

City of Keene Minor Project Review Committee

AGENDA

Thursday, June 1, 2023

10:00 AM

City Hall, 2nd Floor Council Chambers

- I. Call to Order Roll Call
- II. Minutes of Previous Meetings May 16, 2023; April 6, 2023; & May 4, 2023
- III. Final Vote on Conditional Approvals
- IV. Extension Request
 - a. SPR-881, Modification #2 Site Plan 342 Winchester St Applicant Sampson Architects, on behalf of owner Riverside Improvements LLC, requests an extension to the deadline to satisfy the precedent conditions of approval for the Minor Site Plan application, SPR-881 Modification #2, for the renovation of the eastern tenant space and the construction of an addition ~321 sf in size to the building at 342 Winchester St (TMP #111-004-000-004) for use as a Ramunto's restaurant. The site is 0.68 ac and is located in the Commerce District.
- V. Staff Updates
- VI. New Business
- VII. <u>Upcoming Meeting Dates</u>
 - June 2nd Monthly MPRC Meeting June 15, 2023 at 10:00 am (if needed)
 - July Pre-submission Meeting July 6, 2023 at 9:00 am
 - July 1st Monthly MPRC Meeting July 6, 2023 at 10:00 am
 - July 2nd Monthly MPRC Meeting July 20, 2023 at 10:00 am (If needed)

City of Keene 1 New Hampshire 2 3 4 5 MINOR PROJECT REVIEW COMMITTEE 6 **MEETING MINUTES** 7 Thursday, March 16, 2023 10:30 AM Council Chambers, **City Hall Other Staff Present: Members Present:** Don Lussier Megan Fortson, Planning Technician Jesse Rounds John Rogers Don Farquhar Mari Brunner, Alternate Mike Hagan, Alternate **Members Not Present:** Med Kopczynski Kürt Blomquist, Alternate Steve Dumont, Alternate 8 9 10 1) Call to Order – Roll Call 11 12 Chair Rounds called the meeting to order at 10:32 AM. Roll call was conducted. Chair Rounds stated that Mari Brunner is a voting member today. 13 14 Minutes of Previous Meeting - March 2, 2023 15 2) 16 Mr. Lussier stated that he has one correction to the Minor Project Review Committee minutes: 17 "Mr. Farquhar" should be changed to "Chief Farquhar." 18 19 20 Mr. Lussier made a motion to approve the regular Minor Project Review Committee meeting minutes and the Pre-submission meeting minutes of March 2, 2023 as amended. Mr. Rogers 21 seconded the motion, which passed by unanimous vote. 22 23 24 3) **Final Vote on Conditional Approvals** 25 Ms. Fortson stated that there are no conditional approvals for a final vote today. 26 27 4) 28 **Continued Public Hearing** 29

A. SPR-06-19, Modification #1 – Site Plan – 20 Manchester St – Applicant and owner 560 Main Street LLC, proposes to lease a portion of the Froling site at 20 Manchester St (TMP #114-012-000) to Phil's Tree Service for equipment and truck storage, create a second open yard rental space, construct an addition ~3,750 sf in size to an already approved 10,000 sf building, and make minor modifications to the landscaping and parking. The property is 9.88 ac and is located in the Industrial District.

 Chair Rounds stated that the applicant for SPR-06-19, Modification #1 is not here today. He opened the public hearing. Ms. Brunner stated that her understanding, in talking with Ms. Fortson, is that the applicant contacted the Community Development Department and asked for the application to be continued to the April 6, 2023 meeting.

Ms. Brunner made a motion to continue the public hearing for SPR-06-19, Modification #1 to the April 6, 2023 Minor Project Review Committee meeting at 10:00 in Council Chambers at City Hall. Mr. Lussier seconded the motion, which passed by unanimous vote.

5) Staff Updates

Chair Rounds stated that he wanted to update the Board about the Minor Project application, SPR-204 Modification #3, that had previously been submitted for 216 Marlboro St. He continued that the applicant came before the MPRC [on January 26, 2023] and the Board had issued a conditional approval. However, upon further review, the MPRC realized that they should not have accepted the application because the proposal did not comply with Zoning and the MPRC is not allowed to consider applications that do not meet Zoning. There were also issues with the MPRC's motion, which they will talk about with the attorneys, so the MPRC can better understand how they need to word future motions. The applicant will return in the future with a revised proposal. He is not sure if it will be a new site plan, but the applicant has some work to do before returning to the MPRC, which City Staff has communicated to the applicant. For now, that process is done, because the MPRC should not have started the process in the first place. He asked if anyone had questions or if he missed anything.

Ms. Brunner replied that she would add that the application is considered *void ab initio*.

6) New Business

Chair Rounds asked if anyone had new business to discuss. There was no response.

7) **Upcoming Meeting Dates**

- Pre-submission Meeting April 6, 2023 at 9:00 am
- 1st Monthly MPRC Meeting April 6, 2023 at 10:00 am
- 2nd Monthly MPRC Meeting April 20, 2023 at 10:00 am (If needed)

	MPRC Meeting Minutes March 16, 2023	DRAFT
66	There being no further business, Chair Rounds adjourned the meeting at 10:41 AM.	
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68	Respectfully submitted by,	
69	Britta Reida, Minute Taker	
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71	Reviewed and edited by,	
72	Megan Fortson, Planning Technician	

1 2	<u>City of Keene</u> New Hampshire				
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5	MINOR PROJECT REVIEW COMMITTEE				
6	PRE-SU	BMISSION MEETING MINU	<u>TES</u>		
7	Thursday, April 6, 2023	9:00 AM	2 nd Floor Conference Room, City Hall		
	Members Present:	Staff Present:	City Hair		
	Jesse Rounds	Megan Fortson, F	Planning Technician		
	John Rogers	Evan Clements, F	Planner		
Don Farquhar Bob Burns, Permit Technic					
	Michael Hagan, Alternate	Yelma Desseta, Public Works Dept. Lt. Shane Maxfield, Police Dept.			
	Members Not Present:				
	Don Lussier				
	Med Kopczynski				
	Steve Dumont, Alternate				
	Mari Brunner, Alternate				
	Kürt Blomquist, Alternate				
8 9	1) Call to Order - Roll Call				
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11 12					
13 14	2) <u>Scheduled Pre-submission</u>	<u>Inquiries</u>			
15	A) Concentual Site Plan		el at 661 Main St (TMP #120-		
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17	056-000) is owned by the Wayne E. Brown Jr. Revocable Trust and is located in the Low Density District.				
18	Low Belishly Bisaries.				
19	Megan Fortson, Planning Technician, stated that Mr. Brown, the property owner, had requested				
20	that this proposal be discussed at the May 4 th Pre-submission Meeting.				
21	that this proposal of discussed at the	me way 4 The submission weed	ng.		
	P) Concentual Site Plan	00 Victorio St. The 0.72 oc	parael at 00 Vieteria St (TMD		
22 23	B) Conceptual Site Plan – 90 Victoria St – The 0.73 ac parcel at 90 Victoria St (TMP #589-022-000) is owned by Snowling & Company LLC and is located in the Business				
24	Growth & Reuse Distr		and is located in the Business		
25	Glowin & Reuse Disti	ict.			
26	Shawn Brown from Level Up Con	struction and Todd Snowling the	e property owner were present		
27	to discuss this proposal. They pre-	<u> </u>	1 1 1		
28	application requirements, and answ	1 0	· ·		
29	application requirements, and answ	rerea questions from City Staff a	bout their proposar.		
30	3) Walk-In Pre-submission	Inquiries			
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	MPRC Meeting Minutes April 6, 2023	DI	
32	There were no walk-in pre-submission inquiries.		
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34	4) Upcoming Meeting Dates		
35	 Pre-submission Meeting – May 4, 2023 at 9:00 am 		
36	• 1 st Monthly MPRC Meeting – May 4, 2023 at 10:00 am		
37	• 2 nd Monthly MPRC Meeting – May 18, 2023 at 10:00 am (<i>If needed</i>)		
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39	5) Adjournment		
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41	There being no further business, Chair Rounds adjourned the meeting at 9:38 AM.		
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43	Respectfully submitted by,		
44	Megan Fortson, Planning Technician		
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46	Reviewed and edited by,		

Jesse Rounds, Community Development Director

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1 2 3	<u>City of Keene</u> New Hampshire			
4 5 6	MINOR PROJECT REVIEW COMMITTEE MEETING MINUTES			
7	Thursday, April 6, 2023		10:00 AM	2 nd Floor Council Chambers, City Hall
	Jesse Ro John Rog Don Fard Kürt Blo	quhar		aff Present: ortson, Planning Technician
	Mari Bru Med Kop Don Lus	rs Not Present: Inner, Alternate Oczynski, Vice Chair sier, Alternate Imont, Alternate		
8 9	<u>I.</u>	<u>Call to Order – Roll (</u>	<u>Call</u>	
10 11	Chair Rou	ands called the meeting to	o order at 10:05 AM. Ro	oll call was conducted.
12 13 14	<u>II.</u>	Minutes of Previous	Meeting – March 16, 2	023
15 16 17	Mr. Hagar motion.	n made a motion to appro	ove the minutes of March	n 16, 2023. Mr. Rogers seconded the
18 19 20		ands stated that for this it t, and himself. The moti-	_	are Mr. Hagan, Chief Farquhar, Mr. 4-0, 1 abstained.
21	III.	Final Vote on Condi	tional Approvals	
22 23 24 25		ands asked if there were a onal approvals up for a f		s. Ms. Fortson replied that there are
26 27	<u>IV.</u>	Continued Public He	<u>arings</u>	
27 28 29 30	a.	owner 560 Main Stree	et LLC, proposes to leas	Manchester St - Applicant and se a portion of the Froling site at 20 Tree Service for equipment and

truck storage, create a second open yard rental space, construct an addition ~3,750 sf in size to an already approved 10,000 sf building, and make minor modifications to the landscaping and parking. The property is 9.88 ac and is located in the Industrial District.

Chair Rounds stated that this is a continued public hearing from the last meeting, on SPR-06-19, Modification #1.

Mr. Blomquist stated that he would like to bring up a concern about this site plan modification. He continued that the City of Keene is the owner of the property immediately adjacent to the subject parcel where the site plan modifications are proposed. The Public Works Department is an active user of the space and has been actively engaged with the applicant over various things. He is uncomfortable and needs to recuse himself from voting on this application.

Chair Rounds stated that he understands and does not think the MPRC needs to vote on Mr. Blomquist recusing himself. He continued that they will have Mr. Rogers join as a voting member on this item.

Chair Rounds asked to hear from the applicant.

Mark Froling of 240 Roxbury St. stated that he is here on behalf of Froling Energy, his business, which is currently located at 20 Manchester St. He continued that his company that owns the property is called 560 Main St., LLC, which is a little strange, because at the time of purchase that was the address of the parcel. Since then, he believes it was 911 that changed the physical address. He explained that they have completed Phase 1 of construction that was approved as part of the original site plan by the Planning Board. They made some changes to the site during construction that made the property non-compliant with the original site plan and are now trying to get these changes on record. The three items that they need to come into compliance on are parking lot striping; modifications to the approved landscaping that affect the location and size of the plantings, and showing a delineation of rentable spaces on the site, which can be seen on Sheet C-1 of the plan set that was submitted. There are two rentable spaces. One is currently rented to a tree company and the other space is delineated for a future potential rental.

Chair Rounds asked if the MPRC had questions.

Mr. Hagan stated that his understanding is that there will also be two offices on the rentable spaces. Mr. Froling replied that they just put that in their notes. He continued that John from Phil's Tree Service wanted to have a little landing area. Many businesses use cordless tools, so they do not actually operate an office in there, but they have a little trailer right now where they plug things in. Sometimes they plug a few trucks in when it is cold in the winter, and so on and so forth. It is not operating as an office, but just a small trailer for some equipment that is valuable and cannot be left overnight in cars for freezing. [Froling Energy] asked early on if it would be possible for the rentable spaces to each have a small office. It essentially is a shed that could act as a small office, but he does not think there is any intention for the renters to operate

out of there or have a sewer line or anything like that. It is more about having it on the plan so if 74 75 there is a temporary on site, it will be in compliance with the City. He (himself) operates an 76 office right now that was not on the construction plans, but ultimately, he cannot really operate 77 out of his building in Phase 1 because it does not have an office in there, either.

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Mr. Hagan asked if the intent is to bring power to the rental spaces, if it would be underground power, or how they would do it. Mr. Froling replied that they want to bring power to them. He continued that right now it is sub-metered off his building. They do not want to bring power unless the City brings power. They do not know yet if the City will bring power at some point. In the right-of-way, there is a note about bringing power down to the salt shed at some point, so if that happens, then there could be power from the City. He does not think they are going to bring power lines down there for a temporary place to plug in cordless tools. That just would not work, financially.

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Mr. Hagan asked if it is correct that for the two proposed, temporary buildings/office trailers, they would have power from metering off of Mr. Froling's building. Mr. Froling replied no, if it is rentable space, he thinks they would have their own service drop. Mr. Hagan replied that that would be in compliance. He continued that the other key to this is making sure they apply for permits for the use of the trailers, once they are in place. Mr. Froling replied yes, that would be on the renters. He continued that he thinks City staff was not happy with the trailer that was there. It is not a special trailer or anything like that, and they keep boots, rain jackets, and various little items in it. There is no one working in there, and it is not an office environment. It is literally just storage and a place to plug in the trucks to operate.

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Mr. Hagan stated that for clarification, once it is on the site plan, they are showing "office trailers to allow for a 12'x20' office trailer that could be used as an office." He continued that if that is the case, it would have to comply with (City regulations). Mr. Froling replied yes, it would have to comply. Mr. Hagan replied that he wants that on the record, and also noted that permits would be required for each one. Mr. Froling replied yes.

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Mr. Rogers stated that he just noticed that in the existing conditions plan, especially where the proposed rental areas are going, there are areas delineated for snow storage. He was not at the last meeting, so this might have already been answered, but he does not see any "snow storage" shown on Sheet C-1 of the plan set that was submitted. He continued that he is just asking, other than some snow storage that Mr. Froling has on the northwest side of the existing building, where will the snow storage be?

- Mr. Froling replied that that is a good point. He continued that they had not really changed that. 111 They store snow all along the southeast side of the parking lot of the (Froling Energy) building. 112 Along the City right-of-way is a good-sized apron, maybe 30 or 40 feet. The storage is 113
- along/sort of behind the scale for the front of the building and to the left of the side of the 114
- building. In the back of the building, there is so little pavement that it is not much storage, it just 115
- gets put to the side. He is not sure where Phil's Tree Service stores their snow. 116

Mr. Rogers stated that he does not see any impervious surface calculations on these plans. He continued that these two rental storage areas are considered impervious surface, and if gravel or surepak or something like that will be brought in for these people to be parking equipment, lot coverage will be a concern, in terms of making sure they are meeting the Zoning Code requirements for percentage. He would like to see impervious surface calculations.

Ms. Fortson stated that there were impervious surface calculations submitted, but they were not included in the plan set. She continued that the impervious surface calculations submitted are for what is existing, not necessarily for any change made by future tenants of the rental space.

Mr. Froling stated that if they make a change, then they will have to come to the City to get a permit. Mr. Rogers replied that with one of these, the change has kind of already been made. He continued that they at least need some numbers reflecting the Phil's Tree area, since that is a storage area that is already in operation, to reflect that. If the notes do not show that, the MPRC needs to see that, to ensure that they are not approving something that would be violating the Zoning Code. Mr. Froling replied that he has not seen those drawings, nor is he sure he could. He continued that they would have to see if the calculations reflect what the MPRC needs, and if not, he can update them.

Ms. Fortson stated that she put the lot coverage calculations up on the screen. Mr. Rogers [reviewed it and] stated that he thinks that answers his questions. Mr. Froling stated that as far as he knows, he thinks they actually reduced the overall percentage of lot coverage from the original site as it was being used and noted that they added retention ponds and have another retention pond for the new building. He continued that these rental spaces, because they need to be delineated and he was not aware of that, in his site plan application, that he could not rent his own space, but now he knows that. He is learning, as they are proposing things, what they can and cannot do.

Chair Rounds stated that in terms of (parking) spaces, it looks like 20 spaces were previously shown on the approved site plan and 29 spaces are now proposed. Mr. Froling replied that the spaces before were parallel parking spaces, and in their operations they found the parallel parking configuration cumbersome to navigate, and in fact, they do not park in the back parking lot at all. The roof drainage is there, and no one wants that. Everyone parks up front. It is also where the main door and bathroom access are. The back parking lot is never used.

Chair Rounds stated that he wants the record to reflect the change to the trees along the west side, and he thinks the north as well. Mr. Froling replied yes, it is a little bit of landscaping along the road frontage near Route 101 and a little bit on the west side of the property. Chair Rounds asked if it is correct that the only proposed change is just to the species of tree. Mr. Froling replied that there were two purposes, the species of tree and [unfinished sentence]. He continued that it is already heavily vegetated, so he was a little dumbfounded that they were asked to put trees in front of trees, but that is the rule the City has, which does not make sense to him. Those

trees were going to get larger than the trees that were already there, and actually killing the trees behind them, which made even less sense. Now they are complying with the rule the City has and trying not to kill the already existing trees. It is annoying but they have to comply. Many of the trees were put where they have no visibility to the road, and trees were left out where they do have visibility, and the whole idea of the trees was to have some kind of barrier. They just kind of moved it in the right direction and still tried to comply.

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Chair Rounds asked if there were any other questions. Hearing none, he opened the public hearing and asked if there was any public comment. Hearing none, he closed the public hearing and asked for a motion. He continued that they should talk about which conditions to include, too.

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Ms. Fortson stated that the board can either have conditions precedent, which Mr. Froling would need to meet before he could receive final approval from the MPRC, or they could try to go for final approval today and meet the conditions subsequent. That means Mr. Froling could get final approval today and have the plans signed by the chair, and the conditions could be met after the final signature.

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Chair Rounds replied that that makes sense. He continued that this is a result of a recent court case involving the Supreme Court and the City of Dover, and because of this the City is trying to make sure that there is a differentiation between conditions subsequent and precedent. The MPRC wants conditions subsequent to be conditions that the (applicant) is going to have to do anyway and will not be a trip-up in the process.

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Mr. Hagan stated that he has a recommendation for the motion, as a final approval, with conditions subsequent, making sure all of these are met after this final approval.

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Mr. Hagan made a motion to approve SPR-06-19, Modification #1, for the creation of two open yard rental spaces and minor site modifications for Froling property at 20 Manchester St., Tax Map #114-012-000 as shown on the plan as identified as 560 Main St., LLC, 560 Main St., Keene, NH, prepared by SVE Associates at varying scales on September 20, 2019, last revised on March 17, 2023, with the following conditions subsequent to final approval:

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- 1. The property owner's signature appears on the title page and the overall site plan on sheet C-1 of the site plan.
- 2. Submittal of a revised site plan showing the location where Phil's Trees will be operating on the site.
- 3. Submittal of updated utility plan showing the location of utilities onsite.
- 4. Submittal of a floodplain development permit.

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Mr. Rogers stated that he would like to add a condition: Submittal of a revised site plan showing the location of the new snow storage area. He continued that with that added, he seconds the motion.

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Mr. Hagan stated that he adds to his motion, the following condition subsequent to final approval:

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5. Show new snow storage location on the revised site plan.

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Chair Rounds asked for further discussion. Hearing none, he asked for a vote.

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The motion passed 4-0.

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V. New Business

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215 Chair Rounds asked if staff had any updates. Ms. Fortson replied not at this time.

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VI. Upcoming Meeting Dates

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- April 2nd Monthly MPRC Meeting April 20, 2023 at 10:00 am (if needed)
- May Pre-submission Meeting May 4, 2023 at 9:00 am
- May 1st Monthly MPRC Meeting May 4, 2023 at 10:00 am
 - May 2nd Monthly MPRC Meeting May 18, 2023 at 10:00 am (If needed)

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There being no further business, Chair Rounds adjourned the meeting at 10:30 AM.

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- Respectfully submitted by,
- 227 Britta Reida, Minute Taker

- 229 Reviewed and edited by,
- 230 Megan Fortson, Planning Technician

City of Keene 1 2 **New Hampshire** 3 4 5 MINOR PROJECT REVIEW COMMITTEE 6 PRE-SUBMISSION MEETING MINUTES 7 9:00 AM 2nd Floor Conference Room, Thursday, May 4, 2023 **City Hall Members Present: Staff Present:** Megan Fortson, Planning Technician Jesse Rounds Evan Clements, Planner John Rogers Don Farquhar Bob Burns, Permit Technician Don Lussier Lt. Shane Maxfield, Police Dept. Michael Hagan, Alternate **Members Not Present:** Med Kopczynski Steve Dumont, Alternate Mari Brunner, Alternate Kürt Blomquist, Alternate 8 9 1) Call to Order – Roll Call 10 Chair Rounds called the meeting to order at 9:10 AM. Roll call was conducted. 11 12 **Scheduled Pre-submission Inquiries** 13 2) 14 A) Conceptual Site Plan – 661 Main St – The 0.7 ac parcel at 661 Main St (TMP #120-15 056-000) is owned by the Wayne E. Brown Jr. Revocable Trust and is located in the 16 Low Density District. 17 18 19 Megan Fortson, Planning Technician, stated that Mr. Brown, the property owner, had called prior to the meeting and said that he would not have his conceptual plans ready in time. He has requested 20 21 that this potential project be discussed at a future meeting. 22 B) Conceptual Site Plan / Boundary Line Adjustment – 147 Main St – The 0.18-ac 23 parcel at 147 Main St (TMP #584-060-000) is owned by 147-151 Main Street LLC 24 and is located in the Downtown Core District. 25 26 Jim Phippard from Brickstone Land Use Consultants, Mike Pappas (the property owner), and Tim 27 Sampson (the architect) were present to discuss this proposal. Mr. Phippard presented the project 28 and answered questions that City Staff had, along with Mr. Pappas and Mr. Sampson. 29

related to the potential project.

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Mr. Phippard we	nt on to present	another project fo	or the potential	l merging and de	velopment of four
parcels at 0 Elm	St (TMP #536-0	055-000), 225 Elm	n St (TMP #530	6-056-000), and	0 Carroll St (TMP
#536-050-000 &	536-049-000).	He discussed the	project with	City Staff and ar	swered questions

D) Conceptual Site Plan – 315 Old Walpole Rd – The 10.7-ac parcel at 315 Old Walpole Rd (TMP #210-027-000) is owned by Fernand & Marguerite Cyr and is located in the Rural District.

C) Conceptual Site Plan – 0 Elm St – The 0.18-ac parcel at 0 Elm St (TMP #536-055-

000) is owned by Nuevo Transfers LLC and is located in the Medium Density District.

Fred Cyr, the owner of the property at 315 Old Walpole Rd (TMP #210-027-000), was present to discuss this potential project. He presented his idea and then consulted with City Staff about various options for his project and the types of review that may be required.

3) Walk-In Pre-submission Inquiries

A) <u>Conceptual Site Plan – 115 Church St</u> – The 0.87-ac parcel at 115 Church St (TMP #574-033-000) is owned by Keene Aerie 1413 and is located in the Downtown Edge District.

Peter Chamberlain, a member of the Eagles Club, was present to discuss a potential site change to the Eagles Club property at 115 Church St. He presented their idea and then consulted with City Staff about the various potential requirements and review required for the proposed site changes.

4) **Upcoming Meeting Dates**

- Pre-submission Meeting June 1, 2023 at 9:00 am
- 1st Monthly MPRC Meeting June 1, 2023 at 10:00 am
- 2nd Monthly MPRC Meeting June 15, 2023 at 10:00 am (*If needed*)

5) Adjournment

There being no further business, Chair Rounds adjourned the meeting at 10:00 AM.

Respectfully submitted by,

- 69 Reviewed and edited by,
- 70 Jesse Rounds, Community Development Director

Megan Fortson, Planning Technician

Timothy Sampson

11 King Court Suite 1E Keene, NH 03431 Memo Ramunto's Extension

30 May 2023

City Of Keene Planning Board 3 Washington Street Keene, NH 03431

Re: Planning Approval Extension

342 Winchester Street SPR-881, Modification #2

Sampson Architects, on behalf of Riverside Improvements, LLC is requesting a time extension to the conditional site plan approval SPR-SPR-881, Modification #2, due to the fact that we have not been able to address Condition #4, underground drainage testing has not yet been completed and the conditional approval expires June 7, 2023, prior to the next Minor Project Review Committee meeting. This testing should be performed within the next two months. We feel we have been able to address all other conditions of approval and once testing of the drainage is complete be able to assemble a complete package addressing all conditions for the committee's review and approval.

Attachments: None

Sincerely,

7imothy P. Sampson

Timothy Sampson

