

Town of Exeter
Zoning Board of Adjustment
June 16, 2026, 7 PM
Town Offices Nowak Room
Final Minutes

I. **Preliminaries**

Members Present: Chair Robert Prior, Vice-Chair Laura Davies, Clerk Esther Olson-Murphy, Laura Montagno, Adam Carter - Alternate, Martha Pennell - Alternate
Town Code Enforcement Officer Doug Eastman and Town Counsel Christopher Perry were also present.

Members Absent: Kevin Baum, John Dal Santo - Alternate

Call to Order: Chair Robert Prior called the meeting to order at 7 PM.

I. **Approval of Minutes**

A. **April 21, 2026**

Corrections: Mr. Prior said in line 237, he would like to insert "In his response to the abutters' testimony," in front of "Attorney Leino said...".

Ms. Davies said in line 252, she finds the statement "we've all seen that new builds are a good comparable in towns" to be unclear. Mr. Prior said he didn't want to hold up approval of the minutes for that.

Ms. Davies said we should discuss the issue of the late submissions that we hadn't read, which were the abutter's letter and the petition. Mr. Prior said that's mentioned in line 38. Ms. Montagno said the petition was mentioned on line 129. Ms. Davies said in line 376, "that will going for site plan review" should read "that will *be* going for site plan review."

Ms. Montagno made a motion to approve the minutes of April 21, 2026 as amended. Ms. Davies seconded. Mr. Prior, Ms. Davies, Ms. Montagno, Ms. Pennell, and Mr. Carter voted aye and the motion passed 5-0.

B. **May 19, 2026**

Corrections: Mr. Prior said at the beginning of line 198, he would like to insert "In her response to the abutters' testimony" in front of "Attorney Keiser said..."

Ms. Montagno made a motion to approve the minutes of May 19, 2026 as amended. Ms. Olson-Murphy seconded. Mr. Prior, Ms. Davies, Ms. Olson-Murphy, and Ms. Montagno voted aye and the motion passed 4-0.

II. **Old Business**

A. The Zoning Board of Adjustments will hear a Motion for Rehearing Pursuant to RSA 677:2 regarding ZBA Case # 26-2 Phillips Exeter Academy for property

43 located at 35–37 River Street, Tax Map 72, Lot 99, in the R-2 Single-Family
44 Residential District.

45 Mr. Prior said a request for rehearing is discussed by the Board, with no
46 public testimony. The Board decides to approve or deny the request. The person
47 making the request must prove that the Board committed technical errors or
48 there is new evidence to submit.

49 Mr. Prior said he, Ms. Davies, Ms. Montagno, Mr. Carter, and Ms. Pennell
50 will be voting.

51 Ms. Davies said she is uncomfortable with the lack of ability to review the
52 late submissions from both sides. The applicant had an opinion from a real estate
53 appraiser on whether the project would reduce property values, which we never
54 saw. There were also written concerns from the abutters. Ms. Forbes-Fischer
55 spoke to the document while she [Ms. Davies] was reading it for the first time,
56 which made it difficult to understand.

57 Ms. Montagno said if we don't have the document in hand and ask
58 someone to speak to it, does that allow us to bypass having it be read into the
59 record? Mr. Prior said it wouldn't have been read verbatim into the record, it
60 would have been part of the knowledge that the Board brought into the
61 discussion. Ms. Montagno said we didn't have the document, and there could
62 have been parts of it that Ms. Forbes-Fisher didn't highlight. Mr. Prior said we
63 had the document in front of us during the discussion, but we did not receive it in
64 advance. He has read the entire document and the minutes, and he believes that
65 everything that was in the abutters' document was discussed. Mr. Carter said he
66 doesn't think having the document in advance would have changed the
67 discussion.

68 Mr. Prior said the appraiser's document was provided by the applicant,
69 not the abutters. Ms. Davies said the applicant procured the opinion of a
70 professional and the Board hadn't seen it. Mr. Prior said in the request for
71 rehearing, petitioners said the Board had the applicant read a tardy valuation
72 opinion into the record, while not reading the abutters' submission. The
73 applicant's submission was submitted in a timely way but not distributed to the
74 Board by town staff. He's wondering about penalizing Phillips Exeter Academy by
75 making them come back for a rehearing. The Board had access to the abutters'
76 submission and testimony from members of the public, many of whom signed
77 that letter. There wasn't a lot of information in that letter that was relevant to the
78 discussion.

79 Ms. Davies asked if Town Counsel can weigh in on information in the
80 rehearing guidelines that she had a concern about. Attorney Perry said the
81 guidelines are accurate. Ms. Davies said the question is if we complied with
82 those rules or not. Mr. Prior read items 19-21: *"The Board conducts hearings in*
83 *accordance with the Town of Exeter Zoning Board of Adjustment rules of*
84 *procedure;"* that is a statement of fact. *"In a public hearing, members of the*
85 *public who wish to speak in opposition will be heard;"* yes, they were heard. *"At*
86 *this time, the Chair will read for the record any written correspondence from the*

87 *public in opposition to the application, rules of procedure section 5V.*” Mr. Prior
88 said during his 17 years on this Board, the number of times he has actually read
89 something into the record is negligible. Has he been in violation of procedure?
90 Ms. Davies asked him to read the next line. Mr. Prior *read “The reading of any*
91 *correspondence may be waived by the Board, provided a copy of the*
92 *correspondence is given to each member”* - it doesn’t say in advance - *“and the*
93 *applicant, and time is given to them to comprehend the information.”* It doesn’t
94 say it will be waived by a vote. Were we physically given copies of the report
95 from the appraiser? Ms. Davies said no. We only heard the oral testimony. Mr.
96 Prior asked if the Board committed an error by not having that and only hearing
97 from the applicant who submitted it. We needed to have time to see and digest
98 the report from the appraiser. Ms. Davies said she didn’t have time to digest
99 either party’s written submissions. Mr. Prior said we often accept oral testimony
100 instead of written testimony. Ms. Montagno said these things were written down
101 but we didn’t have access to them.

102 Ms. Montagno asked if the Board would like to consider the other
103 arguments in the request for rehearing. Mr. Prior said if the Board feels there is
104 grounds for rehearing, there's no need to belabor this.

105 Ms. Montagno made a motion to approve the Motion for Rehearing Pursuant to
106 RSA 677:2 regarding ZBA Case # 26-2 Phillips Exeter Academy for property
107 located at 35–37 River Street, Tax Map 72, Lot 99, in the R-2 Single-Family
108 Residential District. Ms. Pennell seconded. Mr. Prior, Ms. Davies, Ms. Montagno,
109 Mr. Carter, and Ms. Pennell voted aye and the motion passed 5-0.

110
111 Mr. Prior said we will re-hear this case at the next meeting.

- 112
113 B. The Zoning Board of Adjustments will hear a request for an extension for the
114 application of CKT Associates, ZBA Case # 21-12 for a variance from Article 4,
115 Section 4.2 Schedule I: Permitted Uses to permit an age-restricted residential
116 use (for the proposed relocation of Building D in the Ray Farm Active Adult
117 Community) to be located on Ray Farmstead Road. The subject property is
118 located in the C-3, Epping Road Highway Commercial zoning district. Tax Map
119 Parcel #47-8.1.

120 Attorney Tim Phoenix of Hoefle, Phoenix, Gormley and Roberts was
121 present to represent CKT Associates. Also present was CKT Principal John
122 Shafmaster.

123 Mr. Prior asked if there is an existing approval that is to be extended.
124 Attorney Phoenix said yes. Mr. Prior said the approval was granted on
125 11/17/2021, so three years would be 11/17/2024. On 10/15/2024, the applicant
126 came before the Board and was granted a one-year extension, which expired on
127 11/17/2025. Attorney Phoenix said he doesn’t believe it was necessary to get the
128 extension in 2024 but we did and it was granted. What’s applicable here is the
129 statute which reads *“Variances authorized under paragraph 1 shall be valid*
130 *within two years”* - that’s the statute, but the Board provides for three - *“from the*

131 *date of final approval, or as further extended by local ordinance, provided that no*
132 *variance shall expire within six months after the resolution of a Planning*
133 *application filed in reliance on the variance.”* We’re asking for an extension to
134 October 10, 2027, because there were significant delays in approvals. The
135 applicants were involved in litigation with the town and with a neighbor, Mr.
136 Carlisle. Those weren’t resolved for the first time until June 2025, which delayed
137 the project. Mr. Prior said this hinges on the Planning Board approval. The cause
138 for the delays is not material to our decision. Attorney Phoenix said the Planning
139 Board approval was delayed due to litigation, AOT and State permits, and an
140 amendment filed after the original Planning Board conditional approval in June
141 2025 which put it back on the record. The final approval was January 8, 2026,
142 and Mr. Carlisle appealed that decision. He withdrew that appeal after
143 negotiating with Town Counsel. In April 2026, the parties filed to resolve, and that
144 was finalized in May 2026. The approval is good until October 2026, and we’re
145 asking for an extension of one year from that date. On June 10, we got EPA
146 approval for net GPC coverage. On April 30, we got DES approval for sewage
147 pump stations. This site was approved for four buildings, A, B, C, and D, but the
148 location of building D was moved to the other side of the three buildings, away
149 from the wetlands. Where building D is now is a non-residential district. The
150 Board approved it in 2021, which expired 11/17/24. We came for an extension to
151 2025, but the litigation didn’t get resolved for the first time until June 2025, then
152 we went to the Planning Board. If June 12, 2025 was the date of the resolution,
153 the variance should have been extended to December 12, 2025. We went
154 through site review under conditional approval. Mr. Shafmaster decided it would
155 be better if the building was “mirrored,” with the entrance from the right side on
156 Ray Farm Road. It’s now pending with the Planning Board again. We’re not going
157 to be done by October 2026, so we’re asking for an extension. Mr. Prior said it
158 only has to have substantial progress by then. Attorney Phoenix said that won’t
159 happen, partly due to the war and resulting cost increases.

160 Attorney Phoenix said the ordinance states that no variance expires until
161 six months after the resolution of a Planning application. Mr. Prior said the
162 attorney is referencing RSA 674:33,1-a.(a), *“no such variance shall expire within*
163 *6 months after the resolution of a planning application filed in reliance upon the*
164 *variance.”* Ms. Montagno asked what that means. Mr. Prior said we gave them a
165 variance which was supposed to expire in November 2025. After they came to
166 us, they went to Planning, and the Planning application was not resolved until
167 May 2026, and then there was an appeal. Ms. Olson-Murphy said once it’s done
168 with the Planning Board, they have six months to make substantial progress. Mr.
169 Prior said the applicant states the Planning process was not resolved until April
170 2026. Six additional months from that would be October 10, 2026. They’re asking
171 for a continuance from October 10, 2026 to October 10, 2027.

172 Attorney Phoenix said there's no definition or case law around the term
173 “resolution.”

174 Mr. Prior asked alternates Mr. Carter and Ms. Pennell which of them
175 would vote. It was decided that Mr. Carter would vote.

176 Mr. Prior asked if it was typical to take public comment on this type of
177 application. Attorney Perry said his office is conflicted on this case and the Board
178 would have to seek independent counsel. Mr. Prior said he doesn't recall taking
179 any public testimony in similar cases, but if there's any member of the public who
180 would like to comment on this application he would be open to hearing it.
181 Attorney Phoenix said he would object, but there was no public comment. Mr.
182 Prior closed public comment and brought the discussion back to the Board.

183 Mr. Prior said it would be painful to reopen the case. Per RSA 674:33,1-
184 a.(a), there is a legal rationale that the original variance from 2021 has not
185 expired and we are legally able to extend beyond the current expiry date, which
186 is October 10, 2026. Ms. Montagno asked if there are limits on how many times
187 the Board can extend a variance. Mr. Prior said not that he's aware of.
188 Substantial progress has to be made at some point. With extenuating
189 circumstances, he doesn't see why the Board wouldn't extend it. Ms. Davies said
190 three of the four buildings have been built. They're not just letting the approvals
191 lie around. They've had extensive litigation which puts everything on hold for
192 years. Letting all this work go to waste would be wasteful. They've been pursuing
193 it consistently throughout.

194 Ms. Davies made a motion to approve a request for an extension of the variance
195 for ZBA Case # 21-12 until the expiration date of October 10, 2027. Ms. Olson-
196 Murphy seconded. Mr. Prior, Ms. Davies, Ms. Olson-Murphy, Ms. Montagno, and
197 Mr. Carter voted aye and the motion passed 6-0.

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200 **III. New Business**

- 201 A. The Zoning Board of Adjustment will hold a public hearing on the application of
202 Chinburg Developers, LLC. The applicant seeks a variance and relief from: (1)
203 Article 4.2, Schedule I which allows one family detached dwellings and (2) from
204 Article 5.5.3 which limits only one principle building on a lot. The subject property
205 is located in the R-2, Single-Family district. Tax Map Parcel #63-256. ZBA Case
206 # 26-4

207 Mr. Prior said the address of the property is 65-67 ½ Main Street in
208 Exeter.

209 Attorney John Kuzinevich was present to speak on behalf of the
210 applicant, Chinburg Properties. Matt Assia of Chinburg Properties was also
211 present.

212 Attorney Kuzinevich said currently on the property, there are three
213 dwellings with seven dwelling units. That is non-conforming. The properties are
214 run-down. They are in need of paint, have driveway issues, and there is not a
215 good flow to the property. Chinburg is proposing putting up five stand-alone
216 dwellings. These have been laid out to be attractive and reduce the non-
217 conforming nature of the property. This property is unique because of the existing

218 foundations and the disrepair of the driveway. It is economically impossible to
219 use it for a single-family residence, due to the shape and location of the lot. This
220 project would be a nice upgrade and renovation to that Main Street area. There
221 would be new driveways and new landscaping which would be far more
222 attractive.

223 Attorney Kuzinevich went through the variance criteria. 1) The variance
224 will not be contrary to the public interest and 2) The spirit of the ordinance will be
225 observed; yes, it's replacing a poorly-maintained, haphazard property with a
226 nicely designed, more aesthetic property. The new driveway will improve safety
227 and decrease the non-conformity. We would have two fewer residences,
228 because we would be going from seven residences to five. Mr. Prior asked if the
229 number of residents would be less, and Attorney Kuzinevich said it depends on
230 who buys them. The new driveway allows people to store cars in garages on the
231 property. It is a rationally-designed driveway. He doesn't know the history of the
232 lot. Mr. Prior said it's clearly a single-family with two outbuildings turned into
233 residences. Attorney Kuzinevich said currently, people can park anywhere and
234 there's no assigned parking, and we would eliminate that. Regarding the spirit of
235 the ordinance, we would be creating something fully consistent with the zone and
236 reducing non-conformity. One of the boundaries of the property is on the
237 commercial zone which has dense multi-family housing. This project would
238 become a transition project. 3) Substantial justice is done; yes, we meet all the
239 criteria of improving the area and not harming the public interest in any way.
240 There is no discernable injury to the public interest. 4) The value of surrounding
241 properties will not be diminished; yes, new construction with a nice layout of units
242 will inevitably improve property values in the area rather than decrease them. 5)
243 Literal enforcement of zoning ordinance will result in an unnecessary hardship; if
244 we were limited to a single-family building, we just can't do anything. The existing
245 structures would be there with no incentive to maintain them. This property is
246 unique and differentiated because of the foundations. The use is reasonable. We
247 would have five stand-alone units in a multi-family property, next to another multi-
248 family property.

249 Mr. Prior said criteria #5 refers to special conditions of the property that
250 distinguish it from other properties in the area. Can he elaborate on how this is
251 differentiated from other properties? It's a significantly-sized lot for downtown
252 Exeter. Attorney Kuzinevich said it's 37,000 square feet. The biggest special
253 condition is the three foundations in locations that don't make sense and a
254 driveway that doesn't make sense. Those all have to be torn down. That's not
255 something surrounding properties would have to face.

256 Ms. Montagno asked about the logic behind how this is going to reduce
257 the non-conformity when R2 is a single-family zone. There are three buildings
258 now, and they are planning to put five buildings. There are fewer units, but
259 they're going from three buildings to five. Attorney Kuzinevich said the existing
260 non-conformance is the dwelling units, not the number of buildings on the lot. It's
261 apples and oranges.

262 Mr. Prior said they're proposing five buildings, each of which has two
263 garages and three floors. Ms. Olson-Murphy said each is 3,000 square feet. Mr.
264 Prior said there are three bedrooms in each. That's a total of 15 bedrooms. How
265 many bedrooms are in the seven residences there now? Attorney Kuzinevich
266 said perhaps less than 10. It's hard to count the number of bedrooms and make
267 assumptions. Someone could purchase a three-bedroom and use one bedroom
268 as an office and one as a guest room. Mr. Prior said they made the claim that this
269 would be improving certain aspects. He asked that Attorney Kuzinevich not use
270 the term "substandard" for existing residences, since some of the residents are
271 likely in the room. The existing structures house a certain number of people who
272 have a certain number of automobiles. There is only one point of ingress and
273 egress onto Main Street. They claim that taking a curved road and making it a
274 straight road is an improvement, although he has issues with that. They're talking
275 about creating five fairly large structures and a lot more impervious surface. He's
276 trying to understand how this is an improvement.

277 Ms. Davies asked if these structures are historic. Attorney Kuzinevich
278 said he doesn't believe so. Ms. Olson-Murphy said it's not in the Historic District.
279 Ms. Davies said there are criteria regarding the structures. She asked the
280 applicants to elaborate on how substantial justice is done. Attorney Kuzinevich
281 said substantial justice is done because we are doing nothing to harm the public
282 interest. We are meeting the spirit of the ordinance. Ms. Davies said you're
283 removing rental housing from the market in a tight residential market, reducing
284 the number of units of housing, and replacing it with high-end housing. Do you
285 still think it's substantial justice? Attorney Kuzinevich said yes, because it makes
286 little sense to maintain the existing buildings. It's removing rental housing, but it
287 would lead to home ownership. The driveway becomes safer, and there's a
288 layout to actually store cars. It would be a private, shared driveway. These are
289 stand-alone condominium units, so the driveway would be maintained by the
290 owners there.

291 Mr. Prior asked about the delta between the existing and proposed lot
292 coverage. Mr. Assia said we intend to comply with the regulations. Mr. Prior said
293 it seems like a significant increase in lot coverage and it would be helpful to have
294 that information. Attorney Kuzinevich said that's more of a Planning Board
295 question, and Mr. Prior said no, it's a zoning issue. It's possible that the density
296 of the proposal would exceed the lot coverage. He's uncomfortable with
297 approving something without knowing that. Attorney Kuzinevich said the
298 maximum building coverage requirement is 25% of the lot, and we are under
299 that. Mr. Carter asked how many square feet the lot is, and Attorney Kuzinevich
300 said 37,000 square feet. Mr. Assia said it's roughly 5,000 square feet of building.
301 Mr. Carter said he is approximating over 30% based on the drawings. Mr. Prior
302 said we shouldn't be guessing, this is something that should have been brought
303 to us. Attorney Kuzinevich said the allowable lot coverage is around 9,000
304 square feet. Mr. Prior said the lot coverage is certainly over the 5,000 square feet
305 mentioned earlier.

306 Mr. Prior opened for public comment.

307 Donald Fisher of 61 Main Street, one of the abutting properties which is to
308 the right of the property, said he wants to make sure that this fits in with the
309 aesthetics as well as the zoning. R2 is single-family. There are three buildings
310 now. They want to put five buildings. There are about 3,500 square feet which
311 will increase to 6,500 square feet, doubling the size of the footprint on that space.
312 It could be grandfathered in but now we're doubling it. It's around 4,200 square
313 feet of living space in the buildings, which will increase to 12,000 square feet. It's
314 adverse to what we're trying to do in R2.

315 Tanya Griswold of Exeter asked how many residents are within the
316 property now. Mr. Prior said there are seven apartments between the three
317 buildings. Ms. Griswold asked if the white house is historical. We're losing those
318 apartments which is hard to have happen within Exeter. Can we look into
319 affordable housing?

320 David Reyes of 11 Ash Street, which is perpendicular to the property, said
321 this is about the spirit of the ordinance. He assumes the spirit of the zoning in R2
322 is to maintain the character and density of single-family housing in that area. He's
323 concerned about the environmental sustainability of the growth in town,
324 particularly relating to lot coverage and impermeable surface. He assumes that
325 when we have single-family zoning, there's an understanding that the impact on
326 each piece of land is relatively limited. If you add to the number of structures and
327 square footage covered, that changes. By allowing a variance, we're straying
328 from the intended purpose of the R2 zoning. He suspects this was not brought
329 before the Board when those outbuildings became rental units. Mr. Prior said he
330 thinks it long predates zoning. Mr. Reyes said now we're asking under formal
331 circumstances to make more changes, and he doesn't think it can be justified in
332 this case. This would have an effect on the nature of the neighborhood as well as
333 environmental impact.

334 Serena Preve of 14 Garfield Street said the point of the ordinances is to
335 allow a town to grow in an orderly manner. With the variances that have been
336 granted, we may be straying away from that. Her fear is that we're getting away
337 from controlled growth and may begin to overtax our infrastructure. We will have
338 all these people but not the infrastructure for water, public safety, and whatnot.
339 Chinburg generally gives back to the communities they build in, but for this
340 proposal and ones in the future, it's important to try to maintain the integrity of our
341 town.

342 Mark Bessler of 8 Haven Lane said he's also concerned about the
343 amount of development happening in town. He doesn't presume that the Board
344 looks at each application in isolation. Mr. Prior said we do - we have an
345 application before us and we vote yay or nay on that application. Mr. Bessler said
346 when there's a lot of building going on, is there consideration of what these five
347 units, added to the four units 250 feet away at Cocheco, to the larger units at
348 Front Street, and the totality of what is going on? What is the additive effect down
349 the road on our resources? There aren't that many beds being added to Exeter

350 Hospital to accommodate growth. Mr. Prior said the job of the ZBA is to balance
351 the law with the rights of the property owner. It would be unfair for the Board to
352 penalize one property owner because there's too much growth overall. That's
353 part of Planning and the Master Plan process for the town. Residents should
354 participate in the Master Plan process. The Board has to make a decision about
355 whether the benefit to the applicant is outweighed by harm that may be done.
356 The Board can't say "there are too many houses in Exeter and we're drawing the
357 line here." Mr. Prior added that there are openings on the Zoning Board for two
358 alternates, and residents should consider applying.

359 Sally Oxnard of Greenleaf Drive, who is a member of the Tree
360 Committee, said she came previously and spoke about the beautiful leafy trees
361 on this lot, and she thinks they would come down. She's hoping that at least the
362 trees that surround the property would remain. She regards the trees and the
363 lawn out back as valuable assets.

364 Julia Ghoting of 144 High Street asked if the apartments currently there
365 would be approved under R2, if the application was submitted today. Mr. Prior
366 said he can't comment on that, because it would prejudice the decision the Board
367 has to make. Ms. Ghoting said it's a single-family zone. If we're granting a
368 variance, that's different than allowing them to use it as it's currently zoned.
369 We're changing the acceptable use. She's also concerned about the traffic that's
370 already on Main Street, especially with the two schools nearby.

371 Mr. Prior asked if the applicant would like to speak.

372 In response to the abutters' testimony, Attorney Kuzinevich said there
373 seems to be confusion about whether we're increasing the density or reducing
374 non-conformity. It's easy to say most dwelling units will have two cars. In the
375 current seven units, there's potential for 14 cars, but the proposed units would
376 likely be more like 10 cars. It doesn't make traffic worse, it's making it better. His
377 engineer never told him a variance was needed for lot coverage. When we don't
378 see an issue, we don't do an analysis of it. Regarding environmental concerns,
379 we have made as much of the pavement into pervious pavement as possible,
380 specifically towards the rear of the units for the Fire Truck turn-around. It has to
381 be in low-activity area, because it wears too much in high-activity area. From the
382 perspective of the street, it would look like a single-family home, not a high-rise
383 development. The buildings are consistent with single-family homes, albeit
384 denser. It's not a radical increase, and we think we're decreasing some of the
385 effects.

386 Mr. Prior closed public comment and the Board entered deliberations.

387 Ms. Davies said she's concerned about how far we can take this
388 application without the information about open space and building coverage.

389 Mr. Prior asked if the applicant is prepared to move forward with the
390 application. He reopened the public session to hear from the applicant.

391 Attorney Kuzinevich said the applicant would like to continue to bring in
392 the calculations requested by the Board.

Ms. Davies made a motion to accept the applicant's request for continuance to next month. Ms. Montagno seconded. Mr. Prior, Ms. Davies, Ms. Olson-Murphy, Ms. Montagno, Mr. Carter, and Ms. Pennell voted aye and the motion passed 6-0.

- B. The Zoning Board of Adjustment will hold a public hearing on the application of Saxon Partners, LLC. The applicant seeks a variance from Article-4, section 4.4, Table III of the Exeter zoning ordinance to permit residential use in the CT-Corporate/Technology Park ("CT") Zone to allow development of the Property with a 34-unit townhouse complex and two apartment buildings containing 300 units and associated parking infrastructure. The subject property is located in the CT, Corporate Technology Park district. Tax Map 66 Parcel #2 and #1. ZBA Case # 26-5.

Ms. Davies recused herself from this application because she works for the Department of Transportation, which is in negotiations with this applicant regarding access. Mr. Prior said alternates Ms. Pennell and Mr. Carter will both be voting on the application.

Mr. Prior said the members of the Board are entering non-public session to confer with counsel. The meeting entered the non-public session at 8:53 PM.

The Board came out of non-public at 9:15 PM.

Attorney Tim Phoenix of Hoefle, Phoenix, Gormley and Roberts was present to represent Saxon Partners LLC; also present was Dave Fenstermacher of VHB.

Attorney Phoenix said Exhibit H, a copy of the applicable permitted uses in the zone, was not in his papers. It was part of the digital packet submitted to the town. Mr. Prior said the Board got it. Attorney Phoenix said he prepared comparisons to the C3 Zone, but as the project is in the CT Zone, that information is not before the Board.

Attorney Phoenix said this is tax map 66 lot 2 and a portion of lot 1, for a total of 36.6 acres. Most of it, 30+ acres, is a standalone lot which fronts on Holland Way. We didn't have good access to Holland Way from this property, so we made arrangements with Palmer & Sicard which owns the strip that goes across their property to the left so we'll have actual frontage on Holland Way. Mr. Prior asked why the Palmer & Sicard lot extends in a strip. Attorney Phoenix said he doesn't know.

Attorney Phoenix said the plan is for 300 apartment units and 34 townhouse units. There are a fair amount of wetlands, and care has been taken to have as little impact on the wetlands and buffers as possible. Holland Way is town-owned but State-controlled; you can't put a driveway on it without permission from the State, which we have obtained. Mr. Prior asked if they have officially received permission for that. Attorney Phoenix said he doesn't have a paper, but he has a statement from the town, which is Exhibit E, that they don't have an issue with this connection. Mr. Prior said it's not the town's decision. Mr. Fenstermacher said the town permission is a supplement to the DOT agreement.

437 There is an agreement with DOT. Mr. Prior asked if they have it in hand. Attorney
438 Phoenix said no, but the owners couldn't be here tonight. They may have it. His
439 understanding is that there is a purchase & sale agreement with the State
440 permitting this. We wouldn't spend the effort to be here without that. Ms. Pennell
441 said we should get that in writing. Attorney Phoenix said we can get it to you.

442 Attorney Phoenix said there's a reservoir and Exeter Sportsman's Club
443 nearby. There is lead in the soils, and Saxon Partners would commit to clean that
444 up. There's a project for the town to have a water treatment area, and we have
445 committed to allowing them to use our driveway to access the town's property.
446 Town water and sewer are accessible. Mr. Fenstermacher said we would
447 connect to the water and sewer on Portsmouth Ave. There would be a utility
448 easement that would run through the Sportsman's Club property. We met with
449 DPW to ensure this was the appropriate location. Ms. Pennell asked the
450 applicants to clarify where the buildings would be on the lot. Mr. Fenstermacher
451 showed the buildings imposed on an aerial photograph. He said there would be a
452 linear building with views on the reservoir, U-shaped parking, and a cluster of
453 townhouses.

454 Mr. Prior said regarding the commitment to cleaning up the lead, would
455 that be on your property only? Mr. Fenstermacher said there's also an
456 intermittent stream that feeds into the reservoir, and we would be cleaning all that
457 up, even though it's not our property. It wouldn't make sense to only clean the
458 sliver to the property line, it would involve the stream as well.

459 Attorney Phoenix said we're looking for a use variance only, because this
460 is the CT Corporate Technology Park zone, and residential use is not permitted.
461 What is permitted is business, professional and medical offices, child daycare,
462 light industry, laboratory research, development uses, and hotels and motels. By
463 special exception, essential services such as Fire and Police, heliports,
464 amusement centers, and medical rehab facilities are allowed. We believe that the
465 residential use will be less intensive environmentally than the commercial uses
466 nearby. Mr. Prior said commercial uses are not permitted in this zone. Attorney
467 Phoenix said he used the word "commercial" indiscriminately, but his point is that
468 residential would be less intensive and would help to protect the wetlands.

469 Ms. Montagno asked whether when they met with the DPW, was there
470 any discussion about the capacity of the current system and whether it could
471 support that many units? Mr. Fenstermacher said that was not discussed.
472 Attorney Phoenix said those details would be developed by the Planning Board
473 process. Mr. Prior said we approve the application presented to us, which
474 includes 334 residents.

475 Attorney Phoenix said in NH, there are housing needs. We are providing
476 that housing. We're in the process of finalizing a fiscal analysis showing that the
477 impact on schools would be minimal, about 50 additional children. The
478 breakdown is 25% studios, 50% one-bedroom, and 25% two-bedroom. The
479 townhouses would be three-bedroom. There would be 35 children K-8 and 15
480 children 9-12. We had another analysis done by Mark Fougere of Fougere

481 Planning and his findings are consistent with that. Tax revenues of \$1.3M per
482 year will result from the approval of these units, which is Exhibit F. We would
483 have a negligible impact on traffic. Holland Way is a reasonable place to put this
484 development, because it's not on the "main drag," which is supported by the
485 traffic analysis in Exhibit G. The use will be less impactful on the area than uses
486 such as hotels and motels or special exception uses like amusement centers. We
487 are committed to working with the town to give access to its land and clean up
488 the lead there.

489 Mr. Prior said the statement that 334 units will not have a significant
490 impact to traffic is difficult to believe. This is a very large development. Mr. Prior
491 read part of Zoning Ordinance 10.1: *"The Town of Exeter deems it desirable to*
492 *control its growth, size and nature to achieve the following objectives: To*
493 *promote the development of an economically sound and environmentally stable*
494 *'small town' residential community; To preserve the scenic beauty and present*
495 *aesthetic values of the Town, etc."* Mr. Prior said that several of these issues are
496 challenged by the scale of the development before the Board. *"To promote*
497 *development harmonious with land capabilities within the Town; To prevent too*
498 *rapid a pace of growth that tends to thwart the planning process and escalate too*
499 *rapidly the growth and costs of municipal services, especially of schools."* We
500 have to consider the sheer number of units, bedrooms, and cars you're
501 proposing. The proposal of having residences in this zone doesn't necessarily
502 bother him, it's the scale. Attorney Phoenix said he understands that it's a large
503 project. We're here to determine whether you will permit this use in the zone. The
504 plan may or may not be successful in terms of the number of units when we go to
505 the Planning Board, but it wouldn't be worthwhile to prepare this presentation for
506 the Planning Board without asking for this number. Reading the Zoning
507 Ordinance, he does believe the project will comply. The traffic study shows there
508 won't be a major effect on traffic because it's on Holland Way. What if it were
509 hotels and motels? What if it were light industry with noise and employees
510 coming and going? We'll improve the environment overall by taking care of the
511 lead. This is slightly off the beaten path on Holland Way. We think we're ensuring
512 the health, safety, and welfare of the town's residents by treating the lead and
513 allowing the town to access its property. "Addressing the rate of growth" doesn't
514 seem like a Zoning Board issue, but traffic will not be a problem and schools
515 won't be a problem. We want to have development harmonious with the capacity
516 of the town. Impacts will be offset by \$1.3M in tax revenue. The Master Plan is
517 not rules, it's goals. Ordinances and regulations are passed in support of those
518 goals. We believe we comply with the ordinances and regulations.

519 Ms. Pennell said this is essentially a dead end [road]. There's no second
520 way out. Personally, she'd prefer a second way out. If anything blocked that road
521 in, you can't get beyond it. Attorney Phoenix said that would be a Planning Board
522 issue. Generally, cul-de-sacs or hammerheads can be 800-1,200 feet. Mr. Prior
523 said 1,250 is the number the Board uses. Attorney Phoenix said that's for the
524 street to get to the development, but this *is* the development. We've provided

525 turnarounds for Fire and safety. Mr. Fenstermacher said we can only get one
526 curb cut on Holland Way. Mr. Prior asked about the length of the road from
527 Holland Way to the corner of the U-shaped building. Mr. Fenstermacher said
528 700-800 feet. Mr. Prior said he wasn't sure about that. Mr. Fenstermacher said
529 he just measured the plan and it's 700 feet.

530 Mr. Prior said this application is not just about use, it contains a number of
531 units. Attorney Phoenix said there will be other steps in the process that will vet
532 the number of units.

533 Ms. Montagno said the application talks about lead remediation, but
534 there's no documentation of any soil studies. There are other industrial uses in
535 that area. Mr. Fenstermacher said we were given a report by the town that
536 identifies the areas. We haven't done anything additional. Attorney Phoenix said
537 the details of that will be voluntarily done or required by the Planning Board. We
538 don't want to spend money on that if we can't get the use.

539 Attorney Phoenix went through the variance requirements specifically for
540 the residential use. 1) The variance will not be contrary to the public interest and
541 2) The spirit of the ordinance will be observed; the purpose of the ordinance is to
542 lessen congestion in the streets; this is not going to lessen congestion, but this
543 has to be weighed against the property owner's rights to develop. This would be
544 less intensive than permitted or special exception uses. We want to secure safety
545 from fire, panic and other dangers; yes, all these buildings will be code compliant,
546 have sufficient parking, and the Planning Board review will include Fire review.
547 Housing is needed in NH; by giving the town \$1.3M in property taxes, we'll be
548 giving enough to provide for safety services. The impact on the schools will be
549 low. School enrollment has decreased by 20% over the past ten years, so there's
550 room for the 50 children. We want to provide adequate light and air; yes, this lot
551 is large at 36 acres, and there's lots of land left with the units and the driveways.
552 We tried to skirt the wetland areas. We want to prevent overcrowding of land;
553 yes, there's a lot of land undeveloped. We want to avoid undue concentration of
554 population; yes, for other uses people could be coming from out of town,
555 especially for light industry or hotels/motels. We think that this concentration of
556 population won't be "undue" given its location and its reasonable effect on
557 schools, traffic, etc. The Supreme Court asks if granting the variance will threaten
558 the essential character of the area or threaten public health, safety, or welfare.
559 This is set back from the road and will be difficult to see even from Holland Way.
560 Having 300 units here will be less altering than 5-10 units downtown. We're
561 committing to clean up the site and connect to sewer and water. We're
562 committed to minimizing wetland and buffer effects. Traffic will be safe. 3)
563 Substantial justice is done; yes, if there's no benefit to the public that would
564 outweigh hardship to the applicant, this criteria is satisfied. We're increasing
565 available housing stock, increasing open space, committing to lead remediations,
566 and providing access to water treatment expansion. We're putting this "off the
567 beaten path" on Holland Way. We think it's clear that there's no detriment to the
568 general public from granting these variances; if it's denied, this piece of property

will remain undeveloped which is not good for the applicant, the property owner, or the people who could live there. 4) The value of surrounding properties will not be diminished; it was his opinion that it was not necessary to get an appraisal because the area around it is commercial, industrial, car dealerships, grocery stores, etc. These are the businesses these people will frequent, so it will be an increase in value to the area. We'll be adding \$1.3M in tax revenue. This will be fully vetted with the Planning Board. Surrounding property values will not be diminished. 5) Literal enforcement of zoning ordinance will result in an unnecessary hardship; yes, 36+ acres is a large piece of property for this area. It's essentially land-locked by the Palmer & Sicard property. The town's property is land-locked, which we will provide them access to. It's burdened by lead, wetlands, and proximity to the reservoir, so it's unsuited to large industrial buildings. These factors combine to create special conditions. The purpose of the property use restriction is to separate incompatible uses, such as residences from pig farms. Here, we're far enough from other incompatible uses to not negatively impact them or the residents. The residents will positively impact local businesses. There's no reason to saddle this property with only permitted uses when none have come along. The proposed use is reasonable. Multi-family residential is prohibited, but there is legislation pending that will allow multi-family residences in commercial and related zones. He has spoken with Dave Sharples who said if industrial use is permitted residences won't be permitted by right by the town, but it might be, pursuant to changes in the State law.

Mr. Prior opened for public comment.

Daney Shimek of 16 Windermere Lane said this is misleading because her neighborhood is near this area. Her kids play in those woods. The character of the buildings would be 75% studios and single-bedroom apartments, and that doesn't sound like multi-family. It sounds more like single people and couples. Exeter tries to bring in families, not these lower-rent places. No one wants to live in a studio unless they can't afford anything better. She's worried about who would live there. Mr. Prior said individuals who are single have an equal right to housing as people in family situations. Ms. Shimek said all of our neighborhoods are over there. Mr. Prior said they're on the other side of the reservoir. There's no neighborhood there now. Ms. Shimek said where she grew up, some apartments were changed to section 8 housing and the quality of the neighborhood went down.

Jessica O'Leary of 15 South Street said she's concerned about the water. We've been in a stage 4 water ban for a year. This is a lot of people. Where is the water going to come from for these additional units? There would be a lot of vehicles, 300+ vehicles if it's one car per unit. Traffic is a legitimate concern. Schools may not see a huge impact. She hopes these apartments would be affordable enough that a working person could afford them. It's a tough town to rent or buy in. The Fire Department recently posted that they had 23 calls in one day; with this additional population, the Fire and Police Departments will need additional personnel and equipment, especially where they're a little bit outside of

town. There's a new public safety complex at \$23M, and now here's another area of town with a huge population.

Shawn Fahey of 7 Dearborn Brook Circle said recently when she called for an ambulance, it took 25 minutes and it had to come from North Hampton. The town is overtaxed in that department. She is close to this area as part of Windermere. It's important we have affordable housing but she is concerned about trees and wildlife there. Will we see these buildings? She's concerned about traffic. Many of us drive Holland Way regularly. Even without all these units, we've had to sit with three or four cars in front of us trying to get out. Regarding the schools, the cars are waiting in the road trying to get into the schools. Because people are stretched financially, families may not be able to afford a three-bedroom and may take the one-bedroom, so there may be more children than they think. Why does Exeter have to be the town to provide this housing for NH? There are other places. Maybe the development could be not so many units. She is concerned about the lead and who that is affecting now. She likes that they will clean it up.

Serena Preve of 14 Garfield Street said this is zoned Corporate Technology, which is supposed to encourage businesses to come to Exeter. If we eat up this area with housing, do we lose that opportunity? Mr. Prior said it's 36 acres, which is a large percentage of this parcel.

Marc Bessler of 8 Haven Lane said he would be interested to know if this is part of Saxon Partners' "Marek Development" project, which according to their website is *"a new program of specialized multi-family developments located near major medical centers across the country. This program features apartment communities designed to provide a balance of lifestyle, convenience, and value."* Mr. Bessler said there is a similar development in Lebanon NH done by the same developer with 250 units, and the starting rent for a studio apartment is \$2,800, so he doesn't understand why the term "affordable" has come into the discussion. \$1.3M in tax revenue comes out to \$3,900 per unit of annual tax dollars, vs the median which is \$8,800. They're contributing half as much. He's counted 1,000+ units in active development in Exeter, which is a 16% increase in households. Can the town handle this increase in the next two years? Is the Zoning Board's mandate to work in isolation, case by case? From the public perspective, things are disconnected. He also has concerns about medical care and access if Exeter continues to grow. If this development is like Marek, it will be higher-end housing. If people are spending good money on their housing and realize there's a gun range down the road with a lease until 2048, they're going to start a petition to get them out. Will that caliber of residents be willing to have a water treatment station there? The town may be up against residents that are not here now. Who has standing, the renters or Saxon? Mr. Prior said the owner of the property. Mr. Bessler said things need to evolve and change, but studies show that a large influx of renters into a town have less of a connection to the community. We are becoming more siloed in our lives and not connecting with people. Are we sacrificing the ability to create more jobs in Exeter by approving a

657 project like this in this area? Also, he can't see our reservoir not being impacted,
658 at least during construction. There has been a water restriction three years in a
659 row. This is not going to get better.

660 Laura Davies of Pickpocket Road, speaking as a citizen rather than as a
661 member of the Zoning Board, said she wants to acknowledge the need for more
662 housing. She hopes that this is somewhat affordable. She is concerned about
663 ingress/egress and safety. There has been flooding and severe weather over the
664 last few months. There will be 700-1,000 residents here, and that's a lot of
665 people to be cut off and unsafe if something happened to that single means of
666 egress. There was no discussion about the configuration of the 300 units. This
667 zone has a height allowance up to 50 feet or potentially up to 60 feet. If the
668 people in Windermere don't want to see this building, they might have concerns.
669 This proposal seems intense in this small area, especially in proximity to the
670 reservoir. She's also concerned about water and sewer capacity.

671 Julia Ghoting of 144 High Street said she's concerned about the use of
672 water and sewer, as well as public safety. If this is not the permitted use
673 according to zoning, the owner has the right to use the land, but they don't have
674 the right to use it in this way. This is not how the town envisioned it and it's not a
675 guarantee that they have the right to use it in this way. As Portsmouth has gotten
676 more built up, the number of people per unit has changed, so those calculations
677 may not be accurate.

678 Elyse Storme of 8 Windermere Lane said she is a fan of more affordable
679 and rental housing, but she drives Holland Way every day and knows what it
680 looks like. This is valuable property, between exit 12 and 11. It's the closest exit
681 to 95. This is removing valuable commercial property from Exeter. It could be
682 future medical offices or childcare. She imagines that it's rare to flip residential to
683 commercial. We could be making a short-term decision that negates options in
684 the future.

685 In response to the abutters' testimony, Attorney Phoenix said the
686 multifamily designation isn't about the number of people living in the units, it's
687 about the type of units they are. In his opinion, most of the comments and
688 concerns were not backed up by documentation. The public will have more
689 chances to raise these issues. Most of these are Planning Board issues, such as
690 water, sewer, school impact, and healthcare and emergency services. These
691 units will be market-rent units, although there may be some workforce units.
692 Studios will be more affordable than one-bedrooms. He respects the comments
693 regarding wildlife, but this is someone's property. The permitted uses in this zone
694 would require clearing and affect wildlife. There's room for the protection of
695 sightlines. There were some questions about what dimensions apply to
696 residential in an industrial zone, and the answer is the dimensions of that zone,
697 unless there is a decision made that requires coming back for another variance,
698 which we're trying not to do. The number of people per unit will not exceed what
699 is generally found in a studio, one-bedroom, or two-bedroom. The lead needs to
700 be cleaned up, and that would be a significant benefit. Regarding the concern

701 about eating up area with residential that could be commercial, there is plenty of
702 undeveloped area along Holland Way. In the 40 years he's been around, no
703 one's even tried to develop that. Zoning is not perfect; it does the best it can to
704 balance certain uses in certain areas. That's why this Board exists, to determine
705 whether a variance should be granted. Making this area residential would feed
706 the commercial uses of this area by having more people to feed those
707 businesses. Mr. Bessler asked about the Marek project by this company, but he's
708 not aware of this application being anything other than apartments. If it's some
709 fancy expanded concept, that may be why it commands the rent it commands,
710 but it's not relevant to this decision. The project before you has to be looked at on
711 its own. The concerns about what would happen to the schools or the hospital in
712 the future would be a Planning Board and Master Plan issue, as well as a
713 regional issue. They will grow their facilities to meet the needs. Regarding the
714 gun range effect, he doesn't think the owners would have the right to make the
715 town move it. The Gun Club is on the other side of the reservoir and he's not
716 sure what they would even hear. Mr. Prior said they hear a lot. Attorney Phoenix
717 said the Planning Board would have to decide. Hotels, medical centers or child
718 daycares going there would be next to the same gun range. There will be
719 significant green space provided. Regarding the single egress and public safety,
720 the Planning Board will have to vet that. This is similar to the number of homes
721 on a cul-de-sac. Even if a tree falls across the road, it would be fairly easy to get
722 around it. He lives in a nearby "hammerhead" development in Stratham and
723 there's never been a problem. Mr. Prior said there aren't 300 houses there.
724 Attorney Phoenix said if there's something the Board or neighbors would like to
725 see, he'd like to hear that, but he thinks this application checks all the boxes,
726 subject to all these other reviews.

727 Mr. Prior closed public session and the Board entered deliberation. The
728 Board took a 5-minute break at 10:42 PM, and reconvened at 10:47 PM.

729 Mr. Prior went through the variance criteria. 1) The variance will not be
730 contrary to the public interest and 2) The spirit of the ordinance will be observed;
731 what we have is a non-conforming use. There is a request for a residential use in
732 what has been a CT Office Park zone since 1972. He's not convinced that this
733 does not alter the essential character of the neighborhood. This is not at the edge
734 of CT, it is embedded within it. While this property has not been developed, it
735 does not mean it can't be developed in the manner the zoning prescribes, which
736 is "Corporate Technology." He doesn't believe that this threatens public health,
737 safety, or welfare, but adding 1,574 trips on a daily basis is going to have a
738 significant impact on Holland Way. Mr. Carter asked if we're looking at the safety
739 of people who would be living there, or the safety of the general public. Mr. Prior
740 said those people will be citizens of Exeter, so we shouldn't be putting them in a
741 situation that will be dangerous. Mr. Carter said he thinks there's a safety
742 concern with having one ingress and egress. Ms. Olson-Murphy said that area
743 floods all the time, so the road could be flooded. Mr. Prior said he's concerned
744 about 1,574 trips without a traffic light. Ms. Montagno said one end of the road

745 does not have a light, and that's a scary intersection. There were some other
746 arguments brought up tonight regarding public health, safety, and welfare. Some
747 of it is addressed by the Planning Board, but we are being asked to do a
748 complete change of use and it shouldn't just be pushed to the Planning Board.
749 Mr. Prior continued with the variance criteria: 3) Substantial justice is done; there
750 is significant financial benefit to the applicant in being able to have market-rate
751 units here. "Affordable" was not part of the application. He doesn't think there's
752 any particular harm to the general public, so he's ok with criteria 3. Ms. Montagno
753 said the question about remediation on the site and water not being available are
754 harm to the general public. Mr. Prior said he thinks remediation would be a
755 benefit. Ms. Montagno said there weren't any soil studies to show what's going
756 on in that land. Mr. Prior continued with the variance criteria: 4) The value of
757 surrounding properties will not be diminished; we do not have expert testimony
758 on this, either pro or con. We're leery of stepping into this without official
759 documentation that says it will. He has a hard time believing there is a significant
760 impact, but "surrounding properties" would include the neighborhood across the
761 reservoir. It wouldn't have a significant impact on Osram or Palmer & Sicard. 5)
762 Literal enforcement of zoning ordinance will result in an unnecessary hardship;
763 this is the one he thinks we have an issue with. He's having a hard time with the
764 idea that just because no one's developed it according to the zoning, we have to
765 switch away from the CT use. He doesn't think there are any special conditions
766 of the property which prevent it from being developed in the manner it was
767 intended to be developed. Another applicant could develop it in the manner in
768 which it was intended. There is no special condition of the property that
769 distinguishes it from other properties. There's no hardship here. Ms. Olson-
770 Murphy said she agrees. Just because it's hard, doesn't mean they can't. Mr.
771 Carter said you could make this argument about every other vacant, developable
772 parcel in Exeter.

773 Ms. Montagno made a motion to deny the application of Saxon Partners, LLC for
774 a variance from Article 4, section 4.4, Table III of the Exeter zoning ordinance to
775 permit residential use in the CT-Corporate/Technology Park Zone for the
776 development of a 34-unit townhouse complex and two apartment buildings on the
777 subject property located in the Corporate Technology Park district, Tax Map 66
778 Parcel #2 and #1, ZBA Case #26-5, for the reasons of not meeting the variance
779 criteria of it not being contrary to public interest and the spirit of the ordinance
780 observed; looking at some of the alteration of the character of the neighborhood,
781 as well as threatening the public safety and welfare components of the
782 requirement; as well as not meeting the burden of literal enforcement of the
783 ordinance would result in unnecessary hardship for the applicant. Ms. Pennell
784 seconded. Mr. Prior, Ms. Olson-Murphy, Ms. Montagno, Mr. Carter, and Ms.
785 Pennell voted aye. Ms. Davies was recused and did not vote. The motion passed
786 5-0 and the application was denied.

787
788 **IV. Other Business**

789 A. Election of Officers

- 790 1. Mr. Prior said the proposal is as follows, and he has discussed this with
791 Ms. Davies: he will stay on as Chair, Ms. Davies will stay on as Vice-
792 Chair, and one of the other full-time members will be the Clerk. Ms.
793 Montagno proposed Ms. Olson-Murphy as Clerk.

794 Ms. Montagno made a motion to elect the slate of candidates as Robert Prior as Chair,
795 Laura Davies as Vice-Chair, and Esther Olson-Murphy as Clerk. Mr. Carter seconded.
796 Mr. Prior, Ms. Olson-Murphy, Ms. Montagno, Mr. Carter, and Ms. Pennell voted aye, and
797 the motion passed 5-0.

798 V. **Adjournment**

800 Ms. Olson-Murphy moved to adjourn. Ms. Montagno seconded. The motion passed 5-0
801 and the meeting was adjourned at 11:06 PM.

802
803 Respectfully Submitted,
804 Joanna Bartell
805 Recording Secretary
806