

TOWN OF GOSHEN
PLANNING BOARD
APPROVED MINUTES
PUBLIC HEARING
MOUNTAIN REACH
GUILDHALL SAND AND GRAVEL
JULY 29, 2008

MEMBERS PRESENT: Chairman Allen Howe, Vice Chairman John Wirkkala, Rich Moen, Jonathan Purick, Jim Carrick, Select Board Representative Melanie Bell (designated representative for Guildhall Hearing), and Sue Peacock, Secretary.

OTHERS PRESENT: Town Attorney Bernie Waugh, Attorney Timothy Britain, Attorney Richard Uchida, Shaun Carroll, Jr., Kathy Carroll, Mark Loehr - Mountain Reach Dev., David Eckman - Eckman Engineering, Building Inspector Jack Warburton, Goshen Fire Chief Rick Shepard, -and Peter Dzewaltowski - UVLSRPC.

CONTINUATION HEARING - MOUNTAIN REACH - MODIFICATION TO THE APPROVED PLAN. Selectman Jim Carrick served as the representative for this Hearing.

Mr. Howe said that he has been corresponding with Mr. Loehr and Mr. Dzewaltowski regarding the changes to the plan sheets, with a couple of missing pieces that are out there and not in hand as of yet. Mr. Howe stated that there is a letter from the Goshen Fire Chief accepting the plan, and from his understanding it will be available today. Mr. Howe has yet to see the letter from MRI (Municipal Resources, Inc.) reviewing the bond proposal. There are probably a number of other questions on the last set of plans that the Board members might have. Mr. Howe asked Mr. Loehr if Mr. Eckman is on his way to the hearing with a new set of plans. Mr. Loehr did confirm that Mr. Eckman was fact on his way with a new set of plans.

Mr. Loehr updated the Board stating that at the request of the Goshen Fire Department a hydrant has been added at Bldg D. A cistern refill pipe has also been added, the Brook Road intersection changes have been included on the phasing plan sheets. The open space has been revised for grading, and the easement has been revised due to the adjustment on the hammerhead location. Mr. Loehr stated per NHDES the grading has also been revised. Mr. Loehr stated they received correspondence from MRI regarding the bond amount which was \$1,157,455.00.

Mr. Loehr stated that he had met with the Goshen Fire Department last Thursday, July 24th, and Goshen Fire Chief Mr. Shepard stated he would have a letter for the Board dated today incorporating all that was discussed at that meeting. Mr. Loehr stated there were some tweaks to the condominium document that Attorney Uchida worked on with Attorney Waugh.

Mr. Howe suggested that Mr. Dzewaltowski go through some of the items on the plan sheets before Mr. Eckman arrives with the revised set.

Mr. Dzewaltowski stated that Andre Bouvier, a consultant with MRI, reviewed the bond estimates

which had been submitted by the applicant. Mr. Bouvier has corresponded through email indicating that the proposed bond of \$1,157,455.00 is adequate for the work that is proposed.

Mr. Dzewaltowski reviewed the elements of change from the earlier plans to what is proposed now. He noticed that the Brook Road intersection, and the modifications that are proposed to improve site distances in the entrance of Old Province Road were not in the phasing plan. Mr. Dzewaltowski said that they should be on the revised plans in the first phase. When the improvements are made to Old Province Road, improvements to Brook Road will be made at that time. Another concern is how the redesign will impact steep slopes. Impacts to 15 to 25 % slopes has been reduced from 7,000 square feet to 4,000 square feet. Mr. Dzewaltowski said that similar to the initial plan, the proposed road for the subdivision will impact slopes that are 25% or greater. Mr. Dzewaltowski said that in general about the impact, one of the things he would look at when seeing a reduction of the impact of the steep slopes, is what that actually might mean in terms of developing. Also, where those impacts are and are they concentrated into a particular sub water shed within the development.

Mr. Dzewaltowski looked at the thinning and limbing plan and noticed that the second sheet of the landscape plan was not in the packet. Mr. Loehr stated that is because there is no new landscaping on the existing house. He also believes that there has been a reduction to the visual impacts.

Mr. Howe asked Mr. Loehr what were buildings heights. Mr. Howe seemed to believe that the height was within the code, and there are drawings that depict the height of the building. Mr. Loehr confirmed that they were within the building ordinance code.

Mr. Eckman arrived and handed out the updated July 23 plans to Board members, and briefly went over what those modifications were:

Sheets L-6 & L-7 Revise open space for revised grading

Sheet B-2 Revise easement due to adjusted hammerhead location

Sheet CE-1 & CE-2 Label meets and bounds

Sheet C-5 & C-6 Edit per Goshen FD incl. Bldg D hydrant and cistern refill pipe and legend

C-7 Revise grading per NHDES

F-1 Add cistern refill pipe to detail

F-3 Revise detail from dry hydrant to cistern refill system

F-8 & F-9 Add hydrant to Bldg D per Goshen FD

Mr. Eckman stated that when he met with the Goshen Fire Department on July 23, there was also a modification that there be 3 feet shoveled around the hydrants. There also was another modification regarding Brook Road and the site distances, which are shown on another set of plans, which Mr. Eckman has not yet reprinted.

Mr. Howe asked if the Board members had any comments or questions regarding the modifications. Mr. Carrick asked about the changes to the hydrants and all the changes that are on the sheet handed out by Mr. Eckman. Mr. Carrick wondered how significant is that to any of the maintenance details and the future things that the association would be required to do. Mr. Eckman replied by stating he does not believe there will any significant change to what the

association would have to do. Mr. Eckman stated that we added one hydrant by Building D, and the reason why we had gotten rid of that before was the cistern was right in front of it. Mr. Eckman said that talking with the Goshen Fire Chief there would be hoses in the way. Mr. Eckman stated that the second major change is a refill line for the pond and a pump chamber. Mr. Carrick just wanted to make sure if we would need to put something in writing into the covenant or into any of the association rules that would further require maintenance. Mr. Shepard replied by stating that there is something in the letter stating that it is conditional based on the requirements of the Goshen Fire Department.

Mr. Dzewaltowski then asked if it is written somewhere stating that the association is responsible for maintaining fire protection infrastructure. Mr. Dzewaltowski also added that the Board might want to ask the applicant what kind of difference in cost these improvements would make, and would that affect the bonding estimate. Mr. Eckman stated that it has been updated when the bond estimate was done.

Mr. Wirkkala said that he chose to focus on the open space. He had discussed earlier trying to move the boundaries around a bit to increase the open space. Mr. Wirkkala is somewhat concerned that there has not been an increase in the open space at this point. Mr. Wirkkala made a reference to the open space plan on page L-6, the area south of building B. This area is very steep, and was part of the open space proposal in the July plan, and was part of the open space proposal. But that area has come out of the updated July 23rd plan, and he wondered why they could not leave that area in the open space plan on page L-7.

Mr. Wirkkala also spoke about the water supply line that goes out and becomes a funny tail on the line. It seemed to Mr. Wirkkala that in the past the Board voted to put that water development supply in the open space. Mr. Wirkkala believes that this would simplify the signage, instead of posting something that is this long skinny thing. Mr. Wirkkala spoke about plan sheet C-2 which shows the proposed vegetative band that is going to be crabapple and other small fruit trees, in the earlier approved plan this was in the open space. Mr. Wirkkala spoke of Note # 4, and stated that this note says that these plantings will be in the open space easement, and that it would make sense to take out the tail of the water supply to include that in the open space.

Mr. Loehr responded that the open space number does not change, and he took a lot of guidance from a prior meeting when the discussion was about the easement area and the importance of the area. Mr. Loehr stated that he tried to create as much of a buffer as he could, and that moved from about 8 feet to 20 feet. Mr. Loehr stated that had caused some other changes, which then simplified the patchwork type of easement. Overall, the fact that the open space is still at 65.8% is something that Mr. Loehr feels very good about. Mr. Loehr stated that every time they have to change the open space it costs \$6,000.00.

Mr. Howe said that the layout of the open space was important, which was Mr. Wirkkala's point. But by drawing one straight line across, there could have been a simplification of the layout, and a benefit by doing that would be to increase the open space. Mr. Howe said that he does not think the issue is so much increasing the open space above 65% as it is to have a simplified, easily enforceable, easily identified open space layout.

Mr. Eckman stated the reason was there were 4 wells there, and he and Mr. Wells were focusing on simplicity also. Mr. Eckman stated that he does not see any reason why he can't take out the tail and make a straight line. Mr. Loehr stated that this should be an easy fix.

Mr. Howe stated that on plan sheet L-6, in the lower left hand corner it states "250 foot by 5 foot for access path", he believes that in the previous plans it was not called an "access path", the term path was reserved for those interior paths that skiers were going to be using. Mr. Loehr agreed that this was a good point, in the earlier January plan it was labeled as "existing utility poles", and these would be taken out. Whereas if the utility poles were to be taken out, there is no reason to "access them", Mr. Howe stated.

Mr. Howe's other comment relates to view sheds, which were talked about earlier, and in the current conservation easement it has been changed to view shed, as there only being one. Previously there were 26 view sheds, and Mr. Howe stated that it seemed to him that the term view shed was associated with each unit. Mr. Howe does believe that view shed is not defined anywhere, and it is not depicted anywhere in these plans. There should be some reference in some manner that you can understand what a view shed is. Mr. Howe also said there is supposed to be an as-built associated with them, and over time they would be maintained.

Mr. Wirkkala also said that if the wording stayed the same it would look like the band that is the crabapple and the small fruit trees, should be in the open space. If this is not true, then Note # 4 should be revised.

Mr. Loehr replied by stating that there was 65.9% open space in the previous plan, and now there is 65.8%. The overall number does not change anything. Mr. Loehr said "We took a lot of guidance from the conversations of 3 meetings ago, when we talked about the importance of the easement area." "The question was should we focus on the numbers of 69 to 70% or should we focus on other things such as the footprint of where the garages were." "In the past deliberations, it did not push it back up to 65 to 67%, we tried to really listen hard in particular to one issue on the eastern side of the property, to create as much of a buffer as we could, and that moved from basically 8 feet to about 20 feet." "That caused some other changes which was to simplify the pasture type of easement." "One of the ramifications of simplifying the easement, was that it lead to about 200 feet of length that is the meadow, before the rock wall that is 10 feet wide." Mr. Loehr said "that is where we had envisioned the small trees to be planted, so we were conscious of not changing that." "Overall, we insisted on trying to listen to the different requests, and tried to match this up together as best as we could." "The fact that we are still at 65.8% of open space is something that we felt very good about." "We feel that the minimization of overall impact from this project is very important, and as long as we are about 65% there should be no problems. Mr. Loehr stated that every time he has to change the open space, it costs \$6,000 for the engineer's time to figure it out.

Mr. Howe stated that he thought Mr. Loehr had brought up all the factors that had been talked about before, obviously it was imperative to reach the 65%, and there couldn't be an open space developed without doing that. Mr. Howe said that the adjustments that were made around Building "A" were worthwhile and also addressed comments that were made by members of the public. Mr. Howe said that in terms of simplification of the layout of the open space was

important. Mr. Howe referred back to Mr. Wirkkala's point regarding the open space. It would seem that one straight line could be drawn across to simplify the open space. Mr. Howe also stated that it would be a benefit to slightly increase the open space. Mr. Howe said that he does not think that the issue is so much increasing the open space above 65%, as it is a concern to have a simplified easily enforceable, easily identified open space layout. Mr. Howe referred back to Mr. Wirkkala's comment about having that tail out there, it forces you to identify it.

Mr. Eckman stated that focus was on simplicity and he does not see why the lines couldn't be moved.

Mr. Howe stated that there was another concern on page L6 of the most recent site plan that he wanted to comment about. There is a note on that page which states "250 foot by 5 foot for access path", Mr. Howe said that he believed in previous plans it was not called an access path. Mr. Howe stated that the term "path" was being reserved for those interior paths that skiers would be using. Mr. Howe stated that in the January 2008 plan it was referred to as "existing utility poles". Mr. Loehr agreed with Mr. Howe.

Mr. Howe said that he wanted to comment on view sheds, and that it was talked about earlier quite a bit. In the current conservation easement document it has been changed to "view shed", versus previously there were 26. Mr. Howe said it seemed that there is now a view shed associated with each building, but it is not defined anywhere as that. Mr. Howe stated that before there were view sheds associated with each unit, and sometimes to buildings because that was how they were structured. Mr. Howe said the way the buildings are structured now, they do not have a bend. The units in the building are looking all in the same direction, and Mr. Howe envisioned the view shed projecting out from the sides of the buildings to the front. Mr. Howe said that it would be easy to delineate on the plans, and he referenced the view sheds on the decision document, but there is nothing solid to depict what is really meant by a view shed in this current set of plans.

Mr. Loehr asked Mr. Howe where previously view sheds were dealt with. Mr. Howe said that it was in the conservation easement within the discussion of thinning and limbing. Mr. Howe stated that there were depictions that were not ever included in the plan sheets themselves, there were separate documents. Mr. Howe stated that this could be simplified by just showing on these plans what is meant by a view shed. It would be a lot simpler, because the buildings face in one direction, and they don't angle where you would have more complicated view sheds. Mr. Howe stated that when he mentioned this to Attorney Waugh he stated that it might not be necessary to change the conservation easement document to put some number of view sheds in, but that there should be a way to refer to them in some manner that you can understand what a view shed is. There is supposed to be an as-built associated with, and over time they would be maintained, and in order to know what can be maintained, you have to define it in the first place.

Attorney Uchida said that from what he recalled is that they did not know exactly where the view sheds would be, that there were a fixed number of trees they were allowed to do work on. But when they were building, then the as-built would be submitted, as that unit is completed. On the ongoing basis, that independent landscape architect would review those documents and monitor to ensure whatever was on the as-built was maintained over the years.

Attorney Waugh stated that was in the conservation easement, in the section of thinning and limbing. Attorney Waugh asked if the word view shed was used in the conservation easement. Attorney Uchida stated that it was in fact on page 4C of the conservation easement.

Mr. Wirkkala stated that he recalled a discussion one evening with Roger Wells and someone was using the term “cone” referring to the view sheds. Mr. Howe stated that if it does end up that the view sheds are “cone-shaped”, that there is still a limit to the number of trees and a limit to the amount of square footage, and that may be spread out over a larger area, but it’s the same square footage that can be thinned. Mr. Howe stated that it makes it difficult, but not impossible, to produce an as built for that, that identifies where within that limit you’ve actually done the thinning.

Attorney Waugh stated that unless there is a clear definition of what the word “view shed” means and how to distinguish them, it does not seem to make sense.

Mr. Moen asked Mr. Eckman if there would be a drawing of the garages within the document, such as the front view, side view, to go with the profiles of the house. Mr. Eckman stated that he could do that through Lavalley’s, but it has not been included in the plans at this point.

Mr. Howe stated that he did draft a decision document, and he does not think that a final decision would be made tonight. Mr. Howe said that it might be valuable to work through pieces of the document, as there are things that would need to be changed.

Mr. Howe then read the draft decision document to everyone present at the Public Hearing. As he read the document he would make any additional edits.

Mr. Howe stated that this Public Hearing would be continued until August 26, 2008.

Mr. Moen made a motion to continue this Public Hearing until August 26, 2008 at 7:00 P.M., Mr. Purick seconded, and all were in favor.

AGENDA ITEM # 2: GUILDHALL SAND & GRAVEL PUBLIC HEARING

Ms. Melanie Bell was the designated Select Board Representative for this hearing.

This Public Hearing purpose is for the application of the gravel extraction permit for Guildhall Sand & Gravel.

Mr. Howe put together a couple of documents which he sent to Attorney Waugh and Mr. Wirkkala for input.

Mr. Howe handed out a reasoning document, along with attachments that are referenced in the reasoning document to everyone present. Mr. Howe then read through the reasoning document which is the main focus of this Hearing.

After Mr. Howe read through the document, Mr. Carroll referred to page 3, Section 12, regarding

the wording of the removal amount of the Unity Pit, and “lifetime” should be omitted. Mr. Britain also requested that a statement be put in quotes regarding the Bridge Site (line 8-9) The Unity permit specifies a 110 truckload per day limit and that “there will be a limit of 80,000 of material excavated from the Bridge site”.

Mr. Carroll made a comment regarding page 3 # 11 Operational Limitations, he stated that it talks about the amount of 200,000 cubic yards, but he had mentioned at one of the Public Hearings that the annual amount that is used is between 200,000 and 215,000 cubic yards. Mr. Carroll stated that there were also other pits that he was hauling out of. Mr. Carroll stated that it is not necessarily that his annual volume is not based on or limited to that one number. Mr. Carroll wanted to make it clear for the reason that if he ever comes back to the Planning Board to get permitted for another job, he does not want to be hooked onto that certain number.

Mr. Howe stated that he understood where Mr. Carroll was coming from, and these numbers were based on just this site referenced, which is the Davis Site.

Mr. Carroll made a comment regarding a statement on the top of Page 5 regarding the hauling of the trucks, and the size of the trucks. Mr. Howe stated that this is for the Board to decide, and the intent is that any trucks coming through the Davis Pit or originating from the Davis Pit, will adhere to a specific size of truck. Mr. Howe stated that this will be defined when the permit is read, but it is defined as “not including tractor trailer trucks”, no matter where they are coming from. The intent is to deal with the size of the trucks coming through the Davis Pit.

When Mr. Howe was done reading the document Mr. Wirkkala made a suggestion that the Planning Board should review the Unity Permit.

Attorney Britain had a question regarding Section 12, regarding the 110 trucks per day that can come out of the Unity site, which this will continue if Mr. Carroll gets an amendment to the Unity permit. Mr. Britain does not want it to state that it is self terminated because they have reached the 80,000 limit. Mr. Howe stated that was not the intent of what is stated. Mr. Howe said “I would much prefer that the Unity Planning Board and you would work on some other way to access public roads, but if that doesn’t occur, if they continue to approve this transportation corridor through the Davis site. It is my intent and the Planning Board’s intent, which will be voted on, is that the 110 truck limitation will continue, and no more than 77 will come from the Davis site.

Mr. Purick asked regarding Section 12,– and what the closing of the Unity Landfill has to do with the Unity permit. Mr. Howe stated that the Unity permit has a phrase in there related to the possibility that if Carroll Concrete should get the contract to close out the Unity Landfill, they may use larger size trucks for that hauling. Mr. Purick asked where is the Landfill in relation to where the gravel is. Mr. Howe stated that his main concern was where the truck traffic is going to go. Mr. Howe stated that right now anything coming out of that Unity permit is coming through the Davis site regardless of , where the Unity landfill is.

Mr. Purick read the draft Davis site permit.

Attorney Britain suggested that on Page 2, line 29, that it be December 31, 2009(for the one-year interim period) instead of July 29, 2009, since the season is almost ended. Attorney Britain stated that since the 3-year period is extended to coincide with the end of the calendar year. Mr. Howe stated that we can come back to that because there may be some questions about the extension of the overall period.

Mr. Carroll stated that on page 3 line 4, it should read “garage” instead of house.

After the draft permit was read, Mr. Howe stated he would like to go over the issue that Attorney Britain brought up about the 3-year expiration date. Mr. Howe referred back to Page 1 of the draft permit, the regulations specifies “The permit shall be valid for three (3) years”. Mr. Howe felt that it would not be desirable to have a permit expire mid-season, so he proposed to extend the ending point of the permit to December 31, 2011. If the Board is in agreement with that, then the Board can address the question raised by Attorney Britain. Mr. Howe stated that the two dates do not have to be the same, but it does create a situation where you potentially can have a change in the way the business can operate during mid-season.

Ms. Bell wanted to make sure that in this permit it was crystal clear that this haul road means any type of traffic, whether it is excavated here or in Vermont. For example, if they wanted to excavate Sand or Gravel in Vermont to bring into Unity, is that encompassed in this permit?

Mr. Howe stated he did not think this was the case, and that the way this permit is worded is related to the excavation site in Unity. Mr. Howe stated that this is all assuming that the material originates in one of two places, either in the Unity permit (Bridges Pit) or the Davis Pit.

Mr. Wirkkala commented that he agreed that the two dates regarding the permit excavation date and the one-year interim date should coincide, and it should read December 31, 2009.

Mr. Howe stated that also related to this same issue, on page 5 line 7, this should read “on or before 12/31/09” regarding convening a meeting with the NRCS.

Attorney Waugh wanted to make a comment regarding Page 6, line 10 or 11. Attorney Waugh’s said it was his understanding that the company was measuring material only by weight and no longer cubic yards. Mr. Howe stated that it is measured by weight and he assumed the company would use some basic conversion factor to estimate cubic yards from weight. The measurement would not be exact, but it will still allow the Board to maintain that historic document comparison that is in cubic yards. Mr. Carroll stated that this material is definitely much lighter. Mr. Carroll stated that there is a lot of verbiage in the permit what the Board would like to see for documentations. Mr. Carroll said it would be nice to leave it as simple as possible as far as documenting.

Mr. Carroll said he could give the Board a monthly tally. Mr. Howe said that there is a desire to have a bit more detail, and there are two sources of material. Mr. Howe is envisioning a simple table with two columns, with cubic yards, and origin of material. Attorney Britain suggested that there be an agreed upon form attached to the permit. Mr. Howe and Mr. Carroll both agreed that would be helpful.

Attorney Waugh also commented regarding Page 4, Section 9, where there is a general statement carried over from the prior permit where it talks about the Landry property. Attorney Waugh understood that the town line is going to be excavated, so he asked if that should be revised to recognize the fact regarding the barrier, and there would no longer be a buffer. Mr. Carroll stated that the original intent was for the lower access road, and it could also be stated "except for in between the two properties".

Mr. Howe asked Attorney Waugh about the regulation regarding the time the Public Hearing is closed to the time a decision is must be made. Attorney Britain stated he would agree to the extension to the August 26, 2008 meeting to finalize the details so that it would give Mr. Howe a chance to correct the draft.

Mr. Wirkkala commented on Page 2, lines 10 through 34, he would like to suggest to amend the number of trucks from 110 to 90 trucks. Mr. Wirkkala stated that at a previous meeting the number of 90 trucks was discussed, and Mr. Carroll had said he could live with that number. Mr. Wirkkala also suggested changing the wording on page 2, section D. He suggested inserting "or until such time".

Attorney Britain stated that for the record Mr. Carroll never indicated that 90 trucks would be acceptable to him, he had asked for 110 trucks from the beginning. Attorney Britain also stated that in respect to the language modification Mr. Wirkkala proposed in section D, the whole idea of a temporary period of one-year to explore this is a more than adequate time frame for people or citizens to assess the workability of this provision. If there are no complaints within that one-year period he thinks that for sake of certainty, it should extend to the end of this permit. Then if necessary the Planning Board makes a decision whether or not complaints rise to the level, that the traffic figures have to be changed.

Mr. Wirkkala's opinion is that if the Board has an automatic one-year review and thereafter no review as long as there are no problems. But if there are problems, then he thinks the Board is remiss if we don't have some procedure to deal with them, and we should not be tying our hands saying that if there is a problem that comes along, we can't deal with it. Mr. Wirkkala said that he would not want to be in that position, and would like to be able to say if there is a problem there can be another Hearing to have a chance to have Mr. Carroll come in and also the citizens who are concerned.

Then, if necessary the Planning Board makes a decision whether or not the need to say that the complaints do not rise to the level, or if the traffic figures have to be changed or they do based on conditions.

Mr. Carroll stated that he has no problem with the previous motion regarding a trial basis, he said that the inspections should reflect what we have done, and that in the past years have never been followed up with anything written stating that there has been a formal complaint.

Mr. Howe stated that he had looked at tax records on Lear Hill Road, and stated that there were 11 parcels along Lear Hill Road from the Town line in Unity to Route 10. Mr. Howe stated that 6 of the parcels have houses. Three of the houses are either directly across from the current Davis Pit

exit onto Lear Hill Road or between the Exit and Route 10. Mr. Howe said that it was clear that these three houses were affected by the current traffic; the remaining three houses in Goshen on Lear Hill Road are toward Unity. It appeared to Mr. Howe that looking at the plan sheets as well as just driving the road, the distance between Lear Hill Road and at least two of the three houses that are toward Unity, was less than the distance between the houses and haul road within the pit. Given distance attenuates noise, it would probably be less noisy to those houses if the traffic were using the haul road within the pit than if it were going down Lear Hill Road. Mr. Howe stated that part of the issue that he sees is that if the traffic had to go up and down Lear Hill Road, there would be a lot more noise associated with trucks trying to make that grade and braking downhill on Lear Hill Road toward Route 10. He thinks that would make the noise greater for those three houses on Lear Hill Road between the current Davis Pit exit onto Lear Hill Road and Route 10. Thus, his conclusion is that use of the Davis Site interior haul road would create less truck noise for Goshen residents as a whole than expanded use of Lear Hill Road.

Ms. Bell questioned the one-year review stating that what if during that time you only run say 60 trucks, but then all of a sudden you run 110 in the second year then there is a problem and how do you address that?

Attorney Waugh asked what is the procedure regarding taking a motion to amend, it would be unfortunate to limit your options, and you don't know what is going to happen after the one-year period. It might be wiser to leave it to the Board at that time. Mr. Howe stated that it does read "to be altered or reaffirmed", there is an option after that period. The Board consensus was that this section be modified to provide for annual review.

Attorney Britain stated he is happy to have an annual review.

Mr. Purick stated that he was comfortable with the 90 trucks and not the 110 truck limit.

Mr. Howe stated that this hearing is extended to August 26, at 8:30.

Ms. Bell made a motion to adjourn the meeting, Mr. Purick seconded. All were in favor to adjourn at 10:45 P.M.

Respectfully Submitted,

Sue Peacock
Planning Board Secretary