



**PLANNING BOARD  
TOWN OF EAST KINGSTON  
NEW HAMPSHIRE**

20042005  
James Roby Day, Jr., Chairman  
Richard A. Smith, Sr., Vice Chairman

**MINUTES**  
(Regular Meeting and Public Hearing of May 20, 2004)

**AGENDA:**

- 7:00PM – **Board Business**  
7:15PM – **Continued Public Hearing** – for a proposed elderly site plan of Glen J. Tebo, MBL 6-2-10, involving 4 duplex and 3 single units with a community center (PB#03-OH).  
8:00 PM – **Public Hearing – Warrant Article**– Amendment of Warrant Article VII –General Provisions, Section D.7.e.  
8:05 PM – **Public Hearing** – for a Home Occupation of Daniel Musso, MBL 14-2-3 at 71 Main Street.  
8:35 PM – **Discussion Only** – regarding the site plan for the former Barton Trailer Park.  
9:15PM – **Adjournment**

**CALL TO ORDER:** Chairman Day called the regular meeting of the East Kingston Planning Board to order at 7:05PM.

**ROLL CALL:** Helen Lonek called the roll.

Members present – Mrs. CE Belcher, Chairman JR Day, Vice Chairman Mr. RA Smith, Sr., Dr. RA Marston, DVM and Mr. MB Dworman, ex-officio  
Alternate members present – Mr. EV Madej, Mr. J. Fillio  
Advisers present – Ms. Maura S. Carriel, Rockingham Planning Commission (RPC) Senior Planner; Mr. LK Smith, Chairman, East Kingston Conservation Chairman; Fire Captain Andrew Conti, East Kingston Fire Department

Mr. Day noted that the public hearing for the Home Occupation of Philip O'Donnell has been withdrawn.

**Designated Voting member** – Mr. Day noted that this month Mr. Fillio is the designated voting member.

**BOARD BUSINESS:**

**Minutes –**

**MOTION:** Mrs. Belcher **MOVED** that the Board accept the minutes of the April 15, 2004 meeting as written. Mr. Dworman seconded and the motion carried unanimously.

**MOTION:** Mr. Smith **MOVED** that the Board accept the minutes of the April 22, 2004 work session as written. Mr. Dworman seconded and the motion carried unanimously.

**Notes & Asides –**

**NROC** – Mr. Day asked Mr. LK Smith to speak about the NROC program. Mr. Smith stated that there has been a time change on the June 7 session. It will be 7:45, not 7:00PM at the elementary school. Mr. Day stated that it looks like it will be very informative and useful for the Board's purposes because it will fit in nicely with the work on the visioning portion of the Master Plan. Mr. Day asked for everyone to please attend this session on June 7.

**OEP Conference** – Mr. Day stated that he attended the OEP Conference. He noted material from Tim Bates from Bates & Mitchell, a law firm in Laconia. This material addresses grandfathering issues and variance issues. He urged the Board to read this material. He added that there are no new statutes with regard to grandfathering, but Mr.

Bates talks about it, and the case law in the course of the last year supports how the Board thinks in terms of grandfathering.

**Scapichio/Mower** – Mr. Day stated that he has spoken with Bill Gregsak to determine where they were at. Mr. Mower came in with a request that a lot line adjustment be recorded so now they are stuck with two conjoined properties and they will have to figure out what to do with them. Mr. Gregsak did not know that this had been done.

**Reading File** – Mr. Day noted that there is a lot of material from the OEP Conference in the Reading File. He added that he taped a program from Channel 11 called “Livable Landscapes”, which he has made available. He stated that Stratham looms large in this particular presentation because of how they handle land use issues and zoning and innovative land use.

**Municipal Board training team** – Mr. Day stated that he hoped that members of the Board would consider signing up for this. It has to be submitted by June 1. Mr. Day will ask everyone individually if they will be attending.

Mr. Day stated that Ralph Foster from the RPC (a Commissioner from Hampton Falls) has died and he will be sorely missed.

Mr. Day added that in the material he has handed out is an application for the RPC Annual meeting which will be held at the Old Salt Tavern in Hampton and the speaker is the new Director of the Pease Development Authority, George Bald. The cost is \$25.

Mr. Day stated that also included in the material he handed out are the three pages of the East Kingston Church site plan. He added that he has the mylars. He stated that he has included this so that the Board can look at the phasing comments on the plan.

CONTINUED PUBLIC HEARING—FOR A PROPOSED ELDERLY SITE PLAN OF GLENJ. TEBO, MBL 6-2-10, INVOLVING 4 DUPLEX AND 3 SINGLE UNITS WITH A COMMUNITY CENTER (PB#03-OH)

Mr. Day opened the continued public hearing.

For the applicant: John Ratigan appeared before the Board representing Mr. Glen Tebo. He stated that they were given a condition approval by the Kingston Planning Board Tuesday night. He said that the conditions are that there will be no development on the portion of the land that is in Kingston and there would be no roadway access. He stated that Mr. Tebo's engineer and the Town Engineer had a very productive meeting addressing the most recent plan. He said that they will have a revised plan prepared for the next meeting. He added that the plan will change but the concept will remain the same.

Mr. Ratigan said that a good place to start would be the fire and sprinkler issues. He added that it is their intention to sprinkler the units consistent with the NFPA code. Mr. Day clarified that Jay Stephens, the Town Engineer, met with the Mr. Tebo's engineer. Mr. Stephens' concerns were of a nature that he did not want to spend a lot of time writing a lengthy memo because he felt that the plans required sufficient revision to warrant a complete redo.

Mr. Tebo stated that one of the main concerns of Mr. Stephens was how Mr. Tebo's engineer was addressing the site distance for the entrance of the road. There were also concerns about the 8% slope of the road. Mr. R Smith asked if Mr. Stephens had any concerns about the narrow driveways, to which Mr. Tebo stated he did not. Mr. Smith felt that there is a problem with the driveway configuration. Mr. Day stated that these questions would be put to the Fire Department when the Board received the final plans.

Mr. Day stated that Mr. Stephens has suggested that the loop be a one-way street. Mr. Tebo said that it would go from 24' to 16' at Mr. Stephens' suggestion.

Mr. Tebo added that Mr. Stephens asked to have silt vents added. Mrs. Belcher expressed her concerns regarding the steepness of the property. Mr. Fillio stated that there is a gradual slope, that there is no cliff. Mr. Tebo added that it is a mowable slope and there will be a lot of leveling off.

Mr. R. Smith brought up the subject of the houses being in the well radius. Mr. Tebo stated that he had spoken with Russell Prescott, who would be engineering the site, regarding the issue of whether they would have community wells or individual wells. Mr. Prescott took it to the stated level and he stated that because there are only five units on one well and six units on the other, it would not be a community well, it should be treated as residential wells. Mr. LK Smith stated that State law requires 25 units to constitute a community well.

Mr. Day stated that Mr. Stephens appears to be comfortable with the idea of the sprinkler system. Mr. Day stated that he personally has some concerns with the idea.

Mr. Day asked Mr. Tebo to describe the sprinkler system. Mr. Tebo stated that NFPA 13D are guidelines for sprinkler system in single-family dwellings. He stated that there is a 10,000 gallon cistern which will easily be able to put out fires and putting in another 30,000 gallon cistern didn't seem to make sense when he is going a step better by putting in sprinkler systems.

Mrs. Belcher asked Mr. Tebo to explain how sprinkler systems are cost effective. Mr. Tebo explained that by the time you pay the expense of having a 30,000 gallon cistern for eleven units, you can put sprinkler system in for the same price. He added that he is going a step above by putting a generator system in as a back-up not only for the sprinkler but also to supply domestic water during a power outage.

Mr. Tebo also stated that there will be an outside water flow alarm so that when the sprinkler goes off in one of the houses, the alarm rings outside for the fire department to know which unit is affected. He added that it will be a wet pipe system in the units but will have an outside fitting because it's designed to run for 10 minutes and then slow down so the fire department can take over. He also added that the sprinkler will only go off in the room where the fire is.

Mr. Tebo stated that if they can't get the required gallons per minute from the well, they will have to install storage tanks in the basements of the nearest units.

Mr. Day clarified that the water would be from the domestic water supply and asked what kind of water pressure will there be, Mr. Tebo stated 50-60 psi. Mr. Day stated that it will necessitate at least one waiver request for a waiver from the cistern requirement and road width waiver request because the standard road is 24' wide. He added that there are no requirements for a one-way road. And he noted that Mr. Tebo will probably need a waiver request for the lighting.

Mr. Tebo showed Mr. R. Smith where the sidewalk would run.

Mrs. Belcher said that the Planning Board came to an agreement that there would be no lights at the end of the road. Mrs. Belcher questioned the height of the lights and the fact that the development is up high and that a city is not wanted. Mr. Ratigan suggested that they could look at other developments. Mr. Day stated that he would like to keep the light pollution to a minimum. Mr. Tebo stated that the same company he has did the Cricket Hill development.

Mrs. Belcher reiterated her concerns including the 8% slope of the road and that she would like some sort of fire department input with regards to the slope. Mr. Day stated that during the site walk the slope is not as dramatic as it might appear to be on the plan. He added that Greystone Road has some slope as well. Mrs. Belcher asked about the landscape buffer and what kind of vegetation would be planted. Mr. Tebo pointed out where new trees will be planted. He stated that he would put some evergreens in because the trees that are there now would be bare in the winter.

Mrs. Belcher expressed her concern about well water lines after testing. Ms. Carriel stated that the water lines were never shown on the plan and the site plan regulations require showing the location of utilities. Mr. Tebo stated that there has been no drilling for wells as of yet. He added that at the top of the hill you have to go 130' to get to ledge in order to be an Artesian well.

Mr. Tebo stated that they will also be running all cables underground. Mrs. Belcher asked about the elevation of the duplexes and community center. Mr. Tebo stated that the community center will be on a slab and there will be vinyl siding and probably a simulated brick on the front.

Mr. Tebo explained the ASHTOW (?) requirement is for every 10 miles per hour, you actually have to have 100 feet of sight distance.

Mrs. Belcher stated that another concern was better networking of walking paths. Mr. Day stated that they neglected to look at where the proposed walkways would be on the site walk and that he may ask for another site walk to do this. Mr. Day suggested making the walking path some kind of circuit. Mr. Tebo stated that there is sloping grade.

Mrs. Belcher asked if condominium documents have been drawn up yet. Mr. Ratigan stated that they are in the works.

Mrs. Belcher stated the previous plan indicated 12" pipes in the roadside ditch where 18" are required and Mr. Tebo said it would be changed.

Mrs. Belcher added that the profile sheet didn't show the depth of the pipes was not shown and Mr. Tebo stated that they would be added.

Mr. LK Smith stated that the drainage report is being reviewed.

Mr. Tebo stated that they are still working on the design of the sign. Mrs. Belcher stated that it looks like it's about 3X5. Mr. Day stated that the sign can be lit but must be muted and not blinking. Mr. Tebo stated that they would probably put a sign with a light on top shining down.

Mr. Dworman noted the square foot calculations show the square footage of living area is just under 1,500 but the footprint is actually 1,900 sq. ft and for single units the footprint shall not exceed 1,500 sq. ft. Mr. Tebo stated that it was his belief that the garage square footage is subtracted for the actual living space. Discussion ensued regarding the footprint and whether it includes the garage in the total square footage. Mr. Tebo stated that his hope was to keep the living space on one floor. Mrs. Belcher stated that that requirement had been amended. Mr. Day stated that he would research that amendment.

Mr. Day asked for any other comments and questions.

Ms. Carriell stated that she had a concern about the grading in the back. She said that there are a couple of units where the slope starts right at the back. Mr. Tebo stated that those will all have walk-out basements except for two and they will be built into the hill. He added that this will also be a benefit as they can put in full-size windows in the basement.

Mr. Tebo stated that if they put in a water storage tank, there will be a booster pump. Mr. Day stated that there will have to be a generator, maintenance program as well as an inspection program.

Mrs. Belcher stated that she has a concern that the driveways will create a congestion issue. She added that she is also concerned about emergency access. Mr. Day stated that Mr. Tebo's engineer and Jay Stephens should address this question. Mr. Ratigan stated that they will look into the driveway situation.

Mr. Day opened the hearing to abutters.

Jeanne Furfari, 13 Greystone Road-- Ms. Furfari asked if she would still be considered an abutter since the lot line adjustment. Mr. Day stated that she would be if she is still within 200 feet. Mr. Tebo stated that she would be an abutter to the Kingston portion. Ms. Furfari had a question about the town engineer's comments regarding the before and after drainage to abutters. She asked who these abutters were. Mr. Tebo stated Conner, Furfari and 11 Greystone Road.

Ms. Furfari asked what kind of an effect this will have on her property as far as drainage and wells. Mr. Tebo stated that the town engineer will not allow him to put any more drainage on any abutters' property than what is currently there. Mr. Tebo stated that a true Artesian well should be down to the bedrock level so the development should not interfere with her well. Mr. Day stated that this is why there are two retention ponds designed into the plan.

Ms. Carriel noted the previous elderly housing developments were on community water systems and they did pump tests and notified abutters of the time so they could monitor the water in their wells. She asked if Mr. Tebo is required to do something similar. Mr. Tebo stated that the amount of water taken out of the ground to serve five houses is so miniscule compared to what the ground holds and that is why they only have a 25 household threshold for a community water system. Mr. Tebo stated that according to Russell Prescott if he can get 25 gallons per minute on the well, no extra storage is needed. He added that if he gets less than 25 gallons he will probably have to put in a storage tank in one of the units, probably two 500 gallon tanks. Mr. Day noted that that is large to put in someone's basement. Ms. Carriel noted that this is a State permitting issue and not something that the Planning Board looks at.

Ms. Furfari asked about the location of a cistern. Mr. Tebo showed on the plan where it would be located and added that the abutter in that would be affected is Conner. It was noted that 11 Greystone is Hoffmaster. Ms. Furfari asked how late the street lights would be on. Mr. Day stated that they will be on all night, but the Board was careful to insist that they be of low profile and low intensity to minimize the light pollution. Ms. Carriel suggested going through Crick et Hill to see the lower wattage and lower height lamp.

John Williams, 21 Greystone Road, Kingston asked if this development is the best use of this property. He asked if there are regulations in place, why is there so much talk of waivers. Mr. Day clarified that the Board cannot waive anything that is an ordinance, but the Board does have license to consider changing or accepting something different from the subdivision and site plan regulations. He added that it's a mechanism whereby any Planning Board is given a certain flexibility to look at a certain piece of property and determine how it can be best used or developed, it's a tool for planning.

Mrs. Belcher stated that in regard to Mr. William's question of whether this is the best use of the property, in her opinion keeping it woods would be the best use of the property, but the Board does not have the right to stop someone from developing their property.

Mr. Dworman stated that any development is required to put up a bond, which is refunded later.

Dave Hindle, 16 Greystone Road stated that he wants to make sure the issue of runoff is addressed. Mr. Day noted that that is why the Board pays close attention to the drainage reports and encourage a minimal use of impervious surfaces.

Scott Connell, 8 Greystone Road asked if this development will impact his well. Mr. Day stated that if there is any concern before that his well might be affected by drilling, there are ways to handle it. One is to monitor his well as these new wells are brought onto line. In the final analysis it could be a civil matter. Mr. Day stated that Mr. Tebo will have to go down 130 feet.

Mr. Connell asked what the character of the property will be. He stated that when he built his house, he was required to use certain building materials. He expressed his concern about property values. He added that he felt a sign with a light on it would not fit into the neighborhood. He asked what the sign would say. Mr. Tebo stated that it would be "Cornerstone". Mr. Day reminded that this is in the early design stages. He said that the closest to the street the structures can be is 200 feet. He added that the goal is to make the development as unobtrusive and inconspicuous as possible. He added that the Board cannot dictate the nature of the siding and the construction materials. Mr. Tebo said that he believed there were houses on Greystone Road that do have vinyl siding. There was some disagreement from the abutters. Mr. Day read the elderly housing ordinance Article XII – Elderly Housing B6 regarding the style of the building. He stated that if it doesn't fit in, then the Board will not approve it.

Ms. Jeanne Furfari asked if there is a way to monitor wells. Mr. Ratigan suggested contacting Brandon Kernan at the New Hampshire Department of Environmental Services or any well company. He added that he didn't think a test could be done for usage until people move in. Mr. LK Smith stated the phone number for NHDES is 271-3503.

Mr. Day closed the floor to abutters.

Mr. Day asked when the revised plans will be ready. Mr. Tebo stated it would be one week. Mr. Tebo requested a continuance to the next meeting.

**MOTION:** Mr. Smith **MOVED** to continue this public hearing of Glen J. Tebo, MBL 6-2-10, involving 4 duplex and 3 single units with a community center (PB#03-OH) to June 17, 2004 at 7:15 PM. Dr. Marston seconded and the motion carried unanimously.

Mr. Day closed the public hearing.

PUBLIC HEARING—AMENDMENT OF WARRANT ARTICLE VII – GENERAL PROVISION, SECTION D.7.E.

Mr. Day opened the hearing.

Mrs. Belcher explained the proposal to change Zoning Article VII, General Provision, Section D.7.e. She read the ordinance as written. She stated that the reason she raised the issue was because a special exception is an actual mechanism that is used to allow a use of something if you set up conditions. For example, you can have a junkyard if you meet specific conditions. She added that this ordinance does not list any conditions where a junkyard would be acceptable, therefore the part that says “,un less given approval as special exceptions by the Board of Adjustment, after notification of abutters and a public hearing” should be removed. She suggested deleting that portion and putting it on the ballot for next March.

Mr. Day opened the floor to questions and comments.

Mr. LK Smith asked when is someone going to enforce the ordinance that is on the books now. Mr. Kory Skalecki stated that there are two properties now that are being looked at by Town Counsel. Mrs. Belcher quoted the State definition of a junkyard (236:112).

Mr. Day closed the floor.

**MOTION:** Mrs. Belcher **MOVED** to place this Amendment to Article VII, General Provision, Section D.7.e. on the March 2005 ballot as written. Mr. Dworman seconded and the motion carried unanimously.

PUBLIC HEARING—FOR A HOME OCCUPATION OF DANIEL MUSSO, MBL 14-2-3, 71 MAIN STREET

Mr. Day opened the hearing.

Mr. Daniel Musso appeared before the Board and he explained his business as a garage which he would like to move from Crawley Falls Road, Brentwood to East Kingston.

Mr. Day asked Mr. Musso to explain how his proposal would fit into the parameters of the ordinance. Mr. Day read the permitted uses. Mr. Musso stated that the only reason he bought the property was because it had been a welding shop and was a garage before that. He added that it had been used for numerous vehicle repair operations. He stated that the property has a garage in the back with a lift on a cement floor.

Mrs. Belcher stated that the reason Mr. Merrill was allowed to use the property for a garage was because it was a grandfathered property. She added that the second owner, Mr. Damon was allowed to use it as a welding shop was because he convinced the Board that most of the work would be done off-site. Mr. Musso also noted that part of his work is done on the Town cruisers and fire trucks, which he gives a discount for.

Mr. Musso stated that he does not store any old metal parts, tires, hazardous oils on the property and he has one employee, his son.

Mr. Day read the definition of a home occupation including paragraph C6 noting the home occupation must not offend by emitting smoke, dust, odor, noise. He added that he was not convinced that a garage operation in a residential area is a permitted use. Mr. Musso stated that the garage cannot be seen from the street. Mr. Day noted that there would be traffic coming and going.

Mr. R. Smith noted Article F and stated that the property was a garage on January 6, 1989. Mrs. Belcher stated that a home occupation is not transferable from one owner to another owner. She added that when the owner changes, the non-conforming use goes away and they have to start fresh. Mr. Day stated that home occupations do not run with the land. Mr. R. Smith stated that the Selectmen grandfathered it. Mr. Day clarified that the business was in place at the time of the ordinance and that is why it was grandfathered.

Mr. Day opened the floor to abutters.

Nancy Reiss, 76 Main Street asked how many cars are serviced per day, to which Mr. Musso stated that he services 3, 4 or 5 cars a day. He is also an inspection station.

Mr. Musso stated that being an inspection shop, there are higher standards to meet. Mr. Day stated that a home occupation is supposed to be for all intents and purposes invisible and a garage operation is not invisible.

Mrs. Belcher expressed her feeling that Mr. Musso may have been misled when he purchased the property. There was discussion regarding whether the home occupation or the land is grandfathered. Mrs. Belcher stated that he could go to the Zoning Board of Adjustment.

Mr. Dworman asked if there was anyone sitting on the Board when the ordinance went into effect. Mr. R. Smith explained that in 1989, there were a lot of businesses in town that were illegal. He added that this particular property owner had been taken to court and there was an order to cease and desist operation. Then new Selectmen came into office and the property owner started doing business again. The new Selectmen did not enforce the order. He stated that instead of going to court to stop other businesses, they came up with the Article giving everyone permission to stay in business.

Mrs. Belcher stated that she does not think that the Planning Board has the authority to approve something that the book says no. She added that that is the Zoning Board of Adjustment's job. Mr. Day stated that grandfathering in regard to granting a variance is the ZBAs business. He added that by definition the home occupation ordinance is granted to an individual and when that individual leaves, the permission to operate the business goes away. He asked if what the Board is looking at fits into the home occupation parameters.

Mr. Dworman stated that it says nothing about it not being transferable. Mr. Fillio stated that the permit is issued to the person, not the land. Mr. Day stated that it is a non-transferable permit.

Mr. Day closed the floor.

**MOTION:** Mrs. Belcher **MOVED** to recommend to the Board of Selectmen that they DO NOT issue a home occupation permit for Daniel Musso, MBL 14-2-3 at 71 Main Street based on it not being a permitted use. Mr. Day seconded and it was a split vote with one abstention.

Mrs. Belcher stated that the Zoning Board of Adjustment is the ultimate authority. She stated that the Planning Board cannot deny the application, they can only recommend it. The Selectmen will decide. She added that a zoning issue has to be exhausted on the ZBA level before it can go to Superior Court and they have thirty days to apply to the ZBA.

Mr. Fillio commented that the Board is not authorized to make judgments based on grandfathering issues. That is for the Zoning Board of Adjustment.

Mr. Day stated that the Planning Board will advise the Selectmen of the split vote.

Mr. Day closed the hearing.

DISCUSSION ONLY – REGARDING THE SITE PLAN FOR THE FORMER BARTON TRAILER PARK (MBL 4-2-4)

Mr. Robert Griggs appeared. He is the new owner of the trailer park. He stated that there are some smaller, older homes on the premises that he would like to remove.

Mrs. Belcher stated that since this is a preliminary discussion, plans are not necessary at this time.

Mr. Day stated that when a commercial property is sold, the Board makes the decision if a full site plan review is necessary and that is what this discussion will lead to.

Mrs. Belcher stated that there has been many years of litigation involving that property and there came an understanding that it would be maintained as a trailer home park.

Mr. Dworman stated that the capacity is 18 units.

Mr. Griggs stated that he was not aware of any litigation involving the limitation of units. Mr. Griggs listed the names of other mobile home parks that he has bought and renovated. He stated that his two sons work for him and his daughter works in the office. He introduced Bob Hutchins, who is an employee.

Mr. Day stated that if what he is planning to do with the property is rearranging the present conditions and putting in different kinds of trailers, it may prompt the Board to require a full site plan review to protect Mr. Griggs as well as the Town. Specifically, septic system design and setbacks.

Mrs. Belcher suggested that Mr. Griggs find out exactly what the ruling with the court was and once he knows what he can do, he can come back before the Board. Mr. Day suggested starting at the Selectmen's Office to get that information.

DISCUSSION ONLY – CARMEN'S DINER LLC

Mr. Jim Tournas appeared for the owner, Julian Dunlop.

Mr. Day stated that it has to be decided if the owner needs to come back with a new site plan because what is being presented is a significant change to the plan. He stated that they are proposing to change the parking lot configuration.

Mr. Tournas stated that the original plan called for parking to be in the center with light poles in the center. When it was looked at, it would be hard for emergency vehicles to get close enough to the building. The new proposal is to widen the egress. Mr. Tournas stated that this would not affect the building at all.

Mr. Day stated that the new proposal has a lot of parking spots along the side of the extended property. Mr. Tournas stated that they added 30 parking spots and there is a place for overflow. Mr. Day stated that this is a substantial change to the plan.

Mrs. Belcher stated that this needs a closer review of the boundaries and because he is changing the parking, abutters would have to be notified of this change. She added that the drainage situation has to be looked at.

Mrs. Belcher stated that it is her opinion that a site plan review is necessary. Mr. Dworman agreed.

Mr. Day noted that the new plans have lighting as well.

Mr. LK Smith reminded the Board that when they originally submitted plans, they proposed parking within that 25 foot setback and they had to change it to where it is now.

Mr. Day stated that this is a site plan review which must include an engineering review.



Mrs. Belcher requested copies of the Minutes dealing with this topic before they come before the Board again so that duplicate discussion does not happen.

Ms. Carriel recalled that there was a long discussion about non-conforming use and what expansion could be done and what could not be done.

Mr. Day stated that if the approved plan has a set number of parking spaces on it, then whatever reconfiguration is proposed should be pretty close to the approved plan.

Mr. R. Smith recalled that originally they were allowed to have twelve spaces and they were going to take the old barn down and put in several more parking spaces, but they never did.

Mr. Day closed the discussion.

**ADJOURNMENT:**

**MOTION:** Dr. Marston **MOVED** the Board adjourn. Mrs. Belcher seconded, and the motion carried unanimously at 10:15 PM.

Respectfully submitted,

Hele M. Lonek  
Recording Secretary

Approved 6/17/04