TOWN OF EAST KINGSTON, NH PLANNING BOARD MEETING MINUTES November 19, 1998



AGENDA

- 8:00 Michael Andersen 45 East Road Home Occupation Public Hearing
- 8:15 James Levelle & Associates/Dean Howard Construction—Sanborn Road Subdivision Discussion
- 8:15 La Noria Dev. Corp./Thomas Gage Powwow River Road Subdivision Proposal Public Hearing

Members attending: Richard A. Smith Sr. - Chairman, Edward C. Johnson - Vice Chairman, John L. Fillio - Ex-officio, Dr. Robert Marston, and Alternates Beverly A. Fillio and Peter A. Riley.

Absent: Alternate Robert Nigrello and Building Inspector Glenn P. Clark.

Others attending: Sarah Campbell – RPC, Lawrence K. Smith – Conservation Commission Chairman, Thomas Gage, Gerry Miler, Kenneth Kuster, Dennis Quintal, Charles Marden, Michael & Gail Andersen, Charles Zilch, Dean Howard, Steve Fifield, Richard Poelaert, Kevin Fitzgibbon, Laura Cashman, James Roby Day, Andrew Berridge, Veda Paoletta, Jackie Roy, Alice & Ralph West, Clarke Chandler, Becky Hanna (RCN Correspondent, and several other members of the public who did not address their concerns publicly.

Chairman Smith called to order this November 19th public planning board meeting at 7:36 p.m. with the roll call. He then designated Alternate Beverly Fillio to participate in voting matters before the board, in lieu of Catherine George's absence.

Oct ober 15,1998 Planning Board Minutes: The Board reviewed the minutes dated 10/15/98 and noted corrections.

MOTION: Mr. Johnson motioned to accept the October 15, 1998 Planning Board minutes as corrected. Mr. Fillio second. With no further discussion, the motion passed 5-0.

October 2.9, 1998 Joint Board Meeting Minutes: The Board reviewed the minutes dated 10/29/98.

MOTION: Mr. Fillio motioned to accept the October 29, 1998 Joint Board Meeting Minutes as presented. Mrs. Fillio second.

Several board members expressed their positive perception of the meting, stating that allowing the three boards to come together and discuss procedures and their viewpoints was helpful, in both communication and in understanding each board's role.

Chairman Smith called the vote. The motion passed 5-0.

<u>Signature Sheet</u>: Members reviewed the signature sheet regarding Subdivision Regulation Amendments approved and adopted at the October 15, 1998 meeting. In accordance with RSA 675:6, this signature sheet was signed by members Smith, Johnson, and J. Fillio.

New Alernate Member: At this time, Peter A. Riley was introduced as a new alternate member of the Planning Board. Mr. Riley is also an alternate member on the Zoning Board of Adjustment and it was concluded at the joint board meeting that to encourage better communication between the ZBA and PB, a member be appointed to sit on both boards. Mr. Riley volunteered for this position and will be appointed by the Board of Selectmen in the near future.

Incoming Correspondence: Chairman Smith noted the following incoming correspondence:

- 1. Community Development Finance Authority; and
- 2. RPC calendar. A corrected copy to be distributed to board members.

Work Session: The Board scheduled a work session to be held on Thursday, December 10, 1998 at the Town Offices at 7:00 p.m. The agenda will include discussion on the Master Plan, Zoning Amendments, and the annual growth control review.

<u>Citizen's Petitions</u>: Chairman Smith acknowledged the receipt of three Citizen's Petitions to amend the East Kingston Zoning Ordinance. It was noted that one petition was to propose the rezoning of a parcel located on Powwow River Road, one was to relax the permanent facilities setback to wetlands, and one was to relax the setbacks for septic system replacement.

<u>MOTION</u>: Mr. Fillio motioned that in accordance with RSA 675:4, the Planning Board hold a public hearing on Thursday, Deember 17, 1998 on the three Citizen's Petitions presented. Mr. Johnson second. With no further discussion, the motion passed 5-0.

Home Occupation Permit Worksheet: Chairman Smith acknowledged a Home Occupation Permit Worksheet submitted by Robert Staves of 25 Pheasant Run. It was noted that Mr. Staves is proposing to operate a specificed machine shop business from his residence and is requesting and audience with the Planning Board to discuss it. The Board agreed to place Mr. Staves on the December 17, 1998 agenda at 8:00 p.m. for discussion.

M ibael Andersen—45 East Road—Home Occupation—Public Hearing: Chairman Smith opened the public hearing for Michael Andersen's home occupation proposal at 8:02 p.m. Mr. Andersen is proposing the operation of a bed and breakfast business at his 45 East Road residence.

Mr. Andersen explained that he is proposing to rent out the room over his garage, presently under construction, occasionally during the summer months. He stated that he has read the home occupation ordinance and feels that this proposal falls under its provisions. He went on to say that this proposal, although allowed 50% of the gross floor space of the residence, will use less than 25% of the space. This proposal will only use one room.

At the inquiry of the board, Mr. Andersen state d that the proposed business will "absolutely not" require the construction of kitchen facilities. He stated that the proposal will have only one room, 2 closets, a bathroom, a balcony to view the golf course, and the use of a lower laundry room.

Mrs. Fillio asked if this type of business was State regulated and if a State permit would be required. She stated that there are so many bed and breakfast businesses out there, that someone from the State must be regulating them.

Chairman Smith added that inspections by the health officer, and fire department may also need to be required.

Mr. Fillio recommended that the applicant look to the State for any applicable regulations.

Mr. Andersen responded that he will do that and notify the board of his findings. At further inquiry, he stated that the bed and breakfast business will not be turned into an apartment and that the entrance to the business' room is the same as the main entrance to his residence. He further stated that his driveway offers ample parking.

Further discussion on the months of operation resulted in the applicant's proposal to operate bed and breakfast services from Memorial Day through Columbus Day.

Chairman Smith opened the meeting for questions and concerns from abutters. There were none.

Mrs. Campbell stated that although bed and breakfasts aren't specifically addressed in the home occupation ordinance, it is her opinion that the nature of the business meets the intent.

Acknowledging the presence of the heath inspector, Mrs. Fillio asked if he had any knowledge of any State requirements for such a proposal.

Health Inspector Andrew Berridge responded that he knew of none, but if meals were to be served, the kitchen facilities would require State inspection.

Mr. Andersen replied that a continental breakfast of only coffee, donuts, and fruits would be served.

Members reiterated that any type of meal served may be regulated by the State and should be investigated.

<u>MOTION</u>: Dr. Marston motioned that the Planning Board recommend the Board of Selectmen approve the application for a Home Occupation permit, based on the Planning Board's findings that the scope of the business meets the intent and provisions of the Home Occupation Ordinance, and contingent that the proposal receive State approval, if State regulated. Mrs. Fillio second. With no further discussion, the motion passed 5-0.

The recording secretary then explained the home occupation process to the applicant stating that the final decision for approval rests with the Board of Selectmen and that this recommendation by the Planning Board will be forwarded to the Selectmen for the Monday,

November 23rd meeting. Mr. Andersen was advised to contact the Selectmen's of fice to verify that his application would be addressed on that date.

James Levelle & Associates/Dean Howard Construction—Sanborn Road Subdivision Proposal—Discussion: Chairman Smith opened discussion with James Levelle & Associates regarding a subdivision proposal of a 100-acre parcel located on Sanborn Road.

Representing James Levelle & Associates, C hales Zilch presented the following. The lot in question is identified as MBL# 8-2-9 and now owned by Dean Howard Construction. It was formally owned by John Ladd. The lot was previously subdivided in 1983 and again in 1988. He continued to say that the purpose of this meeting was to present a conceptual plan of the proposal and to get the Planning Board's input and concerns.

He stated that the first phase to develop this parcel includes creating nine frontage lots along Sanborn Road with two right-of-ways (ROW). The ROWs will be used to access the back land when this portion is developed and that wetland-crossing permit will be needed when doing so. He state d that there are no conceptual plans for the backland's development at this time, but that the developer is open to ideas and suggestions to its development. Cluster development would/could be considered.

Directing attention back to the nine frontage lots, Mr. Zilch stated that each lot is intended for single family use, with a single well and septic design. He stated that the soils have been tested and no dredge and fill permits are needed for the frontage lots, although lots #1 & 2 have wet soils on their back portion. He noted that 80% of the test pits have been done and witnessed by the building inspector.

Lawrence K. Smith, Conservation Commission Chairman stated that he has checked out the soils and that 25% is wet, the backland development will have an impact on the wetlands.

Mr. Zilch replied that they are looking at the uplands located in the back portion. He went on to say that the 80-ft. ROW to be located toward the railroad side would accommodate drainage. The other ROW will be positioned directly across from Robin Lane creating a nice intersection. He noted that a lot was dropped from the frontage plans to create better roadway plans.

He stated that Soil Scientist Timothy Ferwerda is conducting the soils mapping, which is not completed at this time. He made notation that proposed lot #9 was laid out to accommodate an existing well on MBL# 8-2-11. Her eiterated that once the soils mapping is done on the backland, a conceptual plan will be presented to the Planning Board.

Mr. Fillio state d that he would like to see the entire plan with all its phases. He also noted that the proposed intersection reflected on sheet #1 is not lined up as explained by Mr. Zilch.

Mr. Zilch responded that this will be corrected and when the soil testing has been completed on the backland, it will be presented to the Planning Board.

Mr. Dennis Quintal asked if the backlot were not to be divided, does it meet the provisions of a backlot as presented in the plans. He also inquired about the site distance of the ROWs, especially the west entrance, as there are safety issues to consider. He noted that the traffic at those locations is light now, but would increase drastically with this proposal. The State's driveway site distance is 400 feet and should be considered.

Mr. Zilch replied that site distance information will be provided later and that caution will be taken when siting the driveways.

Chairman Smith opened discussion for abutter's concerns and questions.

Mr. Richard Poelaert, School Board member stated that the school board is currently considering a new addition to the school. He stated that it is the school board's intention that the addition be able to accommodate the school's enrollment growth. He inquired as to how many new homes are being proposed, as the school board needs this to plan for the addition and he does not want to see the town outgrow a new addition in a year.

Mr. Zilch stated that he had no hard figures yet as to the number of dwellings proposed. He stated that he is seeking State approval for 4-bedroom houses, which is a standard application procedure. This does not mean that all the proposed homes will be 4-bedroom.

Mr. Poelaert stated that the school board is in the planning process now and that the number of homes proposed is significant to it.

At Mr. Poelaert's inquiry, Mr. Zilch stated that cluster development is a possibility, but that the soils have not yet been completed. He can offer no estimated figures now.

It was noted that the parcel is 100 acres and that 2-acre parcels may be created, thus the maximum number of dwellings permitted would be fifty.

Mrs. Campbell advised Mr. Zilch that the Planning Board is considering an amendment to the zoning ordinance that would award density bonuses to cluster development and that this may affect how this proposal is drawn. She stated that bonuses would be given for preserving frontage on existing roads and well as for preserving farmland.

Mr. Zilch stated that those ideas will be considered, as this is only a conceptual plan. He went on to say that he hopes to have a formal application submitted in time for the December meeting with development to begin in the spring (at the latest). He inquired as to whom would be reviewing the plans.

Mrs. Campbell replied that the Planning Board, Conservation Commission and possibly Town Engineer would review them, but that all plans must first be submitted to the Planning Board.

Mr. Steve Fifield inquired as to the financial range of the proposed homes.

Mr. Dean Howard responded that he is not sure yet. He stated that he just finished up a development in Hampstead with 4-bedroom homes selling from \$250,000 to \$350,000. He added that although the homes are 4-bedroom, the types of people purchasing the homes, at that cost, don't seem to have too many children.

He then offered the possibility of building condominiums, noting he just finished a 68-unit condo in Hampstead.

At the concern of several abutters, it was confirmed that multi-family units, except for two-family dwellings, are not permitted in East Kingston.

Mr. Clarke Chandler questioned the drainage plan for this development. He noted that the town just finished replacing road culverts on Sanborn Road. He stated that the remaining 81-acres not being developed right away needs to have its drainage issues addressed now and not later. They need to think ahead.

Mr. Larry Smith added that the proposed lots do encroach on the wetlands and that this will require a drainage plan.

Mr. Zilch stated that a complete drainage plan would be designed for this development.

Thomas Gage/La Noria Development Corporation—Powow River Road Subdivision Proposal—Public Hearing: Chairman Smith opened the public hearing at 8:52 p.m. for La Noria Development Corporation/Thomas Gage's proposal for subdivision on property located on Powwow River Road, identified as MBL# 3-2-2. Representing La Noria Development Corporation is owner Thomas Gage, Jr. and Gerry Miller LLS, from Parker Survey.

Mr. Miller explained that La Noria Development Corporation is proposing a 7-lot subdivision of a 25-acre parcel located on Powwow River Road, along the town lines of Kingston and East Kingston. He stated that a request for waiver from the 1000-ft. cul-de-sac length requirement has been submitted. He stated that the cul-de-sac road was measured from the centrline of Route 107-A to the end of the pavement of the cul-de-sac, which resulted in the measurement of 1,024 feet. A dredge and fill permit is required to extend the road the extra 24-feet, thus the board's consideration of the waiver is important at this stage.

He went on to say that the 24-f oot extension was designed to create as less an impact on the wetlands as possible in accessing the two farthest proposed lots. With this intention in mind, he state d that the waiver request fits into the intent of the regulations.

Mrs. Campbell stated that procedurally the Board must invoke jurisdiction on the plan to make decisions binding. She noted that town council advises against invoking jurisdiction on an incomplete plan, but that this plan is basically complete.

Mr. Miller stated that the current plan lacks the results from additional test pits conducted and that it has not received dredge and fill permits.

Mr. Thomas Gage stated that unless the waiver issue is addressed, he cannot file for dredge and fill permits.

Mr. Miller further stated that all seven proposed lots have sufficient frontage and acreage, all the lots are oversized. He noted that he has had contact with the fire chief, who in dieted his approval in converting the farm pond into a fire pond.

Mr. James Roby Day, Selectmen Chairman, stated that the cul-de-sac waiver request has not yet been addressed and that "1,000 feet is 1.000 feet", the Board needs to make a decision.

<u>MOTION</u>: Mrs. Fillio motioned that the Planning Board accept jurisdiction on the plan to subdivide MBL# 3-2-2, located on Powwow River Road, into 7 parels. Dr. Marston second. With no further discussion, the motion passed 5-0.

It was noted that the request for waiver was provided for under the Subdivision Regulations thus giving the Planning Board the authority to consider it without Zoning Board of Adjustment involvement.

Mr. Miller stated that the cul-de-sac was designed to go slightly over the limit, so that the main body (of the cul-de-sac) would fall outside the wet area, decreasing the wetland impact.

Mrs. Campbell noted that the cul-de-sac length interprets it to be measured from the edge of the existing road, not the centerline as the applicants have done it.

Mr. Miller responded that this now drops the length of the cul-de-sac to about 1,012 feet.

Mr. Fillio stated that the proposed road, and proposed seven homes will rob the wetlands of their value.

Mr.M iller stated that the homes will only be built on dry land, thus the same animals will be allowed to remain in the wetlands.

Mr. Fillio replied that the proposal in this wetland, in its semi-wooded area, would destroy the value of the wetland to some degree. "Wetlands are not wetlands when surrounded by homes."

Mr. Miller stated that the majority of the impact involves Hydric B soils, except for the farm pond.

Powwow Road resident Jackie Roy asked if there was any way to preserve the wetlands. She inquired as to how much of the woods would be taken down.

Mr.Miller explained that when developing a lot, a building envelope is designated, which does not allow for building in the wetland. He stated that one can cross the wetlands, but they cannot build in it. He then noted the 75-foot buffer requirement provided for in the zoning ordinance.

Mr. Gage stated that when reviewing each parcel on the plan, the building site is setback to the highest point of the property. He stated that anyone who develops would be foolish to cut down all the trees.

At the inquiry of Mrs. Roy, Mr. Gage stated that he is not sure at this point, what size houses will be constructed on the lots. He stated that he is working on the road issue right now.

Mrs. Roy state d that she wants to see the area remain country, not hugely developed. She added that this is a huge impact on Powwow River Road.

Mr. Gage responded that he understands Mrs. Roy's concerns and that as far as the types of houses built, they will be within the types of homes already on Powwow River Road.

Mr. Fillio stated that unless there are deed restrictions, there is nothing to stop a homeowner from cutting down all the trees on his property.

Mr. Miller replied that the best value of the lot is to leave the trees there. He then agreed that there is no guarantee to prohibit the trees from being cut down.

Mr. Kenneth Kuster, direct abutter to the proposal, submitted a letter from another abutter. He then stated that he opposes the extension of the cul-de-sac past 1,000 feet. He proposed that it be stopped before the pond, not after, as this could be a trade-off to ensure the best minimal wetlands impact.

He went on to say that several years ago when this parcel was subdivided and sold to the Paoletta family, the best access to the land was given up. This was poor planning by the Charlesworth family. He stated that he has concerns about the location of his own well,

about 50 feet from the property line, and the proposal's drainage. He suggested that culverts and swags directing overflow to the farm pond should be constructed. He does not want to see the overflow run into his backyard.

Mr. Kuster then focused on the proposed road noting its close proximity to his property. It was noted that there is about a 33-foot buffer strip between his property line and the proposed road. He stated that there should be enough of a buffer to accommodate for snow removal.

Mr. Miller redirected the issue back to the cul-de-sac's length, noting that the reason it was designed in excess of the 1,000-foot requirement was to create less wetlands impact.

Mr. Larry Smith then presented findings on behalf of the Conservation Commission. He stated that the Conservation Commission (CC) met November 2, 1998 and reviewed the plans. They offer the following:

- 1. The CC's first recommendation is that the proposed road and cul-de-sac stop on the north side of the stream and use a shared driveway to access the dry lots.
- 2. The CC's second recommendation is that the road be allowed to cross the wetlands, but at the narrowest point, which is 50 feet northeast of the current proposal.
- 3. The CC's position on converting the farm pond into a fire pond is that the applicant would need to determine the pond's depth and capacity. If the pond needed to be deepened, which the CC thinks it does, then a dredge and fill permit would need to be obtained.
- 4. Furthermore, the CC recommends all dredge and fill applications be done as one so the State can see the whole proposal.

He continued to say that a drainage report is required for this proposal. He then noted items on the plan to be corrected or shown. He stated that the CC estimated that about 15,000 square feet in total would be impacted, thus this project is considered a minor impact proposal.

Mr. Larry Smith then addressed the Board as a concerned neighbor of the proposal and not of the CC. He stated that as a neighbor, his personal opinion is that this is not the place for a 7-lot subdivision. Considering the wetlands and wildlife currently existing there, a one or two lot subdivision is more in tune. He stated that he can't see cramming seven lots into this parcel.

- Mr. Kuster added that this is a very strong deer habitat.
- Mr. Larry Smith inquired about the old barn foundation located on proposed lot #2.
- Mr. Gage replied that there are no plans, and it is very unlikely that the old foundation will be reused.
- Mr. Poelaert asked about the time frame for the completion of this proposal as this project also has an impact on the school's proposed addition.
- Mr. Miller responded that it will be developed as soon as possible, no later than in the spring.
- Mr. Gage stated that he doesn't plan to build the homes right away, as it depends on the market and permit availability (EK's Growth Control Ordinance).

Mrs. Roy inquired how this project came about. She explained that she has 13 acres and was told that she could not subdivide. She stated that this project has less frontage than she has.

The Board explained that as long as the applicant can show they can meet all State and Town regulations, the Planning Board must approve it.

Mr. Berridge stated that back in 1995 when the Paoletta parcel was created, this type of proposal was not in even considered. He stated that he feels this is an appropriate proposal for this parcel. He continued to say that the town says the cul-de-sac can only be 1,000 feet, then that should be all that is allowed. This is what the Town voted. He stated that the proposed road's location is at the most dangerous part of 107-A. There has been a fatality there in the past and the applicants are only asking for traffic trouble.

Mrs. Fillio stated that she agreed with Mr. Berridge. She then stated that she does not believe the cul-de-sac length was created to accommodate the wetlands. She thinks the road should only be 1,000 feet.

Mr.Miller reiterated that making the cul-de-sac 12 feet shorter makes a bigger impact on the wetlands and that they will still have the same number of lots. It was designed to get beyond the wetlands.

At the lack of a second, Mrs. Fillio's motion to deny the request for waiver from the cul-de-sac's 1,000-foot length requirement, failed.

It was noted that in 1995 when the Paoletta parcel was created, there were four names on the Charlesworth deed. Mr. Gage indicated that there are only two names on the deed. He stated that Richard Charlesworth informed him of only one sibling to the property. Mr. Gage will investigate this and report his findings with documentation to the Board.

Further discussion about the CC's recommendation to stop the cul-de-sac on the north side of the stream and use a common driveway entailed. Mr. Miller noted that common driveways are also prohibted in the Subdivision Regulations and that using two separate driveways would be a bigger impact than one road.

Mr. Gage stated that the CC's second recommendation to move the cul-de-sac to the narrowest wetland crossing would make the cul-de-sac longer than the 1,012 feet they are proposing.

<u>MOT ION</u>: Mr. Johnson motioned to waive Subdivision Regulation IV.C, cul-de-sac length, to accommodate the least amount of impact to the wetlands. Dr. Marston second. With no further discussion, the motion passed 4-1, Mrs. Fillio opposed.

At this time, Mrs. Campbell read into the minutes a letter from the Steve Wilson Family, submitted by Mr. Kuster (see attached).

Mr. Miller reiterated that he has spoken to the Fire Chief and that he (Fire Chief) indicated the farm pond could be converted to a fire pond. He stated that the pond's measurements have already been taken. The pond averages about 5-feet deep and needs an additional 3-feet to meet fire pond requirements.

Mr. Larry Smith added that the sides of the pond should be sloped as well.

Mr. Kuster stated that right now the pond is high and that the low-level watermark must be considered for year-round depth accuracy.

Mr. Day inquired if the Planning Board was going to address impact fees on this proposal. He stated that he recommends the board do so.

In response to the Wilson Family letter, Mr. Gage stated that he has absolutely no intentions of creating a mobile home park with this proposal. He went on to say that he is currently going through the State to obtain a permit for the proposed road. He state d that the State came down and looked at the proposed road site. They indicated no problem with it; however, more information was requested regarding the site distance going into the road. He stated that their (State's) initial comment was it "looks okay".

Mrs. Fillio stated that she would like to get input from the Police Chief regarding this section of road and the dangerous corner.

Mr. Larry Smith stated that in 1995 the State issued a driveway permit to the land, which has since expired.

Mr. Gage replied that he would be happy to consider any recommendation or suggestions by the State.

In reviewing the plans the Board noted the following items needing to be addressed:

- 1. Kuster's well and septic area must be shown on the plan;
- 2. Correct the addresses of abutters listed (some are in Kingston, not EK);
- 3. Proposal needs State Subdivision approval;
- 4. Dredge and Fill permit to be filed as one application to show entire proposal;
- 5. Address site distance concerns—maybe a new proposal with DOT;
- 6. Show all bounds:
- 7. Receipt of Police Chief's report regarding the bend in the road;
- 8. Verify whether two or four names are on the property's deed;
- 9. Check into fire pond easement issue.

Mr. Miller noted that the fire pond's access would have a dry hydrant and a fire truck location area. Members recommended an easement be written for this. It was noted that insurance benefits are given to property owners who are I outed close to fire ponds.

<u>MOTION</u>: Mrs. Fillio motioned to continue this public hearing for La Noria Development Corp./Thomas Gage's proposal to subdivide MBL# 3-2-2 to Thursday, December 17, 1998 at 8:15 p.m. at the Town Hall. Mr. Johnson second. With no further discussion, the motion passed 5-0.

Brandolini Up date: Chairman Smith advised the Board that at the request of the Board of Selectmen, the Planning Board rehear the Brandolini case.

Mr. Johnson stated that although no one (on the Board) wants to rehear it, and because is has a good chance to go before the ZBA, the Planning Board must take this opportunity to present a clear and sound decision. He noted that the Town has no evidence, as the current Planning Board motion stands, that a business was or was not being conducted in 1988.

Mrs. Fillio questioned the validity of the parts invoices submitted at the September 17th hearing.

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Mr. Johnson stated that the ZBA comes in from a different angle and that if the Planning Board does not believe the business was there in 1988, then they (PB) will have to provide a stronger case.

With much discussion about who would inform Mr. Brandolini, and about what information would be requested, it was decided that at the invite of Town Council, Town Council would be asked to do it. (Some Planning Board members felt the letter should be generated by the Selectmen, and some Selectmen felt the letter should come from the Planning Board.)

Mr. Day stated that a rehearing needs to be held to address whether or not the Planning Board feels the business is grandfathered, not whether or not it was ever a permitted use.

MOTION: Mr. Johnson motioned that the Planning Board rehear the Brandolini case on January 21, 1999 at 8 p.m. at the Town Hall, and designate Town Council to inform Mr. Brandolini of this along with a request of information, to determine the grandfather status (of his claim). Mrs. Fillio second. With no further discussion, the motion passed 5-0.

It was noted that several items on the agenda would be postponed until the December 10th work session by reason of the time of this meeting.

With no other business before the Board,

MOTION: Dr. Marston motioned to adjourn. Mr. Johnson second. The motion passed 5-0 and this November 19, 1998 public planning board meeting ended at 10:30 p.m.

Catherine Belcher Secretary

Minutes complete and on file November 23, 1998.

Minutes approved on