

PLANNING BOARD
JANUARY 26, 2009

Present: Stephen J. Browne, Wright C. Dickinson, Keith R. Diggans, Elissa G. Franco, and
George N. Lester

Chairman Lester convened the meeting at approximately 8:00 p.m.

NORTH STREET POCKET NEIGHBORHOOD – BUFFER

Richard Merrikin, Merrikin Engineering, represented the owners of the subject site plan. He was present to address the Board's letter of January 13th that the site plan did not show the landscape buffer as required in section 6.2.10 of the Zoning Bylaw. He presented the Board with a revised letter explaining his belief that he could satisfy the Bylaw requirement with plantings and still put a portion of the driveway within the required 10 foot buffer since the driveway is not a building. He also referenced section 6.2.9 of the Bylaw. He also referenced section 6.2.9 of the Bylaw.

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Present: Wright C. Dickinson, Keith R. Diggans, Elissa G. Franco, and George N. Lester

Absent: Stephen J. Browne

Meeting convened at 8:00 p.m.

DENSITY

In light of concerns expressed over density at recently approved site plans on Brook Street and North Street, the Board looked at various ways to reduce density in the Residential Urban (RU) zoning district:

- Reviewed the failed 2001 attempt to change the Floor Area Ratio (FAR)
- Looked at what the impact on the site plans would have been if 2001 passed
- Discussed the possibility of changing the minimum requirements for multifamily development in the RU district as set forth in Section 6.2 Table of Area Regulations

Consensus of the above discussion:

- Change in FAR would not necessarily reduce the number of units, but might reduce the size of the units
- Brook Street and North Street would have been reduced by one unit each if the 2001 change had passed and the developers maintained the same size units
- Both plans would have been reduced by two units if there were a change in Section 6.2 requiring 28,000 s.f. for the first three units and 7,000 s.f. for each additional unit
- Reduction of one or two units would not be enough to satisfy the concerns of the abutters

The Board then turned to a discussion on under ground drainage systems and buffers as a means for reducing density:

- Underground drainage systems:
 - Section 6.2 does not allow detention ponds, retention ponds, or open drainage structures to be included in the minimum lot area
 - Add the area of under ground drainage systems to the above 6.2 exclusions
 - The area utilized by these systems is not buildable and should not be considered as such
- Buffer zones:
 - Presently section 6.2.10 requires a ten foot wide buffer strip along each boundary which adjoins a residential lot

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- Board of Appeals that such addition is not more nonconforming than the existing structures or at least is not “detrimental to the neighborhood.”
- Often times the nonconformity involves area, lot width, or setback of an existing structure – factors that cannot necessarily be remedied by the property owner, or at least not so without considerable difficulty.
 - Most of the proposed construction satisfies the current zoning in all aspects except as stated above, but must be first approved by the Board of Appeals before being able to obtain a building permit. Such approval is time consuming.
 - A few projects have greater nonconformities.
 - Several towns have made provision in their Bylaw for their Building Inspector to approve the more straight-forward applications.

Plan of action:

- Review Section 9 of the Zoning Bylaw
- Look at language to add in the Zoning Bylaw which would allow the Building Inspector, under certain conditions, to grant a building permit without prior ZBA approval
- Have Town Counsel, Board of Appeals, and Building Inspector review

MISCELLANEOUS

- Administrator reported that, at the request of the Town Administrator, she was able to reduce the Planning Board budget for FY2010 by \$2,000. (Warrant Committee has requested all Town departments reduce their budgets given the financial situation.)
- Administrator will consult with Town Administration regarding the possibility of an RFP for engineering services

Meeting adjourned at approximately 9:20 p.m.

Respectfully submitted,

Norma J. Cronin
Planning Board Administrator

PLANNING BOARD
APRIL 29, 2009

Present: Stephen J. Browne, Keith Diggans, Elissa G. Franco, and George N. Lester

Absent: Wright C. Dickinson

Meeting was convened at approximately 7:30 p.m.

VOTED unanimously to endorse an ANR plan for property located at the junction of North Street, Harding Street, and Wheelwright Road owned by Norman a. Gray, Jr. of 190 North Street, Medfield. Said plan dated April 6, 2009 is drawn by Dunn & McKenzie, Inc., Norfolk, Massachusetts and redefines lot lines for the three lots shown on the plan resulting in lots with 20,000 s.f., 54,725 s.f., and 23.567 s.f.

VOTED unanimously to endorse an ANR plan for property running between 5 Miller Street and 15 Park Street owned by Miller Street Realty Trust. Said plan divides the single lot into two separate lots. Lot A (5 Miller Street) contains 9,578 ± s.f. and Lot B (15 Park Street) contains 8,568± s.f. The single lot with two structures on was in existence (1898) prior to the Subdivision Control law being adopted in Medfield. (January 12, 1978)

Meeting adjourned at approximately 7:50 p.m.

Planning Board Meeting May 18, 2009

Present: Stephen J. Browne, Wright C. Dickinson, Keith R. Diggans, Elissa G. Franco, and George N. Lester

Chairman Lester convened the meeting at approximately 8:00 p.m.

QUARRY ROAD SUBDIVISION

The Board reviewed Scott Colwell's request for reduction in surety at his Quarry Road Subdivision, taking into consideration work signed off by Superintendent of Public Works Kenneth P. Feeney and the Earth Tech report dated June 6, 2008 on which the Board based its original surety requirement. The Board discussed the requirement for the emergency access way with gate over Erik Road. (The Certificate of Approval dated May 21, 2007 requires said access way be constructed prior to the issuance of a Certificate of Occupancy.)

VOTED unanimously to reduce surety at Quarry Road Subdivision to \$150,000.

SELECTMEN'S MEETING TUESDAY JUNE 16TH

Board members (except Mr. Browne, who will be out of Town) will attend the June 16, 2009 Selectmen's meeting with DCAM at 7 p.m.

CONSERVATION COMMISSION OPEN SPACE & RECREATION PLANNING COMMITTEE

The Board acknowledged receipt of the Conservation Commission memo informing them of the formation of said committee. The Board supports the efforts of the Conservation Commission regarding open space and will send a letter to that effect requesting periodic updates. Because the Board must often hold public hearings on matters that might also be discussed by the CC Open Space Committee & Recreation Planning Committee, the Board chose not to have a representative sit on the committee.

INFORMATIONAL

Bobrowski Article regarding 40R development

Members reviewed the article "The Massachusetts 'Smart Growth' Experiment: Chapter 40R" written by Mark Bobrowski and sent to the Board by Selectman Peterson.

This is in respect to the Medfield State Hospital site.

Members concerns are as follows:

- Board had already advised against this approach
- The site is inappropriate for this development
 - Not an area of "existing concentrated development"

- Lack of transportation/existing transit station
- Site is too large
- Density is much too great
 - Minimum State requirements are too high leading to too great a density for this location
 - Examples given in the article for Brockton, Haverhill, Dartmouth, and Lunenburg support this finding
- State lacks funds though funds are promised
- Future funding depends on the legislature
- No town has received 40S funding to date, and Medfield's high income puts it in too high a category to receive funding
- Developer has too much freedom
- Appeal process purposefully difficult and costly
- If no construction is begun within 3 years of approval, the Town must repay monies received, if any.

The above concerns were expressed by all members.

All five Planning Board members expressed concern that 40R might be good in the right place, but the Medfield State Hospital site is not suitable for this development.

MSH Water Tower

DCAM, by legal notice in the Medfield Press, is seeking to lease space on the State Hospital water tower for the purpose of Personal Wireless Antennas.

Board members questioned if any of the monies received would go to the Town once the Town signs an MOU with the State regarding the reuse of the property. That fact is unknown at this time.

40B – Affordable Housing off West Street

The Town has been notified by MassHousing Finance that they are reviewing plans submitted by the developer for the construction of 118 apartments at the site previously approved under Chapter 40B regulations for 38 condo units.

RU Zoning District Map

The Board looked at a map of the RU zoning district for potential development space.

Draft Planning and Zoning Reform Legislation

Board members received a copy of legislation filed January 2009 to change zoning regulations statewide. There was no general discussion of the subject.

Meeting was adjourned at approximately 9:15 p.m.

PLANNING BOARD
JUNE 8, 2009

Meeting convened at approximately 8:00 p.m.

Present: Stephen J. Browne, Wright C. Dickinson, Elissa G. Franco, and George N. Lester
Absent: Keith R. Diggans

On a motion by Mrs. Franco and seconded by Mr. Lester the Board voted to reorganize as follows:

Chairman:	Stephen J. Browne
Vice Chairman:	Keith R. Diggans
Clerk:	Wright C. Dickinson
Member:	George N. Lester
Member:	Elissa G. Franco

ANR PLAN

VOTED unanimously to endorse an ANR plan for property owned by Dawn and Kevin Stoddard located between Charlesdale Road and Baker Road dated May 27, 2009 and drawn by J.D. Marquedant & Associates Inc., Hopkinton MA. Said plan creates "Parcel A" with an area of 17,211 s.f., parcel (map 41, lot 135) with an area of 20,031 s.f., and parcel (map 41, lot 33) with an area of 20,102 s.f.

ZBA APPLICATION

Pursuant to Section 16.8.5.2 of the Zoning Bylaw the Board reviewed the application of Liberty Woods Realty Trust to the ZBA for the installation of a stormwater drainage system (infiltrators) at 45 West Street. The Board makes the following recommendations to the ZBA:

- The applicant should submit a plan showing the entire lot
- Lot coverage calculations must be shown for the "proposed" and "new" areas to be paved
- Total lot coverage must be recalculated to include all impervious surfaces – existing and proposed

REMINDER

Planning Board to attend the Board of Selectmen's meeting Tuesday, June 16th, at 7 p.m. regarding Medfield State Hospital.

INFORMATIONAL

Two newspaper articles were given Board members for their information. There was no discussion.

1. Medfield Press article on Medfield State Hospital, June 4, 2009
2. Boston Globe article on rental development, June 4, 2009

Meeting adjourned at approximately 8:35 p.m.

PLANNING BOARD
JUNE 23, 2009

Present: Wright C. Dickinson, Keith R. Diggans, Elissa G. Franco, and George N. Lester

Absent: Stephen J. Browne

Meeting convened at approximately 8:00 p.m. by Vice-Chairman Diggans

SURETY – ERIK ROAD

Scott Colwell was present and, together with the Board review AECOM's letter regarding surety for subject subdivision along with the Form 9 sign off sheet initialed by Superintendent Feeny for work completed. More work was completed than allowed for in the AECOM report.

Wright Dickinson said he visited the site. He expressed concern for steep drop off areas around the actual site of the houses.

Mr. Colwell said that is how they usually do the work.

VOTED unanimously to set surety for Erik Road Subdivision at \$240,000.

RFP FOR CONSULTING ENGINEERS

Board discussed the probability of putting out an RFP for consulting engineering services.

AECOM has taken over Earth Tech and has requested a contract. They are temporarily doing our reviews, but that could change.

Board will look over the RFP Franklin used and make recommendations for any changes at its next meeting July 13th.

SELECTMEN'S MEETING WITH DCAM

Mrs. Franco and Mr. Diggans reported on attending the meeting June 13th.

DCAM's demonstration intended to be educational to boards.

DCAM's goal is a December special town meeting.

Board members have concerns over the saleability of the development.

There was a brief discussion about applying the concept of "Green Building" to the project.

The meeting adjourned at approximately 9 p.m.

PLANNING BOARD
JULY 13, 2009

Present: Stephen J. Browne, Wright C. Dickinson, Keith R. Diggans, and Elissa G. Franco

Absent: George N. Lester

ANR PLAN – 338 NORTH STREET

VOTED to endorse an ANR plan entitled “Cutler Farm, Site Development Plan” dated September 15, 2004 and last revised to March 30, 2009, drawn by Carlson Survey Company, Millis, Mass.; said plan showing Lot 24 with 9.411 acres, Lot 25 with 1.070 acres, Lot 26 with 1.079 acres, and Lot 27 with 1.303 acres.

ERIK ROAD LOT RELEASE

VOTED to release all lots (1-9) shown on the Erik Road Subdivision plan pending the receipt of surety.

BROOK STREET DEVELOPMENT

In response to a phone concern of a resident of Brook Street regarding the Site Plan being developed on that street, the Board referred the matter to the Building Inspector as the authority who monitors construction.

PLANNING BOARD CONSULTANT

The Board reviewed a sample RFP from the Town of Franklin used to procure a new planning consultant.

- Financial expectations may be included in the request
- Should specify if a particular component is weighted more than others
- Responsiveness to Board’s requests
- Availability to do work and/or attend meetings as needed
- Site visits
- Specify that most of the work is residential subdivision plans and site plan review
- Is there an annual minimum payment?
- Concern over sub-consultants
- Identify any services they would go out for
- Identify contact person
- Consideration of experience with similar size towns
- Deadline for submitting RFS’s responses
- 3 years on a contract without Town Meeting approval
- 5 years requires Town Meeting approval

In the interim the Board could seek a consultant if an individual project was submitted.

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MISCELLANEOUS

Town Counsel mentioned that the Town should be working out the MOA with regard to Medfield State Hospital. The Town does have rights. It would help insure that the development gets build according to plan. The legislation that was passed did include specific numbers. Chairman Browne will follow up.

Meeting was adjourned at 9:10 p.m.

PLANNING BOARD
AUGUST 3, 2009

Present: Stephen J. Browne, Wright C. Dickinson, Keith R. Diggans, Elissa G. Franco, and George N. Lester

Meeting convened at approximately 8:00 p.m. by Chairman Browne.

NEW BUSINESS

ANR Loeffler Lane

VOTED unanimously to endorse an ANR plan changing the property line between 3 and 5 Loeffler Lane as shown on a plan dated June 12, 2009 drawn by Colonial Engineering, Inc., Medway, MA showing Parcel A (3,672 sq. ft.) to be combined with Lot 2 (3 Loeffler Lane) making the total area of that lot 49,530 sq. ft.

West Street—"The Meadows" – MassHousing Finance

The Board reviewed plans received by the Board of Selectmen regarding a 40B development on West Street. "The Meadows" is a proposed 118 rental unit project to be located on West Street at the same location of the previously approved 36 condo unit 40B proposal that received final approval by the Board of Appeals in February 2008. The Board will send a list of concerns to the Selectmen involving such areas as environment, wetlands, public safety, adequacy of the site, and prior 40B history relative to this site.

Medfield State Hospital

Chairman Browne reported on a work session he attended in the afternoon. DCAM presented a power-point program aimed at promoting the redevelopment of the MSH property utilizing the negotiated 440 unit plan. The program was originally presented at a Selectmen's meeting. The purpose of this work session was to finalize the presentation.

OLD BUSINESS

Erik Road Extension Subdivision

VOTED to approve a covenant dated August 3, 2009 presented by Calvin W. Colwell and Scott W. Colwell, as Trustees of the Hoover Realty Trust for "Eric (sic) Road Extension" subdivision.

The above Covenant supercedes a previous Covenant dated February 16, 2005 executed by Edward J. Musto and Bonnie J. Musto

Signed the Certificate of Release of Lots for all lots within the "Erik Road Extension Subdivision." Said Release was voted July 13, 2009.

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AUGUST 3, 2009

RFP for Planning Board Consultant

Board Members made comments and recommendations for changes to a sample Request for Proposals seeking a Planning Board Consultant. Those changes will be incorporated into a draft form which the Board will review prior to formalizing the RFP.

Baker Road/North Meadows Estates Subdivision

The Board received a certified letter on July 31, 2009 from Ellen Realty Trust requesting it release the bond for the above referenced subdivision. The letter further advised that work has been completed and they have requested the BOH review and approve the drainage system, as-built. The letter also requests that Baker Road be accepted as a public way.

The Board will send a letter denying the request for release of the bond at this time, but indicating that, upon the applicant's written request and with an approval of the detention basin by the BOH, the Planning Board would reconsider the request at its next meeting, Monday, September 14, 2009.

A copy of the letter will also be sent to the Board of Health.

INFORMATIONAL

1. NOI for the Demolition of Sanitary Lift Station at Medfield State Hospital to be considered at a Conservation Commission hearing on Thursday, August 6, 2009.
2. ENF regarding clean up of contaminated materials at Medfield State Hospital.
3. Two Medfield Press news articles both regarding the above (#2) clean up.

PLANNING BOARD
SEPTEMBER 14, 2009

Present: Stephen J. Browne, Wright C. Dickinson, Keith R. Diggans, Elissa G. Franco, and George N. Lester

(Meeting was held in the Warrant Committee room on the first floor as the elevator was out of service.)

Meeting convened by the Chairman, Stephen J. Browne, at approximately 8 p.m.

NORTH MEADOWS ESTATES (Baker Road)

Ellen Rosenfeld was present seeking return of surety for the North Meadows Estates (Baker Road) Subdivision. The deed to the roadways (Baker, Richard and Brastow as they exist within the subdivision) has been provided, but not signed. This needs to be clarified by Town Counsel Cerel. Acceptance and As-built plans have been turned in and reviewed by Town Counsel.

VOTED to release \$25,000 now with the balance to be released upon Town Counsel's approval of the deed for Town Meeting purposes.

Mr. Lester did not participate in the vote as he was not present at the start of the discussion.

Note: Town Counsel Cerel approved said deed the following day and the entire surety was released.

CONSULTANT RFP

The Board reviewed the latest revision of the RFP seeking a consultant(s) to review subdivision work and made a few changes. The RFP will be advertised in the Medfield Press and mailed out to a list from the Directory of Massachusetts Planning Consultants as well as anyone else who has expressed interest via mail over the past year.

SPRING STREET CONDOS

Administrative Assistant Norma Cronin explained that Mr. Costello, developer of the condos, was in the office and stated he has revised the Site Plan to eliminate the four block structures in the center and place 7 single condos across the back, and place 2 duplex and 1 triplex across the front. This will reduce the total number of units at the site by 2.

INFORMATIONAL

The Board noted the informational material but took no action.

1. Meeting on the 15th at 7 p.m. at the Library regarding MSH clean up
2. Town's reply to MHP regarding 118 apartment units on West Street

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3. Mass Historical Commission letter RE: Browne Property
4. ZBA decision on 45 West Street
5. Reminder: Town Meeting October 19th – need to cancel/reschedule PB meeting

ANR PLAN – 367 MAIN STREET

Mr. Browne left the meeting prior to any discussion regarding this plan and did not return.

VOTED unanimously of the four remaining board members to endorse an ANR plan entitled “Plan of Land Located at 367 Main Street, Medfield, Massachusetts” dated September 1, 2001 drawn by GW Site Solutions Inc., Blackstone, Massachusetts for Wood, Hammer, & Nails of Lexington, Massachusetts.

Meeting adjourned at 9 p.m.

PLANNING BOARD
OCTOBER 26, 2009

Present: Keith R. Diggans, Vice-Chairman; Wright C. Dickinson, Elissa G. Franco, and George N. Lester

Absent: Stephen J. Browne

Meeting convened at approximately 8:00 p.m. by Vice-Chairman Diggans.

The Planning Board Administrator reported that Mr. Browne has recused himself from all discussion regarding the RFP Planning Board Consultant because he has a business relationship with one of the applicants.

The Planning Board received 10 responses to its RFP for Planning Board Consultant.

Board requested the Administrator to check both the Better Business Bureau and the State's Licensing Board to see if there were any complaints against any of the applicants.

Board members will each take home copies of the 10 proposals to review and chose who they consider to be their top four candidates. They will let the Administrator know by November 5th. She will send an email reminder on November 2nd.

Administrator will email a chart to members to assist them in their review.

Meeting adjourned at approximately 8:45 p.m.

PLANNING BOARD
NOVEMBER 9, 2009

Present: Keith R. Diggans, Vice-Chairman; Wright C. Dickinson, Elissa G. Franco, and George N. Lester

Absent: Stephen J. Browne has recused himself from all discussion regarding the RFP Planning Board Consultant because he has a business relationship with one of the applicants.

Meeting convened at approximately 8:00 p.m. by Vice-Chairman Diggans.

Board Members submitted their 4 top choices by the November 5th deadline. The total selections were as follows:

BETA Group, Inc.	4
Beals and Thomas, Inc.	3.5
GEOD Consulting	2
BSC Group, Inc.	2
Comprehensive Environmental, Inc.	2
Tibbetts Engineering Co.	1.5
Polaris	1

Total: 16 (4 per board member)

The Administrator reported that there were no complaints with either the Better Business Bureau or the State's Licensing Board regarding any of the candidates.

Board members reviewed the 10 applications for Planning Consultant with regard to completeness of the application and qualifications present. Each member turned in a check off sheet. In its review the Board looked specifically to planning and engineering experience and particularly work done as a Planning Board Consultant doing subdivision and site plan review for municipalities.

Board decided to interview 4 firms. In no particular order, those firms are: Beals and Thomas, BETA Group, BSC Group, and GEOD Consulting. Interviews will be scheduled for Monday, November 30th, starting at 7:00 p.m.

Meeting adjourned at approximately 10:30 p.m.

PLANNING BOARD
NOVEMBER 30, 2009

Present: Keith R. Diggans, Vice-Chairman; Wright C. Dickinson, Elissa G. Franco, and George N. Lester

Absent: Stephen J. Browne has recused himself from all discussion regarding the RFP Planning Board Consultant because he has a business relationship with one of the applicants.

Meeting convened at 7:00 p.m. by Vice-Chairman Diggans.

The main purpose of this meeting is to interview candidates to provide Consulting Engineering services for the Board.

GEOD Consulting

Mr. Thomas Sexton, PE, explained he would be the Project Manager and Engineer working with Medfield. He provided a handout which is in the file. He explained that, while he would be the primary person, he would call on other GEOD members for expertise as wetland scientist and structural engineer. As an employee of Amory Engineering he did work for the Town of Medfield getting Well Number 6 approved and setting up a hydrant flushing program.

In the question and answer phase he observed that the Town's Subdivision Rules and Regulations were "old." He also observed that one of the important issues facing the Town would be re-development of the Medfield State Hospital.

BSC Group

Mr. John Van Dell, PE, LEED, AP (Principal-In-Charge) and Mr. Renwick Chapman, PE (Senior Project Manager) explained that all work is done within the BSC Group and none is subcontracted. Work is done on a first come, first served basis, but the firm has a large staff and minimizes the number of communities it works for. They provided a handout which is in the file. They see Medfield State Hospital as a large issue in future development in the Town.

In the question and answer period they considered the Subdivision Rules and Regulations well written with a good Table of Contents. Mr. Chapman would make site visits if he were doing the review. They provide pictures with their reviews. In recent years 50% of there work has been review and the other 50% design. There work is 50% public and 50% private.

Beals and Thomas, Inc.

Mr. George Preble, PE (Project Manager) and Mr. David LaPointe, RLA, LEED, AP (Associate, Landscape Architect) explained they are a 30 person diverse group firm that does 85% private development and 15% public (Trustees of Reservation, Attorney General's office were examples offered.) They also work on project specific

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development. Among them are associates that have been involved in developing the State's Stormwater Management policy. In addition they provide educational seminars. The firm subcontracts with Vanasse and Associates for traffic engineering review.

In the question and answer period they said they would do site review with the applicant's engineer. They like to make recommendations. They stated they are less concerned with how the project meets each and every section of the Subdivision Rules and Regulations and more concerned about recommending how to improve a project. They do not see a conflict of interest arising between their private sector work and their public sector work.

BETA Group, Inc.

Mr. Tony Lionetta, PE (Principal-in-Charge) and Mr. Philip Paradis, PE, LEED, AP (Project Manager) explained they would be the primary contacts for the Town in a firm of 110 people. The firm is employee owned with all disciplines covered. They focus on cities and towns with 80% of their work being in municipalities. They do not do private work. There are 41 employees in the Norwood office, including clerical. They passed out handouts both at the beginning and end of their presentation, which are in the file.

In the question and answer phase they considered Smart Growth and transportation/traffic to be the issues facing Medfield. When asked what he liked to do most, Mr. Paradis replied "Stormwater Management."

Discussion/Vote

Upon completion of all interviews the Board discussed the pros and cons of each firm before making a decision to offer the position to GEOD Consulting, Mr. Thomas Sexton.

VOTED unanimously to award the contract to GEOD Consulting with Mr. Thomas Sexton as Project Manager and in keeping with the proposal as outlined in GEOD's submittal to the Board.

ANR Plan

VOTED unanimously to endorse an ANR plan for 353 - 355 Main Street dated November 17, 2009 and prepared by Paul N. Robinson Associates, Inc., Millis, MA for Stephen J. and Lynn E. Browne showing Lot A with 39,056± s.f., Lot B with 9,792± s.f., and Lot C with 292,517± s.f. (6.72± acres). The plan carries the notation that "Parcel B and Parcel C are not to be considered separate buildable lots."

Meeting adjourned at approximately 10:15 p.m.