

ZONING BOARD OF ADJUSTMENT PUBLIC HEARING AND MEETING
March 24, 2009

A public hearing of the Zoning Board of Adjustment was held on Tuesday, March 24, 2009 at 6:30 PM in the Auditorium at City Hall.

Jack Currier, Chair, conducted the meeting.

Members present were:

Jack Currier, Chair
Sean Duffy, Vice Chair
Kathy Vitale
Gerry Reppucci
Carter Falk, Deputy Planning Manager/Zoning

Mr. Currier explained the Board's procedures, including the points of law required for applicants to address relative to variances and special exceptions. Mr. Currier explained how testimony will be given by applicants, those speaking in favor or in opposition to each request, as stated in the Zoning Board of Adjustment (ZBA) By-laws. Mr. Currier also explained procedures involving the timing light.

- 1. Marie E. Karg (Owner) MET General Contracting, Inc. (Applicant) 27 Burnside Street (Sheet 137A Lot 62) requesting variance to encroach 11.5 feet into the 25 foot required front yard setback to construct an 8'x12' farmers porch. RA Zone, Ward 2.**

Voting on this Case:

Jack Currier
Sean Duffy
Kathy Vitale
Gerry Reppucci

Mark Twardoski, MET General Contracting, Merrimack, NH. Mr. Twardoski said he's here with Heather, Vice President of MET General Contracting. He passed out some photos of the general site. He said they are requesting a variance for an 8'x12' front farmers porch, which would be similar to other ones on the street. He said the houses on this street all line up very consistently. He said the front of the house is the only logical place for the farmers porch, and it will look nice as

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compared to others on the street, and this porch will bring up the value of the home. He said there are three other farmers porches on the street that have received variances.

Mr. Twardoski said if the porch is any narrower, it would be difficult to have a table and chairs around it, to walk around it.

Mr. Duffy asked if the other farmers porches were approved by the Board.

Mr. Falk said he was not aware of any of the other farmers porches getting variances, if they did, it was more than ten years ago.

Mr. Currier asked to compare how the front of all the houses on the street line up to the front setback, and said that the 8 foot wide porch sticking out may be quite an encroachment, and will be out of character.

Mr. Twardoski said all the houses to the right, which would be 21, 23 and 25, all of those homes are exactly in a line. He said he didn't know if 29 may be a bigger lot than the rest of them, but all the houses on the right, those houses all have the same setback, it is like all in a straight line. He said across the street, he thought that the lots may be a bit bigger, and perhaps a little bit further back from the street.

Mr. Currier said in looking at the map, it looks like 29 is set much further back. He said when he looked at the street, it looks just like the map, in that 27 is set somewhat more forward than the other houses.

Mr. Twardoski said that they are set a little bit forward than 29, but if you look up the street, it looks like 26 has a jog on it, and when you stand at 27 and you look up the street going the other way, they all look like they align, even though there's a few feet difference between them, not a lot.

Mr. Currier said it would be a good idea to have a farmers porch at 29, but 27 with a farmers porch, if you were to come out 8 feet, it would clearly be way out in front.

Mr. Twardoski said it's not like it would be a garage door, it will be an open porch, and it will fit in very well with the street, and add character to the neighborhood.

Mr. Twardoski said this will be a huge asset to the owners. He said they have to leave their garage door open a lot.

Mr. Currier asked how wide the other farmers porches are out there.

Mr. Twardoski said most of them are 8 feet wide.

SPEAKING IN FAVOR:

One letter submitted in favor from the Kopka's, 28 Burnside Street.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No One.

Ms. Vitale said architecturally, it will add more appeal to the house, and it will be a great benefit to the homeowners, and none of the neighbors objected to the request.

Mr. Duffy said they have a small house, it is a minor, reasonable request into the setback.

Mr. Reppucci agreed, and said the large tree there will help to hide the farmers porch. He said with the two other farmers porches there that the proposed one would fit right in.

Mr. Currier said he's not comfortable with it.

MOTION by Mr. Reppucci to grant the variance on behalf of the owner and applicant. Mr. Reppucci stated that the variance is needed to enable the applicant's proposed use of the property, the benefit sought by the applicant cannot be achieved by some other method reasonably feasible, eight feet seems to be reasonable.

Mr. Reppucci said the request is within the spirit and intent of the ordinance, there was no testimony opposing the request, and there are like porches right in the neighborhood.

Mr. Reppucci said it will not adversely affect the property values of surrounding parcels, the Board heard no testimony or evidence either way on that, it is not contrary to the public interest, no abutters raised concerns, and substantial justice is served by approving this application.

SECONDED by Ms. Vitale.

MOTION CARRIED UNANIMOUSLY 3-1 (Mr. Currier).

2. Stellos Family Investment Properties (Owner) Keys to Learning, Inc. (Applicant) 115 Northeastern Boulevard (Sheet 140 Lot 52) requesting use variance to allow a retail teachers supply store in a 3,500 square foot portion of an existing building. PI Zone, Ward 9.

Voting on this Case:

Jack Currier
Sean Duffy
Kathy Vitale
Gerry Reppucci

Attorney Gerald Prunier, 20 Trafalgar Square, Nashua, NH. Atty. Prunier stated that he objects in proceeding without a five-member Board, and reserves his appeal rights.

Mr. Currier said it is so noted for the record.

Atty. Prunier said this property was before the Board last year, the building has 20,000 square feet, and is at the corner of Congress Avenue and Northeastern Boulevard. He said that half of the building is being used by Maaco, an auto body repair and painting shop, and last fall, the applicant was granted a variance for 3,700 square feet, and would like to add 3,500 additional square feet for the retail sale of teachers supply products, so both of the businesses would be connected. He said a lot of the business takes place in August, before the school year.

Atty. Prunier said this use falls under Land Use Code Section 116, which indicates that it is an allowed use in the Park Industrial zone, but it is a conditional use, and it falls under the 75%/25% rule for allowed manufacturing/industrial uses, and this building will have 60% of the space for the display of

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materials for the teachers, and 40% will be warehouse, so, it doesn't meet the rules for a conditional use, so that is why this case is being heard tonight. He said the building will stay the same, and the building is one of the smallest ones in the area, it is only 20,000 square feet, of which half is occupied by Maaco on a long-term lease. He said one of the problems with this building is that it is an old building, and the ceilings do not have the height that businesses like today, and it is not wired for today's technology, and it has no loading docks. Atty. Prunier said there are about 120,000 - 130,000 vacant square feet in this general area, and it's difficult to find businesses to fit into this area.

Atty. Prunier said the proposed use meets the spirit and intent of the ordinance, it is not adversely impacting any other use nearby.

Mr. Duffy asked what the hours of operation will be.

Atty. Prunier said they will be 10:00 am - 7:00 pm, Monday through Saturday, and from 12:00 - 5:00 pm on Sunday.

Mr. Currier asked about the sign out on the front lawn.

Lyn Nelson, 12 Baymeadow Drive, Nashua, NH. Ms. Nelson said they rented a temporary sign from a sign company, it will be taken away very soon.

Mr. Falk said brand new businesses are allowed a temporary grand opening sign, and a sign permit is not required.

Ms. Nelson said it's been out there for about eight weeks, but they were not able to take it because there's been so much snow and ice.

Ms. Nelson said financially to survive, it is critical for her to combine the existing store on DW Highway with the one that is already in the building.

Mr. Currier said if a use variance were to be granted, it is granted in perpetuity, and the economy goes in cycles. He thought this is like a zoning change, and bit by bit, this area is going away from park industrial. He said it is like a self-created hardship, as loading docks can be installed/removed easily, wireless internet can be easily installed as well.

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Atty. Prunier stated that older buildings are more difficult to lease, realtors have problems with getting tenants into them. He said it is a small building, and the landlord doesn't really want small tenants, but this is an infill. Maaco has half, and another use had half of the building. The building has a unique nature, as some of the newer buildings that are larger have just one tenant.

Mr. Currier said that his sense is that this particular retail use is more of a low-impact use, however, if it moves out, then any retail use could go in there.

Atty. Prunier said the use variances are to a unique use.

Mr. Falk said it depends on the nature of the one that is approved/existing, and the one that is proposed. Staff would have to compare what the old and new uses are, they would have to be substantially similar in order for them to move in there, or else they'd have to come before the Board.

Mr. Duffy asked how many cars per day are going to the new use.

Ms. Nelson said there are about ten to fifteen customers per day. She said that parking is not an issue, there are numerous spaces. She said most of the customers are coming first thing in the morning, or lunchtime, after school hours, it is slow. She said Saturdays are busy, Sundays are pretty quiet.

Ms. Vitale asked about how many customers come per day at the existing store.

Ms. Nelson said about twelve to fifteen a day, mostly in August, because they are teachers.

Mr. Reppucci asked if the Board were to limit the hours of operation, how that would affect the business.

Ms. Nelson said it wouldn't necessarily affect her, but said she stays open to accommodate people coming in who works until 6:00 pm.

Atty. Prunier said they could have said they'd meet the 75%/25% rule, but they wanted to come in and explain exactly what they do, instead of having problems later.

Mr. Currier asked if it would be clear that if this were to be approved, it would solely be for a retail teachers supply store.

Atty. Prunier said that would be fine, just a teachers supply store, not to sell anything else.

SPEAKING IN FAVOR:

No One.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No One.

Mr. Reppucci said the applicant's circumstances are unique, she is trying to consolidate, and there is a uniqueness in this applicant, that is positive. He said on the other hand, he sees a downside in allowing retail space in the PI zone, because the very thing that's making her want to do this, is what is going to make everyone else want to as well, because the cost per square foot is a lot less in this zone.

Ms. Vitale said if they had a 75%/25% split, this is a 60%/40% split, it is not that much different, and they've testified that it will only be a retail teachers supply store here, plus, it's an older building.

Mr. Currier said that he feels that the testimony is credible that the teachers supply store will not be that intense, but feels that he would be stretching the use variance to try to help out a local owner. He said the use variance may be going too far, and felt that the building could be retrofitted. He said that he feels that the hardship is self-created, and the square footage is lower here.

Mr. Duffy said he is somewhat supportive, he said he knows what they have in their existing store, it is not a retail store in the sense that they have a huge volume of traffic and visibility and signage. He said this use is narrower, and is a minor use of the property, and it would retain the resource of the PI zone. He said it is not a major retail use, with a lot of square footage.

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Mr. Reppucci said he is not enthusiastic about it, but is inclined to approve it, and said he feels good about the use going in, but if it moves out, to have language that only a very similar use can go in there.

MOTION by Ms. Vitale to grant the use variance on behalf of the applicant. Ms. Vitale stated that the zoning restriction as applied interferes with a landowners reasonable use of the property, considering the unique setting of the property in its environment, and no fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restriction on the property, and the variance would not injure the public or private rights of others.

Ms. Vitale stated that the use is within the spirit and intent of the ordinance to allow this use variance in this case, it will not adversely affect the property values of surrounding parcels, there was no testimony that says otherwise, it is not contrary to the public interest, it may help the public interest in helping to keeping the business within the City, and it supplies a service to the community, and substantial justice is served.

Ms. Vitale stated that the special conditions are that this is a business that is a retail teachers supply store, and that anything that might go in there afterwards would also have to be a retail teachers supply store.

Mr. Currier said that if its other than a retail teachers supply store, as testimony by Counsel for the owner, it would require a use variance.

Mr. Duffy suggested that since it's a minor use, therefore, it is a reasonable use.

SECONDED by Mr. Reppucci.

Mr. Currier said he's uncomfortable with the idea, he suggested clarifying the 60% display and 40% warehouse to help ensure that it doesn't drift.

AMENDED MOTION by Ms. Vitale said she will add to the motion another special condition that there will be 60% display and 40% warehouse.

SECONDED by Mr. Duffy. He said that the building will still retain the park industrial character and resource.

MOTION CARRIED 3-1 (Mr. Currier).

OTHER BUSINESS:

REHEARING REQUESTS:

1. Bonnette & Picard LLC (Owner) 502 West Hollis Street (Sheet E Lot 83) requesting the following: 1) use variance to allow a 4,200 square foot office professional use in the existing, unoccupied residential building formerly used over 4 years ago as a radio studio/office (former WSMN building); 2) use variance to allow 3 (three) three-story multi-family buildings, 36-units per building (total of 108 multifamily units); 3 stories of living and one story of ground level parking; 3) variance to exceed maximum building stories, 2.5 stories permitted, 3 stories requested; 4) variance to exceed maximum building height, 35 feet permitted, 47 feet requested; 5) variance to exceed maximum density, 4 dwelling units permitted per acre, 9.62 dwelling units requested (a total of 116 residential dwelling units and a total of 4,200 square feet of professional office space on approximately 12.05 acres); and 6) variance to exceed maximum number of principal structures permitted on a R9 residentially zoned lot, 1 principal structure permitted, 12 principal structures requested (1 office building, 3 multi-family buildings and 8 single-family homes). R9 Zone, Ward 5.

Mr. Currier suggested going through the rehearing request as provided to the Board, by going through each point.

Mr. Duffy asked if the Board could go through points 1 and 3 of the points of law for a rehearing request first. He stated that he didn't see any procedural errors.

Mr. Currier agreed, and didn't recall reading anything in the rehearing request letter relative to a procedural error, and asked the Board members if they believed there was any procedural error.

Mr. Reppucci said no.

Mr. Duffy said no.

Ms. Vitale said no.

Mr. Currier said no.

Mr. Duffy said for point number 3, does it contain any new information not presented or available to the Board at it's original public hearing. He said in general, in his opinion, he didn't notice anything dramatically different that wasn't discussed at the public hearing or public meeting.

Mr. Currier said on page 5, near the bottom, he read a sentence that stated that the Board allowed the construction of multi-family dwellings of similar type at Ledgewood Hills. He said he thought this sentence meant that those units were built under a variance, and didn't know if they were or not, but thought that was new information.

Mr. Reppucci didn't remember that being discussed in that form.

Mr. Duffy said that some of the abutters said that when they built Ledgewood Hills, they named it after the ledge in that area.

Mr. Reppucci said it seems inconsequential to him anyways, whether or not it was mentioned is that it is irrelevant for a rehearing.

Mr. Currier said that sentence could be interpreted that this Board didn't consider the fact that Ledgewood Hills, but that wasn't brought up by the applicant. He said even if it were brought up, the fact that Ledgewood Hills was built under a variance, or some variances, whatever they were, at this point, to rehear this case because of that issue, wouldn't cause him to think that this is a substantial change. He thought that question 3, does this request contain any new information, the answer would be no.

Mr. Reppucci said that the invoices provided, when the staking was done from Cuoco & Cormier, were submitted, but not for other work.

Mr. Currier said for the staking cost, which may be new, asked if this request contains any new information that is relevant, he said no.

Mr. Duffy said no.

Mr. Reppucci said no.

Mr. Currier said for roman numeral #1 of the rehearing letter, he said there's no geotechnical data provided for the balance of the neighborhood, this argument says theres so much ledge for this particular site, that it can't be built. He said the one element that is still unanswered, is that if you compare the topography now, with the topography of the original, essentially if you look at the initial borings, you go down about ten to twelve feet and you hit bedrock, and along that hill in the back it's been so graded out, that they are down to bedrock, and now they have to punch through it for basements, and they're saying it's unreasonable to do so, and said he didn't think it's any different here than elsewhere in the area. He said he didn't think the ledge here is any more substantial here, and is not unique. He said the forty single-family homes are the applicant's original design, they wanted to cluster them and put them up on the hill, they could have gone with a more conventional design.

Mr. Reppucci said the approval is up to forty houses, it isn't so that they automatically are going to construct that many. He said that many items in the rehearing letter are taken out of context, the sentence may be specifically accurate if you just read the sentence, but in context it is not. He said the Sanborn report was done five years before they purchased the property. He said that there was no evidence presented that identified the reasons for the bankruptcy. He said he didn't see any evidence that site costs drove them into bankruptcy. He said there's an implication throughout the letter that the burden falls upon this Board to challenge what the applicant presents as fact, when, it should be that the applicant must prove to the Board that what they submit is factual. He stated that he also didn't see any evidence that indicated that the project was economically impossible.

Mr. Currier said a couple, or few years ago, economic considerations were not supposed to be part of any Zoning Board consideration, but in more recent case law, you can think about

it a little bit, and this applicant puts it on the table that this case is an economic situation, and therefore, need a variance. He said that, however, the applicant didn't provide the Board with any of that information, such as what they paid for the property. He said that the only economics the Board has is \$750,000 in excavating costs, and four or six houses that can't be built, and approximately 34 homes can be built, which would be graded as a B or B-, and not an economic un-viability that would necessitate rezoning the property, and what we have is not substantial enough.

Mr. Reppucci said nothing was presented to the Board that indicates that these expenses were incurred, or, if they were paid by the applicant, there is nothing to substantiate it, and expected to see these costs in the rehearing request letter, like a business plan or ledger.

Mr. Duffy said in Section one, page two, he mentioned that the Board did have a supportable finding, the ledge was talked about a lot, but didn't feel it was any different from any other parts of the property on this neighborhood, and we used the Simplex standard in our discussion and testimony and questions. He said the expectation of people buying property over the past five, ten or twenty years is that they've known what the character of the neighborhood is. He said he believed the Board had a lawful conclusion in that where they found most of the ledge, was in the back corner of the property, and some in the front, but they may have lost the use of about six homes, but they still would have reasonable use of the property, so the fact that there's ledge, or economically expensive, but there is a reasonable use here, and does pass the Simplex test.

Mr. Duffy said he believes it passes the Boccia test, in that the Board did listen and understand the portion of the property that was affected, and the Board looked at surrounding parcels in the R9 zone, and the neighborhoods, which are long-established ones.

Mr. Duffy said the test of Harrington vs. Warren, he said he wasn't swayed by that reference, because the Board thought this request was self-created, and said that because the site costs drove the applicant into a debtor-in-possession, are not Boccia or Simplex standards. The Board stated that they had other reasonable uses.

Mr. Duffy said the Board did reach our own conclusions based upon all the different testimony, the uses that the applicant was requesting are nonconforming to the area.

Mr. Currier asked if any of the Board members had any comments about number two.

Mr. Reppucci said he analyzed the letter itself, with respect to the letter of the law. He said for item 3, the cost of excavation and grading to date have exceeded a million dollars. He said there is zero evidence to that beyond the attorney for the applicant stating that, Mr. Picard stating that it was a million and a half dollars, which is a pretty significant difference, and zero evidence beyond the \$10,000 staking bills of any expense.

Ms. Vitale said for point number 4, she said she didn't see any evidence that the cost of excavation and grading was the thing that pushed them into financial distress.

Mr. Currier said the applicant has an expensive development, but it is not unique to this property. He stated that in Roman numeral 2, there is mention about developing 40 single-family homes, and this is the applicant's design, it was their wish for the houses and road situated as such. He thought it was a stretch for the Board to approve it. Also, the attorney never rebuffed the fact that you can build houses on slabs. He said the workout situation from Bedford Lending, they cater to workforce housing, so, if someone else was financing this, they may want a different rezoning. He said he found point 1 and point 2 not persuasive.

Mr. Reppucci stated that he remembered that Atty. Edwards said it was not possible, in the December hearing, to build on slabs. He said he believes that it is possible to build on slabs.

Mr. Reppucci said the last paragraph of section 2, it seems to be the applicant's perspective that it's the burden of the Board, or the people opposed to the application to evidence things to us, rather than the applicant. He said it should be the burden of the applicant to prove hardship, not the other way around. He said that basic logic should indicate that houses can be built on slabs here.

Mr. Duffy said that the Board came to the conclusion that there are reasonable uses for this property, not the use variances and several area variances applied for.

Mr. Currier asked about number 3.

Mr. Currier stated that he couldn't disagree more with this statement. In the second paragraph, about the spirit and intent of the ordinance is to ensure safe, environmentally sound, economically advantageous development of real estate, he said he didn't believe that by putting in such high density on this parcel, more than it has an established right to in the R9 zone, it is not environmentally sound, it is not safe development, especially with traffic, and this is not reasonable development, and it undermines the spirit and intent of the ordinance.

Mr. Reppucci said when he read number 3, it was an inaccurate summary of what the Board came up with. He said the Resolution passed by the Aldermen was to re-affirm that this parcel is zoned R9, and we should not be changing that.

Mr. Currier agreed, and there is no compelling reason to even think of changing that, and said even with or without that Resolution, there was not enough testimony to sway him to vote for this request.

Mr. Duffy said he believed the Board used the legal standards of Harrington, Boccia and Simplex.

Mr. Currier asked about point number 4.

Mr. Reppucci said they made five points in the letter that state the Board never considered. He said that the \$150,000 in traffic improvements was considered and discussed. He said the Board considered Mr. Houston's correspondence, and we referenced the easement with the church, of how it's not in place. He said that the Board discussed what could happen to the site should this case not be approved, and the Board considered the workforce housing issue.

Mr. Currier said the Board did discuss the green space issue, however, it would be steep, vegetated, and there would be a steep wall that would stabilize the land, and didn't think it would be very valuable.

Ms. Vitale said the reason for the approved cluster was the added green space.

Mr. Duffy said that the Board did ask for the easement with the church, and it was never provided.

Mr. Currier said the Board did consider the real estate appraiser reports, and there was a substantial amount of abutters that disagreed with it, he said he was more persuaded by the abutters testimony.

Mr. Duffy said we can either agree or disagree with appraisers reports, in using all of our experience about reviewing sites and considering cases. He said the Board heard a lot of testimony that there are numerous other sites throughout the City for workforce housing.

Mr. Currier asked about point number 5.

Mr. Currier said for point 5, page 7, the sentence about perhaps recognizing the weakness in the analysis, the Board held that financial hardship has not met the criteria set forth in hardship under Boccia. He said that is an accusation that we recognized the weakness in our analysis, there was little substantial evidence of what these costs were, business-plan wise, we didn't have any idea what these costs were, it was just a claim, a soft claim, about financial hardship that the R9 zone presents, and didn't agree with this sentence.

Mr. Reppucci agreed completely.

Mr. Duffy agreed, and it was in the discussion and motion, that financial hardship is one of the criteria, it is an important one, but the area variance testimony that the Board heard from the abutters that multi-family units of this size, height and width is more nonconforming in this area, and all the other variances, all of this information was weighed, and the Board was as clear and thorough as possible.

Mr. Currier asked the Board if it was an illegal decision, in other words, did the Board fail to completely address each of the points of law required for the variances.

Mr. Reppucci said no.

Mr. Duffy said no, the Board did their due diligence and addressed completely all the concerns.

Ms. Vitale agreed, we went out of our way to look at all the testimony from all sides.

Mr. Currier said no, it was a legal decision and the Board very thoroughly addressed the points of law.

Mr. Currier asked if there's anything that could/would cause the Board to make a different decision.

Ms. Vitale said no.

Mr. Duffy said he didn't believe so.

Mr. Reppucci agreed, nothing that would cause a different decision.

Mr. Currier said no.

Mr. Currier said by answering these questions, the Board is not granting the rehearing request. He asked if the Board should prepare a detailed formal denial letter, or just a basic denial letter, and let the audio discussion and minutes and record speak for itself.

Mr. Reppucci stated we should just answer the questions, and if they look further, they'll see the detailed, thorough record should speak for itself.

MOTION by Mr. Duffy to deny the rehearing request on behalf of the applicant. Mr. Duffy said for number 1, there was no procedural error, including any improper notice or denying someone the right to be heard, and number 3, the rehearing request did not contain any new information not presented or available to the Board at it's public hearing, and the rehearing request was very respectfully and carefully crafted, but believes the Board reached a different conclusion that the applicant was hoping for, so, therefore, number 2, there was no illegal decision, and this Board did not fail to completely address the points of law required for a use variance, and their letter, sections 1, 2, 3, 4 and 5, this Board has discussed this evening all the points, and this Board did listen and tried to make a decision based upon the information and facts of law that

were presented in testimony by both the applicant and the abutters, and that in its discussion and questioning as well as discourse during that meeting that there was a valid and valuable weighing of the positions brought before this Board, so the discussions were heard and weighed using the applicants definition of the rehearing request, and felt in number 4 that there was nothing that would cause the Board to make a different decision, as we've discussed tonight, there didn't seem to be a glimmer of anything that would have caused a majority of the Board members, or even one member, to possibly change the outcome, there were a lot of detailed discussion and arguments, but believed this Board would have come to the same conclusion, and the length and duration of our testimony was in keeping with the spirit and intent of our mission.

SECONDED by Mr. Reppucci.

MOTION CARRIED UNANIMOUSLY 4-0.

REGIONAL IMPACT:

The Board did not see any items of Regional Impact on the next agenda.

MINUTES:

March 10, 2009:

MOTION by Mr. Duffy to approve the minutes, waive the reading, and place the minutes, as presented, in the file.

SECONDED by Mr. Reppucci.

MOTION CARRIED UNANIMOUSLY 4-0.

ADJOURNMENT:

Mr. Currier called the meeting closed at 8:51 p.m.

Robert Shaw (Sean Duffy acting for the evening)
Clerk

CF

Taped Hearing