



Planning Board
Bruce Andersen, Chairman
Brian Hines, Vice Chairman
Addison Causey
Nancy Clarke
Leonard Cook
Barry Hester
JoAnne Miller
Sam Mount
Jeff Neely
Randy Poindexter
Joe Sailors

The Regular Meeting of the Planning Board was held at the Huntersville Town Hall at 7:00 p.m. on January 27, 2009.

Call to Order

The Chairman called the meeting to order at 7:02 p.m.

Board Member Attendance

Chairman Bruce Andersen, Vice Chairman Brian Hines, Nancy Clarke, Leonard Cook, Barry Hester, Jo Anne Miller, Sam Mount, Jeff Neely, Randy Poindexter (appeared at 7:13 p.m.), and Joe Sailors were in attendance. The following member was absent: Addison Causey.

Planning Staff Attendance

Zachary D. Gordon, Principal Planner, Whitney Hodges, Senior Planner, David Peete, Principal Planner, Bradley Priest, Senior Planner, and Michelle V. Haines, Secretary.

Consent Agenda

Jeff Neely made a **Motion to Approve** the Minutes of the December 16, 2008 Regular Planning Board Meeting. Joe Sailors seconded the **Motion**, and the vote was unanimous. Nancy Clarke abstained from the vote, which was considered an affirmative vote. The vote was unanimous.

Action Agenda

1. Whitney Hodges, Senior Planner, presented R07-01, which is a request by JDH Capital to rezone approximately 23.59 acres at the southwest corner of Beatties Ford Road and NC 73 (PIN# 01313202, 01313201 and 01313104) from Highway Commercial to Highway Commercial-Conditional District (HC-CD) for an approximate 120,000 square foot shopping center. A copy of the Staff Report is attached hereto as Exhibit "A", and incorporated herein by reference. Staff does not recommend approval of the request until the alignment of the NW Huntersville Thoroughfare has been resolved.

Sam Mount opened the discussion with Staff in questioning why this item is before the Planning Board for recommendation since the thoroughfare has not been decided. Staff explained that the Town Board scheduled when the item would return to the Planning Board prior to the decision being made on the Northwest Huntersville Thoroughfare. Staff also gave an overview of the background of the general rezoning and the conditional rezoning request, including the sketch plan that is based upon the conditional rezoning request. Staff further explained that a sketch plan could be submitted on the parcels without an additional rezoning and

a Determination of Adequacy would be needed. Transportation staff had determined that if the request were exactly the same an additional TIA would not be needed.

Information of another option (Option 4) was discussed for the thoroughfare alignment. Option 4 is a result of the December 15, 2009 Town Board meeting. Staff showed the Board a rough drawing that was used by Steve Knox at a community meeting earlier in the month.

Brian Hines questioned if the rezoning could be continued based on staff recommendations. Sam Mount asked about a denial and how that would affect the rezoning, the process and all interested parties. Bruce Andersen asked about the connector road off NC73, and any condemnation plans. Staff responded to their concerns, and stated that Southlake Holdings, LLC owns property at a proposed location for turn lanes to NC73. She also advised the Board that all condemnation notes on the plans have been changed, and all other options must be pursued before condemnation will be considered. Staff further indicated that the property owners were in communication and negotiations concerning the alignment issues. Bruce Andersen raised his concern against denying the petition, and noted that the Board has previously recommended the loss of heritage trees through a tree mitigation waiver.

Bruce Andersen requested that Walter Fields with Kimley-Horn and Associates approach the podium to speak to the Board. Walter Fields stated that Option 4 was made with Town Board members present and having input at the meeting held with the community. Mr. Fields stated that Option 4 is an attempt to look for middle ground between Option 1 and Option 3; that they want the option that best benefits the community, which Option 4 does as it is a “hybrid” option. He also stated that options for the NW Huntersville Thoroughfare are being attached to this rezoning request, and they (land owner, developer, etc.) want the rezoning to go forward. He pointed out that Staff does not disagree with the shopping center, but are hung up on the road system. It was his opinion that in the foreseeable future there are no large scale road projects in this area. He requested that the Board vote on this rezoning and send a signal to the Town Board that this is petition is okay. Further he noted that while attending the Town Board Retreat it was shown on list of priorities that JDH Development would be adding turn lanes in conjunction with this project.

Brian Hines questioned the orientation of the three (3) buildings within the site plan verses the language in the Ordinance. Staff explained the Beatties Ford Road Corridor Small Area Plan (BFRCSAP) described the mixed use and commercial areas were to be pedestrian-oriented. Brian Hines asked if there were any other issues with site plan, and Staff responded with the need of a right of way with the development and the resolution of the thoroughfare.

Walter Fields responded to the members that their plan is designed with the BFRCSAP in mind, and whichever road chosen, as they understand today, this site plan would work.

Daniel Phillips (14720 Brown Mill Road, Huntersville, NC) spoke briefly spoke to the Board and stated that under the conditional district rezoning the Town has more control of the site, which he wants as a goal (verses the general rezoning already approved).

Brian Hines questioned if the Board should recommend the rezoning with an option for the thoroughfare. He stated that this matter has gone on too long. JoAnne Miller was uncomfortable to use Option 4 since the Board did not have much information about it, and its impact. Bruce Andersen agreed that the reason this is being dragged out is due to the intersection that already has a large amount of traffic, and needs to be design with future impacts in mind. He further stated that the delay is not due to project.

Dr. Ken Holtje (14535 Hwy 73, Huntersville, NC), spoke to the Board and complimented them and Staff. Dr. Holtje stated he is in support of the Staff recommendations for the rezoning. He spoke of Walter Fields' willingness to spend time with them, and neighbors, and the efforts of Option 4, and that they are frustrated with alignments, but willing to look at alternatives. He suggested that the process play out with Option 4. With Option 3 they (JDH) may loose a building, and have reduced square footage, but the shopping center would still have good capacity.

Charles Shallish (13845 Hastings Farm Road, Huntersville, NC), spoke to the Board. He too complimented the Board, Staff and JDH Capital. He requested that the Board consider adoption of Staff's recommendation for consideration of the roads first for reasons of safety factors on NC73. This road is heavily traveled and safety is a major concern. There are roughly 800 students at the school across street that will be impacted, the residents going toward Denver and Huntersville commuters. The property value for the residents in the south lake area will be impacted greatly by Option 1. He stated that Option 3 is a viable option. He pointed out that Option 4 is out there, but did not know its details.

Susan Holtje (14535 Hwy 73, Huntersville, NC) spoke to the Board. She stated that she and a lot of people do not want a shopping center in this area, but she knew it was likely to happen. Her concerns were with design and lighting, and expressed that lighting up to 30' was too much for this area, and requested that the design look more like Birkdale to tie into the rural area. She expressed concerns with transitioning from rural to the commercial site project.

Wayne Auten (15213 Hubbard Road, Huntersville, NC) spoke to the Board. He stated that he has lived here all his life, and has approximately 60 acres of family land near the end of Hubbard Road. He advised the Board that during this process no homeowner on Hubbard Road has been notified about the Options; that through all the meetings that have taken place the Hubbard Road residents have not been notified. Bruce Andersen responded that the public needs to be more aware, and also pay attention to the newspaper, and media. Staff replied that MUMPO staff was required to send out notices to the property owners. A group of individuals in the audience (assumed to all be residents of Hubbard Road) proclaimed that no notices were received. Mr. Auten further stated that he favors Option 1.

Sam Mount made a **Motion to Approve** conditioned on the MUMPO alignment resolution if made on or before June 1, 2009. Joe Sailers seconded the Motion.

Further discussion was made. Sam Mount stated that he felt the sketch plan would basically stay the same, and he agreed with Mr. Phillips that it is better for the Town to have conditional rezoning. Mr. Mount stated to Mr. Phillips that he is aware of the general rezoning,

and applauded Mr. Phillips for not building under the general rezoning, and the commercial project is a good idea. When questioned by Bruce Andersen the status of the rezoning after June 1, 2009, Sam Mount replied that it would not be approved if MUMPO does not resolve this on or before June 1, 2009. The Town Board should be made to push MUMPO to work with the community to resolve the alignment. Eventually Mr. Phillips and JDH Capital will have to stop putting money into this process; and the Board needs to *fish or cut bait* and *put a line in the dirt* with MUMPO.

Bruce Andersen stated his concerns with the legality of the Motion, and therefore does not support it. He questioned Staff about any legal concern of being proper, and Staff replied that the Planning Board's Motions are *recommendations*.

Staff reminded the Board that the 10' buffer waiver included with the conditional rezoning is to receive a recommendation. The Henry Lane and Multi-use path issues can be tied to the MUMPO decision, and/or driveway permits and planning process. JoAnne Miller reminded the Board members that the buffer waiver was previously discussed (November), and it was fine at that time.

Sam Mount amended his **Motion** to include approval of the 10' buffer waiver, which Joe Sailors seconded. The vote was 9-1 to approve the conditional Motion (Randy Poindexter abstained from voting, which is an affirmative vote). Bruce Anderson opposed the Motion.

2. Whitney Hodges, Senior Planner informed the Board that JDH Capital requests a subdivision sketch plan approval for the Shops at Crossroads Village. The subdivision sketch plan is a multi-building site consisting of 8 lots and will contain a 120,000 square foot shopping center. A copy of the Staff Report is attached hereto as Exhibit "B", and incorporated herein by reference.

Sam Mount made a **Motion to Approve** the sketch plan conditioned on the MUMPO alignment resolution if made on or before June 1, 2009. Jeff Neely seconded the Motion. The vote was unanimous.

3. David Peete, Principal Planner, presented TA08-21, which is a request by Glenwood Development Company, LLC to amend Article 3.2.7 to increase the permitted percentage of attached residential units from 30% to 80% with certain conditions in the Highway Commercial Zoning District. A copy of the Staff Report is attached hereto as Exhibit "C", and incorporated herein by reference. Staff recommends approval of the request with alternate language.

JoAnne Miller questioned other major intersections and areas where this could apply, including 115 and NC73. Nancy Clarke stated that townhomes would be increasing up to 80%, and questioned the increased parking, driveway lengths, and the safety of emergency vehicles. She was concerned with the increase in density. JoAnne Miller stated that this looks like the OPS developments that were previously stopped by the Town. Staff gave examples of developments now in the planning process; i.e. Danny Phillips and Huntersville East, and that

permitting areas for Highway Commercial (HC) where it did not once exist is supported by Area Plans. Staff stated that in existing HC zoned parcels, if you meet the criteria, this Amendment will enable increased density. Staff gave an example of existing HC property becoming a “Birkdale” scenario with 100% attached, which is currently allowed by Code without this Amendment. JoAnne Miller added that Danny Phillips’ property is zoned HC, and if he chose to he could put in a development at Beatties Ford and NC73 and add townhomes. Staff indicated that scenario would be supported if it was in keeping with the Code.

Stuart Mullen, Mullen Properties, appeared before the Board on behalf of Glenwood Development & Co., LLC. He stated that the Amendment had been through revisions with Staff, and the goal is to permit a more intense development in nodes supported by Small Area Plans and where infrastructure is present. To apply this Amendment and have it proliferated at every major intersection and thoroughfare with 50 acres and 100,000 square feet of land to accommodate and meet all the criteria is much more difficult than it seems on the surface. Staff echoed Stuart Mullen’s comments in that it is a tall order to meet all criteria.

Bruce Andersen asked Staff to define a block, and Staff read the definition from the Ordinance. Bruce Andersen stated that the Text Amendment is insufficient in defining a block, and that the definition in the Code is useless in defining what is written in this Amendment. A block is not defined by whether it is a street or two sides of a street. Staff stated that the Ordinance is sufficient in its definition of a block and this Board can suggest that Staff continue to look at this. Joe Sailors added that the definition of a block should be left to the discretion of the planning staff. Staff reiterated that this Amendment is only asking for one (1) block of residential/commercial mixed-use. Stuart Mullen addressed the Board again and stated that they envisioned a tract of land subdivided into parcels that is surrounded by public right of way and that being a block. Having one of the blocks in a development does not add, change or improve (the project) in a meaningful way because the components in our project are already there. Bruce Andersen replied to Mr. Mullen that he is not looking at his project with this discussion. Mr. Mullen replied that this is only one block. JoAnne Miller agrees with Stuart Mullen and Staff that this is only one block.

Brian Hines made a **Motion to Approve** with the Staff recommended language, but without the one (1) block language in the proposed Amendment, and finds that the rezoning plan is consistent with the Town of Huntersville Community Plan and other applicable long range plans. It is recommended to amend the Town of Huntersville zoning map as being reasonable and in the best interests of the community with other requirements to allow increased density. Joe Sailors seconded the Motion.

The vote was 4-6, with Bruce Andersen, Nancy Clarke, Barry Hester, JoAnne Miller, Jeff Neely, Randy Poindexter opposing, and therefore the Motion failed. Bruce Andersen asked if there was a Motion to support the Staff recommendation. The Board members expressed concerns with the increase in density in the proposed Amendment. Jeff Neely made a **Substitute Motion to Approve** with all staff recommendations. Joe Sailors seconded the Motion. The vote was 3-7, with Jeff Neely, Joe Sailors and Bruce Andersen in favor, and therefore the Substitute Motion failed.

4. David Peete, Principal Planner, presented R08-06, which is a request by Glenwood Development Company to rezone 59.92 acres located along NC 73 (near Davidson-Concord Road) from R (Rural) to HC-CD (Highway Commercial – Conditional District). This matter was not before the Board for a recommendation as Town Board did not refer this item back to Planning Board. However, as background information for discussion about the Sketch Plan, it was important to include this item. A copy of the Staff Report is attached hereto as Exhibit “D”, and incorporated herein by reference.

Zachary D. Gordon, Principal Planner, addressed the board concerning MUMPO, who is awaiting a final recommendation from the Town Board regarding a proposed modification to the adopted Prosperity Church Road thoroughfare alignment. At its January 5, 2009 meeting, the Town Board voted to forward the proposed alignment change to MUMPO for technical review. Mr. Gordon noted that the Planning Board has previously indicated that in the absence of technical study of this proposed alignment modification; it was not in a position to make a recommendation on the merits of the proposed alignment to the Town Board. Another open question is whether there is sufficient technical information available for MUMPO to make a decision on the proposed alignment modification. He further stated that the TIA was completed and is being finalized. David Peete added that a note be placed on the plan (to which the applicant agreed) showing the alignment, and if MUMPO significantly alters the alignment, it will come back to the Planning Board & Town Board. The Planning Director will have the ability to approve minor adjustments that do not significantly alter the proposed alignment modification.

Off-site improvements were discussed along with Glenwood transportation consultant, David Naylor’s matrix that was provided to the Board through a Memorandum dated January 22, 2009 from Bill Coxe, Transportation Planner. Joe Sailers was concerned about funding for on and off-site improvements. Zachary Gordon responded that it is not necessarily the funding, but where the funds are used (in front of project or improvements at other intersections). Mr. Gordon noted that improvements must be done within three (3) years of the approval of the development. The Ordinance is very clear that the TIA improvements have to be mitigated for the project. It will be clarified with the Town Board where the funds are directed, whether in front of the development or off-site.

Brian Hines asked about the small area of land that Glenwood does not control, and Glenwood confirmed there were no changes in property ownership, or future intentions to purchase. Staff commented that they are not aware of any new control of property ownership.

David Peete revisited the issues of the Small Area Plan and updated the rezoning matter with the Board. Staff described the phasing plan and outstanding issues surrounding the rezoning which included the pending Text Amendment, vesting time periods, primary access and additional waivers (i.e. screening mechanical equipment, faux windows, etc.). Brian Hines, Vice Chairman, points out that the Board may not need to address each item (i.e. access) for the rezoning since the Board is not making any recommendations. He requested to hear from petitioner.

Mike Schutrum of Glenwood Development Co., LLC addressed the board concerning the 36" floor elevation waiver, and stated this waiver would be for cost saving purposes, and market research shows that fewer steps are more marketable for senior citizens. Glenwood is asking for 14-21" elevations depending on the grades. The buildings can be one or two-story residences. Jeff Neely discussed the 36" height elevation and working with the recessing of the garage doors, and recommends that it stay at 36". There were other members (Leonard Cook, and Randy Poindexter) who made comments to stay with the 36" elevation.

Sam Mount asked about the 5 year vesting request and Mike Schutrum explained their situation with CMUD, which is why they want an extension. This will also avoid unknown cost of APFO, as they will not be able to satisfy the 3 year requirement. The APFO allows you to come back and ask for an extension. JoAnne Miller asked why Phase 1 and 2 can not be completed together, and Mr. Schutrum responded that with the sewer line that is going to travel 15,000 feet they need to be sure the line is close to them before they start site construction. Staff explained the vesting rights and permitting process to the members. Staff further indicated that the Town Attorney does not advise vesting rights go beyond 5 years. The process currently in place will have the applicants back before the Town Board to request an extension in the three (3) year period for a two (2) year extension. Jeff Neely asked if prior extensions had been granted, and Staff advised that no extensions on vesting under the APFO have been requested or granted.

Joe Sailers asked if the Board could make a recommendation for 3 year vesting with an automatic two (2) year extension subject to having a contract with CMUD. Staff stated that if the Board wants the development to get the sewer line connection sooner rather than later, the recommendation needs to have a time constraint. Joe Sailers modified his recommendation for a 3 years vesting with CMUD contract within 12 months of approval. Mike Schutrum stated that they would ask for more time than 12 months depending on MUMPO approval, CMUD, etc.

JoAnne Miller was concerned about condemnation, and Zachary Gordon stated that Huntersville has never condemned private property.

Bruce Andersen stated to the Board members that they have the opportunity to make comments, but not necessarily make a recommendation by vote.

Zachary Gordon advised the Board that the initial TIA called for improvements by others which caused some confusion. Scott Cole, NCDOT Division Engineer, has stated that he is comfortable with the proposed improvements, which includes having one west bound lane. It is staff's intention to recommend construction of all TIA required transportation improvements (on and off-site) Zachary Gordon described the TIA radius (2 miles) and that a Poplar Tent improvement can not be required as they are not in our jurisdiction. Brian Hines expressed that he felt the 2 mile radius is extreme, especially when infrastructure improvements are called for this far from the proposed development site.

Planning Board's consensus regarding R08-06 included the following comments:

- 1) MUMPO approval should be granted for the re-alignment prior to Prelim.

- 2) Vesting should be 3 years, and should be extended for additional 2 years if CMUD contract for sewer let within 12 months of CD rezoning approval.
- 3) Condemnation should not be used for a private development
- 4) The waiver for the 36" finished elevation should not be granted.
- 5) With regard to TIA – felt 2 mile perimeter was too far out for a project of this size.

The Chairman suggested that the Board move to the next item.

5. David Peete, Principal Planner, informed the Board that Glenwood Development Company, LLC requests a subdivision sketch plan approval of Huntersville East. The subdivision sketch plan is a multi-building site consisting of 137 lots (commercial, townhomes & detached homes) and will contain a 175,000 square foot shopping center. A copy of the Staff Report is attached hereto as Exhibit “E”, and incorporated herein by reference.

Staff reviewed the sketch plan and waivers as indicated in the Staff Report. Additional staff comments were reviewed with the Board members concerning the gas station not supporting transition, build to lines; cross-walks; screening, greenway, parking lot 11-A, and other redline notes. Staff further advised the Board that annexation should be initiated prior to prelim plan. Mike Schutrum stated to the members that they do not own the greenway property, and can not make a connection and wished to annex prior to final plat.

Staff stated that in relation to the roads and connections, the left quadrant road and NCDOT’s note is longer on the plan. The State is agreeable with the left quadrant; however, they will make their own independent determination. The Black Farm Road connection was discussed and Randy Poindexter suggested that connection was not needed, and other members agreed.

Bruce Andersen commented that he was not comfortable in voting since the rezoning was not decided. Jeff Neely suggested that the Text Amendment needs to be worked out, and staff suggested that they can use the Text Amendment as a waiver.

Joe Sailers made a **Motion to Approve** with staff recommendations. The staff recommendations were conditioned (among other things) on approval of the Text Amendment (TA08-21) and the Rezoning 08-06. Leonard Cook seconded the Motion. The vote was 8-2 with Nancy Clarke and JoAnne Miller opposing.

6. Bradley Priest, Senior Planner presented TA08-18, which is a request by Lenux Stables and Riding Academy, Inc. to consider amending Article 6 and 9 of the Huntersville Zoning Ordinance to allow gravel parking areas and driveways for commercial riding stables, horticultural, floricultural, and silvicultural uses. A copy of the Staff Report is attached hereto as Exhibit “F”, and incorporated herein by reference. Staff recommends approval of the request.

Sam Mount made a **Motion to Approve** to find that the text amendment is consistent with the Town of Huntersville Community Plan as reasonable and in the public interest to amend

the rezoning plan. JoAnne Miller seconded the Motion. The vote was unanimous.

7. Bradley Priest, Senior Planner presented R08-12, which is a request by Spectrum Hearing to rezone approximately .78 acres from Neighborhood Residential (NR) to Neighborhood Center Conditional District (NC-CD) for a proposed medical office. The lot is located on the southeastern corner of the intersection of Rich Hatchett Road and Statesville Road. A copy of the Staff Report is attached hereto as Exhibit "G", and incorporated herein by reference.

Zachary D. Gordon, Principal Planner addressed the Board concerning the Small Area Plan and the Interchange Modification Report (IMR). Mr. Gordon noted that the IMR was scheduled to be completed by the end of June, 2009. Bradley Priest advised the members that protest petitions have been received and that some residents of the Rich Hatchett neighborhood are opposed to commercial rezoning because they feel it opens the door for further rezoning in the neighborhood.

Brian Hines stated that he supports this request. It is less intense; there is commercial use to the north and to the west, and this building looks like a residence. He is sympathetic with the Rich Hatchett Community, but they appear to be split. He questioned why the Petitioner was not building the approved two-story building. Bradley Priest explained that a two-story building is a higher cost to the applicant and not feasible. The one-story plan is more conducive for the owner.

JoAnne Miller suggested revisiting Rich Hatchett Community Plan as recommended by Staff, and to not go against the intentions of the plan. Bruce Andersen questioned the interchange connection over to Rich Hatchett Road, and further stated that he is supportive of the rezoning Petition.

Zachary D. Gordon suggested to the Board that the first priority be to update the Rich Hatchett Community Plan, which is a 10 year old plan, and then look at the interchange modification.

Bruce Andersen suggested that Spectrum Hearing wait for the rezoning based on the interchange report. Zachary Gordon indicated that the Interchange Modification Report may not be completed for six (6) months (June 2009). Bruce Andersen did not feel the Town Board would approve this rezoning, and asked if it should be withdrawn until the interchange report and updated Small Area Plan were completed. Zachary Gordon suggested if this matter was not recommended for approval that it be deferred and not withdrawn.

Carl Pritchett with WSP-Sells spoke to the Board on behalf of Spectrum Hearing. He agreed that this property is caught between two plans; one recently updated and one that is 10 years old. He stated that they agree that the Small Area Plan needs to be updated. This project is low in density and can serve to establish a known condition for which the remainder of the Rich Hatchett area can be more active in planning. The proposed use provided very low impact to the neighborhood with minimal traffic; no night time activity; little if any noise; and no impact to the

school systems and little impact to the environment. This property is too small for a more intense use such as a convenience store or restaurant, which will require more parking, more storm water control, larger refuse bins, etc. Should the Rich Hatchett Road ever be signalized or extended to I-77 the likelihood of a higher intensity use increases. The owner has been approved for a two-story structure, which is a mixed use building (a by right use in a NR district). However, accommodating residential units on top of this building on a .75 acre site does not make economic sense. The architecture of the building is residential appearance. In addition to landscaping, the owner is also willing to build a privacy fence between her property and the adjoining neighbors to the south and to the east. Mr. Pritchett also pointed out that the use is compatible to the use to the north and west, both of which are commercial uses.

Sam Mount made a **Motion to Recommend** to the Town Board that they defer this matter until completion of the Interchange Modification Report or completion of the updated Small Area Plan for the Rich Hatchett Community, and that the Town Board take no action until this matter is brought back before the Planning Board for a recommendation. Jeff Neely seconded Motion.

The applicant and property owner, Michele Lee, addressed the Board and told them she has been waiting five (5) years to rezone and build. Originally a two-story building was planned and approved, but it is not feasible and they would have to deal with a residence above the business. The plan is for her business to be on one level which is more accessible to the elderly patients. She described her business working with the elderly and their needs, and the current location is difficult for them to get in and out. She told the members that she did not want to wait but would take their recommendation. Bruce Andersen stated that it was her best chance for approval.

Brian Hines asked to what extent the owner would have to go through for the residential portion on the second floor. Bradley Priest replied with it would have to be livable area meeting State Building Code, firewalls, etc., which is a more expensive building. 50% of the total area of the building would have to be residential.

The vote was 9-1 with Brian Hines opposing.

Other Business

On Staff's recommendation, Joe Sailors made a **Motion** to revise the time of the Regular Planning Board Meetings to begin at 6:30 p.m. Discussion was made and it was agreed that an earlier time was preferable. Leonard Cook made a **Substitute Motion** for a beginning time of 6:00 p.m. The Substitute Motion did not receive a second, and therefore failed. Sam Mount seconded the **Motion** for 6:30 p.m., and the vote was unanimous.

Adjournment

Sam Mount made the Motion to adjourn and Barry Hester seconded the Motion. There being no further business the meeting was adjourned at 11:31 p.m.

Approved this 24th day of February 2009.

Bruce Andersen, *Chairman*

Michelle V. Haines, *Secretary*