

MINUTES OF THE PUBLIC HEARING
SUDBURY BOARD OF APPEALS
Thursday, November 17, 2011

The Board consisted of:

Elizabeth T. Quirk, Chair; Benjamin D. Stevenson, Clerk; Jonathan G. Gossels; Jeffrey P. Klofft;
Jonathan F.X. O'Brien; and Stephen A. Garanin, Associate

Also:

Jody Kablack, Director of Planning and Community Development
Paul Haverty, Attorney, Regnante, Sterio & Osborne LLP
Fred King, Schofield Brothers

For the Applicant:

Steven Schwartz, Goulston & Storrs
Peter Tamm, Goulston & Storrs
Glenn Dougherty, Tetra Tech
Paul McManus, Ecotech

Ms. Elizabeth Quirk, Chair of the Zoning Board of Appeals, opened the hearing and made a statement about the meeting procedure. She then read the list of documents received for the November 17, 2011 Meeting:

- 10/21/2011 – Memo from John Whalen, Assistant Fire Chief to Jody Kablack, Director of Planning and Community Development
- 10/25/2011 - Memo from Robert E. Moss to Jody Kablack
- 10/31/2011 – Tetra Tech, Environmental Notification Form as submitted to the Executive Office of Energy and Environmental Affairs
- 11/4/2011 – memo from Glenn Dougherty, Tetra Tech, to the ZBA and Jody Kablack including revised Existing and Proposed Watershed Area Plans, Aerial plan of Watershed, Wetland Replication Area Plan, Limits of Clearing Plan, Site Earthworks Volume Calculations Plan, and Site Aerial Plan
- 11/7/2011 – memo from Glenn Dougherty, Tetra Tech, to John Sklenak, Chairman for the Conservation Commission
- 11/9/2011 – memo from Fred King, Schofield Brothers, to the ZBA
- 11/9/2011 – memo from Jonathan Witten, Huggins and Witten, to John Sklenak, Chairman for the Conservation Commission
- 11/9/2011 – Site visit Notes from Jody Kablack to the ZBA
- 11/10/11 – From Bob Moss, Area Apartment Community Comparisons
- 11/15/11 – Memo from Paul Haverty, Regnante, Sterio & Osborne, to Peter Tamm, Goulston and Storrs
- 11/16/2011 – Memo from Joe Peznola, Hancock Associates, to Jody Kablack and the ZBA

Ms. Quirk then re-introduced the consultants the ZBA has hired to assist with interpreting the application, Attorney Paul Haverty of Regnante, Sterio and Osborne LLC, and civil and wetlands engineer Fred King of Shofield Brothers of New England.

Ms. Quirk then gave a synopsis of a site walk that was attended by ZBA members and the applicant's team. She said that it was informative as it gave the Board a sense of the ground conditions. The proposed road was staked as well as the ten apartment buildings. She said that the Board's engineering consultant Joe Peznola also attended the site walk and noted high groundwater conditions at the leaching field area and noted that the mounding amount has not been included. Mr. Peznola has yet to complete his analysis but he expressed concerns about the extensive quantity of fill required to separate the development and high groundwater area. She also noted that the site plan currently does not show the amount of fill required.

Ms. Quirk reported that Mr. Dougherty described the stream crossing plan and the creation of a four foot by twelve foot box culvert under the road for wildlife crossing. The travel width is 26 feet with a disturbance area of four feet and an eight to ten foot high rise. The Road has been narrowed in the revised plans to accommodate conservation concerns, however this might create issues for the Sudbury Fire Department. Mr. Moss noted that each building would rest on five feet of fill and rise forty-five feet to the roof peak. This is fifty feet total. She noted that the Board had asked that a balloon test be conducted for a sense of the height impact. She noted that at the southerly property line and closest abutting neighbor on Cutler Farm Lane only a few trees at the property line will be preserved.

Ms. Quirk then explained that she, along with Mr. Garanin and Sudbury staff, met with Mr. Moss at Madison Place in Shrewsbury to see an example of a development that will be nearly identical to the proposed Johnson Farm. Madison Place, also built by Mr. Moss, is comprised of eight buildings with twelve units in each. Ms. Quirk said that it was instructive to see the site. She felt that the buildings were fairly unattractive with a diverse combination of exterior finishes creating the effect of a busy facade, and on the whole she felt the design to be rather unremarkable architecture. She noted that the group was able to walk through a one bedroom apartment which was consistent with fairly basic rental units. Mr. Garanin concurred with Ms. Quirk's summary. He added that the site raised concerns about density as the buildings were situated so close together that they gave the appearance of one mass building on a tight spot. Although he did add that at the Landham Road site the buildings would be situated farther apart.

Mr. Klofft asked whether Sudbury's Design Review Board had reviewed the plans and provided any feedback yet. The DRB has not yet weighed in.

Fred King, with Schofield Brother's, then commented on his wetlands bylaw review as reported in his November 9, 2011 memo to the ZBA. He said that he is looking for more detailed description so that the application can be properly evaluated. The information on the wetlands bylaw was minimal and needs clarification. There was virtually no information about what parts of the bylaws the developer is trying to meet. The requested waivers were also unclear due to lack of clarification about what it is that the applicant is actually asking for. He noted that in other areas of the application it appeared that the applicant was looking for a blanket waiver of the whole bylaw.

As part of the Notice of Intent submitted to the Conservation Commission the applicant presented an alternatives analysis for different access routes and for different types of development for the site which are looked at in part for comparison. He noted that only one of those was for an apartment complex. It became clear to Mr. King that other obvious alternatives were not pursued. Other alternative site projects are not really for the ZBA's consideration, but rather for the Conservation Commission. No alternatives were offered for reducing the footprint of the buildings and or for minimizing impacts on wetlands resources. There was no assessment included of impacts on the upland resource areas and if the impacts could be avoided. There are potentially vernal pools in the area and so more information is needed on whether or not they exist. There are four large ones on the site. One is completely surrounded by the

development. Large culverts are being proposed to allow wildlife passage from this area but the entire surrounding area is all in the upland resource area. Mr. King recommended that this be looked at through additional study. Conservation Commission is looking for a similar study.

In regard to the wetlands replication area, there was a lot of information included here and the applicant is proposing to try to meet the bylaw, however Mr. King said that local bylaws require two to one replication and this application does not meet those standards. There is a high probability of secondary wetlands impacts. The design itself needs reshaping and there are proposed changes in elevation. Mr. King explained the problems with excavation and elevation changes and the potential for flood plains impacts.

Mr. O'Brien asked for clarification on the developer's argument that the majority of water passing through the site is traveling underground and not on the surface of the property. Mr. King said that in essence that is correct, but there is surface discharge. He explained how the water had historically moved through the site when it was agricultural land. But the ditches would modify ground water flow affecting wetlands and the groundwater around it.

Mr. King said that the applicant is offering to use large culverts which do comply with Massachusetts Fish and Wildlife requirements. The analysis provided by the applicant was okay but Mr. King thought that there was not enough supporting information provided to show that culverts actually met standards. Mr. King said that he had listed in his memo the remaining information that he felt was necessary to show that the plan would meet proper standards. He noted that the Conservation Commission has and even longer list of items needed for clarification.

Ben Stevenson commented that during the site visit he noticed that the applicant's engineer dug through soil and met water even when the group was standing on upland locations. He asked whether the delineation between wetlands and uplands on this site was fairly close. Mr. King said that it is a difficult line to determine. Mr. Stevenson then asked Mr. King what would be the impact from development on uplands to the wetlands as a whole. Mr. King said that Stormwater review would be important. As he pointed out in his report the development is being pulled right up to the edge of the wetlands all the way around so that an assessment should be done on the buffer zone. Any clearing of the upland area that would need to be done also changes the characteristics of wildlife habitat. So he recommended that a thorough investigation be done.

Mr. Gossels asked what the difference was between a limited project verses non-limited like the stream crossing. Mr. King said that he also questioned whether or not the project fit the limited project category. He reminded the Board that Attorney Witten's interpretation was also that it was not. However, Mr. King said that he has seen similar proposals get approved as such, so it is just not known. The Conservation Commission is hiring an environmental attorney to look that issue and Mr. King recommended this course of action as well. Mr. Gossels asked what would be the difference in the performance standards if the project was deemed limited versus not limited. Mr. King said that if it is not a limited project then the proposal cannot meet the standards. He also said that the Conservation Commission can waive performance standards.

Mr. O'Brien asked whether Mr. King had looked at the impact that the development would have on Hop Brook and the hydrology in the area of the property closest to Hop Brook. Mr. King said that he had and had asked for more information from the applicant. He said that there are still more questions as to whether or not the plan meets stormwater regulations that would impact Hop Brook. At this point his opinion is not solidified.

Mr. King said that the effects on the area really hinge on the porous pavement aspect because it becomes a drainage issue. He said that what the applicant is essentially trying to do is make the entire development porous so that there is virtually no runoff. Mr. O'Brien asked whether the mounding was porous. Mr. King said yes. He added that the component that was missing, when you add all that infiltration is that there is no transpiration. He then explained that the trees at the site currently are pumping all of the water back out of the ground, lowering the water table, but when the area is developed there would be a lot of recharge loss due to loss of trees. He said that this is not a large component, but is a factor nonetheless. He said that if the development were kept down to a certain point then the water moves down into the wetlands and there would be more vegetation to absorb it.

Mr. Klofft asked whether there was any analysis of the treated effluent that would be generated. Mr. King said that Consultant Joe Peznola is looking into this. There is no real information on this that has been brought before the Conservation Commission as of yet. Mr. Klofft said that with 120 units on the site there would be substantial water being piped in to the site from the Sudbury Water District and then treated and discharged into the same area. He asked if it was fair to say that this could have a wetlands impact as well, particularly because the site is extremely wet already. Mr. King said that it could possibly but the Conservation Commission will look at this more closely. He suggested that groundwater analysis would address this.

Ms. Quirk then asked the applicant's attorney for any response. Attorney Schwartz said that he would respond in writing when he could as they are still studying Mr. King's memo. He said that most of the wetlands issues are in the jurisdiction of the Conservation Commission whether the project were considered a limited project or not. He said that the ZBA's jurisdiction is the Sudbury wetlands bylaw and the waivers that have been requested. In that regard he said that Mr. King raised some issues that were addressed in Attorney Haverty's letter. He said that one of the issues with the Sudbury wetlands bylaw is that in a number of areas it grants rather broad discretion, without specific standards, to the Conservation Commission when it poses greater requirements than what is required under the wetlands protection act. When there is broad discretion then applicants do not need to request specific waivers or justify a specific waiver request. He said that the applicant is studying Attorney Haverty's letter too and will issue a response. He said that Mr. King's expectations, in terms of what the applicant needs to justify, went beyond the applicant's understanding of what was needed under 40B.

But Mr. Klofft said that as a Board the ZBA would hope in good faith that the applicant would give some sort of justification in areas where it is not too difficult, rather than sticking strictly with just the legal requirements. Mr. Schwartz said that it was difficult to do that when the applicant is not subject to the requirement under 40B. He said that the Conservation Commission has the discretion to impose additional requirements, however at present the applicant is not before the Conservation Commission for the local bylaw but is presenting to the ZBA at this time. He said that the plan that was presented was in-keeping with other 40B proposals and other 40B proposals that have been brought before this Board.

Attorney Haverty said that the issue is really about the waiver of the wetlands regulations. He said that the applicant is not required to request a waiver but the request serves as an instrument for the end of the process when draft conditions are imposed by the ZBA, under their discretion, and the applicant could therefore accept the conditions or not accept if the conditions would render the project uneconomic.

Ms. Dineen said that she did not feel that the wetlands regulations are at all general. There is a 100 foot wetland upland resource area which is presumed to be very important. The applicant therefore has to

overcome that presumption and in the wetlands regulations the Commission explains what they are looking for in terms of site-specific information.

Attorney Haverty said that because this is a comprehensive permit the applicant does have the right to request waivers. He said that the ZBA's job at this point is to look at waivers that have been requested and determine whether they are too general or whether more information needed. The Board needs to have a full understanding of what's being asked through the waiver.

Attorney Schwartz said that he was in agreement on the process. He said that if a waiver is needed for a specific item then the applicant has tried to be comprehensive. However, he said that under 40B he does not feel that the applicant needs to justify any waivers in way people feel they need to. He said that the applicant will continue to provide information as is reasonably requested by the ZBA but he does not feel that the applicant will ever fully satisfy everyone in terms of justifying why the waivers are being requested. Attorney Haverty said that he would agree with that statement except for at the end of the process when the ZBA's conditions are outlined. The applicant will at that point need to justify the necessity for certain waivers.

Paul McManus of EcoTech, wetlands engineer for the applicant, reported that the Notice of Intent was filed with MEPA. The narrative of the report included language for defining what a limited project is. He said that he included details of the wetlands replication area that should work for everyone's satisfaction. They are proposing to meet the two-to-one replication requirement as outlined in the Wetlands Bylaw.

Attorney Haverty cautioned the Board that the ZBA should not get too involved in the question of whether or not the project is limited or not because that is the Conservation Commission's jurisdiction and the Commission will be thorough.

Attorney Schwartz added that groundwater discharge is in the jurisdiction of the DEP and typically with a 40B application that has a wastewater treatment plant the ZBA would condition its approval upon obtaining that groundwater discharge permit.

Conservation Coordinator Debbie Dineen reported that the Conservation Commission held a hearing with the applicant on Monday, November 15, 2011 which has been continued to January 9, 2012. The Conservation Commission had attempted to push for a mid-April continuance in order to address vernal pool issues. One of the issues the Commission addressed is that the applicant has only evaluated impacts on areas of fill. The Commission was concerned about the other areas of the property. Conservation Commission can look at any areas of Conservation and one of their areas of concern is the Wetlands replication area which is proposed for a designated upland area. At that point Ms. Dineen said that the Conservation Commission requested that the ZBA conduct a full wetlands evaluation on jurisdictional uplands under the bylaw. Mr. King said that he could do this but would need additional information from the applicant.

Mr. Stevenson said that the wetlands areas look organized on the site map, however he wanted to know how confident the engineers were about the delineation when on the actual site. He said that he was thinking about when Mr. McManus had augered the soil during the site walk and had found water relatively quickly. Mr. McManus said that the Conservation Commission had approved the wetland lines quite some time ago and the site was marked with flags. Mr. King confirmed that he also felt confident that the measurements were accurate. He reminded the Board that the applicant had been through the ANRAD process which was complete and approved there should be no disagreements about wetlands boundaries at this point.

Mr. Klofft asked why five feet of fill was needed if the upland area was dry. Glenn Dougherty of Tetra-Tech, said that the reason for the fill was because construction is starting at the high ground water elevations associated with the wetlands. The drainage design includes eleven rain gardens on the site which take up the flow from the porous pavement but construction would need to start at those rain garden elevations which maintain a minimum of two foot separations. He said that there was some undulation in the grade so that it would not be five feet everywhere. Mr. Klofft asked whether Mr. Dougherty had been involved previously in projects like this where a new grade level has to be created. Mr. Dougherty said that he had.

Ms. Quirk then opened the floor for public comment on the wetlands report.

Stan Kaplan, 98 Victoria Road, directed his questions to Mr. King. He asked about the lack of trees and lack of evapotranspiration and so the water table would be higher. He asked whether reducing the size of the development would make the ground water more stable and at what size would that development be? He also wanted to know what happens with the porous pavement in the winter in regard to icing and wetlands. Given that porous pavement was to be addressed later during the hearing the question was held until that discussion.

In response to the first question, Mr. King said that a hydrologic budget would need to be conducted. He said that he could develop a model to see what the difference would be but in general the smaller the development the better.

Mr. Kaplan wanted to know if the evaluation could be done.

Mr. King said that he did not go into this in his letter but a simplified model could be done if the ZBA wished.

Mr. Gossels said that as a point of process the Board could ask the applicant to do this hydrology budget through peer review. Ms. Quirk then asked Mr. McManus to prepare a hydrologic budget. Mr. McManus said that that form of report could be done at a number of levels but agreed to do so with a reasonable level of effort.

Director of Planning and Community Development Jody Kablack reminded the Board that Mr. King's report contained a significant amount of specific information still to be provided by the applicant that he believes to be critical for review of the project and she reminded the Board that these should be priorities.

Nathaniel Fridman, 25 Christopher Lane, expressed concern that in the last few winters and springs there has been more rain. With all the asphalt he was concerned that the road and even the bridge would be flooded. He noted that Landham Road has even been closed at times. He is against this development because it is so large, that its construction will destroy habitats, and with more rain the roadways will become flooded. Ms. Quirk assured Mr. Fridman that stormwater management was going to be looked at in great detail.

Mario Mummolo, 71 Stockfarm Lane, provided an analogy of a pasta pot and colander to express his concerns with porous pavement. He said that he had heard the presentation on porous pavement given to the Conservation Commission by the University of New Hampshire and noted that even the University discussed the reality that salt can leach through the pavement and into the groundwater. He said that the Johnson Farm property is only a mile from wells and he expressed great concern for carcinogens from

road salt and oils that might leach into the water. He said that he felt that this development was wrong for Sudbury and that the builder should be ashamed of himself for proceeding. Ms. Quirk said Mr. Mummolo's points on pavement were valid and could be further explored during the presentation on porous pavement at this hearing.

Brian Cain, 33 Victoria Road, said that he was struck by the comments about the site visit and the discussion about the accuracy of the wetlands flags. He asked Mr. McManus whether he could share other examples of sites with a similar topography and with 120 units that the engineers had worked on. Mr. McManus said that he has twenty-five years of experience with all kinds of projects. He explained that he has done a lot of work in the areas north and west of Worcester which is in the watershed to the Wachusett Reservoir. He noted that there is a residential 40B project in Holden that has a similar scale and vernal pools on which he has worked.

Ms. Quirk announced that there would be a meeting with MEPA and the Conservation Commission held at 2:00 at the Goodnow Library on Friday, November 18, 2011 in regard to the filing of the ENF.

She also asked Attorney Schwartz whether he was prepared to respond to Attorney Witten's memo of November 9, 2011 written to the Conservation Commission. Mr. Schwartz said that the applicant is preparing a written response, but noted that he disagrees with several points.

Dr. Robert Roseen, from the University of New Hampshire Stormwater Center, then gave a powerpoint presentation on porous pavement, its design components and how it functions. He said that porous pavement was considered a good choice for low impact development. He said that the practice of using porous pavement is becoming more common for residential, commercial, light duty, and state road applications, however he did note that a large number of installations continue to be sub-standard. He said that he did not anticipate this proposal having any problems, however.

Dr. Roseen discussed winter maintenance, which has the benefits of a reduction in use by seventy-five percent of sodium chloride and relatively no concerns of black ice since the water goes down through the pavement more quickly than it can freeze on the surface. He said that a maintenance plan for porous surfaces is extremely important and repairs and replacements are necessary. Examples of porous surfaces included the I-93 Exit 5 Park and Ride, Maine Mall, Long Creek Watershed in South Portland, Maine, the Boulder Hills residential development in Pelham, NH, and Greenland Meadows commercial development in Greenland, NH.

Ms. Quirk noted that the Board was in receipt of a memo from Joe Peznola dated November 16, 2011. Attorney Schwartz said that the applicant will write a memo in response to Mr. Peznola's memo. In the interest of time Ms. Quirk asked Ms. Kablack to highlight a few points of the memo.

Ms. Kablack noted that Mr. Peznola commented that with porous pavement a developer needs to protect against over-compaction. He wanted to be sure that the applicant demonstrate that the proposal meets the design standards that are covered in much of the literature presented. She said that Mr. Peznola recommended that the applicant provide documentation on this. All of the literature says that porous pavement is appropriate for low traffic areas but this pavement is going to be installed in fully-used areas of the development.

Dr. Roseen concurred that most of the old literature says this. However, he said that technology has improved and a DOT pavement mix will be used, which is the formula that is used on DOT roadways.

Mr. Klofft asked Mr. Roseen how many of the properties he has researched have been research funded versus commercially funded. Mr. Roseen said that the majority have been commercially funded.

Ms. Kablack said that the concern is that the literature is saying one thing, but the practice of using porous pavement has not been used extensively and that this development could essentially be a test project for Sudbury. Dr. Roseen disagrees that it is not a proven product. He said that construction and care is the main issue behind its success.

Ms. Kablack asked about overflow basins. She asked what is Sudbury's guarantee that the pavement will not cause flooding. Mr. Roseen said that the technology is really beyond the demonstration phase, but now its use is at the quality control phase to insure that the installation of pavement is done well.

Mr. Gossels noted that porous pavement was recently installed for the parking lot at Congregation Or Atid in Wayland.

Ms. Kablack said that she is generally an advocate for using porous surfaces however in the case of this development because the site is so tight there is no room to put in a conventional drainage system should the porous pavement system fail. She asked whether any other towns that have used porous pavement systems had to require special bonding for the paving projects. Dr. Roseen said that in some cases catch basins have been installed as a back-up. He said that performance bonds are required during construction but long-term bonds for maintenance are generally not required. Ms. Kablack then asked about maintenance of the pavement. Dr. Roseen said that typically the pavement is vacuumed several times per year according to the amount of vehicular traffic at a particular site.

Mr. O'Brien asked the likelihood of contaminants getting through the pavement and collecting in the drainage ditches. Dr. Roseen said that sediment on the pavement would typically be removed by cleaners. Oil and grease that is always present on the roadways could go through the pavement but not enough to reach a level of contamination. Metals do accumulate but it would take a length of a hundred years to reach contaminant level. Chloride is an issue as it goes right through the pavement and the only option for treatment is to put down less of it. Phosphorous is reduced some. Hydrocarbons would be consumed at this time. Chemical spills are an issue but more for surface water that reaches a greater area. When chemical spills happen and are contained in the pavement then only the pavement needs to be removed and replaced.

Ms. Quirk then said she wanted to go back to Mr. Mummolo's comments about the drinking water quality, which is a high priority for Sudbury. She asked whether chloride is one of the biggest threats. Dr. Roseen said it is not the biggest threat, but it is a threat. He said there is a risk of salt in groundwater but he said that it is really no different than Landham Road because Landham Road requires much more salt to maintain than at Johnson Farm with porous pavement. Salt on Landham Road is running to the side and is going into the groundwater. He said that the discussion is not about no impact, because there would be some with any development, however the point with porous pavement is about lower impact.

Mr. Stevenson asked whether traditional pavement imparts contaminant into the environment. Dr. Roseen said that most contaminants are baked off in the making of the pavement.

John McCabe, 17 Brookside Farm Lane, requested that the Board request that the applicant use conventional asphalt. He also asked that the ZBA conduct a peer review of the issue. Ms. Quirk said that consultant Joe Peznola is taking a look at this. Mr. McCabe also said that he was surprised that the Board had not yet discussed the memo from the Sudbury Fire Chief dated October 21, 2011 because it was

discussed at length at Monday's Conservation Commission meeting. Ms. Quirk said that the Fire Chief's memo was indeed on her agenda, however due to inadequate time left during this hearing it would be placed on the agenda for the continued hearing. He also wanted to reiterate a point made in Attorney Witten's memo that this parcel of land was listed on the Sudbury Open Space Plan. He requested that the ZBA pass the burden of proof on to the applicant to show why it should be developed this way.

For clarification Attorney Haverty said that the burden of proof is with the Housing Appeals Committee.

Brian Cain, 33 Victoria Road, asked what the cons are when porous pavement material fails. Dr. Roseen answered that of the cons there have been a number of substandard installations. It can be difficult to obtain materials for the pavement as it is composed of a specialty mix. Another con is that too much pavement can be used for wide roads or paving in unnecessary places. He said that there were many cons, but he was hopeful that careful review on the ZBA's part would avoid.

Mr. Gossels added that sand cannot be used on the pavement. The pavement has to be vacuumed regularly, and maintenance also needs to be regular.

Jonathan Danielson, 37 Landham Road, said that the Conservation Commission has requested a non-porous paving design. He wanted to reiterate this because as he sees it the project would perhaps not exist without the use of porous pavement. He also said that as he reviewed the plan he noted that there were taller buildings. He wanted to point out that the Massachusetts Housing eligibility letter stated multiple times that the proposal was being approved because it was modestly scaled and relatively hidden behind trees with buffers.

Ms. Quirk asked whether the applicant was considering the use of non-porous pavement. Attorney Schwartz said that the applicant is not proposing a non-porous development.

Ms. Quirk said that the ZBA would be discussing alternative design plans at length during the application review process. Noting the time, Ms. Quirk said that the Fire Department's concerns would be addressed at the next continued hearing.

In selecting a new date Ms. Quirk asked whether the engineer could have the requested data to the ZBA in time for analysis prior to the hearing.

Attorney Schwartz reminded the ZBA to be cognizant of the 180 day hearing timeline.

Ms. Kablack also noted that the ZBA does not yet have in its possession a valid Stormwater Management Report that has been accepted by the Town Engineer Bill Place. She said that this is required information, not additional information that has been requested.

There being no additional comments from the Board or the public, a motion was made to continue the hearing.

The hearing was continued to Tuesday, December 13, 2011 at 8:00 p.m. in the Town Hall.

Elizabeth T. Quirk, Chair

Jeffrey P. Klofft

Benjamin D. Stevenson, Clerk

Jonathan F.X. O'Brien

Jonathan G. Gossels

Stephen A. Garanin, Associate