



PLANNING BOARD TOWN OF BELMONT, NH

Monday, June 28, 2021
Belmont Mill, Tioga Room and Remotely by Zoom
Belmont, New Hampshire

Present: Chairman Peter Harris; Vice Chair Ward Peterson; Members Michael LeClair, Gary Grant, Richard Pickwick, Kevin Sturgeon and Jon Pike, Ex-Officio; Alternate Member Rick Segalini, Jr.
Staff: Dari Sassan, Rick Ball and Colleen Akerman.
Zoom: Alternate Member Dennis Grimes.

The Chairman opened the meeting at 6:00 pm and welcomed those in attendance. He noted that there is a full Board in attendance this evening. The Chairman welcomed Rick Segalini back to the Board as an Alternate Member.

1. Public Hearing – Cellco Partnership dba Verizon Wireless: Continuation of a request for site plan approval for a wireless communication facility with a monopole structure. Property is located at 73 Bishop Road, Tax Lot 205-009-000-000 in the “RS” Zone PB # 1021P.

Mr. Carl Gehring of Gehring & Associates was present for this application.

The Chairman read from the Staff Report:

A. Status: This case was continued from 5/24/2021. Continuation was to allow for a duly noticed balloon test. The test was conducted on 6/19/2021, following notification in the Laconia Daily Sun on 6/2/2021 and 6/4/2021. Notification of the float was also posted on the main page of the town website, on the town hall kiosk and other prominent places, and on the community bulletin board at the Park N’ Ride on Route 106.

B. Request: Request for site plan approval for a wireless communication facility with a monopole structure.

C. Lot History: The current owner purchased the property in 2003. The site is presently used for boarding of horses and associated storage. The applicant attended the March 2021 Application Review Committee meeting and a Variance for the proposed cell tower in the “RS” District was granted in April 2021.

D. 1. Waivers - At the 5/24/2021 meeting, the following waivers were granted:

- a. Plan Scale (Site Plan Review Section 5.D)
- b. Deed Book & Page of Abutters (Site Plan Review Section 5.D.1.b)
 - *(Condition #2.d.i) requires that deed referenced be added to the final plan set.*
- c. Landscape Plan (Site Plan Review Section 5.D.9)

- d. Site Line Representations (Site Plan Review Section 5.F.1.p)
 - e. Equipment Brochures (Site Plan Review Section 5.F.2)
 - *(Condition #11) requires that such information be submitted in conjunction with a building permit application.*
 - f. "Not Applicable" (Site Plan Review, various sections)
2. At the 5/24/2021 meeting the Board accepted the application as substantively complete, with the condition that additional information shall be requested as necessary and must be submitted in a timely manner to complete review and act on the application.

E. At the 5/24/2021 meeting a request to waive a noticed balloon test in accordance with the timelines set forth in the site plan review regulations was both withdrawn by the applicant and denied by the Board.

F. At the 5/24/2021 meeting the Board acknowledged that the application has already been noticed regionally in accordance with the regional notification requirements specific to cell towers set forth in NH RSA 12-K:7 and that notification in accordance with RSA 36:54-58.

The Chairman opened the public hearing.

The Chairman noted there were no concerns or responses from most departments. The Land Use Technician responded that utilities are to be underground, a balloon test is necessary and the site plan regulation is not too time constraining. After the plan is accepted, the applicant has two weeks to schedule the balloon test that will be at least 10 days after notice has been published in a newspaper. The previous test was done without notice.

The Chairman read the Staff Report Discussion Items into the record:

1. Belmont's requirements for cell towers, formally referred to as personal wireless service facilities, are set forth in the following Articles and Sections:
 - a. Zoning Ordinance, Article 9: Personal Wireless Services (Entire Article)
 - b. Site Plan Review, Section 5: Application Submission Requirements (Entire Section, including Section 5.F which is specific to personal wireless service facilities)
 - c. Site Plan Review Section 8: Post Approval Procedures (Section 8.G)
 - d. Site Plan Review Section 9: Design Standards (Entire Section, including Section 9.S which is specific to personal wireless service facilities)
2. In hearing cell tower cases, it is necessary for land use boards to be aware of the requirements set forth in the Federal Telecommunications Act. Five requirements of the Act, which may impact land use cases are summarized as follows:
 - a. State and local governments shall not unreasonably discriminate among "providers of functionally equivalent services."
 - b. Local governments and their land use boards shall not issue decisions that prohibit, or have the effect of prohibiting, the provision of personal wireless services in their communities.
 - c. Local land use boards shall act on applications for cell towers within "a reasonable period after the request is duly filed."

- d. If a local land use board denies an application for a variance or for site plan approval of a wireless tower or antenna, the denial must be in writing and supported by "substantial evidence contained in a written record."
- e. Municipalities are prohibited from denying or regulating wireless antennae or wireless towers due to environmental concerns about the radio emissions, so long as the antennae comply with FCC rules on radio frequency emissions.

Because the Federal Telecommunications Act prohibits municipalities from denying or regulating wireless antennae or wireless towers due to environmental concerns about the radio emissions, it can be expected that the applicant's agent will not be able to answer questions about such matters, so as not to inadvertently waive this requirement. However, the applicant's agent has provided information regarding radio emissions in his application.

3. Federal Code and State Statute substantively preempt municipalities from restricting collocation. As such, other providers may collocate antennas on an approved tower, without obtaining local land use approval, provided they do not increase the height by more than 10% or protrude horizontally by more than 20 feet.
4. The Zoning Board of Adjustment was presented with the mono-pine (tower disguised as a pine tree) option shown on Sheet Z-4A of the plan set, however the ZBA explicitly declined to impose a condition pertaining to the appearance of the pole, stating that such a condition would be more appropriately considered as an aspect of site plan review. Staff has drafted a condition (Condition #2.d.ii) that would require that the tower be disguised as a pine tree. The condition can be included or removed, as determined by the Board.
5. Staff has discussed the bonding requirement set forth in Zoning Article 9.G. The applicant contends that bonding is not necessary because it is unlikely that the tower will be abandoned, and if it is, a contractual obligation already exists with the landowner requiring the removal of all equipment, including the tower. Staff has drafted a condition (Condition #3) which would require a bond. The condition can be included or removed, as determined by the Board.
6. No lighting is proposed for the tower.

The Chairman stated there are two waiver requests, one for Annual Reporting and one for Underground Utilities.

M. LeClair asked the applicant why the waivers should be granted. Mr. Gehring said the Annual Report provision is outdated and old school. The FCC regulates wireless facilities; they are not controlled by state or local authorities. The licensing for the power and frequency are through the FCC. If any other business wants to collocate on the tower, the Town would require a new building permit and the tower would be verified and checked out at that time, or when tenants update their equipment. The facility is checked once a month. As an FCC licensee, Annual Reporting is completely unnecessary. They are protocols for the federal government.

M. LeClair confirmed that the tower is inspected monthly for safety and maintenance, and asked if that information is submitted to the Town. Mr. Gehring answered no, there is not a formal report, and it is unnecessary paperwork.

J. Pike said if someone is inspecting the tower monthly, they are filling out a report. Mr. Gehring objected and said there is not a monthly report for the inspections. J. Pike suggested that if someone is checking the tower, they are getting paid and they will fix anything that is wrong. There has to be a report. Mr. Gehring acknowledged that there may be an email when that happens. J. Pike proposed that information should be reported back to the Town.

P. Harris asked why Staff disagrees with the waiver requests. D. Sassan answered that Staff is not aware of anything that makes this project unique. J. Pike commented that if there is a checklist or something, a copy of that can go in the file. It doesn't need to be a special report and they don't need an extra person. Just a report of a maintenance record that is sent to the Town. He doesn't want the applicant to spend more money, but if someone goes out to check the tower and something changes, it is sent to someone to get fixed. P. Harris said it should not be a hardship to share a report.

M. LeClair asked about underground utilities. P. Harris said it is a long run. Mr. Gehring said the property is private and they are not sure what they will find. M. LeClair stated code requires underground utilities. D. Sassan said Staff didn't see anything that was unique enough to agree with the waiver request.

MOTION: M. LeClair moved that the following waiver request be denied:

- a. Annual Reporting (Site Plan Review Section 8.G) because there is not anything unique about this particular proposal that would make such reporting requirements any less relevant than they would be for any other tower. Staff has drafted a condition (Condition #24) that would require annual reporting. Inspections are completed monthly and the Board has only requested it annually.

The motion was seconded by J. Pike and carried. (7-0)

MOTION: M. LeClair moved that the following waiver request be denied:

- b. Underground Utilities (Site Plan Review Section 9.O) because there is not anything unique about this particular proposal that warrants the granting of such a waiver. Staff has drafted a condition (Condition #2.d.iii) that would require underground utilities. Belmont requires underground utilities.

The motion was seconded by J. Pike and carried. (7-0)

M. LeClair said he agrees with Staff that condition #3 for Security is not necessary. Bonding is not necessary because the site is unlikely to be abandoned and a contractual obligation exists. A condition was drafted to require it but M. LeClair suggests a motion to remove the condition. W. Peterson and J. Pike suggest making the changes to the conditions during the motion itself.

M. LeClair asked about the monopine. D. Sassan informed the Board that Staff received a letter today that pertains to the monopine that was forwarded to members by email, and a printed copy was provided to members this evening. M. LeClair asked Mr. Gehring what reason is there to not do a monopine. Mr. Gehring answered that they have offered to do either. They offered it at that ZBA meeting to reduce the impact but that Board deferred to the Planning Board to make a decision. Mr. Gehring said it should not be a one-person decision; there should be a consensus.

The Chairman asked if anyone from the public would like to speak at this time.

Mr. Glenn Welch of 65 Cotton Hill Road said he would like to thank Mr. Gehring for doing the balloon test. It gave him and his neighbors the information that they needed. He saw the balloon test and it was clear that it would still be tough to see without a monopine. But the monopine would look best regardless of the time of year. M. LeClair said the monopine will be included in the conditions.

Mr. Welch told the Board he is still concerned about lights on the tower. He knows there is no light right now, but provisions allow for the pole to be extended up 10 feet. If it goes up, it will require a light and extra monopine treatment. Mr. Gehring replied that the FAA does not require a light, and if the tower is extended, the fake tree portion would also be extended. Mr. Gehring handed out photo packets to everyone for review.

Mr. Welch asked if the monopine will look similar to the picture simulations he saw a few months ago. Mr. Gehring said yes, they will be similar to the photo simulations submitted to the Zoning Board. Mr. Welch asked if a light is required at some point in the future, how is that handled. J. Pike said the FAA will handle that. The Town will not be involved in it. If the height is changed, the FAA will be notified and correspondence included. If the DHART helicopter comes in and almost clips the tower, they may require a light so they don't lose the tower or hurt anyone. That is the way it would be handled. It is not up to the Town to mandate it, it is up to the FAA. D. Sassan reminded the Board that a drafted condition states that no tower light is approved, but given the complicated interweaving of federal and state regulations, Mr. Pike makes a good point. The Board can't say that a light will never be mandated because there is no local authority to unseat something like that. Federal or state preemption would still allow for lighting in conflict with the Planning Board's approval. W. Peterson said there are trees in that area that are taller than the tower, and he explained that including such a condition can't stop a light from ever being installed on the tower. D. Sassan confirmed that it is hard to say with 100% certainty that such a condition could hold. The only way it could be undone would be a federal mandate. W. Peterson added unless there is a federal or state mandate, there will be no light.

P. Harris referred everyone back to the Staff Report Discussion Items. He said this service is playing with people's lives if someone can't call for help. W. Peterson said it is for public safety. J. Pike stated the Board is not the governing body and the light is not our regulation.

Mr. Welch thanked the Board and asked again about the process for any addition to the tower. W. Peterson answered that a building permit would be required, which would be reviewed by Staff. There are preemptions at the federal and state level that allow a 10% increase in height, or to expand 20 feet horizontally. Those do not require ZBA or Planning Board approval.

The Chairman asked if there were any additional comments or questions. There being none, he closed the public hearing.

Board's Action – Cellco Partnership dba Verizon Wireless:

MOTION: M. LeClair moved that the application be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions (precedent) to be complied with or secured (as appropriate) prior to plan being signed and decision recorded. No site improvements or approved uses shall commence and no building permit shall be issued until plan is signed and decision recorded.

1. This action is based on a plan or plan set dated 1/15/21.
2. Submit final plans (1 mylar, 6 paper, 1 reduced). Submit one copy for approval prior to submitting all required copies. Add/identify/include note on plan:
 - a. Wet stamps and signatures are required for all professionals including PE, Surveyor and Wetlands Scientist.
 - b. Add signature block to site plan (Sheet SZ-3).
 - c. All conditions subsequent shall be incorporated as notes on the final plan.
 - d. Other:
 - i. Add deed references for abutting lots to Sheet Z-1.
 - ii. Revise plans to show that the mono-pine option, currently shown on Plan Sheet Z-4A shall be installed.
 - iii. Show that utilities shall be placed underground.
3. Written statement shall be submitted allowing Town access to the property for monitoring at the applicant's expense if necessary.
4. Evidence shall be provided of other agency permits.
5. Applicant shall sign and follow Town's Inspection Schedule.
6. Payment of recording fee. Check made payable to BCRD in the amount of \$20.60.
7. Conditions precedent shall be completed no later than 6/28/22. Active and Substantial development of the approved improvements shall occur no later than 6/28/23 and improvements shall be substantially completed by 6/28/26 or shall be in accordance with the approved buildout schedule.
8. Compliance hearing shall be held by Board as necessary.

APPLICANT SHALL TAKE SPECIAL NOTICE: NO USE/WORK MAY COMMENCE UNTIL ALL PRE-CONDITIONS ABOVE HAVE BEEN SATISFIED. CONTACT THE LAND USE OFFICE WITH ANY QUESTIONS. COMMENCING WORK OR USE PRIOR TO TOWN AUTHORIZATION SUBJECTS THIS APPROVAL TO REVOCATION, AND OTHER ENFORCEMENT ACTION AND DAILY FINES.

Construction conditions to be complied with once plan has been signed and decision recorded (shall comply with full standards of the Town's Project Security/Construction Process):

9. Installation and construction shall require a building permit and Certificate of Use. Facility shall not operate prior to issuance of Certificate of Use.
10. Building permit application to include equipment brochures as required in Section 5.F.2 of the Site Plan Review Regulations.
11. Construction shall be monitored and certified by a consultant appointed by the Board at the applicant's expense if any.
12. All disturbance of the site to conform to Best Management Practices for the eradication and disposal of invasive vegetative species. See *Best Management Practices for Roadside Invasive Plants, NH DOT and New Hampshire Guide to Upland Invasive Species, NH Department of Agriculture, Markets and Food, Plant Industry Division*. Monitor disturbed areas for a minimum of 2 years after project completion for reoccurrence of growth.
13. Orange construction fencing shall be erected around entire perimeter of area to be disturbed. No encroachments outside of fenced area is permitted without prior approval of the Town in conjunction with review by project engineer.
14. Submission of building plans, approved by Building Inspector and Fire Department; shall

- comply with all applicable building, fire, health, and life safety codes.
15. Property owner shall install all required traffic control and fire and life safety facilities and systems required by the Board and/or by other applicable Codes and Regulations.
 16. Obtain successful milestone observations from Land Use Staff as listed on Land Use Inspection form **and** additionally and separately all required inspections by the Building Official, Fire Department, Public Works Department and NH DOT.
 17. Evidence of other agency conditions achieved.
 18. Occupancy/use of improvements requires submission of 2 paper original record (as-built) site plans including structures, utilities, roads, drainage and other site improvements. Plans shall be reproducible in black/white, e.g. through the use of differentiating graphics (pre/post contours dashed/solid), identifying notes, etc.
 19. Proof of adequate insurance coverage for accident or damage shall be provided for all tower facilities prior to the issuance of a Building Permit. Said proof shall be submitted to the Town on an annual basis thereafter and be placed on file for public inspection with the Land Use office. Failure to maintain adequate security for removal of an abandoned tower and/or adequate insurance coverage shall invalidate the Certificate of Use and Occupancy.

General conditions to be complied with subsequent to plan being signed and decision recorded:

20. Approved uses include a personal wireless service facility comprised of a 150-foot cell tower and associated equipment, as well as existing agricultural uses.
21. Tower and other equipment determined abandoned under the criteria stated within the Ordinance shall be removed at the owner's expense.
22. No tower lighting is approved unless mandated federally.
23. The following Annual Reports, completed in accordance with the requirements set forth in Section 8.G of the Site Plan Review Regulations, shall be submitted annually to the Code Enforcement Officer:
 - a. Safety and Maintenance Inspection Report
 - b. Radio Frequency Emissions Report as discussed during this meeting.
24. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
25. Landscaping shall be maintained, shall be kept in a sightly manner and not allowed to deteriorate.
26. Permits must be obtained for all signage, and signs for inactive, closed or abandoned uses shall be removed within 30 days.
27. No changes shall be made to the approved plans unless application is made in writing to the Town.
28. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
29. Approval is subject to expiration, revocation and changes in the Ordinances. This conditional approval shall expire on 6/28/23 unless all conditions are met or an extension is applied for and granted in accordance with the Regulations. Notice to the applicant and/or a public hearing are not required for the Board to determine that a conditional approval has expired. Reapplication in the case of an expired conditional approval requires a new application meeting all applicable Regulations.
30. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.
31. Operational conditions of the Town and other agencies shall be met.

The motion was seconded by R. Pickwick and carried. (7-0)

M. LeClair commented it was nice to have the public come to a meeting, and it is even better when they sign up for a Board position.

OTHER BUSINESS:

Approval of Minutes 05/24/2021:

MOTION: K. Sturgeon moved to approve the minutes of May 24, 2021 as written.

The motion was seconded by W. Peterson and carried. (7-0)

STAFF REPORT:

Single-Family Subordinate Dwelling Units:

D. Sassan explained that after the last meeting he drafted a proposal for a Zoning Ordinance for single-family subordinate dwelling units that mimics the ADU regulations with some minor changes. The Board could discuss it tonight or continue to review the proposed ordinance. It is still early in the process.

Outdoor Seating:

D. Sassan stated the plan was to allow outdoor seating again in accordance with existing emergency orders. It turns out that all emergency orders are over and done with. There are two locations with outdoor seating set up. He talked to the Fire Department and they suggested that even with no emergency order, perhaps the Board would allow outdoor seating for the remainder of this year to provide local businesses with an extended opportunity. The question is why would we allow this and not subject it to site plan review in the absence of emergency orders. Staff needs to know if the Board would like to extend the outdoor seating or say no. How should it be handled? Should it be removed right away or allowed for this year?

P. Harris responded that if more seating is allowed, more parking is required. Most are maxed out on parking and we can't make some type of adjustment for that. J. Pike commented that the TAP made an arrangement on paper with the people at the Yolk restaurant so he can use those same spaces for the evenings. Last year Mr. Brouillard promised to fix the parking situation. He ripped out the pavement and put in stone. The Board should send a letter and call him back here. R. Segalini suggested the businesses be given a timeline to get things straightened out in order to be fair. J. Pike countered that the land owner lied to the Board and it was not the first time. He said he would fix it but didn't do anything and created a bigger pond in the parking area. The bottom line is he didn't do what he said. There are two well respected businesses there. The Board should notify the businesses, and Mr. Brouillard as the owner, and make them come before the Board. The businesses give a lot to the community. The Board discussed the ongoing problems with the parking at Mr. Brouillard's location. R. Segalini concluded the problems are from a lack of maintenance. J. Pike asserted that if the minutes are reviewed, there was a date and timeframe for Mr. Brouillard to fix the parking, but he started and then stopped.

R. Ball explained that Mr. Jon Rokeh was going to design both the upper parking area and lower drainage at the same time but he got too busy, which is not our problem. Mr. Rokeh was in the Land Use Office today and has a draft ready. J. Pike maintained that Mr. Brouillard set the timeframe, not the Board. He said he would fix it. R. Segalini proposed the Board give a deadline. The outdoor seating was allowed by the governor, but we don't want to shoot our businesses in the foot. P. Harris remarked things need to be in writing. D. Sassan confirmed that the parking is out of compliance and Rick Ball will take a look at

it. R. Ball said a cease and desist could be issued. J. Pike does not want to take a vote until the existing structure is fixed. R. Segalini said we should look back to the original approval and do some research for violations. W. Peterson recommended a letter be sent saying the Board wants to see you at a meeting, and that we don't feel you are in compliance. A cease and desist will follow but we don't want to hurt businesses. D. Sassan clarified that there are two separate issues here. One is that Staff needs a decision on a deadline for outdoor seating under COVID and the other is the fixing the parking lot at the TAP location.

M. LeClair asked about parking spaces when granting approvals to businesses. What provisions are there to allow outdoor seating in the future? Does the Board allow a specific square footage when there is adequate parking? Typically outdoor seating requires bollards to protect the public. How safe are pallets for fencing? Irving had a car go through theirs. Let's have the Building Inspector and Health Inspector come to the meeting also.

The Board discussed bringing Mr. Brouillard, the TAP and the Yolk before the Planning Board at a future meeting.

M. LeClair questioned the possibility of allowing outdoor seating annually for a certain time, but that opens problems as well. D. Sassan recommended applicants need to come in for site plan review in order to expand their seating. That process will check to be sure parking is addressed. There needs to be enough parking to satisfy all onsite customers. The piece about bollards could be included as "barriers approved by the Building Inspector" if the Board wants to allow outdoor seating for the remainder of this year. G. Grant said restaurants took things hard financially during COVID and the Board should do what they can to help them. R. Ball commented the TAP said they had their biggest year ever. The Board discussed the TAP's previously proposed deck and the parking to be eliminated at the front of the building. They still didn't meet the parking criteria. D. Sassan verified that if previous minutes are reviewed, the Board determined that outdoor seating was to be discontinued once the governor's orders expired. Now there is a situation where approvals haven't been issued but the businesses proceeded with outdoor dining areas because they thought they were good to go. If the Board wants to make an exception, staff will issue the approvals for outdoor seating. J. Pike is in favor, subject to the TAP and the Yolk and Mr. Brouillard knowing there is a date that parking and seating have to be brought under control. The TAP kept their outdoor seating most of the winter and put up pallets this spring. K. Sturgeon said there are concerns about people drifting off the highway. If outdoor seating will be allowed, bollards or jersey barriers will need to be installed. Pallets are not much of a safety fence. M. LeClair asked if jersey barriers will stop a car. R. Segalini said yes.

P. Harris said when COVID hit, distancing was important. There were COVID restrictions on the occupancy inside the establishment, and for the tent outside. Now there are too many people. You can't pack the house and have the outside seating. There needs to be some better factor for limiting the numbers. W. Peterson urged that the outdoor seating needs to be stopped within 30-60 days and if they want to continue they will need to come for site plan review, just like before COVID. R. Segalini, R. Pickwick, K. Sturgeon and M. LeClair said 30 days sounds fair. J. Pike said notice needs to go to the landlord and the tenants. W. Peterson said staff will also send out a letter that present site plan requirements are not being met. J. Pike commented their last plan was held up because of the parking lot. It is a small space on a busy corner.

752 Laconia Road – Map/Lot 230-040-000-000:

The fence was knocked down at the boat yard and some of the pieces have been picked up in the

last week. M. LeClair observed that approvals have conditions and there is likely one about landscaping being kept in a sightly manner, but Route 106 is being allowed to turn to ruin. The Town needs to get more aggressive.

J. Pike revealed the Building & Code Enforcement Officer (CEO) gave his notice, then reconsidered. He will work 30-35 hours per week handling building applications. The Town is advertising for a CEO. Mr. Wheeler is a good man who inherited a bad problem. There are lots of things going to court. The Town needs a part time CEO. If a neighbor has a complaint, someone needs to address it. The new tenant of the boat yard needs to file for a Change of Tenant because the previous owner has passed away. M. LeClair said there are weeds and trees in cars. Can there be any action on that? Lots of people have spent time rebuilding Main Street and it is amazing. In order to bring additional tax revenue and businesses to the Route 106 corridor, something needs to be done. If we aren't taking care of what is right in front of us, the guy around the corner will do whatever he wants.

93 Daniel Webster Highway, Map/Lot 201-093-000-000:

P. Harris asked about the status of this service station project. D. Sassan explained the applicant has submitted an application to DOT and they have placed extreme demands on them and required very extensive traffic study information. The developer just submitted a 450-page report to DOT, with the hope that they process it quickly. There is no known timeframe.

NEW BUSINESS:

M. LeClair asked if there is anything new coming up. D. Sassan reported that Parent Sand & Gravel will be coming for a Compliance Hearing and the Mountain Lake Subdivision is looking for their extension. There is a proposed subdivision on Jamestown Road with six 2-3 acre lots and the remainder as one large lot. They expressed interest in doing something with the community but their ideas don't mesh with this Board's ideals presented in the Master Plan.

Alternate Member Dennis Grimes left the meeting at 7:33 pm.

NON-PUBLIC SESSION 91-A:3II (A):

MOTION: At 7:34 pm W. Peterson moved to enter into non-public session per 91-A:3II (a) in regards to the dismissal, promotion or compensation of any public employee.

The motion was seconded by J. Pike and carried. (7-0)

Roll Call was taken. Peter Harris, Ward Peterson, Michael LeClair, Jon Pike, Gary Grant, Kevin Sturgeon and Rick Pickwick all in favor. None opposed. Dari Sassan and Alternate Member Rick Segalini were also present.

BEGIN NON-PUBLIC SESSION

END NON-PUBLIC SESSION

The Board returned to public session at 8:00 pm.

MOTION: On a motion by W. Peterson, seconded by J. Pike, it was voted unanimously by roll call

vote to seal the minutes of the non-public session as divulgence of the discussion would affect the reputation of a person other than a member of this board. The minutes will remain sealed until such time as the Board acts to find that the aforesaid circumstances no longer apply. (7-0)

Roll Call was taken. Peter Harris, Ward Peterson, Michael LeClair, Jon Pike, Gary Grant, Kevin Sturgeon and Rick Pickwick all in favor. None opposed. Dari Sassan and Alternate Member Rick Segalini were also present.

ADJOURNMENT:

MOTION: M. LeClair moved to adjourn at 8:01 pm.

The motion was seconded by J. Pike and carried. (7-0)

Respectfully submitted:

Colleen Akerman
Building & Land Use Clerk