provided to the abutters
571 that the Board opened the meeting up to public comment, that no one spoke, and that public comment
572 was closed. Vice Chair Royce said that the hearing did close but it will be continued to the next meeting.
573 Mr. Marquise said that the Board did not formally close public input and thinks that public input is still
574 open at the next meeting. Mr. Burrows asked and Vice Chair Royce confirmed that public input will be
575 allowed at the next meeting, though he does not believe that it has to be renoticed. If anyone is
576 interested they can read the minutes and then come to the next meeting.

577 **PARCEL ID: 0133-0093-0000 & PARCEL ID: 0133-0094-0000: SIGN-OFF ON DRAWINGS AND MYLAR:**
578 **SUBDIVISION / ANNEXATION. 34/36 RIVER RD, SOO-NIPI REALTY TRUST.**

579 Mr. Marquise said that there are no issues with this and he believes the Board can just sign off on the
580 Mylar at the end of the meeting.

581 **PARCEL ID: 0136-0067-0000 & PARCEL ID: 0136-0010-0000: SEEKING APPROVAL FOR MERGING TWO**
582 **(2) LOTS. 363 LAKE AVE, ROGER & JERENA DIK.**

583 Mr. Marquise gave the Board copies of the map for their review. Mr. Marquise explained that the Dik's
584 owned the property on the Lake side, Lot 67, and recently bought Lot 10, across the road, and they want
585 to merge the properties. Merging two lots across the street from each other is allowed and there is no
586 building on Lot 10 so there is no Zoning violation, they are bettering the lot size. Mr. Marquise
587 continued that he spoke with the attorney who prepared this, Michael Chiarella, and advised him of the
588 negatives because once it is together it can't be split apart without going through the subdivision
589 process but they want to proceed. Vice Chair Royce asked and Mr. Marquise said that they do not go
590 over completeness for these cases, it is not a regular noticed hearing. Vice Chair Royce said that his only
591 concern would have been if the owners wanted to split the lots in the future but this has been
592 addressed.

593 Mr. Markarian made a motion to approve the merger of Parcel ID: 0136-0067-0000 and Parcel ID: 0136-
594 0010-0000, approval of merging two lots at 363 Lake Ave. Mr. Furlong seconded the motion. The
595 motion passed unanimously.

596 **PARCEL ID: 0136-0075-0000: REVIEW TREE CUTTING PLAN FOR APPROVAL TO CUT MORE THAN FIVE**
597 **(5) TREES IN A YEAR: ARTICLE IV, SECTION 4.33-(B)-(8)-B-I-(2). 217 BURKEHAVEN, AL & DEB**
598 **MATTHEWS.**

599 Vice Chair Royce said that he was told that this application was pulled. Mr. Marquise said that he was
600 not left any information on this hearing and no one is available to present it. Vice Chair Royce tabled
601 the case.

602 **MISCELLANEOUS: COSMOS ALLIANCE TRUST**

603 Mr. Marquise explained that for this case the owners have decided not to do any cutting within the 150
604 ft so they do not require permission from the Board. Vice Chair Royce said that his concern is that the
605 Board did request that they come back and asked if Mr. Landry would be the one to verify and enforce if
606 there is cutting within the 150 ft. Vice Chair Royce said that he drove by the site and there was a lot of
607 trees taken down within two days after the last meeting.

608 **MISCELLANEOUS: PLANNING BOARD TRAINING**

609 The training was postponed until the October meeting.

610 **Changes to the Minutes from the August 6, 2015 meeting:**

611 Mr. Markarian made a motion to accept the minutes as written. Mr. Butler seconded the motion. The
612 motion passed unanimously.

613 **MISCELLANEOUS: FUTURE MEETINGS**

614 Mr. Marquise explained that it is the time of year where the Board will need to start discussing Zoning
615 Amendments. He asked Mr. Landry if the Zoning Board had anything and has not been given anything
616 yet. They like to have the public meeting in November. Mr. Marquise continued that the only thing that
617 he has been thinking about is the tree cutting, which has been the same for the past 22 years and there
618 is some question about if it is still necessary as the State has regulations about it.

619 Vice Chair Royce said that he thinks that based on this meeting the Board may want to consider the
620 regulations about during construction drainage, especially as they found out that a property not within
621 the Shoreland distinction can affect the Lake. Mr. Marquise said that it does not have to be part of this
622 process as it is not a Zoning requirement but the Board could ask the LSPA and Mr. Hirshberg to come in
623 and talk to them about things that could be changed or added to the rules. It will need to have a public
624 hearing, but does not need to go to the voters.

625 Mr. Markarian made a motion to adjourn at 9:42 PM. Mr. Butler seconded the motion. The motion
626 passed unanimously.

627 Respectfully submitted,

628 Melissa Pollari

629

630 Planning Board

631 _____

632 Peter White, Chairman

633 _____

634 Donna Davis Larrow

635 _____

Tanner Royce, Vice Chair

Kurt Markarian

636 Richard Osborne

Shane Hastings

637

638 Suzanne Gottling, ex-officio member

Joseph Butler, Alternate Member