

**TOWN OF NEW HARTFORD REGULAR PLANNING BOARD MEETING
MINUTES OF MONDAY, DECEMBER 14, 2009 NEW HARTFORD PUBLIC
LIBRARY, #2 LIBRARY LANE NEW HARTFORD, NEW YORK**

The Regular Meeting was called to order by Chairman Jerome Donovan at 5:30 P.M. at which time the Pledge of Allegiance was recited. Board Members present were Bob Wood, Julius Fuks, Ellen Rayhill, Peggy Rotton, Brymer Humphreys, and Elisabetta DeGironimo. Also in attendance was Town Planner Kurt L. Schwenzfeier, AICP; Town Engineer John Meagher; Codes Officer Joseph Booth. Highway Superintendent Rick Sherman, Councilman David Reynolds, Police Chief Raymond Philo, and Secretary Dory Shaw.

Board Members received a copy of the draft minutes of the regular meeting held on November 9, 2009. Corrections: Page 4 to note the closing of SEQR for Upstate Cellular with a negative declaration; correction of typo on Page 6. Motion was made by Board Member Peggy Rotton to approve these minutes as revised; seconded by Board Member Brymer Humphreys. All in favor.

Chairman Update: Chairman Donovan updated the Board Members regarding the Farm Land Protection Grant application to the Town Board and status – this could possibly happen by the end of the year. This would mean a \$25,000 grant to the Town to provide the Town the resources to further study preservation of farm land.

Chairman Donovan attended a half-day Waste Water Management Seminar – there are a series of handouts to familiarize us with some of the issues involved. He is advising the Board of this for information purposes.

Sitrin Health Care – application for a replacement of main campus sign and three (3) direction signs. Tax Map #340.000-2-21.2; Zoning: Planned Development Institutional. Mr. Richard Wilson, CEO, appeared before the Board.

Chairman Donovan stated that directional signs don't normally require a permit but this project is located in a PDI zone – any changes to a Final Approval would require Planning Board review and approval. This is an Amendment to Final under Section 118-9 of Town Code and their Final approval of November 9, 2009.

Mr. Wilson addressed the Board and asked for a clarification of the Amendment to Final for this application. Mr. Wilson questioned requirements – he feels all he needs is a

Building Permit. He believes 7 of the 9 signs don't fall under Site Plan Review. Chairman Donovan recommended he talk to the Town Board regarding requirements in this zone. Further, Chairman Donovan asked Mr. Wilson if he would like a clarification from the Town Attorney – Mr. Wilson said yes. Chairman Donovan also asked Mr. Wilson if he wanted to withdraw his application – Mr. Wilson said no, but he wants a clarification to put these directional signs up – some are replacement of existing signs and others are new to the campus based on the long term care facility. Replacements are signs 1 thru 7; signs 8 and 9 are on the parcel built upon.

Codes Officer Booth referred to placement of signs. The Highway Superintendent and Town Engineer want verification that the signs will not be in the public right-of-way before placement.

At this time, motion was made by Board Member Peggy Rotton to approve the signage request as an Amendment to Final of 11/9/09 with the condition that the Highway Superintendent and Town Engineer be consulted by the applicant prior to the placement of signs; Building Permit obtained within one (1) year of approval date; seconded by Board Member Bob Wood. Vote taken:

Chairman Jerome Donovan – yes	Board Member Bob Wood – yes
Board Member Julius Fuks – yes	Board Member Peggy Rotton – yes
Board Member Ellen Rayhill – yes	Board Member Lis DeGironimo – yes
Board member Brymer Humphreys – yes	

Motion **approved** by a vote of 7 – 0.

Recommendation to the Town Board for a **Zone Map Amendment** of 4.883 acres at **#2 Ellinwood Court from PDMU to RB1**. Tax Map #316.020-1-6; 316.020-1-8; 316.020-1-7. Attorney Richard Compson appeared before the Board.

Attorney Compson said his clients are buying the M & T bank building that has been vacant for a long time and want to place private medical offices at this site. He presented a map of the parcel. Parcels 316.020-1-6 and 316.020-1-7 are already zoned RB1. This is for the main bank building at Ellinwood Court and the out building.

Town Planner Schwenzfeier state he talked with the Town Clerk regarding this rezoning.

Chairman Donovan had the Board members refer to zoning requirements of PDMU and RB1 as medical offices are not permitted in the PDMU zone – they are permitted in an

RB1 zone. He feels this is not an inconsistent use and he would like to see an existing building put back in use.

Board Member Fuks referred to Page 6, Item #13 on the EAF form. He felt it should be marked no for subsurface disposal. This is so noted as it was a clerical error.

Town Planner Schwenzfeier prepared a Resolution to be adopted by the Planning Board Members:

Whereas, the Town Board for the Town of New Hartford has declared itself “Lead Agent” under SEQRA and has adopted a Resolution that referred 2 Ellinwood Court Zone Map Amendment Application to the Town Planning Board of the Town of New Hartford for review and written recommendation in accordance with General Municipal Law and the Town of New Hartford Zoning Law; and

Whereas, the Planning Board has reviewed the Zone Map Amendment Application for 2 Ellinwood Court to rezone the property from Planned Development Mixed Use (PDMU) to Retail Business 1 (RB1); and

Whereas, this Zone Map Amendment is consistent with the Town of New Hartford’s 2007 Comprehensive Plan Update 3.8 Economy Policy 3- Commercial development should take place in areas whose character will comfortably accommodated it; 4.4 Land Use Policy 8 –reuse of vacant and under-utilized parcels and buildings should be a priority for new development proposals; 7.4 Infrastructure & Utilities Policy 3 – development should be permitted only where adequate roadways, utilities, and/or public service infrastructure are available;

Therefore be it resolved that, the Town Planning Board for the Town of New Hartford does recommend that the Town Board adopt this Zone Map Amendment for 2 Ellinwood from to rezone the property of Tax Map #316.020-1-8 (2.9 ± acres) from Planned Development Mixed Use (PDMU) to Retail Business 1 (RB1).

Motion was made by Board Member Bob Wood to accept the captioned Resolution as presented; seconded by Board Member Lis DeGironimo. Vote taken:

Chairman Jerome Donovan – yes
Board Member Julius Fuks – yes

Board Member Bob Wood – yes
Board Member Peggy Rotton – yes

Board Member Ellen Rayhill – yes
Board member Brymer Humphreys – yes

Board Member Lis DeGironimo – yes

Motion **approved** by a vote of 7 – 0.

Secretary Dory Shaw will notify the Town Board of this action.

Zone Map/Text Amendment: Recommendation to the **Town Board for Zone Map and Text Amendments** for 13.524 acres owned adjacent to the New Hartford Business Park by Ryan Companies US., Inc. from PDMU to PDP.

Chairman Donovan mentioned that this Board initiated Code language change to this effect and sent the Code language change recommendation to the Town Board. Under State Law, the Town Board is required, after their review and declaring themselves Lead Agency, to send it back to the Planning Board for review and recommendation.

Chairman Donovan referred to the only change in the document and the clarification of a sentence that any outstanding approvals that were granted by the Staff Review Panel be transferred to the Planning Board. This is basically a legal formality.

Town Planner Schwenzfeier prepared a Resolution to be adopted by the Planning Board Members:

Whereas, the Town Board for the Town of New Hartford has declared itself “Lead Agent” under SEQRA and has adopted a Resolution that referred a Zone Map Amendment (Local Law Introductory “H” of 2009) and Zone Text Amendment (Local Law Introductory “I” or 2009) to the Town Planning Board of the Town of New Hartford for review and written recommendation in accordance with General Municipal Law and the Town of New Hartford Zoning Law; and

Whereas, the Planning Board has reviewed the Zone Map Amendment Application (Local Law Introductory “H” of 2009) for Tax Map No. 316.000-2-41.1 to rezone the property from Planned Development Mixed Use (PDMU) to Planned Development Park (PDP); and

Whereas, the effective, efficient and timely review of Business Park projects are dependent on a streamlined review process with one regulatory body responsible for site plan review from start to finish; and

Whereas, in light of the findings and recommendations of the Counsel's Office of the NYS Department of State (DOS), as contained in a letter, dated July 17, 2009, address to Chairman Donovan, and the recommendation of the Board's Business Park Sub-committee, the Planning Board requests the town board enact zone map and text amendments to the Business Park District, Town Code, Section 118-41, designed to streamline the site plan review and approval process, better define zone boundaries and update permitted uses;

Whereas, this Zone Map Amendment (Local Law Introductory "H" of 2009) and Zone Text Amendment (Local Law Introductory "I" or 2009) are consistent with the Town of New Hartford's 2007 Comprehensive Plan Update 3.8 Economy Policy 3- Commercial development should take place in areas whose character will comfortably accommodated it; 3.8 Economy Policy 4 – The Town should participate in and support efforts to attract and retain high quality jobs in New Hartford; 3.8 Economy Policy 11 – Commercial design standards should be instituted to encourage a high quality built environments; 4.4 Land Use Policy 3 – Zoning changes should be consistent with the Town's Plan and minimize potential land use conflicts; 4.4 Land Use Policy 4 – The Town should adopt appropriate land use regulations and design standards to enhance the visual character of the Town; 4.4 Land Use Policy 8 –reuse of vacant and under-utilized parcels and buildings should be a priority for new development proposals; 7.4 Infrastructure & Utilities Policy 3 – development should be permitted only where adequate roadways, utilities, and/or public service infrastructure are available; and

Therefore be it resolved that, the Town Planning Board for the Town of New Hartford does recommend that the Town Board adopt this Zone Map Amendment (Local Law Introductory "H" of 2009) for Tax Map No. 316.000-2-41.1 from Planned Development Mixed Use (PDMU) to Planned Development Park (PDP); and

Further be it resolved that, the Town Planning Board for the Town of New Hartford does recommend that the Town Board adopt this Zone Text Amendment (Local Law Introductory "I" or 2009) to delete and repeal in its entirety Section 118-39, Planned Development Park (PDP) District standards, and replace Section 118-39 with new standards, and by further deleting and repealing in its entirety Article VIIA, Section 118-41, Business Park District.

Motion was made by Board Member Peggy Rotton to accept the captioned Resolution as presented; seconded by Board Member Bob Wood. Vote taken:

Chairman Jerome Donovan – yes	Board Member Bob Wood – yes
Board Member Julius Fuks – yes	Board Member Peggy Rotton – yes
Board Member Ellen Rayhill – yes	Board Member Lis DeGironimo – yes
Board member Brymer Humphreys – yes	

Motion **approved** by a vote of 7 – 0.

Secretary Dory Shaw will notify the Town Board of this action.

Faxton-St. Luke's Hospital, 1705 Burrstone Road, New Hartford (former Bushinger Flowers building). Amendment to Final Approval. Change from administration offices to classroom/faculty office. Tax Map #317.000-2-1.1; Lot Size: 1.25 Acres; Zoning: Planned Highway Business. Mr. John Gaetano, Director of Facilities, appeared before the Board.

Town Planner Schwenzfeier stated that this is an amendment to approval granted on April 4, 2009 of their Site Plan dated February 11, 1009 with the removal of the sign in the right-of-way and a Building Permit be obtained within one (1) year of approval date. He also referred to the proposed Pre-development Agreement and Memorandum of Understanding for this project. He also stated that there was some concern/discussion on pedestrian safety and also location of an existing hedge in the front of the parcel. The plan was referred to the Police Department and State DOT. Responses have been received and are a part of the file. There are some outstanding issues. Further, discussion ensued regarding this being a school-type facility

Mr. Gaetano presented a plan for the Board's review. He referred to parking spaces and locations. He stated that the students are adults and could possibly park at St. Luke's if needed. He believes the front hedge has been addressed with the owner to reduce it.

Codes Officer Booth addressed parking and Code requirements. The Code doesn't clearly define parking with an application like this. They are offering some off-site parking to facilitate operations. In reference to schools, there isn't an explicit definition for adult vs. elementary. To hold them to the standard of school parking wouldn't be applicable. They are adult students who drive.

Town Engineer John Meagher made a site visit per the Chairman's request. There is some new crushed stone in the drive and parking area. The sanitary sewer manhole was covered and it hasn't been corrected. Mr. Gaetano said he will look into this and raise the manhole. Mr. Gaetano said they will put binder down later.

Mr. Pavia, Real Estate Broker, addressed the Board and said next year they will pave some of the area, before it was going to be gravel with the previous use request, but now it will be binder. Chairman Donovan felt this should be placed on the Pre-development Agreement.

Chairman Donovan stated that the crushed stone was placed up against a building in the rear and this has to be corrected because it is a violation of the Code. Codes Officer Booth said it is a clear building code violation. It has to be away from the building – the building is acting as a retainer wall. This is against Code.

Town Engineer referred to the hedge and stated it is in the right-of-way and it would help to trim it. Mr. Pavia said in the previous approvals the Planning Board wanted the sign to be removed. Once they remove the sign, there won't be a problem – they will go along with whatever this Board recommends.

Staff will work with the applicant in order to address visibility. NYSDOT needs approval if anything changes – to remove the hedge or change it.

Motion was made by Board Member Peggy Rotton to grant Amendment to Final authorizing the use as a classroom facility based on map dated 4/6/09 signed by Chairman Jerome Donovan and Secretary Dory Shaw, which shows the same parking scheme. Also, with conditions that the applicant correct, before receiving a Certificate of Occupancy, the issue of the driveway area abutting the building in the rear; the site visibility of the shrub in front of building; the manhole cover to be raised; impervious surface addressed with the Pre-development Agreement; Building Permit within one (1) year of approval date; and work with the Town Planner and Town Engineer to facilitate this application; seconded by Board Member Brymer Humphreys. Vote taken:

Chairman Jerome Donovan – yes
Board Member Julius Fuks – yes
Board Member Ellen Rayhill – yes
Board Member Brymer Humphreys – yes

Board Member Bob Wood – yes
Board Member Peggy Rotton – yes
Board Member Lis DeGironimo – yes

Motion **approved** by a vote of 7 – 0.

Jewel Ridge Development, Higby Road, Phase II. Major 11-lot Subdivision. Tax Map #340.000-2-1.1; Lot Size: 8.144 acres; Zoning: Low Density Residential. Mr. Gregg Grates, developer, and Mr. Donald D. Ehre, P.E., appeared before the Board.

Town Planner Schwenzfeier stated this is an Unlisted Action and this Board declared Lead Agency on this project in June of 2007 and was sent out for SEQR without granting any form of approval.

Chairman Donovan addressed this application and gave the new Board Members a history of this project. He explained the NYSDEC Consent Order and how it affected this application. The applicant wasn't sure they were going to get authorization to hook into sanitary sewers. The applicant is asking to review the plans and comments from the Involved Agencies and grant Conceptual/Preliminary Approval to be in a position to schedule a Public Hearing for Phase II.

Chairman Donovan asked if there was chance to have the plot maps/sub-category dates in conformity. Ehre said he looked at the revision block – all drawings are dated 2/18/09. Mr. Ehre explained Phase I had a cul-de-sac and he gave us a separate copy – sheet 1 of the plan shows what would be the revised and removed the cul-de-sac and created Lot 8. Lots 1 – 7 remain the same. Also, the location of the storm water was part of Phase I and has been relocated to within the area noted to be provided to the Town for storm water at the end of the property. Sheet 2 shows the plot of the property to be subdivided for lots 9 through 19 – this is the actual Phase II area. Essentially, the cul-de-sac in Phase I has been moved to Phase II. Some of the members may recall there was discussion of whether or not a pathway over to the school was a good idea. There is a remaining easement going there, but the ultimate decision was not to proceed with that idea. Sheet 5 of the plan shows the utility lines...storm drainage system, water system, sanitary sewer system. The water line connects to Phase I water line and loops – the school gets some hydrants and better flows. Storm water feature replacing Phase I behind Lot 13 is also shown. Storm water information features were handled by the construction of the embankment of the stream as part of Phase I.

Chairman Donovan said we are waiting for a final response from the NYSDEC. All other agencies have responded. This is in an MS4 district. When can you start the process for the Town review of the storm water pollution control plan – the Town Planner said this would start now; we have to certify that plan. The NYSDEC wants to know if the sewer is defined according to standards and whether the developer will take it over. Hopefully, a response will be received prior to the Public hearing or Final Approval.

Chairman Donovan asked if there were any changes in the plans since January of 2007 that were not reflected on the application sent out under SEQR – Mr. Ehre said no. Mr. Ehre said the decision is to be made about offsetting credits for sewer and the Town to establish their schedule. Town Engineer Meagher said we have just looked at this quickly, but he would like to see some calculations for new storm water basin 1 and there are a couple of mistakes on the plan for existing drainage. He talked to Don Ehre's office about making corrections. The big question is Lot 8 detention based within an easement which is part of Lot 8, we normally don't do this. But everything else seems to be okay.

Codes Officer Booth said that with regard to the lot with the retention basin, he would like the frontage numerically shown at the setback line.

Highway Superintendent Rick Sherman referred to the first house on the left, a homeowner lives there and it is not a dedicated Town road and they can't salt or plow it. This needs to be addressed. The school bus tries to back into the driveway at this site and there is nothing he can do because it is not on a Town road. He said the Town Board did pass a Resolution to allow two (2) houses with the understanding road needs to be dedicated.

At this time, Board Member Lis DeGironimo asked if either of the phases of this development is included in a storm water district – it was stated that a drainage district is created with the subdivision after Final Approval. Does Phase I have a drainage district? The Town Planner said it is not done yet because it is not a dedicated road. Town Engineer Meagher said a district will be created.

Board Member DeGironimo felt this needs to be addressed because the Town has spent thousands of dollars to correct storm water issues. She is concerned about bedrock, slopes and design of the catch basins – this doesn't talk to volume of water. Depth of bedrock – do these houses have basements – answer: yes. Mr. Ehre said the three (3) houses at this point do have basements – where the houses are located is where they did their testing. Mr. Ehre said when they want to build the road, this is where the rock was harder, but they were able to get it out without blasting. This has cost the developer a lot of money, but he feels he can make the project work.

Chairman Donovan asked Mr. Ehre if volumes and flows, etc. will be addressed by NYSDEC at their review – Mr. Ehre said yes.

Board Member DeGironimo referred to catch basin design. The plan doesn't show a swale – she didn't see any details to catch water at the basins. Mr. Ehre said the profile design is to Town standard and any questions could be referred to the Highway Superintendent.

Board Member DeGironimo stated that she feels Town-wide this needs to be looked into – something where the water will collect because she doesn't feel it is sufficient. She is just concerned the Town is letting projects become approved where storm water fails. She stated it is a burden to the tax payer. This project is sloped. Taking the forested area at the top of a water shed area concerns her. She referred to the previously approved Jubilee subdivision.

Mr. Ehre said he designed Julibee Estates and if someone wants to discuss the background of this development, he would be willing to review it with them.

Chairman Donovan stated this is where the Storm Water Group should be making recommendations to the Town Board.

Board Member DeGironimo is just voicing her concerns about cumulative affects of developments throughout the Town. She stated that it is not this developer's fault but it is a cumulative affect over the years that has cause of concern to her.

Board Member Fuks asked, storm water retention plan and documents – were they developed with GP-0-08-001 and will he address everything with the NYSDEC – Mr. Ehre said yes.

The Highway Superintendent was asked if there is adequate space and room for maintaining those storm water features. The Town Planner will check with the Highway Superintendent on this.

Chairman Donovan stated if there are no other questions, he would ask for a motion to grant Conceptual/Preliminary Approval. Board Member Rayhill asked what the options are in terms of addressing Board Member DeGironimo's concerns. Chairman Donovan said it is within the purview of the Town Board and he doesn't mind initiating those concerns. We can only approve a project at the time it is before us – we can't base our decisions on prospective changes in Town Code.

Discussion ensued regarding addressing the Town Board with proposed changes regarding storm water, maintenance agreements, etc. Chairman Donovan isn't sure of the Planning Board's role – he would have to check with the Town Planner and Town Engineer and ask for direction on this. The creation of a storm water district is done by the Town Board.

Town Engineer Meagher said the storm water district will be created before they accept the roads or infrastructure is created. This comes after the approval of this Board because that is the procedure of the town. Chairman Donovan asked if there was anything

precluding requiring the creation of a storm water district as part of a Final Approval – Mr. Meagher does not know at this time.

Mr. Grates addressed the Board stating that Mr. Ehre’s calculations are in accordance with NYSDEC calculations and they paid additional funds to an independent engineer to review these and they concurred (Shumaker Engineering). They have done everything they could. Board Member Rotton said the builder has done a lot of work on this project and we need to move forward. Chairman Donovan again stated that we can move the process forward by granting Conceptual/Preliminary Approval and schedule a Public Hearing while still awaiting NYSDEC’s comments. The developer will have an opportunity to respond at that time. Pending NYSDEC’s comments, there might be an opportunity to amend to some degree the storm drainage plan.

Motion was made by Board Member Peggy Rotton to grant Conceptual and Preliminary Approvals to Jewel Ridge Phase II; seconded by Board Member Julius Fuks. Vote taken:

Chairman Jerome Donovan – yes	Board Member Bob Wood – yes
Board Member Julius Fuks – yes	Board Member Peggy Rotton – yes
Board Member Ellen Rayhill – yes	Board Member Lis DeGironimo – yes
Board member Brymer Humphreys – yes	

Motion **approved** by a vote of 7 – 0.

It was the consensus of the Board Members to schedule a Public Hearing on January 11, 2010 (any change to this date the Board Members will be advised accordingly).

Southern Area FGEIS: Notice of Completion; Resolution. Chairman Donovan stated that Board members have received the Final GEIS and incorporated changes. He wanted to acknowledge the work of Board Member Ellen Rayhill in reviewing this document and adding substantive comments. The final copy before us reflects those changes. Also, the revised November 2009 DGEIS shows those changes. Everyone has a complete document. We are being asked to approve a declaration of acceptance of the final GEIS.

At this time, town Planner Schwenzfeier read a proposed Resolution for the Planning Board’s review/acceptance:

WHEREAS, the Planning Board of the Town of new Hartford, acting as Lead Agency, determined that development in the Southern Area of the town could have a significant impact on the environment under the State Environmental quality Review Act

AND WHEREAS the Design Plan for the Southern Area provides recommendations to minimize such impacts

AND WHEREAS the Design Plan for the Southern Area is consistent with the 2007 Comprehensive Plan

AND WHEREAS a Draft and Final Environmental Impact Statement have been prepared to study these impacts

IT IS HEREBY RESOLVED that the New Hartford Planning Board accepts the Final Environmental Impact Statement as complete in accordance with the State quality Review Act, 6 NYCRR Part 617

AND BE IT FURTHER RESOLVED THAT the Planning Board will file a Notice of Completion with the ENB and all Involved Agencies to notify them of the completion of the EIS.

Chairman Donovan stated this is the second stage of the process. The objective of the plan is to preserve farm land in the Town of New Hartford. The Plan will be now sent to the Town Board for their review. This Board will receive what is known as a Statement of Findings. This certifies compliance with SEQR and actions taken by the Planning Board's numerous meetings, etc. The Statement of Findings finds solutions of impacts in the Final GEIS – it suggests ways of how to pay for those impacts. This has been a 30-month process. He mentioned the number of meetings/Public Hearings held. There have been ten (10) individuals associated with this Planning Board who have worked diligently on this project. The Statement of Findings will have to go to the Town Board and any of the recommendations contained in the final report before it becomes Local Law. The Planning Board will keep in mind the impacts identified in this study as we as a Board move forward. Also keeping in mind the recommendations are in accord with the Town's 2007 Comprehensive Plan Update.

Chairman Donovan is mentioning this for the record as this is another step in the process and hopefully brings this aspect to conclusion.

At this time, Board Members Brymer Humphreys and Bob Wood read their comments concerning this GEIS for the Board's review. These comments have been made a part of the file.

Motion to accept the Resolution as presented by the Town Planner for the Declaration of Acceptance referred to above was made by Board Member Bob Wood; seconded by Board Member Peggy Rotton. Vote taken:

Chairman Jerome Donovan – yes
Board Member Julius Fuks – yes
Board Member Ellen Rayhill – yes
Board member Brymer Humphreys – yes

Board Member Bob Wood – yes
Board Member Peggy Rotton – yes
Board Member Lis DeGironimo – yes

Motion **approved** by a vote of 7 – 0.

The Town Board will be notified of the Planning Board's adoption of Declaration of Acceptance.

The Town Planner mentioned that the Final GEIS, which includes the Planning Board's responses to Public Hearing testimony is on the Town's website and available for review.

Chairman Donovan asked for a motion to go into Executive Sessions for purposes of a personnel matter. At 7:20 P.M., motion was made by Board Member Peggy Rotton to go into Executive Session; seconded by Board Member Brymer Humphreys. Vote taken:

Chairman Jerome Donovan – yes
Board Member Julius Fuks – yes
Board Member Ellen Rayhill – yes
Board member Brymer Humphreys – yes

Board Member Bob Wood – yes
Board Member Peggy Rotton – yes
Board Member Lis DeGironimo – yes

Motion **approved** by a vote of 7 – 0.

At 7:50 P.M., motion was made by Board Member Ellen Rayhill to come out of Executive Session; seconded by Board Member Bob Wood. All in favor.

At approximately 7:50 P.M., the Regular Meeting resumed and Chairman Donovan indicated to Board Members that the Association of Towns is requesting their email addresses/home addresses for mailing purposes. All Board members consented to having that information available to the Association of Towns. Secretary Dory Shaw will advise the Town Clerk accordingly.

Chairman Donovan also noted that the Association of Towns annual meeting in New York City is being held February 14 – 17, 2010. He is unable to attend. Anyone interested in attending should contact Secretary Dory Shaw.

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There being no further business, the meeting adjourned at 8:00 P.M.

Respectfully submitted,

Dolores Shaw, Secretary
Planning Board

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