

A. CALL TO ORDER – 7:00 PM: Vice Chairman, L. Smith called the meeting to order.

B. ROLL CALL: L. Smith, Co-Vice Chairmen; R. Duchaney, C. Gordon, D. Mitchell, Members; R. McDermott, Alternate Member; F. Ferreira, Jr., Selectmen’s Representative; M. Carriel, Rockingham Planning Commission Circuit Rider Planner; R. Vigneau, Building Inspector; L. Ruest, Secretary
NOT PRESENT: C. Brown, Chairman; A. Tonry, Co-Vice Chairman; J. Caunter, Alternate Member

R. McDermott was designated a voting member.

C. PRELIMINARY CONSULTATION: Sean Roaf, Site Plan - 4 Lafayette Road (Map 7, Lot 48)

Sean Roaf introduced himself and stated that he is looking to purchase the Big Apple on Lafayette Road. He noted that he currently operates his business, “In Tune,” from a leased location at Dick’s Tire on Lafayette Road. He referred the Board to a sketch provided with his application. He is planning four service bays with an office on one side of the existing building and reserving the other side for retail sales (performance parts/accessories) rental. He plans to reface the building and update doors and windows but not change or add to the structure.

Discussion was opened to the Board. L. Smith noted that the applicant’s next step would be to submit a formal application for site plan review incorporating comments made tonight. Discussion took place with respect to the size of the lot, the area to move vehicles, including a fire truck, in and around the building, parking, the number of vehicles on site at any one time, hours of operation, number of employees and septic and water needs. It was noted that this is a non-conforming lot of record. It was noted that the regulations do not restrict two businesses on one site as long as both are permitted uses within the zoning. Site plan regulations need to be met for both uses. P. Wagner noted that there is no well on the property as water is provided by Seabrook.

D. PUBLIC HEARINGS

1. To consider an amendment as proposed by the Planning Board to Subdivision Regulation, Section 7.4.5, to change the forms of security that may be acceptable to the Board.

L. Smith reviewed the proposed amendment noting that recommendation to amend the forms of acceptable security came through counsel. Discussion was opened to members of the Board. Hearing none, discussion was opened to members of the public. No comments or questions were heard. L. Smith closed the public hearing.

MOTION: To amend Subdivision Regulation, Section 7.4.5, to read “Acceptable forms of security are irrevocable letters of credit, cash, passbooks, and certificates of deposit.”

**MOTION: C. GORDON
SECOND: F. FERREIRA, JR.
UNANIMOUS**

2. Case 04-02-04: Application from **Applecrest Farm, Inc** for a Final Public Hearing for Subdivision creating eight lots and a new road. Brown Road and Old Stage Road (Map 5, Lot 51-1)

Case 04-02-04 (amended): Application from **Applecrest Farm, Inc.** for a Wetlands Special Use Permit in connection with an eight lot subdivision previously applied for. (Map 5 Lot 51-1)

P Wagner and F. Sprague of Millette, Sprague and Colwell were present. L. Smith and D. Mitchell stepped down leaving a quorum of four voting members present. R. McDermott was named acting Chairman. P. Wagner requested to proceed. This application is continued from July. F. Sprague distributed revised plans to the Board.

At the Board's last meeting, discussion of the issues of drainage and site distance took place and remained unresolved. The amount of off-site drainage was the issues; pre-construction versus post-construction. Additional review comments have been received from Jones and Beach Engineers dated August 12 and August 24 and M. Carriel dated August 18. F. Sprague reviewed the fact that Jones and Beach Engineers is now acceptable to the drainage plan, with approved waiver by the Planning Board, as the increase is negligible. Jones and Beach Engineers are also recommending approval of a waiver to Subdivision Regulation Section 8.5 (based on AASHTO standards) given the fact that the road is a dead end, with a posted 30 mph speed limit, at this time. The site line available is 321 feet. Jones and Beach Engineers have also noted the need for NHDES Dam Permit with respect to the outlet of the culvert to the top of the berm. F. Sprague stated that he will do so, if deemed needed. F. Sprague referred the Board to his written request for waivers dated July 27, 2004.

M. Carriel's review memo item #3 questions the proposed waiver to drainage flow. F. Sprague reported that the consensus of the engineers is that the increase is minor. C. Gordon asked if the applicant has contacted the abutter who will be affected. F. Sprague stated no and indicated that he doesn't feel there will be an increase flow to the property as the area is a large wetland now. R. Duchaney stated he felt the Board should take the advice of its Town Engineer. C. Gordon stated he wished the applicant had contacted the abutter for an easement as the regulation indicates. F. Sprague explained the revision to the drainage study at this time. Comment was made that the abutter notified is not the current owner of the property. Proper notification was made for the original application, however, as required by state statute.

M. Carriel asked if the Board is satisfied with the information presented by the Town's engineer as she feels there is room for interpretation. It was noted that the results of the drainage study could be interpreted as having no negligible increase and it was also noted that there is a margin of error in the model. Lengthy discussion of the applicant's responsibility to address drainage and the wording of the regulation took place. Suggestion was made that the waiver be contingent upon approval of the abutter. It was suggested to give the abutter 10 business days to respond to the notice. If no response, the waiver is approved. Concern was raised with this suggestion as the Town is being asked to assume the burden of the waiver. M. Carriel stated that

the Board's decision on the waiver should be based on the merit of the request and the Town engineer's professional opinion. R. McDermott stated that the Board does not want to set a precedent and that the motion is based on the engineer's recommendation. No further questions were heard from the Board. Discussion was opened to abutters and members of the public. No comments were heard.

MOTION: To grant a waiver to Section 8.6 – to allow an increase in the post development drainage flow – with the condition that the applicant notify the abutter by certified mail and provide a copy of the notice and mailing tags for the Planning Board file.

MOTION: C. GORDON
SECOND: R. DUCHANEY
4 IN FAVOR, PASSES

MOTION: To grant the applicant's request to waive Section 8.5 – to allow less than 400' of sight distance at the proposed new road entrance and the intersection of Old Stage Road – with the condition that a sign be placed per the recommendation of the Town Engineer.

MOTION: R. DUCHANEY
SECOND: F. FERREIRA, JR.
4 IN FAVOR, PASSES

MOTION: To approve the subdivision of map 5, lot 51-1, into a total of eight (8) lots in accordance with the plan by Millette, Sprague and Colwell, dated December 24, 2003, revised to August 3, 2004, subject to the following **conditions:**

1. That any and all fees due the Town of Hampton Falls and its consultants be paid before the mylar is signed and recorded.
2. That draft deeds for the newly created lots be submitted for the Planning Board file.
3. That monumentation be bonded, set and certified with a Certificate of Monumentation submitted for the Planning Board file.
4. That a cost estimate for construction of the roadway be furnished to the Road Committee to be reviewed by the town engineer in order that the security amount is determined.
5. That the applicant notifies the Road Committee as to the specific type of security to be posted before agreements are signed.
6. That construction security and inspection funds in amounts acceptable to the Planning Board Road Committee be posted before the mylar is signed and recorded.
7. That a road construction security, inspection agreement and indemnification agreement be completed with the Town of Hampton Falls before the mylar is signed and recorded.
8. That the mylar includes a note requiring that street numbers for new houses be assigned by the appropriate town official of the Town of Hampton Falls.
9. That no lots are to be advertised or sold before the mylar is signed and recorded.
10. That no structure of any kind, except underground utilities and drainage, be placed in the fifty-foot right-of-way of each road and the new roadway. This condition is to be included on the mylar, in the security agreement, and in the deed for each lot. No occupancy permit shall be issued until such time as all structures or fixtures (except utilities) shall be removed from the fifty-foot right-of-way.

11. That utility boxes be placed as far as practical from the asphalt road surface.
12. That the applicant be responsible to see that the provisions of Subdivision Regulation 7.8.1 shall be complied with in construction of the roadway, which includes preservation of any existing trees and shrubbery to the fullest extent possible.
13. That Planning Board counsel, prior to the mylar being signed, approves the final language of all the easements and advises the cost of review and recording. All easements are to be recorded in the applicable deeds.
14. That driveway culverts be constructed in accordance with the approved plan.
15. That no occupancy permit be issued until such time as the requirements of the fire protection system have been installed, tested, and accepted in accordance with Subdivision Regulation 8.8.
16. That no building permits be issued until the mylar is signed.
17. That the town engineer can agree to minor plan adjustments in the field. All such agreements are to be reported to the Planning Board Road Committee. All other changes must be referred to the Planning Board with the proper request and revised plans.
18. That the applicant provide the Town of Hampton Falls with "as built" plans for the construction of the roadway, all drainage facilities and utilities prior to the release of the road security. This provision shall be included in the road construction security and inspection agreement.
19. That no fences, walls or entrance facades be built in the Town's right-of-way.
20. That for the duration of the roadway construction phase of this project, the applicant shall be required to maintain construction warning signs on either side of the project notifying motorists on Old Stage Road and Brown Road of construction in progress. This shall be coordinated with the Hampton Falls Police Department.
21. That the applicant install street signs, painted white stop bars and double yellow lines for the distance of 200 feet along the new roadway. Installation shall be coordinated with the Hampton Falls Road Agent.
22. That the applicant obtains a Dam Permit, if necessary and that a copy is provided for the Planning Board file.
23. That condition of approval of waiver to Section 8.6 is complied with.

**MOTION: C. GORDON
SECOND: F. FERREIRA, JR.
4 IN FAVOR, PASSES**

L. Smith and D. Mitchell resumed their seats on the Board.

3. **Case 04-03-05:** Application from **Anderson Marine** for Final Public Hearing for Site Plan Review for the use of marine repairs and sales at property located on Lafayette Road and Kensington Road. (Map 7 Lot 56 and Map 8 Lot 97)

Case 04-08-01: Application from **Anderson Marine** for an Expedited Review and Final Public Hearing for a Lot Line Adjustment. (10 Kensington Road and 64 Lafayette Road, Map 8 Lot 97 and Map 7 Lot 56)

Attorney John Colliander, Tom Anderson and Henry Boyd of Parker Survey were present. H. Boyd distributed new plans from those submitted with the application to Board members. This

application has been continued from the June meeting to allow the applicant time to prepare a lot line adjustment application to straighten out property line issues before addressing the requirements of site plan.

H. Boyd stated that the plans relate to the Planning Board discussion in the year 2000. The tax maps show the parcels according to the way the deeds are written. New plans distributed tonight show the lot line adjustment that take Map 8, Lot 97 and adjoins a portion of what is now Map 7, Lot 56. Lot size calculations are from the edge of high water mark at the pond.

H. Boyd pointed out the new lot line, noting the lot line to be eliminated. He noted that the property has been referred to in three tracts. Tract 2 and 3 are identified as forming the proposed Map 8, Lot 97, and are not to be considered as separate building lots. Tract 1 stands alone. M. Carriel's review memo was reviewed at this time. H. Boyd noted that the plans reviewed tonight are different from those submitted with the application and reviewed by M. Carriel. The issue of lot size has been addressed with the new plans and Map 7, Lot 56 now totals two acres. A waiver request from three sections of the regulations was provided to the Board for consideration. Setbacks are now shown on the plan. An approximate location of the existing septic is shown for Map 7, Lot 56. The well is shared and is located behind the flag store.

Discussion of the septic requirements for Map 7, Lot 56 took place at this time. Question was raised as to whether minimum state requirements should be required to be shown on the plan. In any event, the Board cannot approve a non-conforming or less-conforming lot. M. Carriel stated she spoke with M. Cuomo with regard to septic issues. She felt that with respect to the Lot Line Adjustment application, the septic is a non-issue as this is a lot preceding town requirements with no state approved design. The concern, however, is if Map 7, Lot 56 comes before the Board for intensification of use. At that time, it will need to meet current requirements (20,000 sf reserve area) or receive a variance from the ZBA. M. Cuomo also suggested that, at a minimum, the Board require a 4,000 sf area at this point, to see if the lot could support a state approved septic system. Attorney Colliander stated that the applicant is here for lot line adjustment only and is not here to address a future use. M. Carriel recommended that the record indicate that setic will be an issue should Map 7, Lot 56 be further developed or the use intensified.

Discussion was opened to questions of the Board. Hearing none, discussion was opened to abutters and members of the public. Hearing none, L. Smith closed the public hearing.

MOTION: To accept the plan as complete.

MOTION: D. MITCHELL
SECOND: R. MCDERMOTT
UNANIMOUS

Waivers, as outlined in Parker Survey's letter of August 23 were addressed at this time.

MOTION: To approve the applicant's August 23, 2004 request for waiver to:
Section 6.2.16 – topographical plan
Section 6.2.20 – location and results of test pits
Section 6.2.21 – HISS mapping

**MOTION: D. MITCHELL
SECOND: R. MCDERMOTT
UNANIMOUS**

MOTION: To approve the applicant's request for lot line adjustment to Map 8, Lot 97, adding 1.60 acres to Map 8, Lot 97 and decreasing Map 7, Lot 56 to two (2) acres in accordance with the plan by Parker Survey, dated August 13, 2004, revised to August 23, 2004, subject to the following conditions:

1. That new monumentation be set and a Certificate of Monumentation be provided for the file before the mylar is signed and recorded.
2. That new deeds be provided for the file showing the appropriate acreage added to lots.
3. That any and all fees due the Town of Hampton Falls and its consultants be paid before the mylar is signed.
4. That a CAD file be submitted with revised plans.

**MOTION: D. MITCHELL
SECOND: R. MCDERMOTT
UNANIMOUS**

H. Boyd presented the site plan with the adjusted lot lines. Easements are stated on these plans. This plan also shows the lot line to be eliminated and references the lot line adjustment plan. There is no proposal for new structures. The applicant is before the Board for the intensification of use being the sale of boats on Map 8, Lot 97.

Discussion was opened to members of the Board. L. Smith inquired as to the storage of boats between the chain link fence and Route 1. R. McDermott also noted that the boat business is on Map 8, Lot 97 and that there is no correlation to boats on Map 7, Lot 56. Attorney Colliander stated he thought that this question went away with the lot line adjustment and that the display area relates to the use on the abutting lot. M. Carriel stated that the proposed uses of Map 7, Lot 56 noted on the plan would trigger a full site plan review, with the need to review parking, septic, etc. as it represented an intensification of use. If there are no plans to address Map 7, Lot 56 now, why put it on the plans. If there is a proposed use for this lot, the applicant will need to provide parking, septic, etc. T. Anderson stated there is a vacant use now and that it was formerly a cabinet company. Attorney Colliander stated the use was commercial and if it is to intensify will require site plan review. He stated the applicant should be able to continue the use with a notation on this plan. M. Carriel noted that adding a residential component qualifies as an intensification of use and affects the septic requirements. Attorney Colliander stated that the last approved use was a commercial business on the first floor and residential apartment on the second floor. Therefore, the proposed uses are continuances of the approved uses and not an intensification. Attorney Colliander suggested eliminating the designation of use entirely. It would then be up to the Code Enforcement Officer to determine whether there is an intensification of use and whether there is a need for site plan. D. Mitchell asked that the applicant address the plans for both lots now so that the Board has a baseline.

R. McDermott asked that the use be placed on the plan so that there is no question, residential upstairs, and retail sales downstairs, with business hours, paving, lighting, landscaping, etc. T.

Anderson reviewed his plans for paving on Map 7, Lot 56. It was noted that sideline setbacks between Map 8, Lot 97 and Map 7, Lot 56 will need to be honored once in separate ownership.

Referring to Map 7, Lot 56, M. Carriel noted the boat display, although not considered a structure, is of concern. Business district regulations allow parking within 10 feet of side lot lines. M. Carriel suggests the boats be set back 10 feet from lot lines. In response to R. Vigneau, H. Boyd reported that the triangular shaped area reflects the existing shape of where boats are stored now.

No further questions were heard from the Board. Discussion was opened to abutters and members of the public. No comments were heard. L. Smith closed the public hearing.

MOTION: To approve the applicant's request for site plan to conduct marine repairs and sales at property located on Kensington Road (Map 8, Lot 97 and Map 7, Lot 56) subject to the following **conditions:**

1. That any and all fees due the Town of Hampton Falls and its consultants be paid before the mylar is signed and recorded.
2. That the hours of operation are as noted on the plan.
3. That no additional use or change of use shall be permitted unless approved by the Planning Board.
4. That approval is for marine repairs and sales.
5. That no changes to the approved plan(s) can be made without appearing before the Planning Board.

MOTION: D. MITCHELL
SECOND: R. MCDERMOTT
UNANIMOUS

- 4. Case 04-06-01:** (cross reference Case 04-03-04) Application from **Beverly Mutrie** for a Final Public Hearing for Site Plan Review for an amendment to an existing Site Plan. (143 Lafayette Road, Map 8 Lot 56)

Charles Mutrie and Steve Sicard were present. This application was continued at the June meeting to allow time for the engineer to revise plans. A letter from Ambit Engineering dated August 11 outlining the revisions to the plans, Jones and Beach Engineers letter of August 16 and M. Carriel's memo of August 18 were reviewed. Jones and Beach requested a revised construction cost estimate and indicated all other issues have been addressed. M. Carriel noted that the Board and the applicant need to address the issue of building color.

S. Sicard inquired as to the request for a revised construction cost estimate. He stated that an \$80,000 bond is posted with the Town. Following discussion, the Board requested he submit a revised construction cost estimate, based on the amendment, for review by the Town Engineer to determine that bonding is adequate. Regarding color options, S. Sicard inquired as to what the Board has in mind. Suggestion was made to obtain paint chips from the manufacturer for review of the Board. C. Mutrie expressed concern with limiting the buyer to a specific color.

Hearing no further comments from the Board, L. Smith opened discussion to abutters and members of the public. Hearing none, he closed the public hearing.

MOTION: To approve the applicant's request for site plan to amend a previously approved site plan for self storage facility at 143 Lafayette Road (Map 8, Lot 56) subject to the following **conditions:**

1. That any and all fees due the Town of Hampton Falls and its consultants be paid before the mylar is signed and recorded.
2. That the hours of operation be 8 a.m. - 8 p.m. Monday through Sunday. (Other: An attendant is to be on premises for these hours.)
3. That the building height and sightless objects (pipes, stacks, air conditioners, etc) not exceed 35 feet.
4. That the landscaping be installed according to plan. No occupancy permit shall be issued until the landscaping is inspected by the Building Inspector.
5. That the applicant post financial security (bond) to assure all site work, including landscaping, is completed according to the plan. Applicant is to submit a cost estimate to be verified by the town engineer.
6. That no building permit be issued until security is posted and an agreement is signed.
7. That any and all state permits be obtained and made part of the file before the mylar is signed.
8. That the Planning Board approves any change to the State Department of Transportation driveway permit.
9. That no additional use or change of use shall be permitted unless approved by the Planning Board.
10. That approval is for a self storage facility.
11. That new monumentation be set and certified with a Certificate of Monumentation received for the file before the mylar is signed and recorded.
12. That no changes to the approved plan(s) can be made without appearing before the Planning Board.
13. That blasting must be done in accordance with Article IX, Section 9 of the Hampton Falls Zoning regulations
14. All conditions of the original approval recorded as D-30357, on December 31, 2003, apply.
15. That the building color is to be approved when color chips are presented to the Planning Board prior to the issuance of a building permit.

**MOTION: R. MCDERMOTT
SECOND: F. FERREIRA, JR.
UNANIMOUS**

5. **Case 04-07-02:** Application from Suzynne D. Cummings for **Lucy Kat** for a Final Public Hearing requesting a waiver of requirements regarding submitting a new site plan and an affidavit for modification of the permitted use(s). (69 Drinkwater Road Map 1 Lots 70 & 70-3)

At the July meeting, motion was made to continue this application to allow time to consult counsel. Attorney Mark Beliveau has indicated he is working on this matter; however, his written response had not been received by the agenda close date of August 16. Therefore, this matter will need to be continued to the Board's September 28 meeting.

MOTION: To continue this application to September 28.

MOTION; L. SMITH
SECOND: R. MCDERMOTT
UNANIMOUS

E. REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES

Numerous revisions were provided to the Secretary to incorporate into the minutes of the July meeting. These minutes will be revised and reviewed again at the September meeting.

F. OTHER BUSINESS

1. Growth Control Ordinance – Multi/Elderly Housing Ordinance:

Information was provided to Board members with respect to Attorney Mark Beliveau's proposed wording for amendment to Article III, Section 11 – Elderly Housing and Multi-Family Housing. It is suggested that Section 11.7 – Growth Control Does Not Apply be added to the Growth Control Ordinance to read "The provisions of Article VI – Growth Control, of the Town of Hampton Falls Zoning Ordinance, shall not apply to Elderly Housing or Multi-Family Housing developments."

The Board acknowledged the amendment noting this change will address the oversight of amending the regulation when the elderly and multi-family ordinance was created. R. Vigneau noted that based on the ordinance as written, he cannot issue building permits for elderly/multi-family projects.

MOTION: To forward this amendment to the Board of Selectmen to schedule a deliberative and special town meeting.

MOTION: C. GORDON
SECOND: R. DUCHANEY
UNANIMOUS

M. Carriel suggested checking with planning board counsel to determine if there is a need for public hearing before the Planning Board before this matter is forwarded to the Board of Selectmen. The following motion was made to cover the possible need for public hearing.

MOTION: To post the amendment for public hearing at the Planning Board September 28 meeting.

MOTION: L. SMITH
SECOND: R. MCDERMOTT

UNANIMOUS

2. Request - Extension of Site Plan Approval – Luis and Maria Elias (Case #02-09-01, 03-01-01, 03-05-01):

Attorney Michael Donahue and Roy Fazio were present. It was noted for the record that there is no objection to abutter Lori Ruest continuing as Secretary and it was acknowledged that Alternate Member Richard McDermott is an abutter as well. Attorney Donahue reviewed the process taken with respect to the lot line adjustment and two site plans to date for the benefit of new Board members.

Attorney Donahue indicated that plans have been finalized and submitted for review. They have since been returned for amendment to address comments made by M. Carriel. The conservation easement has been finalized with Seacoast Land Trust. Planning Board counsel has approved the wording. Attorney Donahue updated the Board on the work that has been done at 115 and 123 Lafayette Road; specifically, the site has been cleaned to place boundaries, surveying is done and markers are in. Trees have been planted as screening. The storage on 115 Lafayette Road is temporary and the material is now moved back to 123 Lafayette Road. A bond estimate has been submitted and will need review by Millette, Sprague and Colwell.

The Board requested that the major items remaining be listed and forwarded to R. Vigneau for review and report to the Board. L. Smith stated that the Board will not be willing to extend beyond the 90 days requested as this site has been a compliance issue for many years. It was suggested that the Board conduct another site walk, possibly 30 days before the 90 days are up, in order to allow time to get any outstanding issues addressed. A tentative date for a site walk is Saturday, November 6.

MOTION: To approve the applicant's request for 90-day extension of approval to November 28, 2004 with the following conditions:

1. That the construction cost estimate be forwarded to Millette, Sprague and Colwell for review at the applicant's expense.
2. That revised plans be received no later than October 28, 2004 to allow time for final review and recording at the Rockingham County Registry of Deeds.
3. That additional funds be posted in the amount of \$800.
4. That no further extension is to be granted.

MOTION: L. SMITH
SECOND: F. FERREIRA, JR.
UNANIMOUS

C. Gordon thanked Attorney Donahue for his explanation as he was not willing to approve the extension without it.

PUBLIC HEARING AND BUSINESS MEETING

3. Building Inspector's Report:

The Board acknowledged R. Vigneau's report for July.

4. Committee Reports – Impact Fee:

It was restated that in response to a memo received from the Board of Selectmen to reconsider the method of assessing the impact fee, the Ordinance and Regulation Review Committee reviewed the matter and provided a response as outlined in an email dated July 19, 2004.

PROPOSED IMPACT FEE ASSESSMENT METHODOLOGY

The impact fee will be applied to:

- new dwelling units built on previously undeveloped lots
- replacement homes on previously developed lots

The impact fee will NOT apply to:

- replacement homes (defined as those damaged from any source or reason and replacements of homes due to obsolescence or replacement in-kind)
- additions (defined as newly created floor space whether for living space or other)
- homes for the elderly (defined as age restricted housing where the minimum age is 55)
- any undeveloped lot which the town took jurisdiction of from 8/11/99 to 8/11/03

The fee assessment will be applied to living space at the rate of \$2.73 per square foot, up to a limit of \$6,800 per dwelling unit (living space is defined as finished space that can be occupied year round)

This change shall take effect retroactive to 8/11/03

Discussion took place with respect to what the fees applied to and what they did not apply to as outlined above. The formula has not changed; however, exclusion to additions was added. Discussion also took place with respect to the cap. Final decision was to amend the cap to be the same as submitted by Bruce Mayberry or \$10,000.

MOTION: To accept the committee's recommendation to amend the impact fee methodology as outlined in the email dated 7/19/04 as amended to include a \$10,000 cap. M. Carriel is to provide proper wording in a proper form for public hearing on September 28.

MOTION: L. SMITH
SECOND: C. GORDON
UNANIMOUS

5. Municipal Law Lecture Series:

Pamphlets of this year's lectures and registration forms were provided to Board members with the request that they be returned to L. Ruest no later than September 7 in order to allow time to register members and arrange for payment.

G. COMMUNICATIONS TO BOARD MEMBERS:

The Board acknowledged a letter received from Charles Leto of Drinkwater Road. This letter relates to the site plan for Nate Underwood to hold a one-time home show. C. Leto's letter includes a number of issues addressed during the site plan process. R. Vigneau stated he requested Nate Underwood contact Mr. Leto to discuss his concerns. R. Vigneau stated that he has learned that C. Leto is now satisfied. The Planning Board requested that R. Vigneau remind Mr. Underwood of the need to inform the Board of arrangements for off-site parking.

H. ADJOURNMENT

MOTION: To adjourn the meeting at 11:15 p.m.

MOTION: C. GORDON
SECOND: R. MCDERMOTT
UNANIMOUS