

**Minutes of Meeting
Grafton Planning Board
May 21, 2007**

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A regular meeting of the Grafton Planning Board was held on Monday, May 21, 2007 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Keith Regan, Vice-Chairman, Donald Chouinard, Robert Hassinger, Peter Parsons and Associate Member Christophe G. Courchesne. Absent from the meeting was Clerk Richard McCarthy. Staff present was Town Planner, Stephen Bishop and Planning Assistant, Samantha Hobson.

Chairman Regan called the meeting to order at 7:00 p.m.

REORGANIZATION

A. Election of Officers

Chairman **Nomination** by Mr. Parsons, **SECOND** by Mr. Chouinard, for Keith Regan as Chairman.

DISCUSSION: Mr. Hassinger stated he thought the Chairman position should rotate from year to year and that Mr. Regan had held the position for three consecutive years.

Nomination by Mr. Chouinard, **SECOND** by Mr. Hassinger, for Peter Parsons as Chairman.

DISCUSSION: Mr. Regan stated he wished to decline the nomination.

Mr. Parsons agreed to accept the nomination.

Voted as follows: for Mr. Parsons: Unanimous 3 to 0

Peter Parsons was elected Chairman.

Vice-Chairman **Nomination** by Mr. Chouinard, **SECOND** by Mr. Regan, for Robert Hassinger as Vice Chairman.

Voted as follows: for Mr. Hassinger: Unanimous 3 – 0.

Robert Hassinger was elected Vice-Chairman.

Clerk **Nomination** by Mr. Chouinard, **SECOND** by Mr. Parsons, for Keith Regan as Clerk.

Voted as follows: for Mr. Regan: Unanimous 3 – 0.

Keith Regan was elected Clerk.

B. Designate delegate to CMRPC

Nomination by Mr. Regan, **SECOND** by Mr. Chouinard, for Robert Hassinger to serve as **Planning Board Delegate** to the **Central Massachusetts Regional Planning Commission** for the upcoming year. **MOTION** carried unanimously.

C. Designate member to Town Owned Land Committee

Nomination by Mr. Chouinard, **SECOND** by Mr. Parsons, for Keith Regan to serve as **Planning Board Representative** on the **Town Owned Land Committee** for the upcoming year. **MOTION** carried unanimously.

D. Designate member to Affordable Housing Committee

Nomination by Mr. Chouinard, **SECOND** by Mr. Hassinger, for Mr. Courchesne to serve as **Planning Board Representative** on the **Affordable Housing Committee** for the upcoming year. **MOTION** carried unanimously.

Chairman Parsons received unanimous consent to add: Designate member to the Community Preservation Committee.

E. Designate member to Community Preservation Committee

MOTION by Mr. Hassinger, **SECOND** by Mr. Chouinard, to designate Mr. Regan to the **Community Preservation Committee**. **MOTION** carried unanimously.

F. Designate members to Sign

MOTION by Mr. Hassinger, **SECOND** by Mr. Regan, to designate the Chairman or Vice-Chairman to sign ANR plans if the Town Planner is unable to sign. **MOTION** carried unanimously.

G. Authorize Town Planner to:

MOTION by Mr. Regan, **SECOND** by Mr. Chouinard, to authorize the Town Planner sign the payroll and ANR plans on behalf of Planning Board after Board approval. **MOTION** carried unanimously.

Mr. Hassinger noted that the Town was entitled to a second delegate to the CMRPC which is usually appointed by the Board of Selectmen and anyone on the Board who is interested should let them know.

SRP 2007-1 SCENIC ROAD PERMIT/TREE HEARING – WESSON ROAD & WILLARD ROAD – NATIONAL GRID – ACT (AUGMENTED CLEARANCES FOR TREES) –

Mr. Regan read the legal notice and Chairman Parsons opened the public hearing at 7:07 p.m.

Present for National Grid was Joan Callahan, who submitted a letter to the Chairman requesting to withdraw their application without prejudice. Ms. Callahan informed the Board that National Grid had forgotten to post notices on the trees for removal and tie ribbons on the trees for trimming. Ms. Callahan stated they would be resubmitting an application for a hearing in June, allowing time for a legal notice to be posted in the newspaper.

MOTION by Mr. Hassinger, **SECOND** by Mr. Chouinard, to grant the applicant's written request to withdraw their application without prejudice. **MOTION** carried unanimously.

RZN 2007-1 CITIZEN PETITION ARTICLE FOR MAY 2007 ANNUAL TOWN MEETING – PROPOSED AMENDMENT TO THE GRAFTON ZONING MAP – 42 WESTBORO ROAD – CHARLES ATCHUE

Mr. Regan read the legal notice and Chairman Parsons opened the public hearing at 7:10 p.m.

Present for the hearing were owner/applicant Charles Atchue and Norman Hill of Land Planning.

Mr. Hill reviewed with the Board the location of the ten acre parcel which runs along the South side of Westboro Road. Mr. Hill noted the Grafton & Upton Railroad abuts to the West, connects to the Conrail line along the North side, and easterly and southerly by Bummet Brook. Mr. Hill pointed out there are several commercial/industrial businesses located near the property who take advantage of the railroad. Mr. Hill stated the parcel is also a few hundred feet from gas hookups, town water and sewer, making it a greater value to revise the zoning as an industrial development.

Mr. Atchue informed the Board that the area is not conducive to high grade homes or multi-family rental and he has received interest from Washington Mills, Fiber Tech and WBDC in the future use of the property if the zoning is changed to industrial.

Mr. Hassinger asked about the copy of the parcel sale information which showed a sale price of \$100.00, which seemed rather odd. Mr. Atchue stated the figure was not accurate and did not know where the figure had originated.

Mr. Hassinger also noted that the Board of Selectmen comments had questioned whether this could be considered spot zoning. Mr. Hassinger stated he felt it comes close to the ear marks of spot zoning and asked what Mr. Bishop's thoughts were on the parcel.

Mr. Bishop remarked that he concurred with Mr. Hassinger's concern regarding spot zoning and noted that the parcel is not physically connected with any industrially zoned land.

Mr. Hill questioned whether the federal government had placed an overlay site with regard to the zoning in that area due to the railroad.

Mr. Hassinger noted that typically railroads are not zoned at all and are pretty much protected by the government for their requirements.

Mr. Hassinger asked whether the EDC had been notified of this application and was told yes by Mr. Bishop, however no comments had been received from the EDC.

Mr. Regan inquired about the uses being evaluated for the area with its unique proximity to the railroad and asked the applicant if he had considered the growing popularity of the trash transfer with the railroad, which is permitted in this area.

Mr. Regan noted also that the only place for access to the parcel would be from Shrewsbury.

Mr. Hill stated they were not asking the Board for action on this submission tonight, but wished to continue the hearing and receive some feedback from the Planning Board regarding the best way to proceed with this parcel.

Mr. Courchesne suggested to Mr. Atchue that he provide a legal opinion for Town Counsel to review and evaluate.

Mr. Atchue questioned whether spot zoning had been allowed previously through the Telecommunications access.

Mr. Hassinger informed Mr. Atchue that the zoning was probably eliminated due to the railroad property privileges.

The Board discussed whether the hearing should be continued or if the applicant should submit an application for a new hearing.

MOTION by Mr. Regan, **SECOND** by Mr. Chouinard, to accept the applicant's written request to continue the public hearing to July 23, 2007 at 7:00 p.m. **MOTION** carried unanimously.

SP 2007-6 CHERYLEE WOOD (APPLICANT/OWNER) – 161 MILLBURY STREET – COMMON DRIVEWAY

Mr. Regan read the legal notice and Chairman Parsons opened the public hearing at 7:36 p.m.

Present for the public hearing were applicant/owner Cherylee Wood and Engineer Brian MacEwen of Graz Engineering, L.L.C.

Mr. MacEwen informed the Board that Ms. Wood was requesting approval for a proposed common driveway to provide safe ingress/egress to two frontage lots located at 161 Millbury Street, which recently were approved through the submission of an Approval Not Required application to the Planning Board. Mr. MacEwen stated there was one existing dwelling on Lot 1 and one proposed dwelling for Lot 2, both of which are and will be supplied by private water wells, on-site septic systems, and existing overhead municipal electrical and communication services. Mr. MacEwen also noted they were requesting several waivers from the Zoning By-laws, Section 1.3.3. Site Plan Review based on the type and scope of the project.

Mr. Hassinger inquired about the grading calculations on the plan. Mr. MacEwen informed the Board that due to the presence of quite a bit of ledge, he had kept the grade at 10% to minimize the impact of the work proposed which was consistent with the Town's Subdivision Rules & Regulations.

Mr. Bishop informed the Board that Mr. MacEwen had provided plans today which depicted the layout and design of the common driveway.

MOTION by Mr. Regan, **SECOND** by Mr. Hassinger, to close the public hearing. **MOTION** carried unanimously.

MOTION by Mr. Regan, **SECOND** by Mr. Chouinard, to direct Staff to draft a decision, taking into consideration all the information received and the findings and conditions discussed. **MOTION** carried unanimously.

MODIFICATION OF SPECIAL PERMIT – ROBERT GIBSON (APPLICANT/PROPERTY OWNER) – KENNEL – 137 UPTON STREET

Mr. Regan read the legal notice and Chairman Parsons opened the public hearing at 7:45 p.m.

Chairman Parsons appointed Mr. Courchesne a voting member for this application.

Present for the hearing were applicant/owners Robert & Melissa Gibson.

Mr. Gibson informed the Board they were requesting to modify their special permit by adding 31 small indoor modular kennels to be used for specialized dog care. Mr. Gibson added that the kennels will occupy previous retail space completely within the existing footprint of the facility and require no drainage systems since each kennel is hand cleaned.

Mr. Chouinard asked what the average length of time a dog will stay at the kennel. Mr. Gibson stated about 7 to 10 days.

Mr. Regan questioned how many dogs on an average are housed daily at the kennel. Mr. Gibson stated 75 to 85 with possibly an additional 31 daily.

Mr. Hassinger noted he was concerned with traffic impacts for the amount of traffic generated with the number of dogs being dropped off and picked up daily. Mr. Gibson stated the main hours of any traffic would be at 7 to 7:30 a.m. for dropping off and 5:30 to 6:00 p.m. for picking up.

Neighbor Todd Grabau of 140 Upton Street informed the Board that there were no traffic issues affecting the area due to the kennel activity.

Mr. Gibson noted that when he had originally sought his special permit for the kennel in 2001, the Planning Board had required him to install a much wider driveway, which had benefited him through the years with all the car and delivery truck traffic issues.

Mr. Hassinger also inquired whether additional help would be hired to accommodate the additional animals.

Ms. Gibson stated they had many part timers who would be expanding their hours.

MOTION by Mr. Regan, **SECOND** by Mr. Hassinger, to close the public hearing. **MOTION** carried unanimously.

MOTION by Mr. Regan, **SECOND** by Mr. Hassinger, to direct Staff to draft a decision, taking into consideration all the information received and the findings and conditions discussed. **MOTION** carried unanimously.

**SRP 2007-2 ERIC GILMORE/GILMORE BUILDING COMPANY (APPLICANT)
- MISCOE BROOK PRESERVE, LLC (OWNER) - 36, 40 & 44 ADAMS ROAD**

Mr. Regan read the legal notice and Chairman Parsons opened the public hearing at 8:00 p.m.

Present for the hearing was applicant Eric Gilmore of Gilmore Building Company, Inc.

Mr. Gilmore informed the Board that he was requesting to remove a portion of the stone wall and some small trees and brush for three driveway openings. Mr. Gilmore noted that these driveways were part of previously approved MRSP 2001-14 Miscoe Brook Preserve for Lots 5-11, and that he would be replicating the three driveway openings previously approved on the other side of the street for the same approved special permit.

Mr. Gilmore stated they had placed the driveways to allow for a minimum of tree disturbance and will be reusing the stones of the stone wall disturbance to curve the wall in on the sides of the driveways.

Mr. Regan asked if the site distance would be okay with the sign. Mr. Gilmore stated there was no issue since the sign was above the car height.

Mr. Hassinger inquired if Mr. Gilmore had spoken with the Conservation Department yet. Mr. Gilmore stated there were no wetlands or Conservation issues close to the area.

Chairman Parsons asked about any signage planned for the end of Estabrook Avenue. Chairman Parsons suggested some brush cutting to improve the site distance and visibility to the South, since currently it was somewhat compromised.

MOTION by Mr. Regan, **SECOND** by Mr. Hassinger, to close the public hearing. **MOTION** carried unanimously.

MOTION by Mr. Regan, **SECOND** by Mr. Chouinard, to direct Staff to draft a decision, taking into consideration all the information received and the findings and conditions discussed. **MOTION** carried unanimously.

SP 2007-5 TOWN OF GRAFTON, GRAFTON FIRE STATION BUILDING COMMITTEE (APPLICANT) – NEW FIRE STATION – 26 UPTON STREET

Mr. Regan read the legal notice and Chairman Parsons opened the public hearing at 8:14 p.m.

Present for the hearing were William Murray & Meg Wesler of PLACES Site Consultants, Inc.; and Deputy Fire Chief Michael Mills, Chairman of the Grafton Fire Station Building Committee.

Mr. Murray informed the Board the site has been remediated from prior contamination and that additional stabilization efforts will be undertaken to close out the stabilization permits by either the Town if they purchase the land or by the current property owner.

Mr. Murray submitted the lighting plan, which was delayed by a waiver request and reviewed all of the submitted plans with the Board stating the project site is approximately 15,000 square feet with four double apparatus bays, attached administrative offices, training areas, and fire “house” areas for the fire department staff use. Mr. Murray added that the design of the proposed building accommodates the

existing vehicles that the department currently owns and that the turning radii for the site accommodates all the fire department vehicles.

Mr. Murray also reviewed personnel/shifts, parking, daily traffic, hazardous materials, the potential for future changes to the facility, and the requested waivers regarding required fees, lighting, stormwater management, and traffic control. Mr. Murray noted there was a waiver request for the application fees and that the peer review fees would be the responsibility of the Fire Station Building Committee. Mr. Murray stated that with regard to the traffic control waiver they were requesting the waiver from the Traffic Analysis Standards, and asking for a reduced Traffic Impact Statement, for which they were waiting for traffic information from Roger Hammond. Mr. Murray indicated Mr. Hammond had recommended they use a traffic study done for the area in 2001.

Mr. Murray stated the radio tower would be similar to the one installed at Police Headquarters.

Mr. Chouinard asked how the site had changed beneficially from the last plan submitted. Mr. Murray stated the building had been moved back 15 feet, specifically with the intention that the ladder truck can drive around the building and drive through the bay.

John Carlson of 42 Old Upton Road explained to Mr. Chouinard that specifically what was asked at an earlier meeting was that when the ladder truck was outside the building, would it be in the road?

Mr. Chouinard also asked if the fire horn would be moved to the new station. Deputy Chief Mills stated the fire horn would be remaining at the old fire station building, since it was too old to move.

Fire Chief Michael Gauthier of 17 Main Street informed the Board the fire horn's purpose was two-fold: to call the in the fire fighters to the station when needed and to notify the neighbors that the fire fighters would be traveling to the station.

Mr. Chouinard requested correspondence from the Building Inspector that the parking arrangement is adequate and acceptable. Mr. Bishop stated the Building Inspector had issued favorable correspondence this afternoon regarding the proposed parking facilities for the fire station project.

Mr. Regan stated he did not see any reference in the legal notice concerning including the wireless facility in the application and asked Mr. Murray if they intended to file a separate application for the tower. Mr. Murray stated they had included the tower in this application.

Mr. Hassinger questioned Mr. Murray about Graves review comment #5 concerning compliance with MA DEP stormwater management policy requiring 2-foot groundwater offset not being confirmed. Mr. Murray stated there has been more than sufficient testing done on this site.

Chairman Parsons inquired about the size of the cistern and the generator specifics. Deputy Fire Chief Mills responded that the cistern was 5,000 gallons and the generator was a self-contained dual-wall diesel, similar to the one at the police station, and would be kept behind the building.

Mr. Hassinger asked about heating fuel on site and was told the station would be using natural gas.

Mr. Courchesne commented that he did not see any remediation paperwork in the file. Mr. Murray stated no paperwork had been submitted and that the Town will not be purchasing the property until the critical permits are obtained and placed on file. Mr. Murray also noted that had neglected to include the original 21-E Assessment report with the application paperwork, but will supply a copy to the Board for the file. Mr. Murray also noted that there is a contingency in the budget for remediation.

Mr. Hassinger expressed some confusion about actual lot coverage, noting that no more than 75% of the lot may be covered with buildings and impervious surface. Mr. Murray responded that the lot included a large portion of the wetlands to the east.

Chairman Parsons asked about any public questions/comments and there were none.

Chairman Parsons appointed Mr. Courchesne as a voting member of this special permit, due to the absence of Mr. McCarthy.

Mr. Bishop informed the Board that with regard to the previous question of whether application was made to include the telecommunications tower, he was comfortable stating that it had been applied for with the original application. Mr. Bishop stated that the legal notice should have, but did not include the tower and the Planning Board would need to re-advertise in the Grafton News and re-notify the abutters.

Mr. Hassinger asked the height of the proposed tower and was told 60 feet. Deputy Fire Chief Mills stated the tower at the current center fire station is 65 feet. Mr. Murray also noted that the tower is aligned behind the peak of the building, and that only about 40 feet is visible above the building.

Mr. Murray asked the Board if there was any further information requested other than the 21-E Assessment report.

Mr. Bishop inquired about the flow of on-site surface water from the high point in the parking lot. Mr. Murray stated there were two Mass Highway catch basins that would pick up any runoff from the parking lot.

Mr. Murray noted that Deputy Fire Chief Mills has assured us that this site meets the Department's long term needs.

Mr. Bishop asked for the sign detail. Mr. Murray stated that location is shown, but they have not depicted an actual sign yet.

Mr. Regan stated the applicant needed to request a continuance far enough ahead to meet the legal requirements for a special permit/public hearing for a wireless communications tower.

MOTION by Mr. Regan, **SECOND** by Mr. Chouinard, to accept the applicant's written request to continue the public hearing to June 11, 2007 at 7:00 p.m. **MOTION** carried unanimously.

Mr. Parsons received unanimous consent to take **ACTION ITEM 3-B** out of order.

CONSIDER DECISION – SP 2007-4 VERIZON WIRELESS – CO-LOCATION – 20 INDIAN PATH

Mr. Courchesne recused himself for the decision discussion.

MOTION by Mr. Regan, **SECOND** by Mr. Hassinger, to grant SP 2007-4 with the findings and conditions as discussed and amended. **MOTION** carried unanimously 4 – 0 by roll call vote: Hassinger-aye; Chouinard-aye; Regan-aye; Parsons-aye.

Chairman Parsons received unanimous consent to take **ACTION ITEM 3-C** next in order.

ACTION ITEM 3-C – CONSIDER DECISION – SP 2006-5 INDUSTRIAL TOWER & WIRELESS, LLC (APPLICANT) – CINGULAR WIRELESS & T-MOBILE (CO-APPLICANTS) – 51 BROWNS ROAD

Mr. Courchesne recused himself for this Decision discussion.

Chairman Parsons received unanimous consent to table the Decision for SP 2006-5 since there are only 3 of the 4 needed voting members present.

Chairman Parsons received unanimous consent to take **ACTION ITEM 3-D** next in order.

ACTION ITEM 3-D – CONSIDER DECISION – SP 2007-1 INDUSTRIAL TOWER & WIRELESS, LLC (APPLICANT) – T-MOBILE (CO-APPLICANT) – WIRELESS COMMUNICATIONS FACILITY – 160R UPTON STREET

Mr. Courchesne recused himself for this Decision discussion.

Mr. Hassinger stated if the Planning Board can act on one of the decisions, it may help with closure on the applications before them.

Mr. Hassinger suggested the need to note the interaction and discussion between the two applications/files.

Mr. Hassinger requested a Finding 10 (F10) be added to the decision about the interaction/discussion between the two applications/files.

Mr. Hassinger also requested a Finding be added regarding the dialogue on the height, including testimony from the Consultant, David Maxson, specifically the 100 feet comparable to the 125 feet for coverage.

Mr. Bishop stated he would need to revisit the record to research the specific information and the Finding could be added within the F-18-F30 section of Findings.

Mr. Hassinger discussed adding a new Finding after F30 concerning testimony provided by the Consultant, David Maxson, supporting a 100 foot tower was no difference in the coverage with the height and the practicality of building a tower with the prospect for additions.

MOTION by Mr. Hassinger, **SECOND** by Mr. Regan, to grant Special Permit SP 2007-1 with the rewording by the Board for the findings and conditions as amended and stated; and with all negative issues mitigated and the height lowered to 100-feet, allowing for tower additions. **MOTION** carried unanimously.

Chairman Parsons received unanimous consent to table any action on the decision for Special Permit SP 2006-5 for 51 Browns Road until the next Planning Board meeting when Mr. McCarthy will be present to vote on the decision.

Chairman Parsons received unanimous consent to take **ACTION ITEM 3-E** next in order.

ACTION ITEM 3-E – APPROVAL NOT REQUIRED PLAN – ANR 2007-7 – IBRAHIM & RASMIA KHALID(APPLICANT/OWNER – 11 CHIPPER DRIVE

The Board discussed the ANR plan, noted the locus was inadequate, and Mr. Hassinger questioned whether it was allowed under the Subdivision Rules & Regulations to create more lots in a subdivision than already allowed in the subdivision definitive plan.

MOTION by Mr. Hassinger, **SECOND** by Mr. Chouinard, to deny ANR 2007-7 on the inadequacy of the locus. **MOTION** carried unanimously 4 to 0.

The Board suggested Mr. Bishop check with Town Counsel on the ability to allow an ANR plan when there is a set number of lots approved and allowed within a Definitive Subdivision.

Chairman Parsons received unanimous consent to take **ACTION ITEM 3-F** next in order.

**ACTION ITEM 3-F – APPROVAL NOT REQUIRED PLAN – ANR 2007-6 –
BLACK BROOK REALTY (APPLICANT/OWNER) – MAGNOLIA LANE**

MOTION by Mr. Regan, **SECOND** by Mr. Chouinard, to approve ANR 2007-6 and authorize the Town Planner to sign the plan on behalf of the Planning Board. **MOTION** carried unanimously 4 to 0.

STAFF REPORT

A. Update on “Miscoe Farms” – Mr. Bishop gave the Board a brief update on the status of the subdivision, explaining they were making progress but that it would be a while before everything can be sorted out.

Chairman Parsons recognized Donna Dunn of 105 Merriam Road, who requested to be placed on the agenda for the next meeting and presented the new attorney who will be representing her interests, Irfan Nasrullah. Attorney Nasrullah proceeded to discuss with the Board the issues and status of the “Miscoe Farms” Subdivision and the bankruptcy procedure for Kevin Dooley.

Mr. Bishop stated the Town was a secured party with the bankruptcy and that Graves Engineering Jeff Walsh was working on a punch list to present to the bank within the next ten days, but they were still in the discovery stage of the costs involved.

B. Update on 43D – Mr. Bishop updated the Board on the rolling application for the \$150,000.00 grant for implementing the expedited permitting law and for looking to make the process part of the Town’s GIS program. Mr. Bishop noted he would provide the Board with a draft.

MOTION by Mr. Regan, **SECOND** by Mr. Hassinger, to extend the Planning Board meeting beyond the 10:00 p.m. limit.

DISCUSSION: Mr. Chouinard stated he would not stay beyond 10:30 p.m.

MOTION carried 3 to 1 by roll call vote: Hassinger-aye; Chouinard-no; Regan-aye; Parsons-aye.

C. Update on Ferry Street – Mr. Bishop informed the Board that he had visited the site, there was no significant work being completed, and the developer has a deadline of June 29, 2007 to return to the Board with a progress update.

D. Brookmeadow Village – Mr. Bishop informed the Board there had been a pre-construction meeting today concerning W. G. B.’s construction schedule, specifically road work, on-site work, the reconstruction of the Route 122 & Route 122A intersection, erosion control, Conservation issues and project surety.

E. Old Upton Rd/Bruce St. intersection – Mr. Bishop informed the Board he had spoken with Steve Risotti, interim DPW Superintendent, who stated he was rechecking a section of the roadway of which school buses cannot make the turn. Mr. Risotti stated he was informed the roadway was based on the regulations and that the pole Verizon has replaced needs to be relocated.

Chairman Parsons recognized Attorney Nasrullah who wished to discuss with the Board their opinion on the possibility of marketing his ANR lot as “not a buildable lot” in order to receive approval.

The Board stated they preferred to wait for a reply from Town Counsel for advice on this issue.

Mr. Chouinard left the Planning Board meeting at 10:35 p.m.

Chairman Parsons received unanimous consent to take **MINUTES OF PREVIOUS MEETINGS** out of order.

MOTION by Mr. Hassinger, **SECOND** by Mr. Regan, to approve the open session minutes for April 23, 2007 with the corrections noted. **MOTION** carried unanimously.

MOTION by Mr. Hassinger, **SECOND** by Mr. Regan, to approve the Executive Session minutes of April 23, 2007 as drafted. **MOTION** carried unanimously.

MOTION by Mr. Hassinger, **SECOND** by Mr. Regan, to acknowledge receipt of the detailed recording secretary minutes for April 9, 2007, without making a determination on the accuracy of the contents. **MOTION** carried unanimously.

MOTION by Mr. Hassinger, **SECOND** by Mr. Regan, to enter into **EXECUTIVE SESSION** with the intention of returning to open session for the purpose of adjournment only. **MOTION** carried by 3 to 0 by roll call vote: Hassinger-aye; Regan-aye; Parsons-aye.

EXECUTIVE SESSION

The Board returned to open session at 10:46 p.m.

MOTION by Mr. Regan, SECOND by Mr. Hassinger, to adjourn the meeting. MOTION carried unanimously.

The meeting was adjourned at 10: 47 p. m.



Keith A. Regan, Clerk