



City of Westbrook

DEPARTMENT OF PLANNING

**WESTBROOK PLANNING BOARD
TUESDAY, AUGUST 7th, 2012, 7:00 P.M.
WESTBROOK HIGH SCHOOL, ROOM 114
MINUTES**

Present: Ed Reidman, (Chair) (Ward 5), Rene Daniel (Vice-Chair) (Ward 1), Greg Blake (At Large), Rebecca Dillon (Alternate), Joseph Marden (Ward 3), Cory Fleming (Ward 4), Dennis Isherwood (Ward 2)

Absent: Robin Tannenbaum (Alternate), Michael Taylor (At Large)

Staff: Molly Just, Richard Gouzie

Chairman Ed Reidman called the Westbrook Planning Board meeting to order at 7:00 p.m. in Room 114 of the Westbrook High School.

MINUTES MAY NOT BE TRANSCRIBED VERBATIM. SECTIONS MAY BE PARAPHRASED FOR CLARITY. A COMPLETE RECORDING MAY BE OBTAINED BY CONTACTING ENGINEERING, PLANNING AND CODE ENFORCEMENT at 207-854-9105 ext. 220 and lgain@westbrook.me.us.

1. Call to Order

2. Approval of Minutes: July 17th, 2012

Rene Daniel moved to approve the minutes as presented.

2nd by Cory Fleming

The vote is unanimous in favor 7-0

Ed Reidman before we start the business part of the meeting, procedures here, there is no citizen participation for an item that is on the agenda unless it is in workshop or for a Public Hearing.

Some misinformation is out in the Public saying the Public could speak tonight with regard to the first item of the Agenda that is not true. It is my intention to ask to schedule a Public Hearing. When the Public Hearing is scheduled, you will all be invited and it will be advertised in the paper.

Existing Business

- 3. Site Plan, Subdivision & Special Exception – Hyacinth Place - Deluca Hoffman Associates, LLC, on behalf of the Developers Collaborative Predevelopment, LLC, for the creation of 37 multi-family housing units at the former St. Hyacinth's School and Parish Center. The property is located at 2 Walker Street. Tax Map: 32, Lots: 185, 185B, 186; Zone: Residential Growth Area - 1.**

Ed Reidman is the application complete?

Molly Just the application is complete.

Ed Reidman last night at the Council meeting there were two or three items that were related to this project. Were they orders that require a second reading or were they just passed?

Molly Just they do require a second reading.

Ed Reidman thank you,

Kevin Bunker I am with Developers Collaborative working with Avesta Housing on this project. You have seen the Sketch Plan so what I am going to focus on really is turn it over to Steve and David quickly to talk about the site and the architecture. I am going to focus on what has happened since you have seen it.

The main thing that has happened since you have seen the plan and the cause of most of the revisions is we had a Neighborhood meeting back in late June. There were about forty (40) people there and we answered a lot of questions and talked for about an hour about the project.

The concerns fell into a couple different buckets. Some of the concerns were about the project itself, the incomes and whether it would pay taxes and the social aspects of the project. Then the other concerns were largely to impacts to the abutters, noise, traffic, and parking and those types of things. It was a good, positive meeting.

We did make a number of changes to the site plan based on that meeting. I am going to let Steve talk about it a little more, but if you remember we had a strip of parking going in Walker field across from the houses on Pike Street including Rowena Walton's house that we thought was a good idea? That turned out not to be such a good idea and we moved it over. We were asked to move the building as far away from Rowena's house as we could. We did that and it will be moved about ten (10) or fifteen (15) feet over.

We were asked to make a row of deciduous trees in between our new building and hers, we have done that. Those are the major things.

At the time of the sketch plan the dumpster location was still floating around and we had not quite figured that out. We have been looking at two (2) different locations, one in the parking lot near the school and the other was yet to be determined but it was near the new building. The dumpsters now have been centrally located, in the middle of the project, at the bottom of the upper parking lot.

Pike Street I can certainly address if there are any questions but what I have mentioned are the highlights of the major changes we have made.

I am available for questions, but I am now going to turn it over to Steve who will take you through the Site Plan.

Steve Bushey Deluca Hoffman Associates, I am going to go through a number of boards here quickly back and forth so bear with me, please. I appreciate that we have this aerial that shows Walker Street, Walker field area, Pike Street with its dead end here and according to the tax amps as represented on the aerial map extending through (I will talk about that in a moment and Brown Street, the former school, parish center, rectory building, a house that used to be on this lot here, then again Pike Street, Dodge Street, Webb and Walker again. So our property is about

4.6 acres is the general area. This map shows the same thing, part of the discussion that you referenced Mr. Chairman was the City Council voted on the discontinuance of Pike Street through this section here, outlined in the red. Part of the discontinuance and the need to have this property be part of this property will allow the density that is one element that has been outlined as part of the need and purpose of discontinuing what is effectively an eighteen foot wide paved road, It would not necessarily meet street standards and as I understand it; it has been there for such a long time and fell into a certain use in acceptance by both the City and the neighborhood that was identified as Pike Street. The Pike Street right-of-way according to our maps and on the survey, done by Owen Haskell Survey, Pike Street actually ends in theory with a fifty (50) foot right of way, ends here.

The Council had its first meeting on the discontinuance of that section of Pike Street and the acceptance of what will be a new public right-of-way along and through the development site, here. What was an eighteen foot wide road will become a twenty (20) foot wide road all the way through to Walker Street. Part of that as well will include a turn around for City vehicles like plow trucks. There was a little discussion about that saying the plows could come up to the end of Pike Street, back into the turn around and go back out again, although they will be allowed the opportunity and the ability to drive through anyway as this will be a public route through to Walker Street. Maintenance will be born by developer, it is not going to become a City accepted street or a City responsibility to perform maintenance although they will be able to use it for access.

A number of other easements associated with the development are outlined in blue, so we have a utility easement, a utility corridor going to the transformer pad that also benefits the Rectory that will remain in the ownership the Diocese then also sanitary sewer and water easements here through the site and again the turn around easement that is part of the recreational area that will be maintained.

Here is our site plan with the reuse of the school building fourteen (14) units, the former parish center with nine (9) units and the new building here with fourteen (14) units. What we presented to you in early May for the sketch plan continued to show access from Brown Street, the access point today brings you up to a garage area does allow access today up through the higher area to the Pike Street access here. We are discontinuing that access because it is steep there and we are trying to provide a more level area here for parking, accessed from the higher ground off of Walker Street and then a parking area here to serve the school building. We will have pedestrian access and have ADA access so there is a ramp up between the two parking areas and the dumpster area is now positioned centrally between all the units so everyone will have access to the trash collection.

We are showing a shared access that is going to be widened to twenty feet that will allow improved access to this parking lot area. Part of the development includes 4.6 acres of property – 15,000 square feet, which is the minimum lot size for the number of units that might be ultimately predicted for this rectory building that is now unoccupied. The Diocese is maintaining ownership of this piece so we are carving it out as depicted on our subdivision plan known as lot two (2), lot one (1) being the remainder of the land including our three buildings, the open space area on the field area.

This parking lot represents the majority of the parking for these two buildings. Due to the concerns on the earlier version that had parallel parking near Pike Street we have rearranged the parking, all nineteen (19) spaces over to this area and be more proximate to parking and these two (2) buildings and certainly gets away from parking in the front. We are going to maintain

some of the trees; we will lose a couple of trees, existing trees in this area. I will show the landscaping plan showing where we try to offset that by offering additional trees on the outskirts of the parking area.

We have a small play area here and this building with fourteen units will have community space as well. We have a broader area under canopy with bicycle racks and so forth. The sidewalk conditions along here and here, extending to Walker Street. Shown on this is a retaining wall that needs repair and also the sidewalk as well.

These two (2) buildings have utility services to them that will have a few upgrades and a new water service line. We will be providing a new Portland Water District easement. Heating will be discussed by Mr. Lloyd. We will be providing a new water main for the rectory as well out to Brown Street.

We have provided lighting plans that give you the location of a number of light poles around the parking lot, around the perimeter of the buildings. We have said the light pole heights will be about fourteen (14') feet high. We feel like those are fairly non-intrusive certainly with cut-off fixtures and so fourth we feel that we have met the standard to lighting coverage.

This plan provides connectivity to pedestrian traffic, people walking out to Walker Street, sidewalk systems along both Brown and Walker Street. We have provided a small piece of connectivity here as well; to gain access to the recreational space with a cross walk.

The Brown Street access we are providing some improvements there as well with its profile as it is very steep today and emergency services mentioned it is difficult to get an emergency vehicle up there so we are changing the profile to allow the emergency vehicle better access.

As seen on the existing landscape plan the large Maple trees in front are going to be removed so the visibility in front of the building will be improved and our new plan the landscape plantings will be much lower. Our landscape architect thought it would be a good idea to idea to create a board walk effect down to Brown Street with plantings. We have some junipers and perennial garden type plantings going up and down either side to the front entrance. We have new plants proposed on this plan, recognizing that this project is being reviewed by Maine State Housing and Historic Register guidelines, so there is some concern on their part, they do not want to have too much landscaping because if there was not a lot there originally, they basically want to recreate what was always there. David can speak to that as to their guidelines. There is some level of need to not overdo on the landscaping from a historic sense. There is a balance there and we think we have achieved that.

We have emphasized more plantings along side the new building and as Kevin mentioned we have positions some evergreen, white spruce and a number of other species. We six sugar maples along the edge that blends in with the perimeter trees around the Walker field area and I think we have achieved a goal of symmetry to the development. We also have some low plantings here because we have some slope issues that are relatively steep, so we wanted to have something more than just rip-rap and we have achieved some softness by putting in a lot of plantings that should stabilize the slope condition. We will have the trees maintained along Brown that provides a huge amount of screening because of their size.

I will note the retaining wall construction here; there has been one or two repairs on the wall. There is a five to seven foot wide piece of asphalt and the last two feet are pitched up and some concrete work done, sort of a granite block, stone, a masonry wall and it has been tipped over and starting to tip over and probably one of the repairs was to prop it up with concrete work in front of it and asphalt work in front of that and the repair attempts has never solved the issues

because it does not have good drainage behind it with a good foundation base so we are going to reconstruct this and straighten it out and place a five foot sidewalk with plantings in front of it shown on our landscaping plan with the modest amount of new plantings to accent that wall.

Just to give you a sense of scale on the landscape plan and the walker field, almost two acres of open space; there is a swing that is remaining which may need new chains and some paint but it is really solid. There is a back stop here on this area of field that does not get much use and historically as I understand there was a soft ball league but has much less use now then it did historically.

Overall Walker Street, Webb, Dodge and Pike Street will have continued access through; between Pike and Walker access will remain. I will note that one of our utility issues is the connection this property here (which currently goes across the site and beneath the parish center out to Walker Street, really not a very good condition. We had some of the line videoed and it is in tough shape with root growth and is not surprising that this resident is having issues with sewer discharge as the pipe is in bad shape. We are installing a brand new pipe system that will go out and parallel the new building that is served by a new sewer line that will go to Walker that we will tie into that which will have a new gravity flow out to Walker Street, which will be an improvement with that regard.

That will sum up my presentation on the site work and I invite any questions from the Board.

Ed Reidman we will hear from Mr. Lloyd, thank you Mr. Bushey.

David Lloyd I am the architect for this project. We have two great old buildings here and the reconstruction of the two will have a historical liaison and we meet all of the requirements of the national parks service and the State historical commission, we all work together and all the decisions on the restoration of the two historical buildings are done under the direction and their guidance.

The old school building, everything from the cupola will be repaired and restored and go to its original condition, the slate roof, the copper valley, the brick gets re-pointed with some repair work. On this building we will excavate totally to improve the drainage around the building so we will not have anymore water infiltration on the lower levels. All the windows are either the original or pulled out, repaired and put back in or a combination of a replication of the original windows that is all painted wood so when those two buildings are complete we will have a beautiful restored example of that architecture from that year.

What was the convent has some moisture problems and will need to remove some courses and grind down the lintel, coat them and put them back together, there are bricks that are falling because moisture is getting in there and blowing the bricks apart and all that work gets repaired with this program, doing this right that building is good for another 100 years.

Our new building...my original intent is to do simple background architecture. We listened to the Planning Board and have upped our game a little bit, so that is what we did. We have added some extra cornice work on the front entry of the building that is an inviting porch on the front, here is a toddler play ground in the gray area in the foreground, to the left of the building is a community space with glass looking out to the project, it will be cream trim with off yellow clapboard siding with traditional soft details so it will be a good companion to the buildings in the neighborhood.

Ed Reidman before I open it up to the Board, this has a typical subdivision plan because there are three building involved on the second lot. It has a site plan which they have just gone over.

Would you explain the special exception Molly?

Molly Just this property is located in the Residential Growth Area one zoning district that allows multi-family housing which this type of housing is and is allowed by special exception and is an allowable use but the Planning Board has to review it for any impact to the neighborhood. There is a significant amount of multi-family housing in the neighborhood already as well as single family homes, so the use is consistent with the surroundings in the neighborhood.

Ed Reidman questions from the Board? Recognizing the people in the audience will have time for questions if we go to a Public Hearing. Does anyone want to take a site walk?

** Editors note two or three Board Members interested

Ed Reidman I am looking for a date.

Molly Just Saturday, August 18th

Ed Reidman what time?

Molly Just 9:00 a.m.

Denis Isherwood I propose to have a site walk on this project at 9:00 am on August 18th.

2nd by **Rene Daniel**

Ed Reidman everyone understands the motion?

Rene Daniel is there another option with the second date for a site walk so that more members can attend?

Ed Reidman if we schedule a Public Hearing, when will that be?

Molly Just that will be on the following Tuesday the 21st.

Ed Reidman why don't we try on the 25th that is a week later? Then we will schedule the public hearing on the first meeting in September? Is it agreeable to change it to the 25th? Everyone understands the motion now to meet at 9:00 on the Pike Street side?

The vote is unanimous in favor 7-0

Ed Reidman may I have a motion to schedule a Public Hearing on September 4th at 7:00 p.m.?

Cory Fleming so moved

2nd by Dennis Isherwood

The vote is unanimous in favor 7-0

New Business

4. Land Use Ordinance Amendments – Section 309 Gateway Commercial District and Code of Ordinances, Appendix B, Master Fee Schedule – To establish a fee in lieu of the landscaping requirement of the Gateway Standards of the Gateway Commercial District and to set the fee in the Master Fee Schedule.

Ed Reidman Molly has produced the material and recommends changing the Ordinance to deal with a situation in the Gateway District, the entrance from Portland to Larrabee Road and Main Street. There is a lot of pavement and we dealt with it the last time we were here with regard to 100 Larrabee Road where they paid a fee voluntarily to build more parking to put more asphalt in. This will eliminate that; this would make it mandatory to have that fee, if the Council passes it and puts it in the Ordinance.

2. Land Use Ordinance Amendments – Section 309 Gateway Commercial District and Code of Ordinances, Appendix B, Master Fee Schedule

The performance standards of the Gateway Commercial District include a requirement that 25% of sites be undeveloped and landscaped. The Gateway Commercial District is almost entirely built out and includes many sites covered almost entirely by impervious surface. This is, in large part, due to the predominant land use [by acreage] in the area, automobile dealerships and associated uses. The goals of the Gateway Commercial District are to enhance this gateway with Portland as a regional commercial zone.

In 2000 the cities of Portland and Westbrook conducted a streetscape and traffic study to identify safety and beautification improvements in this area, which includes Route 25, Main Street/Brighton Avenue, as its primary east-west thoroughfare. Staff proposes that developers have the option to provide a fee in lieu of landscaping. The fees would be used in this area to implement the safety and beautification recommendations of this inter-municipal study. The fee in lieu concept is available for residential subdivisions in Westbrook. This option has worked well for higher density residential projects and has helped to finance recreation projects throughout the City.

Staff requests that the Planning Board holds a public hearing and provide a recommendation to the City Council to adopt the proposed amendments.

Proposed Land Use Ordinance Amendments

309 Gateway Commercial District.

This district is designed to provide for a regional retail center that takes advantage of major transportation linkages. The use of land in this zone is to be maximized, but according to a set of standards as part of the community’s gateway planning.

309.1 **Permitted Uses.** The following uses are permitted in the Gateway Commercial District as a matter of right:

Accessory Use	Municipal Facility
Auto Repair Service	Neighborhood Grocery
Business Office	Private Recreation Facility
Child Care Center	Restaurants Class 2
Day Care Center	Retail Class 1, 3 & 4
Greenhouse or Florist	Service Business
Hotel/Motel	Telecommunication Towers
Industry	Theater*
Media Studio Class 1 & 2	Veterinary Office or Kennel
Medical Offices*	Vocational Education Facility
*(Ord. of 03-07-05)	

309.2 **Special Exceptions.** The following use is permitted in the Gateway Commercial District as a special exception under Section 204:

Dwelling, Multiple Family¹

309.3 **Performance Standards.** The following ~~uses are~~ performance standards apply in the Gateway Commercial District:

A. Minimum Lot Size:	With sewer: 10, 000 S.F. Without sewer: 20,000 S.F.
B. Dimension Requirements:	
(1) Minimum Lot Width:	100’ at 10,000 S.F. 200’ at 20,000 S.F.
(2) Yard Depth:	
(a) Front	20’
(b) Rear	20’
(c) Side	20’
(3) Maximum Height:	40’, or three stories
(4) Maximum Footprint:	160,000 S.F. ²

¹ Note to committee: this was added based on a multi-use transportation corridor study done by PACTS in which having housing in this HUB is both good for those working in retail centers and assists in the development of transit operations.

² Maximum footprint of any single building.

- C. Maximum Footprint Factor: 50%
- D. Maximum Gross Density Factor: 75%
- E. Landscape Factor: 25%
- F. Noise. Noise must be confined to the existing levels at the walls of the building on the site.
- G. Odors. Odors must be limited to existing levels at the exterior of the building.
- H. Hazardous Matter. The emission of hazardous matter must be so controlled that no concentration is permitted beyond the building limits that would be detrimental to or endanger the public health or cause damage to property. No storage of hazardous matter is permitted, except that used exclusively for ongoing production purposes.
- I. Vibrations. Must not exceed existing levels at the exterior of the building.
- J. Lighting. All outdoor lighting must be of the cutoff luminaire variety and must be installed so that no direct lighting is emitted beyond the lot lines.
- K. Storage of Materials. All materials must be stored within an enclosed structure so as to be screened from view.
- L. Installation of Utilities. All electric, telephone, and similar lines must be placed underground.
- M. Buffer Zones. Where a business or industry abuts a residential use, a 50' buffer zone must be maintained between the building and the lot line of the residential use.
- N. Telecommunications Towers. In order to maximize the land use, a maximum footprint factor of 100% is allowed, provided that any new structures still meet the district setback. The fall zone may be reduced to include the base of the facility upon a showing to the Code Enforcement Officer that the tower, as designed by a Maine licensed P.E., is designed to collapse upon itself. Any new facilities shall be of the monopole type.
- O. Gateway Standards

Purpose. In 2000, the cities of Portland and Westbrook worked jointly to develop a gateway plan for the entrances of our communities along the Brighton Avenue corridor. The Brighton Avenue/Main Street Corridor Traffic and Streetscape Study identifies a number of safety and appearance improvements to the corridor, intended to provide a safer and more pleasing experience for the driver and pedestrian as they move through the corridor. This should, over time, increase property values in this corridor, creating an incentive for further investment.

~~Purpose. In 2000, the cities of Portland and Westbrook worked jointly to develop a gateway plan for the entrances of our communities along the Brighton Avenue corridor. The study pointed to a number of improvements to the corridor, including those that would soften its appearance, creating a more pleasing experience to the automobile driver as they moved into or through the district. It is hoped that this “softening” will, in time, increase property values in this corridor, creating an incentive for further investment.~~

Improvement Standards. When there is new construction (i.e. an addition or new building), or when more than 20% of a property’s activity or use changes, the owners are required to submit an application for site plan review, demonstrating how the following performance standards are to be met:

- (1) Landscaping: 25% of the entire site shall be landscaped, leaving 75% for building and paved areas. The landscape plan shall incorporate all plantings within the site such that pavement view shed is reduced, storage and loading areas screened, vehicle entry areas decorated/landscaped, and the general harshness of pavement and building reduced.

When it can be satisfactorily demonstrated to the Planning Board that it would be overly burdensome to fulfill this requirement due to site constraints or the unique nature of the use of the property, then the applicant shall pay a fee in lieu of providing the full on-site landscaping requirement. In no event shall an applicant be allowed to eliminate the full landscaping requirement through payment of the fee. The funds must be used in the study area in a manner consistent with the Brighton Avenue/Main Street Corridor Traffic and Streetscape Study, to provide landscaping and other streetscape improvements. The fee in lieu of landscaping is calculated as set forth in the City’s Master Fee Schedule, which may be updated from time to time.

- (2) Pedestrian Movement: The site must provide for a system of pedestrian ways that are protected and safe from vehicular movement. The system must connect the major building entrances/exits with parking areas. The system should connect with existing sidewalks in the area, bus stops, and with any other area amenities.
- (3) Curbing and Esplanades: Wherever possible, curbing and esplanades shall be used to define parking and driveway areas. Curbing may also be used around building entrances and other pedestrian oriented areas such that the pedestrian is clearly separated from the vehicular movement. Granite curbing shall be used at all intersections with a public street and is encouraged for use through the remainder of the project.
- (4) Vehicle Channelization: The layout of any site must provide for the safe movement of passenger, service, and emergency vehicles in an organized and defined fashion.

- (5) Lighting: A lighting plan shall be developed for the site that provides for consistent treatment throughout the site. All lighting shall be of the “cutoff luminaire” style, such that light is directed down. No light shall spill beyond the property lines.
- (6) Signage and Condition: In addition to meeting the sign ordinance requirements, the owner may be required to improve the existing signs when they are in poor condition. Examples of poor condition can include broken lights, broken lens covers, faded paint or colors, or broken connections of sign to building.
- (7) Loading and storage areas: All loading and storage areas shall be screened from view from the street and abutters. Screening can include fencing, walls, or vegetation and shall block the loading and storage area from view.
- (8) Underground utilities: All utilities, including electricity, shall be underground.
- (9) Schedule for Improvements: Plans for improvements shall be reviewed and approved by the Planning Board prior to any change occurring. The Planning Board shall review the plans through the site plan review process. Improvements shall be completed within 6 months of the new use or activity taking occupancy. The owner shall provide a bond or appropriate surety instrument to insure that the work is completed. Staff will release the bond when they have inspected and found the improvements are consistent with the plan reviewed and approved by the Planning Board. That review and approval will be based on the criteria identified above.

Appendix B
MASTER FEE SCHEDULE

Appendix A: Land Use Ordinances - Site Plan Review

§309	<u>Fee in lieu of landscaping in the Gateway Commercial District (GCC). Calculated by multiplying the landscaping percentage deficit under Section 309.3(O) by ½ of the average assessed value of one acre of land in the GCC, determined as of June 2012.</u>	<u>½ of average assessed value of 1 acre of land in the GCC as of June 2012 = \$73,000</u>	
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Molly Just what this is; is an option for developers to choose... you are familiar with the subdivision ordinance for residential subdivision the developer can provide open space to provide for the recreational needs for the residents that they are adding to the community or they can provide a fee in lieu of that open space, recreation area for that to be provided off site in the nearby area.

What we find in the Gateway District, this past winter we saw official and unofficial development proposals in this area. We looked at the Gateway standards back on 2000, Westbrook and Portland engaged in a planning process to look at traffic and beautification in our common Gateway, in Portland and Westbrook.

The area is pretty much paved and what we did in 2004 when we re-wrote the Zoning Ordinance is write specific standards Gateway Commercial District to beautify the area and try to implement some of the recommendations from the 2000 study. In some cases it is not feasible and perhaps even impractical to think about demolishing some of the developed portion of the site in order to provide 25% of the site as landscaping.

If the developer can show satisfactorily to the Planning Board that it is not practical to do then they would be able to provide a fee in lieu of landscaping when they can not meet entirely the 25% requirement. They do have to provide something, often times that will be a landscaping strip along Main Street with some trees in it. What we really want to do is have a better view in the corridor and improve some of the traffic movements in that area.

That is really what this does and as Mr. Chair pointed out that a previous applicant went ahead and did that proactively. We are now following up with Ordinance language. We do need to schedule a Public Hearing, hold the Public Hearing and make a recommendation to the City Council.

Ed Reidman in the other zones, in regards to open space the recreation committee makes recommendations to us for a fee in lieu of, so there is a precedent

Cory Fleming given what you have said about the Gateway corridor and how developed it already is and assuming there are not environmental impacts then from us adopting this opposed to ground water and anything along those lines ...

Molly Just no and the developers will have to meet those requirements either way and will be reviewed on a case by case basis.

Ed Reidman shall we set a public hearing? Procedurally for the new members, if something comes to us, we are required to hold a Public Hearing and after we hold a public hearing we have the right to make a recommendation to the City Council either positive or negative or after having the Public Hearing there are a number of days or a period of time that does not require us to send anything to them.

Could I have a motion to hold the Public Hearing on this on September 4th following the previously scheduled Public Hearing?

Rene Daniel so moved

2nd by Corey Fleming

The vote is unanimous in favor 7-0

5. Adjourn

*Respectfully submitted by Linda Gain PECE Administrative Assistant
THANK YOU*