



## *Planning Board*

May 10, 2017 – 6:00 PM – **Minutes**  
New Bedford Public Library – 3<sup>rd</sup> Floor  
613 Pleasant Street

**PRESENT:** Colleen Dawicki, *Chairperson*  
Kathryn Duff, *Vice Chair*  
Arthur Glassman  
Peter Cruz  
George Smith

**ABSENT:** Alex Kalife

**STAFF:** Jennifer Clarke, *AICP, Acting City Planner*  
Constance Brawders, *Staff Planner*

### **CALL TO ORDER**

Chairperson Dawicki called the meeting to order at 6:04 p.m.

### **ROLL CALL**

A formal roll call was conducted confirming members present as listed above.

### **MINUTES REVIEW AND APPROVAL**

A motion was made (KD) and seconded (AG) to approve the April 12, 2017 meeting minutes.  
Motion passed unopposed.

### **PUBLIC HEARINGS:**

**1. Case 07-16: Request by applicant for Extension of Site Plan approval for a 4,547+/- SF commercial parking lot located at the east side of Acushnet Avenue (Map 93, Lot 68), in the Mixed Use Business (MUB) zoning district. Applicant's agent: Comprehensive Design-Build Services, P.O. Box 578 West Wareham, MA 02575.**

Chairperson Dawicki informed the board that Case #7-16 would not be heard this evening due to an error in notification of abutters, and would instead be continued to the June 14, 2017 meeting.

**2. Case 09-16: Request by applicant for Extension of Special Permit for reduction of off-street parking located at ES South Sixth Street (Map 46, Lot 93), in the Mixed Use Business (MUB) and Downtown Business Overlay (DBOD) zoning districts, to serve a building conversion from general office to hotel use located at 222 Union Street (Map 46, Lots 32 & 33). Applicant's Agent: Christopher Markey, Esq., 555 Pleasant Street; Ste. 5A, New Bedford, MA 02740.**

Chairperson Dawicki notified the board that the applicant has withdrawn the request for extension for Case #9-16 and the item has been removed from the agenda.

Chairperson Dawicki requested a motion to take the agenda out of order and resume Case #7-17. A motion was made (KD) and seconded (AG) to do so.

Motion passed unopposed.

### **CONTINUED PUBLIC HEARINGS**

**3. Case 07-17: Northside Farms Subdivision Approval Modification II – Request by applicant for Modification of Subdivision Plan approval, from 35 to 15 lots, on a 12+/- acre site east of Acushnet Avenue, south of Phillips Road and north of Victoria Street (Map 130D, Lots 117, 379-387, 392-419) located in the Residence A (RA) zoning district. Applicant: New Bedford Cousins, LLC, P.O. Box 36, Scituate, MA 02066.**

Chairperson Dawicki noted that at the last meeting questions remained outstanding while awaiting input from the city solicitor. She noted the information had now been provided.

Ms. Clarke informed that board that the city solicitor's determination was that the subdivision is now defunct as the term has expired for its construction. As such, a modification before the board would be inappropriate. Ms. Clarke noted the submission of a letter from the applicant's attorney stating a request for the withdrawal of that modification. Ms. Clarke requested a vote on the same. In light of the subdivision expiration, Ms. Clarke also asked the board to vote on the decision to rescind the subdivision as originally submitted, for recording in the Registry. She stated it was anticipated that the applicant will return with a renamed subdivision.

Chairperson Dawicki offered an opportunity for anyone present from Northside Farms to address the board. The offer was declined.

A motion was then made (KD) and seconded (AG) to withdraw for consideration the modification of the subdivision plan for the 12 +/- acre site east of Acushnet Avenue, south of Phillips Road and north of Victoria Street, Map 130D, Lots 117, 379-387, and 392-419 located in the Residence A (RA) zoning district. The city solicitor's office has determined that the Northside Farm Definitive Subdivision Plan has expired, and as such, no modification can be reviewed or acted upon. A letter from Att. Eugene B. Blanchard, representing the applicant, dated May 8, 2017 requesting the withdrawal of the applicant for modification has been received by the Planning Board.

Motion passed unopposed.

A motion was then made (KD) and seconded (AG) to rescind the Northside Farms Subdivision, located on a 12 +/- acre site east of Acushnet Avenue, south of Phillips Road and north of Victoria Street, Map 130D, Lots 117, 379-387, and 392-419 located in the Residence A (RA) zoning district. The city solicitor's office has determined that the Northside Farm Definitive Subdivision Plan has expired, and as such, no modification can be reviewed or acted upon. Under MGL Chapter 41, § 81W a planning board on its own motion shall have the power to rescind its approval of a plan for subdivision.

Motion passed unopposed.

Chairperson Dawicki requested a motion to take the agenda out of order and hear Case #14-17 and Case #15-17. A motion was made (KD) and seconded (AG) to do so.

Motion passed unopposed.

### **PUBLIC HEARINGS**

**4. Case 14-17: Sidewalk Café Permit for use by Moby Dick Brewing Company, Inc., at the property known as 52 Union Street and 4 South Water Street (Map 47, Lot 37) located in the Industrial A (IA), Downtown Business Overlay District (DBOD) zoning districts, and Bedford Landing Historical District. Applicant: Moby Dick Brewing Company, Inc., c/o David Slutz, 4 South Water Street, New Bedford,**

**MA 02740.**

The applicant expressed the application was self-explanatory.

Chairperson Dawicki assured the applicant of the board's familiarity with the process associated with these type of requests.

Board Member Glassman expressed familiarity with the corner and felt that outdoor seating would add to the area.

A motion was made (KD) and seconded (AG) to open the public hearing.  
Motion passed unopposed.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in favor.  
There was no response to Chairperson Dawicki's invitation to speak or be recorded in opposition.

A motion was made (KD) and seconded (AG) to close the public hearing.  
Motion passed unopposed.

After brief review of the layout and its single egress, a motion was made (KD) and seconded (AG) to approve a Sidewalk Café Permit for use by Moby Dick Brewing Company, Inc., at the property known as 52 Union Street and 4 South Water Street (Map 47, Lot 37) located in the Industrial A (IA) zoning district, Downtown Business Overlay District (DBOD), and Bedford Landing Historical District.  
Motion passed unopposed.

**5. Case 15-17: Sidewalk Café Permit Renewal for use by Pour Farm Tavern at the property known as 780 Purchase Street (Map 53, Lot 131) located in the Mixed Use Business (MUB) and Downtown Business Overlay District (DBOD) zoning districts. Applicant: Noah Griffith, Manager, Pour Farm Tavern, 780 Purchase Street, New Bedford, MA 02740.**

Board Member Cruz confirmed there was no change to the previous submission.

A motion was made (KD) and seconded (AG) to open the public hearing.  
Motion passed unopposed.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in favor.  
There was no response to Chairperson Dawicki's invitation to speak or be recorded in opposition.

A motion was made (KD) and seconded (AG) to close the public hearing.  
Motion passed unopposed.

Board Member Glassman inquired as to why renewals are coming before the board a second time, and thought there was discussion about staff approval for renewals. Ms. Clarke explained that the existing ordinance requires annual renewal. She noted an amended ordinance will address that.

There being no further discussion, a motion was made (KD) and seconded (AG) to approve the Sidewalk Café Permit Renewal for use by Pour Farm Tavern at the property known as 780 Purchase Street (Map 53, Lot 131) located in the Mixed Use Business (MUB) zoning district and Downtown Business Overlay District (DBOD).  
Motion passed unopposed.

Chairperson Dawicki requested a motion to take the agenda out of order and hear the Settlement Subdivision matter. A motion was made (KD) and seconded (PC) to do so.  
Motion passed unopposed.

**6. The Settlement Subdivision: DPM Development Corp & Moniz Properties, Inc., has submitted to the City of New Bedford Planning Board a request to release Lots 1-19 from covenant restrictions as specified in the Covenant recorded in Bristol County (S.D.) Registry of Deeds at Book 7967, Page 116 on January 20, 2006 for the definitive Subdivision Plan of The Settlement in New Bedford, MA prepared for DPM Development, dated March 16, 2004 as revised through September 27, 2005, by SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA 02747 (formerly located at 12 Welby Road, New Bedford, MA 02745) and by certificate recorded in Bristol County (S.D.) Registry of Deeds at Book 7967, Page 115.**

Steve Gioiosa, representing Dan Moniz of DPM Development, stated they were seeking lot release with a surety amount determined for the remaining work to be done. He explained the portions of the project completed, such as base roadway paving, detention pond construction, sewer and water lines, et cetera. He stated DPM had submitted an itemized listing with a cost estimate of \$463,000.00 for remaining work.

Mr. Gioiosa inquired as to any provision for the applicant to meet with DPI to review items that may be completed. He requested a conditional release of lots subject to a final dollar value established by DPI, rather than again appearing before the board.

Mr. Gioiosa inquired as to the types of surety accepted, whether cash or bonds or lots in lieu of cash or bond.

In response to Chairperson Dawicki, Ms. Clarke stated the board could make a condition with regard to the amount agreed upon by DPI. She stated that the surety is typically a treasurer's check held by the city. She stated the alternative is not to release every lot.

Mr. Gioiosa stated that having currently sold no lots in the project, they would like to exercise the latter option. He suggested the board keep half the lots as surety.

Ms. Clarke offered the board a caution on the language of such a condition, such that the lots to be released are covenant protected.

Board Member Glassman concurred, stating the board is not in the real estate business.

Mr. Gioiosa asked the board to release just six of the nineteen lots, keeping thirteen held for surety. He expected that would generate the revenue needed to complete the project. Mr. Gioiosa asked that Lots 1 thru 6 be released.

Ms. Clarke and Chairperson Dawicki suggested a proportional reduction in the cash surety in an amount to be established by DPI.

In response to Mr. Smith, Ms. Clarke stated that DPI's current estimate is \$473,000.00 on all nineteen lots. She stated DPI would have to review the first six lots and provide a new price determination. Mr. Gioiosa calculated the selling price of the remaining lots needed to cover the outstanding work, if need be, at a price of \$36,000.00 each, which he felt the lots were worth considerably more than that figure.

After brief board discussion on conditions and language, a motion was made (KD) and seconded (AG) to

approve a request by DPM Development Corp & Moniz Properties, Inc., to release Lots 1-6 from covenant restrictions as specified in the Covenant recorded in Bristol County (S.D.) Registry of Deeds at Book 7967, Page 116 on January 20, 2006 for the definitive Subdivision Plan of The Settlement in New Bedford, MA prepared for DPM Development, dated March 16, 2004 and revised through September 27, 2005, by SITEC, Inc., and by certificate recorded in Bristol County (S.D.) Registry of Deeds at Book 7967, Page 115. And that this release of lots have a proportional reduction in cash surety, amount to be determined by DPI and reviewed by planning staff and chair of the Planning Board. Further:

- That the applicant appears before the Planning Board to provide a status of project update twice annually through May 2019;
- That the applicant shall satisfy the obligations of the Performance Bond, secured by cash deposit, no later May 10, 2019;
- That the applicant shall record the performance secured by cash deposit with the Bristol County Registry of Deeds and provide a copy to the Planning Division;
- That the applicant shall record the release of covenant with the Bristol County Registry of Deeds and provide a copy to the Planning Division;
- That the project shall be undertaken according to the plan submitted with the application, with adherence to all notes on the plans as reviewed by the Planning Board on this date;
- That the applicant shall present any proposed modification from the approved plans for consideration to the City Planner for determination as to whether the modified plan must return before the board for further review;

Motion passed unopposed. (5-0)

Chairperson Dawicki noted for the audience that the matter did not require a public hearing under standard protocol, and encouraged anyone with questions to speak with the planning staff and/or the applicant. She thanked the public for attending this evening.

**7. Case 16-17: Whelan Associates/OZ LLC- Request by applicant for New Ground Sign located at 70 North Second Street (Map 53, Lot 96) on a 2,646+/- SF site in the Industrial A (IA) zoning district, Downtown Business Overlay District zoning district, Bedford Landing Historic District, and Central Business District. Applicant's agent: Poyant Signs Inc., 125 Samuel Barnet Blvd, New Bedford, MA 02745.**

There was no response to Chairperson Dawicki's invitation for presentation of the case submittal.

In board discussion it was confirmed that the Historic Commission had already approved the request for the sign. Ms. Clarke referred the board to the certificate of appropriateness and the included conditions of the same.

There was also discussion among board members and Ms. Clarke regarding the actions available to the board when a ground sign is installed in violation and without approval of the site plan review from the Planning Board. Mr. Smith requested a letter from the Building Department as to the issue. Ms. Clarke acknowledged the applicant may also be required to appear before the Zoning Board.

A motion was made (KD) and seconded (AG) to open the public hearing.

Motion passed unopposed.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in favor.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in opposition.

A motion was made (KD) and seconded (AG) to close the public hearing.  
Motion passed unopposed.

After brief board discussion, including the applicant's failure to appear, a motion was made (KD) and seconded (AG) to continue Case #16-17 until next month for the request by applicant for a new ground sign.  
Motion passed unopposed.

**8. Case 08-17: Southeastern New England Dental Group – Request by applicant for Site Plan approval for construction of a 2,118+/- SF addition to an existing 1,322+/- SF structure on a 25,424+/- SF site at 899 Pleasant and ES Foster Streets (Maps 58, Lots 300-302, 304 & 499) located in the Mixed Use Business (MUB) zoning district. Applicant's Agent: Architectural Consulting Group, Inc., 2206 Acushnet Avenue, New Bedford, MA 02740.**

Chairperson Dawicki thanked the applicant for working so diligently with the planning staff to address the board's issues. She suggested the applicant go through the drafted checklist.

Michael Josefek, of Architectural Consulting Group, Inc., in New Bedford, thanked the planning staff for their work with the applicant and felt the applicant had now addressed the issues the planning board requested be resolved.

At Mr. Josefek's invitation, Ms. Clarke stated there were some perfunctory items that could be reviewed internally, but suggested the board go through the bullet list.

Chairperson Dawicki noted for the board review the amended staff comments.

With regard to the entrance and handicap accessibility and van parking, Mr. Josefek presented the revised plan. He stated the parking lot had been refigured.

Chairperson Dawicki confirmed with Board Member Cruz that the first two checklist issues regarding handicap parking and accessibility had been satisfied.

Mr. Josefek noted that the total spaces was now 36.

Mr. Josefek stated that curbing and car stops were now indicated on the revised plan.

After discussion and questions between the board and Mr. Josefek, including curbing, curb stops, sidewalks, and the extension of the granite curbing into the property, car stops along abutters at Spaces 21-36, et cetera, that item was checked off.

Mr. Josefek addressed the revised lighting plan, noting that lighting does not even hit the property line. After discussion and questions between the board and Mr. Josefek, including lighting hours, building lights and bollards, et cetera, that item was checked off.

Mr. Josefek then addressed the revised landscaping plan. After discussion and questions between the board and Mr. Josefek, noting paving included in parking lot revisions and additional green areas, and a notation entitled "optional", street trees, et cetera, that item was resolved.

Mr. Josefek then explained revisions to the property's western edge and the parking lot size regarding its proximity to the property line. There was discussion and questions between the board and Mr. Josefek, including pavement of the parking lot and installation of a section of fence.

Mr. Josefek then covered the revised drainage plan. There was discussion and questions between the board and Mr. Josefek, including an additional catch basin, infiltration, basement sump, et cetera. Mr. Josefek noted that the applicant meets the state requirements.

Mr. Josefek then addressed construction protections and erosion control. There was discussion and questions between the board and Mr. Josefek. In response to Board Member Duff, Mr. Josefek reported the applicant would apply for a demolition permit with regard to the barn structure on the property. Mr. Josefek reported that DPI had been given all the new details.

Mr. Josefek stated that signage had not yet been resolved for consideration this evening.

Chairperson Dawicki noted that the plan indicates a pylon sign in the northeast corner, and inquired as to whether it is showing the intended location. There was some discussion and questions between the board and Mr. Josefek, and Mr. Josefek felt the sign did not need to be addressed this evening.

Applicant Mofta El-ghadi stated he was not happy with design proposals he had received for signage. He stated he was concerned with the sign being visible from the Purchase Street side in both directions. He expressed that he is also interested in signage on the building itself. He welcomed board input on the subject.

Board Member Duff noted that it being a historic building, signs would typically be placard signs, not lit. The same would apply to freestanding signs typically. Mr. El-ghadi referred to neighborhood signs and stated that he would be seeking a similar sign to those with regard to size/height. Chairperson Dawicki suggested the planning staff can work with the applicant and provide the sign ordinance. Chairperson Dawicki requested a note that the site plan approval does not include the sign.

Chairperson Dawicki noted that it appeared all checklist items had been addressed, but for one. Ms. Clarke informed the board that the planning staff had received verbal communication from DPI that they felt there was insufficient information on drainage, street trees, sidewalks, and traffic commission. Mr. Josefek stated they had provided all engineering details regarding drainage, handicap and sidewalks. He questioned the comment on street trees and assured the board that if it is required, the applicant will provide the same, and that that item should not hold the project up.

Chairperson Dawicki suggested a condition stating street trees as required by DPI.

Mr. Josefek stated the final item was the traffic commission review regarding curb cuts. Ms. Clarke confirmed that any alterations to a commercial curb cut go before the traffic commission for review. Mr. Josefek also stated the applicant would comply with whatever curb cut the city requires, again noting the plan's reduction from four to two.

Chairperson Dawicki again expressed the board's appreciation for the work the applicant had done since the last meeting.

Board Member Glassman stated he felt the applicant had addressed all the previous concerns and he was fine with the answers.

After board discussion, including public sidewalk details and handicap accessibility, the board concurred these items fall under the purview of the Department of Public Infrastructure. A motion was made (KD) and seconded (AG) to open the public hearing.

Motion passed unopposed.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in favor.  
There was no response to Chairperson Dawicki's invitation to speak or be recorded in opposition.  
There was no response to Chairperson Dawicki's invitation to present questions to the board.

A motion was made (KD) and seconded (AG) to close the public hearing.  
Motion passed unopposed.

After a review of conditions, a motion was made (KD/GS) and seconded (AG), as amended, to approve the request by applicant Southeastern New England Dental Group for site plan approval for construction of a 2,118+/- SF addition to an existing 1,322+/- SF structure on a 25, 424+/- SF site at 899 Pleasant and ES Foster Streets (Maps 58, Lots 300-302, 304 & 499) located in the Mixed Use Business (MUB) zoning district, with the following conditions:

- That the applicant install car stops at parking spots 21-36, in addition to the other stops shown on the site plan;
- That the applicant agree to continue the granite curbing into the property at the two entrances shown, around the radius and +/- two segments into the property;
- That the applicant submit the landscaping plan for review by planning staff;
- That the applicant assume that [Landscape] species Number 1 and 2 are interchangeable, but that the total quantity remains;
- That the applicant add a small section of fence, subject to planning staff review, on the west side of the property that abuts the residential neighbors to the west;
- That the sign shown on the plan is not being approved this evening as part of the site plan approval, and the applicant will come before the board at a later date for sign approval;
- That the project is subject to further conditions and/or approval by DPI, specifically and at the very least relative to drainage, street trees, sidewalks and Traffic Commission review;
- The project shall be completed according to the plans, notes, reports and specifications submitted for consideration and final approval by the Planning Board;
- The applicant shall ensure that any plan corrections identified by the Planning Division shall be completed and presented on the final plan set and/or case documents;
- That the project shall be undertaken in a manner consistent with the memorandum from DPI which the Planning Board incorporates as a condition of approval;
- That the applicant shall submit final plan revisions to the Planning Division in the following format: One 11x17 plan set and one CD or USB of plan set in PDF format, and ensure that these same plans are properly submitted to the Department of Inspectional Services;
- That the applicant shall ensure that a copy of the Notice of Decision certifying no appeal has been brought forward signed by the Office of the City Clerk for the Planning Division case file folder;
- That the applicant shall present any proposed modification from the approved plans for consideration to the city planner for determination as to whether the modified plan must return before this board for further review;
- That the rights authorized by the granted approval must be exercised by issuance of a building permit by the Department of Inspectional Services and acted upon within one year from date granted or they will lapse.

Motion passed 5-0

**7 (Reopened). Case 16-17: Whelan Associates/OZ LLC- Request by applicant for New Ground Sign located at 70 North Second Street (Map 53, Lot 96) on a 2,646+/- SF site in the Industrial A (IA) zoning district, Downtown Business Overlay District zoning district, Bedford Landing Historic District,**

**and Central Business District. Applicant's agent: Poyant Signs Inc., 125 Samuel Barnet Blvd, New Bedford, MA 02745.**

The Public Hearing was reopened after late arrival of applicant's agent.

A motion was made (KD) and seconded (AG) to reopen the above case.  
Motion passed unopposed.

Stephanie Moran of Poyant Signs, New Bedford, apologized to the board for appearing late. She noted that the applicant had received approval from the Historic Commission. Ms. Moran stated they are seeking approval on a sign already installed as a replacement sign, with the same size, location and relatively similar style. She described the new sign as a non-illuminated, double-faced sign, as board copies should show. Ms. Moran stated she believed the sign design met the code.

Mr. Smith inquired as to whether Ms. Moran was involved in the presentation at the Historic Commission, which she responded she had been.

Ms. Moran explained that the application to the Planning Board is done after the application before Historic Commission approval. She agreed with Mr. Smith that both would come prior to installation of signage.

Mr. Smith confirmed details of the new sign versus the old sign, with regard to height, et cetera.

Mr. Glassman stated he was not aware that this was replacing an existing sign. Ms. Moran explained that with the addition of a new fence, the new sign is actually slightly further away from the road. She stated the square footage of the sign is not higher, but acknowledged the sign is likely greater in height from grade than previous signage, due to a new fence installation.

In response to Board Member Cruz, Ms. Moran confirmed that the sign had been installed prior to going to Historic Commission.

Board Member Duff clarified that the sign was replaced prior to notice that it was not in compliance with proper procedures for approval. Ms. Moran agreed. Ms. Clarke confirmed that a sign face change or maintenance on an existing sign does not come before the board, but replacement of signage is a matter of consideration before the board.

Board Member Duff noted that the property has been cleaned up and is beautiful.

Ms. Moran again stated it is within code regarding height of sign, and in fact is significantly lower than what would be allowed.

In response to Mr. Smith's statement that Poyant Signs, Inc., being in business so many years, would have known better than to replace a sign without approvals. Ms. Moran stated the client believed that replacement of an existing sign was not a problem and requested Poyant Signs, Inc., to proceed with the design and installation.

Chairperson Dawicki noted the board still requires verification from the zoning enforcement officer that the sign is in compliance with zoning code, and suggested any approval would be contingent upon that determination.

There being no further board questions, a motion was made (KD) and seconded (AG) to reopen the public

hearing.

Motion passed unopposed.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in favor.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in opposition.

A motion was made (KD) and seconded (AG) to close the public hearing.

Motion passed unopposed.

After brief discussion about the failure to follow protocol and the board not presenting the impression that it rubber stamps such violations, it was suggested that the board get input from the zoning enforcement officer regarding the avoidance of such practice in the future and the proper board response to such matters, as well as future board notification of non-compliance citations.

Board Member Glassman felt it was more a zoning enforcement issue than a planning board issue. Ms. Moran stated she was aware of the citation against the applicant regarding ordinance violation.

Ms. Moran provided a copy of the citation, and a motion was made (AG) and second (PC) to accept and place the same on file.

Motion passed unopposed.

Ms. Clarke informed the board the draft Sign Ordinance revision is now headed to the city's legal department. After brief discussion on the issue that what is currently before the board for a vote under site plan review for ground sign, a motion was made (KD) and seconded (GS) to approve the request for a ground sign located at 70 North Second Street (Map 53, Lot 96) on a 2,646+/- SF site in the Industrial A (IA) zoning district, Bedford Landing Historic District, Downtown Business Overlay District, and Central Business District.

**ROLL CALL VOTE:**

George Smith – No

Board Member K. Duff - Yes

Board Member P. Cruz – Yes

Chairperson C. Dawicki – Yes

Board Member A. Glassman – Yes

Motion passed 4-1 in favor of site plan approval on Case #16-17

**NEW/OLD BUSINESS:**

Ms. Clarke informed the board that there were a series of notices received from other planning departments in abutting communities which are available in the planning office.

With regard to old business, Mr. Glassman reported that 200 Theodore Rice Blvd at the Business Park had not yet been touched and the applicant had until the end of June [to complete the project]. He noted the prior approval included a retention pond. He stated the recent rains have produced water 2-3 feet deep without any fencing around it, and the water is up along the street. He expressed concern about the open exposure to children walking in the area.

Ms. Clarke stated the staff would investigate the situation.

**ADJOURNMENT:**

There being no further business, a motion was made (KD) and (GS) seconded to adjourn at 7:56 p.m.

Motion passed unopposed.