



Town of Merrimack, New Hampshire

Community Development Department

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Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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MERRIMACK PLANNING BOARD APPROVED MINUTES TUESDAY APRIL 5, 2022

A regular meeting of the Merrimack Planning Board was conducted on Tuesday, April 5, 2022 in the Matthew Thornton Room.

Members Present:

- Robert Best (Chair)
- Lynn Christensen
- Neil Anketell
- Brian Dano
- Nelson Disco – Alternate
- Maureen Tracey - Alternate
- Town Councilor Barbara Healey - Ex-Officio

Members Absent:

- Paul McLaughlin (Vice Chair)
- Jaimie von Schoen

Staff Present: Tim Thompson, AICP, Community Development Director

1. Call to Order

Chair Robert Best called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Mr. Best appointed Nelson Disco & Maureen Tracey to vote for Paul McLaughlin and Jaimie von Schoen, respectively.

2. Planning & Zoning Administrator's Report

The Board voted 7-0-0 to determine that the Black Diamond Holding Lot Line Adjustment/Condo Conversion, Merrimack Smiles Site Plan, and the Ross Self-Storage Site Plan* are not of regional impact, on a motion made by Lynn Christensen and seconded by Barbara Healey.

**The Ross Self-Storage plan is not on the 4/5/22 agenda but was not voted on to determine regional impact during the 3/1/22 meeting.*

- 3. John Flatley Company (applicant/owner)** – Continued review for acceptance and consideration of final approval for a site plan to construct two 48 unit apartment buildings (in addition to the existing 240 units), in accordance with the most recently amended Flatley Mixed Use Conditional Use Permit. The parcel is located at 5 Gilbert Crossing in the I-1 (Industrial),

Aquifer Conservation & Elderly Housing Overlay Districts and Wellhead Protection Area. Tax Map 6E, Lot 003-07. Case # PB2022-07. ***This item is continued from the January 18 & March 1, 2022 Planning Board meetings.***

At the applicant's request, the Board voted 7-0-0 to continue this item to April 19, 2022 at 7:00 p.m. in the Matthew Thornton Room, on a motion made by Nelson Disco and seconded by Neil Anketell.

4. **KTK Realty Trust, LLC (applicant/owners)** – Continued review for consideration of final approval for a site plan to operate a trailer suspension and repair business. The parcel is located at 20 Star Drive in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 3D-1, Lot 012. Case # PB2021-42. ***This item is continued from the December 7, 2021, January 18 & March 1, 2022 Planning Board meetings.***

Tim Thompson provided a brief history of the project explaining that the original request was received in 2021 as a waiver of full site plan and was approved by the Board. The case was then appealed to Superior Court and remanded back to the Board to re-hear based on an abutter notification issue. During that time, the applicant hired an engineer to have plans drawn up so the new request was submitted as a site plan instead of a waiver of full site plan. The Board has been given a review of the plans, all necessary internal and peer review comments have been received, waivers have been addressed and granted and the public hearing was opened and closed at the March 1st meeting. Noting all of this, the Board should now be ready to deliberate and make a decision and staff recommends granting conditional approval with the conditions outlined in the 4/1/22 staff memo.

Chairman Best asked for an overview of the peer review Stormwater comments and Mr. Thompson relayed the findings to the Board (which included approximately 9 comments, which are available in the project file located at the Merrimack Town Hall in the Community Development Department).

George Fredette (P.E., SFC Engineering) was in attendance to represent the applicant.

Because the Public Hearing had been closed at the March 1, 2022 meeting, there was no public comment.

The Board voted 7-0-0 to grant conditional final approval on a motion made by Nelson Disco and seconded by Lynn Christensen, subject to the following precedent conditions to be fulfilled within 6 months and prior to signing of the plan, unless otherwise specified:

1. Final plans and mylars to be signed by all property owners. The appropriate professional endorsements and signatures shall also be added to the final plans;
2. The applicant shall obtain all required State approvals/permits as may be applicable, note the approvals/permits on the plan and provide copies to the Community Development Department, as applicable;
3. The applicant shall provide draft copies of any applicable legal documents for review, at the applicant's expense, by the Town's Legal Counsel;

4. Any waivers granted (including Section and date granted) and/or any changes requested by the Planning Board shall be listed and fully described on the final plan, as applicable;
5. The applicant shall address the following comments from the Public Works Department & Wastewater Division, as applicable:
 - a. Sheet 3, Note 12 shall be written to include the maintenance of the two cross culverts. To better preserve the culverts, the road shall be paved to Town standards over the top of the two cross culverts and added construction requirements to the detail. There should be a larger platform (horizontal curve) over the culverts and not so abrupt change in grading that it causes a peak. The two cross culverts need to be responsibility of the owner and shall be included Sheet 3, Note 12. Given the shallow placement of the culverts they shall both be RCP pipe, not HDPE;
 - b. Sheet 3, Note 12 should be revised to add after *acceptance* “per the Town of Merrimack Sanitary Sewer Engineering Standards, S5-12 Testing Requirements.” Also note that the existing manhole that is being tied into shall also be tested as part of the Testing Requirements;
 - c. Required backwater valves not shown. Require within two feet of the foundation per S4-12 Backwater Valve. Add to the backwater valve note on the plan that it shall be brought up to the surface with a sleeve and a cap so that it will be accessible;
 - d. A note shall be added to the plan that the owner is responsible for all of the sewer structures and their maintenance on the property;
6. The applicant shall address any remaining peer review comments from Fuss & O'Neill regarding drainage;
7. The applicant shall address the following Planning Staff Technical Comments:
 - a. Sheet 3 – Add the following note: “In accordance with Section 6.01 of the Merrimack Site Plan Regulations and RSA § 676:12, all off-site improvements specified on these site plans shall be constructed, completed, inspected and approved by the Town of Merrimack (and/or the NHDOT, if applicable) prior to the issuance of a certificate of occupancy”.

The following general and subsequent conditions are placed on the approval:

1. The applicant is responsible for recording the plan (including recording fee and the \$25.00 LCHIP fee, check made payable to the Hillsborough County Treasurer) at the Hillsborough County Registry of Deeds. The applicant is also responsible for providing proof of said recording(s) to the Community Development Department;
2. The applicant shall submit an As-Built Plan prepared by a qualified professional (Professional Engineer or Licensed Land Surveyor, registered/licensed in New Hampshire) to the Community Development Department prior to the issuance of the final Certificate of Occupancy;

3. Any proposed easements and/or applicable legal documents shall be recorded at the Hillsborough County Registry of Deeds at the expense of the applicant;
 4. The applicant shall address any forthcoming comments from the Building Department, as related to building code compliance and permit application, as applicable (that are not deemed precedent conditions);
 5. The applicant shall address any forthcoming comments from the Fire Department, as related to property addressing and fire code compliance, as applicable (that are not deemed precedent conditions).
5. **Powell Realty of Merrimack (applicant) and Thomas K Powell (owner)** – Continued review for acceptance and consideration of final approval for a waiver of full site plan review to allow a caretaker/accessory dwelling unit within an existing restaurant. The parcel is located at 595 Daniel Webster Highway in the C-1 (Limited Commercial), Elderly Housing Overlay and Aquifer Conservation Districts, and Wellhead Protection Area. Tax Map 6D-1, Lot 041. Case # PB2022-10. ***This item is continued from the February 15, and March 15, 2022 Planning Board meetings.***

Mr. Thompson prefaced the presentation by explaining that this request originated from a fire inspection that noted a care-takers unit on-site that was not part of the original site plan approval. The caretakers unit has been in existence for close to 40 years and is currently used by the owner of the property when he visits the restaurant from out of state. Mr. Thompson also noted that the owner did receive a Special Exception from the ZBA for the residential use back in October 2021 and approval from the Board would finalize and legitimize the existing caretakers unit.

The applicant was represented by Brittany Smith (Powell Realty). Ms. Smith reiterated what Mr. Thompson said about the use of the unit and added that it is located on the top floor of the restaurant.

The Board voted 7-0-0 to accept the application as complete on a motion made by Barbara Healey and seconded by Nelson Disco.

There was no public comment.

Based on the criterion that strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations, the Board voted 7-0-0 to grant the waiver of full site plan review on a motion made by Lynn Christensen and seconded by Barbara Healey.

The Board voted 7-0-0 to grant conditional final approval on a motion made by Lynn Christensen and seconded by Nelson Disco, subject to the following precedent conditions to be fulfilled within 6 months and prior to signing of the plan, unless otherwise specified:

1. Final plans to be signed by all property owners;
2. Any waivers granted (including Section and date granted) and/or any changes requested by the Planning Board shall be listed and fully described on the final plan, as applicable;
3. The applicant shall address any forthcoming comments from any applicable municipal departments received within 30 days of the date of conditional approval, as applicable;

4. The applicant shall address any comments made by the Planning Board during the public hearing, as applicable.

The following general and subsequent conditions are placed on the approval:

1. The applicant shall address any forthcoming comments from the Fire Department, as related to building code compliance and permit application, as applicable (that are not deemed precedent conditions);
 2. The applicant shall address any forthcoming comments from the Building Department, as related to building code compliance and permit application, as applicable (that are not deemed precedent conditions).
6. **Merrimack Parcel A, LLC (applicant) and Merrimack Parcel A, LLC and Slate Merrimack Acquisition, LLC (owners)** – Conceptual discussion of a proposed amendment to a previously approved Mixed Use Development Conditional Use Permit. The parcel is located at 10 Premium Outlets Boulevard in the I-2 (Industrial) and Aquifer Conservation Districts and Wellhead Protection Area. Tax Map 3C, Lots 191-02 and 191-02U1-02U4. Case # PB2022-15.

Mr. Thompson began by reminding everyone that the applicant is before the Board for a conceptual discussion to obtain non-binding feedback relative to a potential application to amend further the Mixed Use Conditional Use Permit (CUP) for the Merrimack Park Place project.

The initial Mixed Use CUP was approved (signed by the Planning Board) on December 5, 2017 and was a project that staff was really excited about as it had a very urban feel and contained a mix of residential units along with retail and office space. The design was then amended in 2019 to a more “suburban style” mixed use development containing 224 multi-family residential units, a 254 seat restaurant (7,600 s.f.), and a 110-room hotel in phase one of the project and a parking deck, office, retail and restaurant space in phase two. The applicant is now hoping to revise the plan once again to eliminate all of the non-residential uses of phase two and construct 208 additional residential units and 271 parking spaces.

In 2021, the applicant obtained a variance from the Zoning Board to “permit a mixed-use development Conditional Use Permit (CUP) to be sought from the Planning Board at a higher residential density than was originally approved by variance (in 2015) on a lot in the I-2 (Industrial) District,” (emphasis added) conditioned upon the Planning Board granting both an amended CUP and site plan approval, with a cap of 208 additional units maximum. Mr. Thompson stressed that the action of the Zoning Board does not require the Planning Board to grant the additional 208 units, it just allows the request to be heard.

Mr. Thompson concluded by indicating that staff feels that the conceptual revision to the CUP does not meet the spirit and intent of what a mixed use project is supposed to be and has shared this viewpoint with the applicant. He added that the density being requested is far too great for a lot this size and would result in approximately 32.8 dwelling units per acre which is roughly 30 times greater than what would normally be allowed using the base residential allowance for the town or 5.5 times greater than the highest density permitted in a PUD. When you factor out the open space and non-residential use the density numbers become even higher than what was just quoted.

Chairman Best prefaced the applicant's presentation by reminding the audience that the project is conceptual in nature only so therefore the normal rules of abutter notification were not necessary. The applicant is merely looking for feedback and no votes will be taken.

The applicant was represented by Thomas (Jay) Leonard (Welts, White & Fontaine), Dave Fenstermacher, (VHB) and Tom Monahan, Merrimack Parcel A, LLC. Mr. Leonard began by indicating that the history of the project that was relayed by Mr. Thompson was correct but they disagree with his assessment of the Zoning Board action. The applicant feels that the decision of the Board was that the site is appropriately suited to handle an additional 208 units. Mr. Leonard also argued the fact that this project was always meant to be dense and that the zoning ordinance does not require any specific criteria for mixed use, only that it should complement the surrounding area, which they feel it does.

Chairman Best stated that it is not within the purview of the Planning Board to interpret a Zoning Board decision and suggested that the applicant discuss the decision with the Planning and Zoning Administrator. He did ask what the ZBA notice included and Mr. Thompson read the notice aloud. Chairman Best concluded that he felt that the notice was specifically written to allow the Planning Board the final decision and expressed that it was probably not something that could be decided upon during a conceptual discussion and urged the applicant to continue by sharing their proposal with the Board.

Dave Fenstermacher shared the old versions of the plans to show the evolution of the proposal through the last several years finishing with the latest concept which would change all of the original phase two retail/commercial components to residential. He added that the proposed change would not have any impact on the stormwater design and would actually result in a reduction of traffic.

Chairman Best asked about open space for outdoor activities or walking pets and Mr. Fenstermacher stated that there are no plans for any additional recreation other than the club house/pool. He then asked about sidewalks to walk to other buildings within the development and Mr. Fenstermacher indicated that yes, there will be sidewalks but they are not currently shown on the conceptual plan. Chairman Best asked if the hotel is complementary to the residential use and Mr. Leonard replied that it is not. Chairman Best then responded that the idea of a mixed use development is to offer other uses to the individuals that live on site (i.e. restaurants, pharmacies, offices, etc.). Mr. Leonard argued that other businesses are in the neighboring area and cited the Outlets and Fidelity as businesses being in close proximity. He continued by explaining that they are limited with what can be offered for retail because they cannot compete with the outlets and added that the residential units and hotel will directly benefit the surrounding businesses because employers have expressed that they need more housing for their employees. Mr. Leonard suggested that this type of high end apartment isn't offered anywhere else and Chairman Best interjected to correct him, stating that we have three others just like it being constructed in town. Chairman Best clarified that the idea of the mixed use development is to have a variety of uses on one site and not just nearby. The conversation continued about the interpretation of a mixed use development with neither the applicant nor the Board coming to an agreement.

Mr. Leonard pointed out that since the pandemic the world has changed and the need for retail and office space just isn't there anymore and the need now is for residential units. Chairman Best countered that he understands the situation but the applicant proposed a mixed use project and could have just proposed apartments if that was the intent. The discussion continued to revolve

between the intent of a mixed use development and the action of the Zoning Board until Mr. Leonard asked if staff would like to see phase two left undeveloped until the need for office space arises again. Chairman Best stated that he would not speak for staff but the Planning Board would like to see a proposal that includes master plan complimentary uses and encouraged the rest of the Board to share their opinions.

Neil Anketell shared that he was a big supporter of the original plan and has a hard time supporting the new concept because the residential use by far outweighs any other use on the site and he feels that it no longer classifies as “mixed use.” Maureen Tracey expressed her concerns that the high end apartments will not be affordable for the light industrial and Outlet employees that were referenced. Councilor Healey questioned the number of parking spaces being proposed because in her opinion 271 spaces is not enough parking for 208 units. She also asked Mr. Thompson if a full traffic study would be necessary if the applicant were to submit an application. Mr. Thompson confirmed that a full study could be requested by the Board if an application were to be submitted. Chairman Best asked if the 271 spaces that are proposed meet the current parking regulations and after some brief discussion it was determined that the parking for the site may be sufficient but would need to be reviewed in detail if and when an application is submitted. Nelson Disco stated that he agrees with the staff’s opinion of this proposal and feels that it does not fit the spirit and intent of a mixed use CUP and is not in favor of increasing the density to allow more residential units. Lynn Christensen also spoke in opposition of eliminating the mixed uses that were originally proposed and approved. She stated that although she understands the current residential need and that no one is seeking commercial space right now, today’s young professional (which these units are targeting) wants all of the amenities within walking distance so eliminating them from the plan does not make any sense. Brian Dano stated that he was not on the Board when the original approval was granted but wants to know why the applicant is seeking the change. Mr. Leonard explained the applicant is limited to what can be provided for retail because they cannot compete with the outlets and there is also not a current market for commercial and retail space. Mr. Dano then asked if there is or will be connectivity to walk from the site to the outlets and Mr. Fenstermacher responded that there is currently a sidewalk up to the outlets. Mr. Leonard added that there will be connections throughout the site wherever possible and Chairman Best argued that is not what is shown on the plan and pointed out that there is not even a connection from the newly proposed apartments to the club house. He also stated that he appreciates the fact that they cannot compete with the outlets but there are many other types of businesses that could be considered that would complement the residential component (he mentioned a few such as hairdressers, drycleaners and recreation centers). He stated again that his feedback on the proposal would be that it needs to be more diverse and contain more than just apartments, and Mrs. Christensen added that it needs more green space. People need a space outdoors where they can go and sit or walk their dog and this site has none of that.

Public comment

Michael Mills, (7 Arbor Street) submitted a letter to the Community Development Department and shared his opposition during the meeting. He spoke briefly about legality concerns about the meeting notice and expressed his belief that applicants can get what they want if they continue to go back to the Board for amendments to their plans. He does not understand the applicant’s argument that they cannot compete with the outlets because the outlets were in place when this project was originally approved and it is doubtful that they have now added new restrictions. He questioned how 208 apartments are being proposed on a 3 acre lot when the other 254 apartments are on 6 acres. He feels that they are trying to squeeze too much into the space and

have left absolutely no green space. He encouraged the Board to uphold the original plan that was promised to the town. There was also a lot of discussion about the type of meeting that was being held (public versus non-public) and Mr. Mills shared his beliefs that he was given incorrect information by the Community Development department as he stated he was told it was a non-public meeting and that he would not be allowed to speak.

Beth Burns (5 Spruce Street) submitted a letter to the Community Development Department and shared her opposition during the meeting. Ms. Burns thanked the Board for the points they made during the meeting and expressed her concerns that the site is too crowded and does not have sufficient open space.

Barbara Amaral (1 Spruce Street) shared her concerns that the plan that was presented shows the required wooded buffer between the site and the adjacent neighborhood as “open space.” She does feel that the site needs more open space because if people do not have a place to walk they will begin walking through the adjacent neighborhood which will possibly cause problems for the neighbors. She shared a picture of the view from her back yard and stated that if an apartment building is constructed it will literally be in her backyard and any lights from the building will be shining in on the surrounding neighborhood.

Tom Koenig (7 Danforth Drive) shared his frustration with developers coming to the Board and promising one thing and then months or years later requesting a change to residential because of a change in the market. He agreed with the earlier comments that the concept is nothing like the original plan that was approved and urged the Board and the town to put an end to allowing developments to change course from what was originally approved.

*Copies of all written correspondence are kept in the project file at the Community Development Department located at the Merrimack Town Hall.

Chairman Best asked where snow storage is being proposed on site and Mr. Fenstermacher stated that it was not added to this plan because it is a concept but would be considered for a plan if submitted. Chairman Best countered that the conceptual plan that was submitted does not allow room for any snow storage or the maneuvering a dump truck to be able to take it off site. He also addressed the argument that NH is in need of housing by citing the many different housing projects that are happening throughout town and concluding that Merrimack is already doing their part to help out with the state wide shortage.

Mr. Leonard reiterated that the owner of the land (Mr. Monahan) tried marketing the original plan for five years and could not get any interest in the retail or office space. He did not purposely misrepresent the project to the Board or town and it is not his fault that the market changed. Chairman Best responded by stating that his points are not meant to question anyone’s integrity and that when he is presented with a change to a project he considers whether or not he would have approved it if it was the original submission and he would not have approved this as a CUP. He continued by reiterating several of the points already made such as the lack of open space and amenities and stressing that the whole space just appears over-crowded. Mr. Disco and Mr. Anketell agreed with Chairman Best’s remarks. Councilor Healey reminded the applicant that the development is in Merrimack and not Boston and they need to keep that into consideration. Mr. Dano recommended that the applicant work with the abutters on some of the issues that were raised and Ms. Tracey recommended a recreational component in place of the office and retail space.

Chairman Best asked if the hotel is a regular hotel or extended stay and Mr. Monahan replied that it is a Marriott Fairfield Inn and the pad is ready to start construction they just need to pull their building permits.

Chairman Best asked about a portion of Ms. Burns written correspondence in regards to trash at and around the construction site. Mr. Monahan assured the Board that the site is enclosed by a fence but it is possible some debris has been tossed around in the wind. He promised that he would look into it. He then thanked the Board and the residents for their feedback and stated that they will take another look at the plans and hopefully come up with something everyone can agree on.

- 7. Black Diamond Holding, LLC (applicant) and 744 DWH, LLC and 746 DWH, LLC (owners) –** Review for acceptance and consideration of final approval for a lot line adjustment and a condominium conversion (of existing commercial space). The parcels are located at 744 and 746 DW Highway in the C-2 (General Commercial) and Aquifer Conservation Districts. Tax Map 7E, Lots 035 and 036. Case # PB2022-17.

Mr. Thompson prefaced the presentation by stating that the lot in question is the home of Nuthin' But Good Times and the applicant is seeking a minor lot line adjustment (LLA). The request for the condominium conversion has been removed from the request because the owner has a potential buyer for the entire building.

Matt Peterson (Keach-Nordstrom Associates, Inc.) presented the project on behalf of the applicant. He explained that the lot line adjustment being proposed will move the line approximately 40 feet resulting in the following changes:

- Lot 35 will go from having 3.64 acres to 4.10
- Lot 36 will go from having 3.24 acres to 2.79

The LLA will allow more area for future development on lot 36.

Mr. Disco asked if the easement that is in place to access lot 36 will need to be amended and Mr. Peterson explained that yes, it will be and has already been drawn up. Mr. Thompson also pointed out that a variance was granted in the 1970's to allow lot 36 without frontage.

The Board voted 7-0-0 to accept the application as complete on a motion made by Lynn Christensen and seconded by Nelson Disco.

Public comment

Andrew Ahlquist (740 DW Highway) asked about the proposed changes and if it will have any impact on his property. Mr. Peterson showed Mr. Ahlquist the plan and where the new lot line will be if the project is approved. He also informed him that he will be notified again when and if anything is proposed on lot 35.

The Board voted 7-0-0 to grant conditional final approval on a motion made by Brian Dano and seconded by Lynn Christensen, subject to the following precedent conditions to be fulfilled within 6 months and prior to signing of the plan, unless otherwise specified:

1. Final plans and mylars to be signed by all property owners. The appropriate professional endorsements and signatures shall also be added to the final plans and mylars;
2. The applicant shall provide draft copies of any additional applicable legal documents for review (proposed access/drainage easement), at the applicant's expense, by the Town's Legal Counsel, as applicable;
3. The applicant shall address any forthcoming comments from the Public Works Department, as applicable;
4. The applicant shall address any forthcoming comments from the Wastewater Department, as applicable;
5. The applicant shall address any forthcoming comments from Merrimack Village District, as applicable;
6. The applicant shall remove all information on the plans related to the withdrawn condominium conversion portion of the project;
7. The applicant shall address the following Planning Staff Technical Comments:
 - a. Update title block with new ownership information on all plan pages.
 - b. Add mention Aquifer Conservation District to note #3 on Sheets 1, 2, & 5.
 - c. Add the language from Section 4.06.1.k of the Subdivision regulations to the plan notes.
 - d. Add owner's signature block to Sheets 1 & 2.
 - e. On Sheets 1, 2, & 5, amend easement lines on plan to match easement line in the legend.
 - f. Note the variance obtained on September 18, 1972 that allowed Lot 036 to be created without the required frontage.
 - g. All lots shall be bounded with permanently set granite or precast concrete markers and iron pipes per Sections 4.17.f & 4.18.a of the Subdivision Regulations.

The following general and subsequent conditions are placed on the approval:

1. The applicant is responsible for recording the plan (including recording fee and the \$25.00 LCHIP fee, check made payable to the Hillsborough County Treasurer) at the Hillsborough County Registry of Deeds. The applicant is also responsible for providing proof of said recording(s) to the Community Development Department;
2. Any proposed easements and/or applicable legal documents shall be recorded at the Hillsborough County Registry of Deeds at the expense of the applicant;

3. The applicant shall address the any forthcoming comments from the Fire Department, as related to property addressing, as applicable.

8. **Merrimack Smiles (applicant) and SIAM04 Realty, LLC (owner)** - Review for acceptance and consideration of final approval for a site plan to raze an existing building and construct a 4,500 square foot dental office. The parcel is located at 75 DW Highway in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 2D, Lot 028. Case # PB2022-16.

At the applicant's request, the Board voted 7-0-0 to continue this item to May 3, 2022 at 7:00 p.m. in the Matthew Thornton Room, on a motion made by Barbara Healey and seconded by Nelson Disco.

9. **Discussion/possible action regarding other items of concern**

The Board voted 7-0-0 to grant a 6 month extension to the conditional approval for the Kudalis Site Plan (Joppa Road Equestrian facility) on a motion made by Nelson Disco and seconded by Barbara Healey.

10. **Approval of Minutes — March 15, 2022**

The Board voted 6-0-1 to approve the minutes of March 15, 2022, as submitted, on a motion made by Lynn Christensen and seconded by Nelson Disco. Neil Anketell abstained.

11. **Adjourn**

The Board voted 7-0-0 to adjourn at 9:00 p.m. on a motion made by Barbara Healey and seconded by Nelson Disco.