

**PLANNING BOARD  
TOWN OF PETERBOROUGH, New Hampshire**

**Minutes of December 10, 2012**

**Members Present:** Chairman Rick Monahon, Alan Zeller, Rick Clark, Jerry Galus, Tom Weeks, Ivy Vann, Joel Harrington and Audrey Cass.

**Staff Present:** Carol Ogilvie, Director Office of Community Development; and Laura Norton, OCD Administrative Assistant.

Chair Monahon called the meeting to order at 6:40 p.m. He welcomed the audience and introduced the members and staff. He noted the first item on the agenda was a continuation of the Site Plan Review for Scott-Farrar Home.

Rick Clark recused himself and left the Board.

**Scott-Farrar Public Hearing**

Chair Monahon noted "I see we have a good group of the Scott-Farrar contingency here." Chair Monahon then looked to Ms. Ogilvie and asked "so Carol, where are we in the process? Certainly the public input is not over, does it make sense that we re-open the discussion?" Ms. Ogilvie replied "the first thing you want to do is vote on whether or not the application before you is complete." "I will entertain that motion" said Chair Monahon. A motion was made/seconded (Zeller/Harrington) to accept the application from the Scott-Farrar Home Site Plan Review as complete with all in favor. Mr. Harrington interjected "Mr. Chairman, I would ask you remind the public of the scope of the public hearing issues heard and decided on by the ZBA that will not be before this Board." Chair Monahon replied "that is a good point Joel, thank you."

Chair Monahon looked to the audience and said "I have to say many of you have been persistent, good attendees and have spoken and registered concerns. I assure you those concerns have been heard. I ask that we not go back to square one with repetitive testimony. We will hear new information only." Chair Monahon then asked anyone wishing to speak to please identify themselves for the record "and please keep your comments or concerns to new issues not heard at the joint meetings."

Mr. Zeller noted that for the record he had a statement from Barbara Miller, ex officio and Board of Selectmen Liaison to the Planning Board. He read the statement as follows: "Currently the Scott-Farrar Homes enjoys a charitable tax exemption from property taxes and annually remits a payment, in-lieu to the town. However due to the proposed changes in their business plan the Selectmen will be reviewing with the Scott-Farrar Board their organizational model to better understand their mission and whether they still meet the criteria of RSA 72:23, V-A which defines which organizations qualify for exempt status."

Chair Monahon thanked Mr. Zeller for reading the statement. He then asked if there were any questions for the applicant from the Board or the audience. Mr. Harrington politely

recommended they wait until after the applicant had done their final presentation. Matt Waitkins introduced himself and asked if the audience would have the opportunity to ask questions as the meeting moved forward. "Absolutely" replied Chair Monahan.

Tom Hanna stood and introduced himself as an attorney from Keene. "It seems like I've been here a long time" he said with a smile. He went on to note "we are not really going to present anything tonight. I have everyone (all the agents who have provided testimony) here to answer any questions."

Attorney Hanna noted "we asked the Board to waive the parking requirements" adding "72 spaces are appropriate for the use and the site. Our perspective is the less pavement, the better, even if it is pervious." He noted research numbers with other commensurately-sized facilities and found a mean number of 1.14 spaces per unit that was adequate "which equals 72 spaces" he said.

Attorney Hanna told the Board they had a new Landscape Plan to submit "that has virtually the same elements with the exception of a few plantings that were changed to dovetail with the Stormwater Management Plan that we submitted for this meeting." He went on to say "same count, same heights, just a couple of trees moved along Evans Road (beyond the service drive) where the detention area will be." Attorney Hanna then concluded "the only other thing we would request is that the Board acknowledges all submissions throughout the joint meetings be a part of the record for this review as well." Chair Monahan replied "so noted and recorded."

The discussion began with the parking and the parking regulations of the town. Mr. Heavisides noted a total of 107 spaces were required. He projected a graphic that showed the parking calculations (SP-1.1 of Site Plan) as required by the District. Mr. Weeks asked "aren't there two spaces required for the assisted living units?" Attorney Hanna replied "no, we are taking a conservative approach, no two cars per unit. That is not going to happen." He re-referred the Board to the parking calculations and had Mr. Heavisides re-review the formulas for congregate living. He also cited some comparatives with similar sized facilities and pointed out "our formula is higher than the average with the closest having 66 units total with less independent units than us." Elson Munson introduced himself and noted "to compliment what Jay (Heavisides) did, we did a comparative use study of staff and guests internally and got the same numbers."

"Any other questions?" asked Chair Monahan. Mr. Harrington asked if other specific parking spaces were included in the formula (specifically the 11 overflow spaces, 3 spaces on Elm Street and 8 spaces on the back side of the building) with Attorney Hanna replying "no, they are not."

The members continued with a review of the lighting plan. Steve Humphreys introduced himself and reviewed the revised plan "with no over-lumens." Mr. Harrington asked "does the plan comply with the town ordinances?" Mr. Humphreys replied "yes it does." Mr. Harrington replied in a statement questions format "and you have done everything possible to avoid the light from shining on the neighbors?" Mr. Humphreys replied "yes" and briefly reviewed the types of shielded lights that will be used, fixtures placed away from windows and the use of motion detectors to turn lights on with activity and off with lack of activity. "So I am a house across the

street on Union and I am not going to see bright lights?” Mr. Humphreys explained the type of light to be used house the bulb within the casing. “It is up inside, so no” he said.

Robert Wood of 16 Union Street introduced himself and asked about motion sensors for the parking areas. Mr. Humphreys replied there would be sensors on/in the lights to turn up when they detect motion. Mr. Galus asked if the lights would be on timers as well with Mr. Humphreys replying “yes.”

Chair Monahan noted the Staff Report had identified issues regarding the traffic and traffic mitigation without any specific conclusion as to who would do what and asked “can you give us an update on that?” Attorney Hanna stood and replied “hopefully we can solve that tonight. The traffic consultant from TF Moran is here and can speak to that.” He asked Robert Duval to explain.

Mr. Duval noted he had met with several town officials to review and discuss the options available for traffic calming in the Elm Street neighborhood. He went on to note “striping the road is recommended, but the Public Works Director does not care for that option because of maintenance issues after the Town takes over. He felt that recommendation may need further review.” Mr. Duval also noted additional warning signs to improve awareness and safety and a raised pedestrian crosswalk with embedded reflectors. Attorney Hanna briefly reviewed the recommendations noting that Scott-Farrar was willing to pay for the striping and the signage, as well as half the cost of the raised crossing. “Traffic impacts the entire length of Elm Street, this crossing will not be as much of a benefit to Scott-Farrar as it will be to the town in slowing traffic down. Notwithstanding, Scott-Farrar Home is willing to contribute half that cost.” He noted the estimated cost of the crossing to be \$5240.00, or a \$2620.00 cost to the town.

Mr. Harrington noted the sight line issue and asked “wouldn’t the elevated pedestrian crossing help with that as well?” Mr. Duval replied “it certainly would” adding “looking right it does not help the horizontal curve that much but it would certainly help looking left.” Ms. Vann asked “is the crossing for the benefit of the pedestrian or the automobile?” with Mr. Duval replying “most certainly, both.”

Matt Waitkins of 14 Union Street introduced himself and said “the notion of calming traffic should be taken on by this town in a slightly more robust way.” He went on to note that striping is an acceptable traffic calming methodology adding “but a comment in general is that they should think fairly robustly about traffic calming.” Chair Monahan interjected “we have heard numerous testimonies about the traffic in general (not related to Scott-Farrar). It is fast and dangerous and scary.” He went on to note that one of the biggest attraction of the Scott-Farrar Home is its proximity to the Downtown “but getting across the street must be safe and the ideas of the striping and raised crosswalk is good, I like it.”

Ms. Vann noted the DPW’s earlier reluctance and asked “what if Rodney rejects striping? Can we encourage him to revisit the recommendation?” Ms. Ogilvie replied “he has not rejected it; he is just concerned about the long term costs of maintenance and upkeep.”

Attorney Hanna reiterated that Scott-Farrar would be responsible for the initial striping costs and the two warning signs as well as half of the raised crosswalk. Mr. Galus asked “are we able to

commit the Town to covering the other half?" Chair Monahon replied "we will make that recommendation."

Ms. Cass in at 7:10 p.m.

Mr. Zeller said he felt the Scott-Farrar Home has been gracious. "It is very generous of them to accept what has been recommended." He also noted other options available if the Town would not commit to the raised crosswalk, one being a town warrant for town meeting. "It is a bargain" he said. Ms. Ogilvie once again reassured the members the DPW Director had not outright refused the offer. She also noted with the budget process the way it is "this could possibly be handled through his Operations budget." Mr. Galus asked "After the construction it is just the maintenance right?" Ms. Ogilvie replied "yes."

Mr. Harrington cited §233-35 and noted "for our purposes, despite the fact the town may or may not stripe Elm Street, it appears the plan as proposed does not violate that."

Mr. Waitkins stood and asked if the new landscaping plan that was submitted included all the screening the old plan had for the Union Street neighborhood. Mr. Duval noted the plan had not changed and reviewed the changes on the Evans Road aspect of the plan to accommodate the Stormwater Management Plan. Mr. Galus asked about the merger of the lots. Attorney Hanna explained a voluntary lot merger of the four parcels would be a condition of approval and the merger must be done prior to issuance of a building permit. He also noted the lots have not been merged as they were awaiting Site Plan approval as well as financing, "so we tie the merger to the building permit" he said.

Ms. Ogilvie noted the Stormwater Management Plan has been reviewed by Mr. Bartlett and he sees no reason it be reviewed by a third party. She said he recommended where some pervious paving was involved that a third-party in inspection of that work be done with a submittal of a long term maintenance plan for that feature." "Good recommendations" replied Chair Monahon. A brief discussion about pervious pavement followed with Mr. Heavisides explaining how that product works and the strides that have been made from its infancy just 6 or 7 years ago. He noted that the product must be vacuumed and that "you figure out your maintenance schedule as you go along."

Attorney Hanna added that a condition of approval requires Scott-Farrar Home to execute a maintenance plan and submit it to the Office of Community Development.

Mr. Waitkins asked about any kind of a barrier for the abandoned overflow parking with Attorney Hanna noting a barrier would be above the spaces "preventing people from heading down there."

Chair Monahon asked "is there an existing fence or is this proposed?" Attorney Hanna replied "it is an existing chain-link fence" adding "we would re-locate that barrier to where the plateau changes elevations and cars would not be able to go down there." Mr. Heavisides interjected that the barrier could not be a permanent one as the lot has a sewer easement on it. "Good point, thank you" replied Attorney Hanna.

Mr. Purcell noted the General Provisions of Site Plan Review (§233-3) specifically **Purpose** and read it as follows “the purpose of the regulations is to ensure the development fits with surrounding land and buildings, preserves, and is consistent with the architectural heritage of Peterborough” adding “we have not heard much about this issue.” He went on to note the example of Shaw’s Grocery Store and how the public was able to look at the earliest designs of that project. Mr. Purcell noted “with all due respect, the architectural issue of scale is within the Planning Board’s purview and should speak to this issue. It is out of scale with the neighborhood, we would like to take the opportunity to talk about that.”

He pointed to a graphic of the front of the building. He said “the front is a three-story elevation. You were told two but it is three with 12-foot floor to floor.” He continued by asking the members “has the Board really considered the impact of a three-story tall elevation and the amount of light and character that will impact the neighborhood?” Mr. Purcell noted the applicant’s reply to the suggestion of taking some square footage out of the building at the last meeting. “They said taking 4000 square feet out of the project would not make a significant difference, but if they took it out of the third floor in specific areas, there would be a significant difference” he said. Mr. Purcell concluded by noting “it is not really in character with the neighborhood” adding “a lot of details can get by you if you are not trained to see them. I bring this to your attention to help make this the best project for the town. That is the goal.”

A brief discussion about the elevations and general architecture of the building followed. Chair Monahan noted “we each have our own views of a complex set of elevations. There are many, many elements on them pushing in and pushing out.” He added “there are probably at least five architects in the room and each of us find parts we like more and less.”

“I get what you are saying” interjected Mr. Harrington adding “the only fit I see is §233-21 (Building Design). He went on to note “it is not the Board’s purpose to design nor is it the regulation purpose.” Despite Mr. Harrington’s comment, a discussion on the project’s roofline ensued.

Ellie King introduced herself and asked “are we discussing the architecture?” “We are” replied Mr. Harrington. Ms. King pointed out her concerns with the structure and offered several suggestions on how to reduce the scale of the building. Ms. King went on but stopped short, looking to the Board and saying “but you don’t want to hear my idea.” Mr. Harrington replied “what is your idea?” Ms. King replied back “to get rid of the third floor all together.” She went on to point out what she considered design flaws. “It looks like something you would see in a city” she said.

Mr. Harrington asked Mr. Menke for clarification of the height of the proposed building. He noted he thought he had heard the new structure was shorter than the existing one. Mr. Menke noted the proposed structure would in fact be shorter in height. “Essentially a half story or about 6 feet” he said.

Mr. Waitkins stood and noted “I am one of those who will see the three stories on the back side” and urged the Board to “keep as many white pines as possible to help the building fit into its context.” Mr. Purcell also noted the large flat roof would most likely have mechanical equipment

on it (HVAC). He also urged the board to save as much of the existing screening as possible while adding the additional screening. "Sensitivity for the neighborhood is not a lot to ask for" he said.

Mr. Waitkins asked if there were some way to move the fire lane in the back of the building in about five feet. "That could make a really big difference" he said. Mr. Heavisides stood and responded to the questions asked. He did an overview of the site and pointed out the area of trees. "Five feet may or may not save one tree" he said adding "they are pretty far apart due to their spread." Mr. Heavisides reviewed the other significant constraints of the site with a discussion about the front entrance (the turning radius of the ambulance locks the building into place" he said) as well the parking setbacks and back to the white pines. Ms. Vann asked how many trees would be affected and Chair Monahan asked about the species recommended for screening and their rate of growth. Mr. Heavisides had the Landscape Architect answer those questions. When done he noted that the recommendations "were all the same as Jeff's (Littleton, ecologist) report and recommendation."

Mr. Purcell questioned the ambulance entrance in the front noting it is "quite a dip down eight feet in front of the building." He asked about moving the ambulance entrance to Evans Road "as a way of solving this dilemma." Eldon Munson introduced himself and reported he had met with the Fire Chief "who requested that the ambulance entrance be a single entrance where it is protected." Mr. Waitkins interjected "that is great but the building is eating up the back yard, can't you just put a canopy over the back entrance?" adding "just a comment."

Mr. Wood asked the Board about whose purview it was to monitor the scale of a project. He noted the ZBA did not address it and you are not going to. "How does this get done?" he asked adding "the issue is the scale of this building." Attorney Hanna replied the ZBA had indeed dealt with the scale of the building. Mr. Harrington noted "our focus is site plan of the site itself" adding "I understand your point but the ZBA is done."

Ms. King noted the commercial uses on Elm Street but also noted the street was heavily residential and suggested several options to make the building look more residential. She concluded by noting "I am surprised there has not been more of an effort to make it look like the neighborhood."

Citing the Nantucket project (of the architects) she stated "they nailed the Nantucket look" adding "but I don't see that here. Where is the interest to make it fit and be more pleasing to the eye?" "Be careful" cautioned Mr. Harrington adding "not to make perfect the enemy of the good." Ms. King noted it was an aesthetic opinion while Mr. Harrington explained that "fixing one thing to make you happy begets nine others who now have a problem with it." Ms. Vann noted that Nantucket "has very clear design standards, we do not." Ms. King replied "I am not suggesting you re-design the building" with several Board members all replying at once "yes, you are."

Mr. Purcell noted "we are trying as a community to see this get better." He commended the architects "they have done a good job." He pointed out the stair tower and noted "when this is built we are all going to notice it. I guarantee it." Mr. Purcell went on to ask the Planning Board

to “acknowledge some of the concerns we have, and ask the architects to work a little harder to make this better. We would appreciate it.”

Mr. Purcell specifically pointed out the Union Street community and cautioned “look out at nighttime and it will not look like Peterborough.” Mr. Zeller asked Mr. Purcell where he lived with Mr. Purcell replying 22 High Street. Mr. Zeller asked if he would be impacted by the project. Mr. Purcell noted he felt he was fortunate in that he would not be directly impacted. Mr. Purcell did however add “I am here for people like Marion Brumaghim (16 High Street, “who won’t even come to these meetings”) and Mike Gordon. “They are going to be seeing a lot of lit-up glass and a huge roof, most likely with HVAC equipment on it.” Mr. Purcell added “I am speaking for my neighbors as well as myself. I have concerns; why not bring them to the attention of the Board?”

Ms. Cass reiterated several of the plans to contain light trespass that had been offered by the applicant. “I am not saying you are not going to be disturbed by lighting but there was a significant focus on the whole light thing.” she said. Mr. Purcell replied “you cannot stop a lit window from being a lit window.”

Robert Wood stood and said “at the risk of being repetitive, the efforts made to contain the impact of the lights points to the scale of the project. Mr. Harrington replied “I think it is clear that the applicant has tried to be a good neighbor.”

Mr. Purcell again addressed the Board with additional information about the scale of the project with a comparison to the Guernsey Building on Main Street. He noted that building was on a 10,000 square foot footprint. “This (project) is on a 30,000 square foot footprint” he said adding “imagine the Guernsey building and get a sense of why we are concerned.”

Mr. Harrington noted the request for extension of the start of construction to 24 months from the date of approval and 18 months from start of construction to completion. “Is that a recommendation? What is our thought on that?” he asked. Attorney Hanna noted they were making the request to have that condition in their approval.

Chair Monahon asked if there were any other questions. With no response he noted “this application is well intentioned and very articulate” adding “we have heard significant concern about the architecture and scale of the project.” He looked to Attorney Hanna and asked “will there be any movement on that?” Jerry Menke introduced himself as he stood and replied “no, probably not” adding “but let me tell you why.” Mr. Menke briefly explained the constraints of the lot “with no great opportunity to move things.” He did tell Chair Monahon “we will take a look at it, how it is sited but we do not have much room.” He briefly reviewed the slope line and the consequences of its alteration.

Chair Monahon asked Ms. Ogilvie about the procedural order of things with Ms. Ogilvie noting “if you are ready to close you may do so now and enter deliberation.” Chair Monahon noted the agenda still had another applicant on it and wondered about the time management of entering deliberation of this case. Mr. Harrington interjected “Mr. Chairman, in the interest of the public and the applicant I feel we should enter deliberation. I am ready to vote with a number of

conditions, I think we can do this fairly quickly. That is my personal opinion.” With the members in agreement a motion was made/seconded (Harrington/Vann) to close the Public Hearing with all in favor.

### ***Deliberation***

Chair Monahan appointed Ms. Cass to sit as a voting member. With little left to discuss Mr. Harrington noted “I move the application for Site Plan be approved subject to seven conditions.” Mr. Harrington went on to note “first would be the waiver of the parking requirement to a total of 72 spaces.” Mr. Harrington went to say “second, traffic calming measures be initiated by the Scott-Farrar Home” adding “the applicant will work with the Department of Public Works to comply with recommendations from the Traffic Study.” He noted this would include the striping of Elm Street and installation of two speed/pedestrian warning signs paid by the applicant. He also noted Scott-Farrar’s willingness to pay half the cost of the construction of a tabled crosswalk (up to \$2620.00) and encouraged the DPW to take the offer.

Mr. Harrington went on. “Third, the stormwater management plan would be subject to a third-party inspection, with the long-term inspection and maintenance plan reviewed by the Director of Public Works. Fourth, the subject lots would be merged prior to the issuance of a Building Permit. Fifth, the applicant will move the chain or fence in the overflow parking area to where the plateau changes as we described earlier. Sixth, the applicant will save as many white pines as possible. He noted “if it takes going back to talk to the Fire Chief so be it, make your best effort to save those trees.” Mr. Harrington concluded with “seven, approval of an extension of the commencement of construction to two years of approval date (12-10-14) with a completion date of 18 months later.” Ms. Vann replied “I second the motion.”

With reference to the initial reaction from the DPW Director about the striping of Elm Street recommendation Mr. Weeks asked what would happen if the DPW did not comply. “There is nothing we can do” replied Mr. Harrington. Ms. Vann added “we make the recommendation that the DPW address the issue with striping but we cannot require it.” Mr. Galus asked “does Rodney Bartlett have to approve the signs?” Ms. Vann replied “no.” Mr. Harrington noted “the applicant has met all the requirements of §233-35 (Traffic). Ms. Cass asked for clarification on the overflow parking with Mr. Harrington obliging. He noted the waiver of the parking requirements was appropriate in that there would be less traffic because of the nature of the project (elderly accommodations) and as a result, less pavement. “It is a benefit” he said. Ms. Vann added “it is hard to imagine assisted living requiring two spaces per unit.”

Mr. Harrington took a moment to commend the applicant and their agents. “I have never seen an applicant come back with the concessions seen here. Frankly I have never seen anything like this.” He went on to note “irregardless of the cost, taking the neighborhood concerns seriously and engaging solutions is about as good as you can see in any project.” Mr. Harrington concluded by noting “Mr. Chairman I think we are ready to vote.”

Chair Monahan replied “there is a motion on the floor to approve this project with the conditions stated. He asked “all those in favor?” The Board unanimously replying “Aye.”

**Continuation of Public Hearing for 36 Grove Street Site Plan**

Chair Monahan noted the next item on the agenda was the continuation of a Site Plan application submitted by Len Pagano for Stanley Fry. Mr. Pagano distributed a graphic to the Board that showed the property lines as well as the Shoreline Protection setback. He also pointed out the proposed landscaping and walkway adding “Ted Fellows is here tonight to answer any questions you may have about pervious/impervious materials or shoreline questions.”

A brief discussion about the balconies and the rear setback and side setback to the boundary line followed, as well as a discussion as to whether or not the applicant must go to the ZBA. Mr. Pagano noted his request for a waiver of the setback regulations in the Downtown Commercial District. The member also briefly discussed state involvement (DES) and what might trigger their involvement. Mr. Weeks noted “another part of this is the Shoreland Conservation issues.” Mr. Weeks added “historically the applicant would go to the ZBA first.” Ms. Vann interjected “you are totally right, we can’t do anything without the ZBA first.”

The members discussed the stair tower, its location to the adjacent property and the creation of an easement. Mr. Harrington asked when the easement would be completed with Mr. Pagano replying “I am not sure.”

Mr. Weeks asked if the Board had the authority to reduce the setback to zero if goes on to another property. The members were not sure especially since the other property was owned by Mr. Fry. Chair Monahan asked “should they make a boundary line adjustment?” Mr. Weeks reiterated “I just raise the question of do we have the *authority* to do that.” A brief discussion about “going beyond a zero setback, because that is what we are doing” as Chair Monahan said, followed. Mr. Harrington suggested the Board seek a legal opinion. Mr. Carrara agreed with Mr. Weeks noting the other lot also had a setback. “I think you would have to have a legal agreement between the property owners and the underlying zoning. Mr. Harrington also agreed noting “an easement does not change the setback.” Mr. Zeller interjected “we would have to reduce the setback on both lots” and asked “can we do that? That is not what has been applied for.” “Good point” replied Mr. Harrington.

Chair Monahan asked if the members had any other thoughts on the plan as submitted. He reviewed the fact that the Board had waived the parking requirement from eight to four spaces, the need for an easement and clarification on the setback issue.

Mr. Pagano asked for a conditional approval awaiting a legal response. Ms. Vann briefly reviewed the status of the application and noted “subject to ZBA approval I could go with a conditional approval.” Mr. Harrington was reluctant as Mr. Pagano asked again. Ms. Cass interjected “I think he (Mr. Harrington) just said no. He said no, he is not comfortable with that.” Mr. Harrington added “I would just like to see what the other property owner has agreed to.” Chair Monahan asked “does it help the two owners are one and the same?” Ms. Vann interjected “I could support a conditional approval. The side setbacks can be set to zero so that should be no problem for what that is worth but we should get input from the town attorney for the outdoor terrace because of the nature of the encroachment on another lot.”

“Yeah, I wouldn’t” replied Mr. Harrington. “We have to be cautious about things hanging over a setback” he said adding “and what precedence it sets around town and other structures. It is not sitting well with me. Sorry, it just isn’t.” Ms. Vann noted an argument “would be to allow as much use as possible in the area.” Mr. Harrington replied “what about all over town?” Mr. Pagano interjected “you should consider each project in its location” with Mr. Harrington replying “I disagree with you. Our charge is how things fit into this town.” Mr. Pagano noted “every site is different” with Mr. Harrington replying “I agree with that but how this would play out is beyond that. My concern is with things hanging over the setback. I don’t see it. I am trying to get there believe me.”

A brief discussion about the infill in the Downtown and a continuous streetscape in the compact village followed. The members re-evaluated the Nubanusit River elevation and asked several questions about the building and balcony measurements. Mr. Harrington concluded the discussion with “what is the hardship if we just wait for more information? One more meeting? Ms. Ogilvie noted the members could continue the application to their Workshop night the following Monday. Upon hearing that Ms. Vann said “OK, I move we table this meeting to next week while we wait for additional information.” “Second” said Mr. Harrington. Chair Monahan asked if it was feasible to be able to get the information by that time with Ms. Ogilvie replying “yes, I think so.” The members briefly reviewed the information needed being easement language for the terrace and garage, an written agreement about the walkway between the site and the building next door (owned by Roger and Allison Cabana), and a legal opinion from Town Council as to whether or not the Planning Board could waive the setback requirement such that it would go beyond the zero feet setback limit.

“I will make that a motion” said Ms. Vann. “I will second that” said Mr. Harrington with all in favor.

Ms. Ogilvie noted the Workshop was Monday, December 17<sup>th</sup> beginning at 5:30 p.m. with an update from Carolyn Radisch of ORW Landscape Architects and Planners on the progress of the Infill Ordinance.

The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Laura Norton  
Administrative Assistant