

City of Rochester Zoning Board of Adjustment

Wednesday February 14, 2024

31 Wakefield Street, Rochester, NH 03867

(These minutes were approved on March 13, 2024)

Members Present

Larry Spector, *Chair*

Lance Powers, *Vice Chair*

James Connor

Michael King

Matthew Winders

Members Absent

Brylye Collins, excused

Alternate Members Present

Stephen Foster

Laura Zimmerman

Staff: Shanna B. Saunder, *Director of Planning & Development*

Crystal Galloway, *Planner I*

These minutes serve as the legal record of the meeting and are in the format of an overview of the Zoning Board of Adjustment meeting. It is neither intended nor is it represented that this is a full transcription. A recording of the meeting is on file online at <http://www.rochesternh.gov/> for a limited time for reference purposes.

Chair Larry Spector called the meeting to order at 7:00 p.m.

The recording secretary, Crystal Galloway, conducted roll call.

3. Seating of Alternates:

Mr. Spector said the voting members for the meeting would be Mr. Powers, Mr. Connor, Mr. King, Mr. Winders, and himself.

4. Approval of Minutes:

A motion was made by Mr. Connor and seconded by Mr. King to approve the minutes from the January 10, 2024 meeting. The motion carried unanimously by a voice vote.

5. Continued Cases:

Z-23-48 NM Cook Development, LLC Seeks a *Variance* from Section 12.8 to permit the corner of a proposed building within 50' of a wetland boundary.

Location: 0 & 17 Farmington Road, Maps 216 & 221 Lots 29 & 164 in the Granite Ridge Development Zone.

Mr. Spector informed the Board the applicant wished to withdraw the variance request.

Z-23-49 NM Cook Development, LLC Seeks a *Variance* from Section 12.8.B(8) to permit land disturbance within 25' of a wetland boundary.

Location: 0 & 17 Farmington Road, Maps 216 & 221 lots 29 & 164 in the Granite Ridge Development Zone.

Kevin Poulin of Berry Surveying and Engineering explained the proposed development of the existing parking lot. He said the proposed disturbance of the 25-foot wetland buffer is to create access for connectivity between the rear building and the Rochester Motor Sports building located at 23 Farmington Road. Mr. Poulin read through the variance criteria. He said public interest is the balance between the environmental longevity of the natural resources in the City of Rochester and the growth potential and traffic connectivity of parcel within the granite ridge development zone. In this case the applicant is proposing an access for the connectivity of multiple parcels to alleviate the need to enter NH Route 11, which aids in the much-needed traffic management issues along the corridor. If the variance were granted, the spirit of the ordinance would be observed whereas the applicant has designed the access and associated grading to be the most limited needed which allows for a remaining buffer around the wetland boundary. Stormwater and buffer plantings will be evaluated during the planning process of the project to ensure current design philosophy is utilized. Substantial justice in this case is achieved where the applicant gains and maintains access between the parcel without there being a detriment to the ordinance or abutting landowners. The disturbance within 25 feet of the wetland boundary will not cause harm to abutting landowners in the area and satisfies a need between the multiple project sites. If the variance were granted, the values will not be diminished whereas value is not determined by the breadth of wetland buffers. The reduction in the buffer will not pose environmental harm given the existing disturbance with the area of impact. The special condition of this parcel is the shape in the context of the existing natural features as well as the topographic features at the rear of the site. The wetland buffer and setback in this area has some existing disturbance. The ordinance is designed to ensure the remaining buffer provides a level of protection to the wetland boundary. This can be done with innovative stormwater methods and enhanced plantings in the area and therefore there is no relationship between the purpose and this specific application. The denial of the variance would cause an unnecessary hardship to the owner by not allowing access between the parcels in the most appropriate way possible given the context of NH Route 11 and the granite ridge development zone. Connectivity is promoted throughout the granite ridge zone development ordinance and this proposal follows suit on a project specific level. The proposed use is a reasonable one because it allows for the reasonable development of the existing disturbed area around a wetland to be used for a traffic management purpose. Mr. Poulin said though other properties in the immediate area have wetlands on them, this lot is special given the less uniform nature when compared to the property boundary and the existing buildings situated thereon. The need to traverse along the wetland boundary within the buffer is a direct result of the wetlands shape and position as it relates to the developable land on both sites. Denial would pose an unnecessary hardship by not permitting a formal access between the parcels.

Mr. Spector opened the public hearing. There was no one present from the public to speak; Mr. Spector closed the public hearing and brought the discussion back to the Board.

Ms. Saunders explained that since the applicant was last before the Board in October, the applicant has reworked the plan to minimize disturbance to the wetlands and brought the concept back to the Conservation Commission for their review. That is what lead to the previous items being withdrawn. Ms. Saunders said based on a concept plan similar to what the ZBA has reviewed tonight, the Conservation Commission has endorsed the revised plans. She said staff feels the Variance criteria has been met.

The Board deliberated the criteria. Mr. Powers said he believes the applicant has met the criteria. Mr. King agreed. He went on to say the criteria had been discussed during the October meeting, at which time the Board felt that if the Conservation Commission were to endorse it, the Board would approve it as all other options would have been exhausted and the hardship criteria would stand.

A motion was made Mr. King to approve case Z-23-49 as submitted citing all the criteria has been met. Mr. Connor seconded. The motion carried unanimously by a roll call vote.

Z-24-01 Waterstone Rochester, LLC Seeks a *Variance* from Section 8.5.10(a)(1)(a) to allow a 0-foot side setback where 50-feet is required.

Z-24-02 Waterstone Rochester, LLC Seeks a *Variance* from Section 8.5.10(a)(1)(b) to permit a 38-foot rear setback where 100-feet is required.

Z-24-03 Waterstone Rochester, LLC Seeks a *Variance* from Section 8.6 to permit a 0-foot side pavement setback where 5-feet is required.

Location: 120 Marketplace Boulevard, Map 216 Lot 11 in the Granite Ridge Development Zone.

The Board opened the three variance requests for this property in order to have one discussion.

Attorney John Arnold of Orr and Reno explained Waterstone is proposing a subdivision to create a separate parcel of land for the Market Basket store. The existing Market Basket store is connected to the primary shopping center building by a shared common wall. No physical changes are proposed to the shopping center buildings or parking lots. The purpose of the subdivision is to provide Market Basket with the ability to own their store rather than lease it. The subdivision would create a legal dividing line on paper but would not change the appearance or function of the existing shopping center in any way.

Mr. Arnold read through the variance criteria. He said the variances will not be contrary to the public interest because allowing the reduced side and rear setbacks will pose no threat to the public safety, health or welfare, or alter the essential character of the locality. The shopping center here is built and functioning well. The proposed subdivision is merely a vehicle to accommodate separate ownership of the Market Basket store. The property will still operate as an integrated shopping center, and without any physical changes proposed, there will be no impacts to the appearance, health or safety. The spirit of the ordinance will be observed because the purpose of the setbacks is to provide separation between different uses on different lots. But here, there is no need for that separation given the cohesiveness of the existing shopping center. And indeed, imposing the setbacks and requiring a break in the shopping center building to abide by those setbacks would detract from the appearance and function of the shopping center. Substantial justice is done because allowing the variances would cause no harm to the general public. The proposed side and rear lot lines will exist on paper but will not change the function or appearance of the shopping center. Additionally, the benefit of the variances to the applicant is substantial, in that it allows Market Basket to own their store, rather than lease it, consistent with their business model and desired long-term success. The value of surrounding properties is not diminished because the subdivision of the property will result in changes on paper only and will be unnoticeable on the ground. Enforcement of the provisions of the ordinance would result in an unnecessary hardship because the property is unique in that it is already developed as a cohesive shopping mall and the existing Market Basket store is physically connected to the remainder of the shopping center building. There is no way to subdivide off the Market Basket store in compliance with the side building and pavement setbacks, unless a portion of the building were torn down, and a portion of the existing parking lot were torn up. Which, doing so would be detrimental to the function and appearance of the shopping center, and would undermine its cohesiveness. The rear of the property is encumbered by a conservation easement held by the City. The terms of that easement prohibit subdivision of the protected land. The rear lot line must follow the boundary of the conservation easement and cannot be shifted further towards the rear in order to accommodate the required rear setback.

The proposed subdivision and corresponding setbacks are reasonable because it allows the major anchor tenant to own its store without changing anything about the physical layout, function or appearance of the existing shopping center. It is an accommodation which does not pose any negative consequences to the City or the public.

Mr. Spector opened the public hearing. There was no one present from the public to speak; Mr. Spector closed the public hearing and brought the discussion back to the Board.

Ms. Saunders explained that the Board approved this Variance request in May of 2021 however, the approval expired. She went on to say, it was the City's position the applicant does not meet the hardship criteria. Their goal can be accomplished by turning that portion of the building into a condo.

Mr. Winders asked if they could condo just the Market Basket portion of the building or would it have include all the stores? Ms. Saunders explained it could be a 2-unit condo association with Market Basket being one of the entities and Waterstone being the other. Mr. Arnold stated if the building was not currently occupied by so many tenants it would be relatively simple to turn this into a condo. However, at this time there are eight or nine other tenants which would make it challenging because there are lease agreements in place.

Mr. Spector asked about the rear setback request and why they cannot move the proposed lot line back any further. There appears to be plenty of space. Mr. Arnold explained that the area within the conservation easement (which he pointed out on the plan) is not allowed to be further subdivided. He said he would submit the conservation easement document to the record as proof.

The Board deliberated the criteria.

A motion was made by Mr. Winders to approve case Z-24-01 as presented, citing all the criteria has been met. Mr. Powers seconded. The motion carried unanimously by a roll call vote.

A motion was made by Mr. Winders to approve case Z-24-02 as presented citing all the criteria has been met with the condition the applicant is to submit proof confirming the Conservation Easement states there is to be no further subdivision of the land. Mr. Powers seconded. The motion carried unanimously by a roll call vote.

A motion was by Mr. Powers to approve case Z-24-03 as presented citing all the criteria has been met. Mr. Connor seconded. The motion carried unanimously by a roll call vote.

6. New Cases:

Z-24-05 Nikolas Moquin & Blake-Mari Watkins Seeks a *Special Exception* from Table 18-A to permit converting the existing in-law apartment into an Accessory Dwelling Unit.

Location: 1 Sunset Drive, Map 127 Lot 3 in the Residential-1 Zone.

Ms. Saunders explained this case was before the Board in January, there was a motion to grant the special exception and it failed. She said there should have been a motion to deny but the Board did not do that which made it an incomplete case. Ms. Saunders said staff felt the applicants should come back to go through the criteria again to make it a complete process.

Applicant Blake Watkins said they are seeking to convert the existing in-law apartment into and accessory apartment. She said they could rent out the apartment as it is right now as it has all the required utilities necessary to function however, due to the space constraints of the apartment making it impractical for a long-term tenant. Ms. Watkins said currently the apartment is 270 square feet.

Applicant Nikolas Moquin explained there is an existing attached sunroom that is currently shared space with the in-law apartment. He said they are proposing to close off the sunroom and add the square footage to the accessory apartment. Mr. Moquin explained by closing off the sunroom to their house it will increase the size of the accessory apartment to 480 square feet which is well under the 800 square foot maximum.

Mr. Moquin read the Special Exception criteria. He said the specific site is an appropriate location the proposed use because per the town ordinance R-1 residential district is permitted for single-family home use with few other allowed uses. Our property is an existing cape residential home with an attached in-law apartment. The existing in-law apartment has separate utilities from the home, including sewage, electric (heat and utility), and a kitchen. All utilities tee off of the home (utility bills are not separate). The proposed use is not detrimental, injurious, obnoxious, or offensive to the neighborhood because the transformation of the existing in-law apartment to an accessory apartment would still be consistent with the spirit of the ordinance. There is suitable parking within the property's driveway for all parties. The intended renters are to be professionals, and respectful to the neighborhood. There is suitable parking within the property driveway for approximately six cars on the paved driveway. The intention for future renters will be professional. Currently the home has two occupants, the owners with two cars. The result of a renter would be three cars in the driveway, only covering half of the driveway, ensuring that normal everyday living on the property is not a nuisance to the neighborhood. Currently the in-law apartment has all of the required utilities to meet the requirements for an accessory apartment within the town ordinance. Per the town ordinance, the R-1 residential district is permitted for single-family home use with few other allowed uses. Per the town ordinance the primary goal of the residential district is to enhance these older residential areas through sensitive small-scale infill construction, building renovation, redevelopment, and to foster new development in remaining open areas. We believe our intentions are consistent with the primary goal of the residential districts per the town ordinance.

Mr. Spector opened the public hearing. There was no one present from the public to speak; Mr. Spector closed the public hearing and brought the discussion back to the Board.

Ms. Saunders explained that an Accessory Dwelling Unit is a permitted use in the R1 zone by Special Exception, which means they do not have to meet the hardship criteria but only have to prove that they meet the specific standards laid out in Section 23.2.A(1) thru (5) which is included in the application packet. She said based on the information provided, Staff feels the Special Exception criteria have been met. She went on to explain the state law regarding ADUs and the fact that the City must allow ADUs to be built up to 750 square feet so the size of this unit is not anything the ZBA should discuss.

The Board deliberated the criteria. Mr. Powers said he believes there will be minimal impact on city services or the neighborhood.

A motion was made by Mr. Powers to approve case Z-24-05 as presented citing all the criteria has been met. Mr. Winders seconded. The motion carried unanimously by a roll call vote.

Z-24-06 Granite State Housing, LLC Seeks a *Variance* from Table 19-A to permit a 3-lot subdivision with each lot having 65-feet of frontage where 100-feet is required.

Location: 5 Crockett Street, Map 127 Lot 89 in the Residential-1 Zone.

Attorney Brett Allard of Shaughnessy Allard presented the variance application. He explained the applicant is proposing a three-lot subdivision of the existing 0.94-acre lot.

Mr. Allard read the variance criteria. He said the general purpose of minimum frontage requirements is to minimize overcrowding and congestion, ensure that lots will have sufficient buildable area and sufficient areas for sanitary facilities, and ensure that lots have safe and sufficient access to the greater roadway network. Since the property is serviced by municipal water and sewer, the lot can support the applicant's proposal because no additional land needs to be dedicated to a well and resulting well radius buffer, nor does additional

land need to be dedicated to a septic system and leach field. This is particularly the case because there are no wetlands on the property – the existing lot is entirely dry upland. Proposed Lot 2 will maintain its existing driveway curb cut and new driveway curb cuts can be safely constructed for proposed Lots 1 and 3. Moreover, the proposal will not alter the essential character of the neighborhood or threaten public health and safety because both the existing single-family dwelling on Lot 2 and potential future single-family dwellings on Lots 1 and 3 are permitted by right in the R1 district and are consistent with the character of the area, which is primarily residential. There will not be any overcrowding or congestion in the neighborhood if the variances are granted. Indeed, as set forth in more detail below, many other properties in the area are similar or smaller in size than the proposed lots. There will be no adverse impact or injury to any public rights if the variances are granted. Therefore, granting the variances would not be contrary to the public interest and will be consistent with the spirit of the zoning ordinance. There is no injury to the public if the variances are granted. There is no gain to the public if the variances are denied. There is only loss to the applicant if the variances are denied. Therefore, when balancing public and private rights, the loss to the applicant if the variances are denied outweighs any loss or injury to the public if the variances are granted. Further, as discussed in more detail below relative to the size of other lots in the area, the proposed subdivision is appropriate for the area. Granting variance requests that area appropriate for the area does substantial justice. If the variances are granted, the lot will remain consistent with the residential character of the other lots in the neighborhood such that there will be no adverse effect on surrounding property values. There are no proposed external changes in connection with this application relative to proposed Lot-2 because the single-family dwelling and driveway already exist in their current footprints. If the variances are granted, the only proposed external change in connection with this application is the addition of a potential future single-family dwelling and related infrastructure on proposed Lots 1 and 3. The proposed single-family dwellings would fit entirely within the building envelope and there is sufficient frontage for a new driveway curb cut on proposed Lots 1 and 3. The applicant is not seeking to build any new structures within any abutter setbacks such that the values of abutting properties could be compromised. Therefore, surrounding property values will not be diminished. Moreover, if the variances are granted, the applicant will be required to seek subdivision approval from the Planning Board, which will further ensure that surrounding property values will not be diminished. The existing property is distinguishable from other properties in the area. Most importantly, particularly in the context of variance requests to allow for a subdivision, the property is much larger than the overwhelming majority of other lots in the area. The existing property is approximately 0.94 acres. According to the town's GIS tax map data, the three properties directly across the street from the subject lot are 0.28 acres (8 Crockett), 0.32 acres (6 Crockett), and 0.36 (10 Crockett). The five properties on Howe Street abutting the subject lot to the north are 0.16 acres (0 Howe), 0.19 acres (4 Howe), 0.18 acres (6 Howe), 0.26 acres (8 Howe), and 0.26 acres (10 Howe). As such, the applicant's property when viewed in the context of the surrounding area appears to be a triple lot. Owing to these special conditions, among others, relative to other properties in the area, there is no fair and substantial relationship between the purpose of the zoning ordinance's minimum frontage requirement and its application. The fact that the applicant's property is a larger lot consisting entirely of dry upland and is tied into municipal water and sewer make it particularly suitable for the proposed subdivision. No additional land needs to be dedicated to a well and resulting well radius buffer, nor does additional land need to be dedicated to a septic system and leach field. The new lot lines have been drawn in such a way that all three lots are rectangular and will have 65 feet of frontage. Further, the new lot lines have been drawn in such a way that the existing single-family dwelling fits entirely within the building envelope on proposed Lot 2 without encroaching in the new setbacks. As such, the applicant's lot can support the proposed subdivision. Proposed Lot 2 will maintain its existing driveway curb cut, so granting a frontage variance for proposed Lot 2 will not effect its safe and sufficient access that will remain unchanged. New driveway curb cuts can be safely constructed on proposed Lots 1 and 3, so there will be safe and sufficient access to all three lots. Indeed, even after the subdivision, all three proposed lots will be similar to or larger than most other lots in the area, so there will not be any overcrowding or congestion in the area if the variances are granted.

Mr. Spector opened the public hearing.

Rick Carpenter of 8 Howe Street asked if they would be required to install a privacy fence in order to maintain privacy for his yard. Mr. Spector let Mr. Carpenter know that would be something to bring up to the Planning Board when the applicant goes for the subdivision.

Sandy Keans of 1 Sweetbriar Lane said she is concerned about parking. She said it doesn't do the neighborhood any good if there are vehicles parked on the sides of the street or in front yards.

Ms. Saunders read the following emails that were submitted:

Shawn Libby of 4 Howe Street wrote "Good evening, I would like to voice my concerns. My wife and I are abutters, we live at 4 Howe Street, and we abut their backyard. We are very concerned about this variance. We wouldn't be concerned if they were trying to put a garage up. But they want to put two more houses out there. This will take all our privacy away. It's not like they are 5-feet short, they are 35-feet short. And if this was allowed then the board would have to allow others that want to do the same thing. We have zoning guidelines for a reason. If for some reason this gets approved, we would really appreciate having them put up a vinyl fence for our privacy. Thank you, Shawn Libby".

Stacey and Rick Purslow of 3 Crockett Street wrote "We are residence of 3 Crockett Street since 2004. While we greatly admire and appreciate the fine job being done to rebuild the house next door, we have concerns about the proposed zoning variance to create 3 lots.

We know there are many lots in the neighborhood that are small, however none are long and narrow. There is adequate front and back yards for most homes and all homes are situated facing the road in a traditional way. No lots have additional homes behind them or set back. This lot subdivision would be a new type of lot that is different than existing lots. We currently have no information about the homes that will likely be built including how big they will be and how they will be situated. Is Granite State Housing LLC going to sell the lots or be the builder? We'd like to know all of that before any variance is granted.

We also are concerned about the trees. The mature trees currently serve as a natural fence between our property and 5 Crockett Street. They provide privacy and shade for us and habitat for the many birds and wildlife in the area. We have extensive gardens on our property and have plantings based on sun and shady areas. This could change if trees are removed in order to build homes. Privacy, shade, and habitat would all be gone. Putting up a fence is not the same. If this variance is granted, the trees should remain even when homes are built.

The proposal mentions the property is not wetlands. True, however, because we are on a downhill, water pools at the back of our property when there is significant rain and snow melt. We also have a damp basement when weather happens. Ne homes on this lot will likely experience the same. There could be related impact to homes abutting the rear of the property.

Finally, we don't know if Granite State Housing, LLC will be the occupant of the current home. Is the plan to sell it, rent it, move in? Our concerns lie with Granite State Housing LLC not living in the home but just trying to get the most money out of the property with no care for the neighborhood or neighbors. Thank you, Rick and Stacey Purslow".

There was no one further from the public to speak; Mr. Spector closed the public hearing and brought the discussion back to the Board.

Ms. Saunders explained a variance is granted, in part, when a property cannot be reasonably used in a manner that meets the ordinance of special conditions of the property and that these special conditions make it different from any other property in the area. OR when the prohibited use does not serve the public purpose of the zoning ordinance. The proposed lot size and frontage for each of the three lots is in keeping with the surrounding properties in the neighborhood. The unique characteristic of the lot is that it is literally the largest lot on the whole street. Staff feels the Variance criteria have been met.

The Board deliberated the criteria. Mr. Powers said he believes the applicant has met the criteria. He said it is a large lot but the way the existing house is positioned there isn't a way to do a 2-lot subdivision, it would have to be a 3-lot subdivision or none.

A motion was made Mr. Powers to approve case Z-24-06 as presented citing all the criteria has been met. Mr. Connor seconded. The motion carried unanimously by a roll call vote.

Z-24-07 Shawn Richardson/The Freeman Organization Seeks a *Special Exception* from Table 18-A and Section 22 to permit a Residential Facility.

Location: 8 Whitehall Road, Map 126 Lot 12 in the Hospital Special Zone.

Representative Mia Allan explained The Freeman House has been operating in Strafford County since 2005 and specifically in Dover for the past 6 years. She said the organization provides a much-needed service to the community at large and especially to Strafford County as this area is underserved. Ms. Allan said The Freeman House brings to the residents a nurturing home environment with support groups. The benefits to the community, as required by the resident handbook, are required to volunteer, and participate in community outreach. It is a net positive for Rochester to have us participating in the Rochester community. The Ross Elkhay House meets all the criteria needed for the Special Exception and we ask the Board to grant the exception.

Ms. Allan read the special exception criteria. She said it is an appropriate place for an additional sober living home. It has ample parking with additional parking next door at 10 Whitehall Road, our other sober living home. There is a residential home on the other side with a large, wooded area in the back. It is a great community area with close access to public transportation which our residents use to get back and forth to work. The proposed use is simply residential housing. This house is a benefit to the community, we are a positive force in the community that does not disturb the neighbors. We have ample parking so our residents will never be parked on the street. The property will be well maintained inside and out. We have in place within our residential handbook a good neighbor policy and code of conduct, all of which is positive to the neighborhood and community. We have attached such policies for your understanding of our requirements for the residents to stay with the Freeman House. To note, in the time we have operated our sober home at 10 Whitehall Road, we have had no neighbor complaints. Our ardent goal is to be sure we are not detrimental, injurious, obnoxious or offensive to our neighbors or surrounding community. There will not be undue nuisance or serious hazard to pedestrian or vehicular traffic because we do not allow parking on the street as we have plenty at the house, including parking at 10 Whitehall Road as overflow parking and makes this a less intensive impact on traffic flow and parking. We will not exceed the parking available on the property. There will be adequate and appropriate facilities and utilities to ensure the proper operation of the proposed use or structure because we are working on getting our NHCORR certification, which means we will be required to have adequate utilities and the home meets certification standards to make this safe and habitable for our residents. The proposed use or structure is consistent with the spirit of the ordinance because as explained above, the proposed use is consistent with this chapter – it is a residential use. It helps to provide a variety of residential opportunities. It helps to provide opportunities for business growth. It is consistent with residential use. It is minimal use of city infrastructure consistent with residential use. It encourages development that is responsive to the public interest.

Mr. Connor asked if they cater to men or women at the house. Ms. Allen said males. Mr. Connor asked how many residents they plan on having in the house. Ms. Allen said there will be up to 11 residents.

Mr. Spector opened the public hearing. There was no one present from the public to speak; Mr. Spector closed the public hearing and brought the discussion back to the Board.

Ms. Saunders let the Board know that once again this is a use that is permitted in the zone but permitted by special exception. She said staff feels the applicant has met the Special Exception criteria.

The Board deliberated the criteria. Mr. Connor said he believes the applicant has met all the criteria.

A motion was made Mr. Connor to approve case Z-24-07 as presented citing all the criteria has been met. Mr. Powers seconded. The motion carried unanimously by a roll call vote.

7. Other Business/Non-Scheduled Items:

There was discussion regarding the voting process. State statute says there must be three affirmative votes for an action of the Board.

Mr. King said he feels there should be more discussion on the cases before a motion is made. Mr. Spector agreed.

8. Adjournment:

A motion was made by Mr. Powers and seconded by Mr. Winders to adjourn at 8:23 p.m. The motion carried unanimously.

Respectfully Submitted,

Crystal Galloway,
Planner I

and

Shanna B. Saunders,
Director of Planning & Development