

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center Rm 306 – 61 Locust Street
Meeting Date: **Tuesday, August 28, 2018**
Meeting Time: **7:00 pm**

Members Present: Kirt Schuman (Chair), Gina Cruikshank (Vice Chair), Dennis Ciotti (Councilor), Frank Torr, Tom Clark, David Landry, Lee Skinner, James Burdin, Dave White, Tristan Donovan (Alternate)

Members Not Present: Hayley Harmon (Alternate), Sarah Wheeler (Alternate)

Staff Present: Donna Benton, Assistant City Planner

The Chair called the meeting to order at 7:03 p.m.

1. CITIZENS' FORUM

Citizens Forum Open.

Chair Kirt Schuman announced to the public that there is currently a visual preference survey available to the public. The City is soliciting feedback to help develop Architectural and Urban design guidelines for the Central Business District

No One Else Spoke. Citizens Forum Closed.

2. APPROVAL OF THE PRIOR MINUTES

- July 24, 2018 Regular Meeting Minutes

Motion: G. Cruikshank made a motion to approve the minutes as presented. Seconded by D. Landry.

Vote U/A

3. OLD BUSINESS

- A. Consideration and acceptance of a Subdivision with Transfer of Development Rights for TDAK & Company LLC, Assessor's Map M, Lot 61, zoned R-20, located at 146 Dover Point Road. (Proposal is to construct a private roadway approximately 475 ft. long, 24 ft. wide with a turnaround for emergency vehicles.) (11 lots plus open space) *(P18-14)

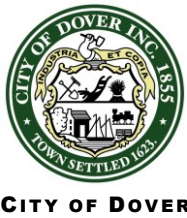
D. Benton explained that the applicant presented the case at the June meeting, tabled for a site walk which occurred July 26th and then requested to be continued until this meeting to revise the road grade to better meet the regulations. She then explained that the Council adopted new Zoning Regulations including an amendment to the Transfer of Development Rights.

Chris Berry, Berry Surveying & Engineering represented the applicant, described the project and highlighted they've found where the sewer is located and provided a plan; they were originally requesting a 10% grade, but have altered that to 8% which meets the requirements; the waiver is still being requested to allow just over 3% grade within 35' of the intersection; proposal is for six natural units on site and to purchase five additional units.

Motion: D. White made a motion to remove the items from the table. Seconded by D. Landry. Vote U/A

Public hearing re-opened.

Cynthia Ellis- 449 Middle Rd, said this major subdivision is out of place in this area. She has been trying to stop this project since the beginning. She presented a petition against the project with 56 names. She asked the board to deny TDR units on this project.



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center Rm 306 – 61 Locust Street
Meeting Date: **Tuesday, August 28, 2018**
Meeting Time: **7:00 pm**

Bill Tuttle- 437 Middle Rd, grew up on this property. He asked what rain gardens are and wondered if they will work. He stated that salt is the enemy of soil and there is a significant grade on that property.

Kevin O'Brien- 140 Dover Point Rd, has concerns with water/ culvert/ flooding and believes the 10' buffer of trees will not block the view at all.

Lucy Tuttle- 455 Middle Rd, asked if the sewer will run to Middle Rd. The answer was that it will not.

Public Hearing Closed

STAFF RECOMMENDATION- TDR:

The Planning Department recommends that the Planning Board approve the TDR with the following conditions:

Conditions to be Met Prior to Signing of the Plans:

1. TDR fees shall be paid.
2. Note shall be added onto the plan explaining what relief is granted.
3. Any requirements of 170-27.2 be included on the plan.

Mr. Berry addressed the rain garden and water flow questions from the public.

Discussion ensued about the TDR and the board asked questions of Mr. Berry which he answered.

The board discussed what number of units to allow. The Chair clarified procedurally the board can only vote tonight on the plan before them. If the plan needs to change it will have to come back.

Motion: L. Skinner made a motion to approve the Transfer of Development Rights with the staff recommended conditions. Seconded by D. White. Vote passed 5-4 with D. Landry, K. Schuman, D. Ciotti and F. Torr opposed

STAFF RECOMMENDATION-WAIVER:

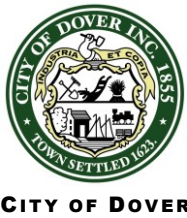
The Planning Department recommends that the Planning Board approve the waiver request with the following condition:

Condition to Be Met Prior to the Signing of the Plan:

1. A note shall be added to the subdivision plan that the waiver was granted for the reasons stated by the applicant and that the Board found the criteria of 155-52 have been met.

Discussion about the waiver ensued.

Motion: D. White made a motion to grant the waiver to the driveway regulations with the staff recommended conditions. Seconded by J. Burdin. Vote U/A



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center Rm 306 – 61 Locust Street
Meeting Date: **Tuesday, August 28, 2018**
Meeting Time: **7:00 pm**

STAFF RECOMMENDATION-SUBDIVISION:

The Planning Department recommends that the Planning Board approve the subdivision plan with transfer of development rights with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall provide a digital version of the plan to the Planning Department.
2. The applicant shall provide homeowners association documents to be reviewed and approved by the Assistant City Manager in consultation with the City's General Legal Counsel. Documentation shall include common space, roadway, perimeter screening, stormwater infrastructure maintenance/operation, and deed/easement requirements per Section 170.27.2.
3. The applicant shall provide:
 - a. letters from utilities regarding ability to provide service to the development
 - b. a copy of the NHDOT Driveway Permit.
 - c. Revised landscape plan to have "no-cut no-disturb" buffer to be 15' wide and indicate that problematic trees shall be cut with new trees to replace them per the satisfaction of the Assistant City Manager.
4. The applicant shall revise the plat to:
 - a. Add the owners' signatures
 - b. Add the Licensed Land Surveyor, Professional Engineer, Landscape Architect, and Wetland Soil Scientist stamps and signatures
 - c. Add permit numbers and dates to the permit status notes
 - d. Remove note 15 on sheet 2
 - e. Adjust the frontages of lots 6 & 7 to have at least 40' of frontage
 - f. Extend the sewer at the entrance to go past the pavement
 - g. Maintain seven feet of separation between the underground electric utilities and the sewer.
 - h. Add an easement to allow the sewer to serve the Middle Road residents in the future
 - i. Add screening along pedestrian walking easement
 - j. Provide evidence of request to the Tuttle owners regarding fence to the satisfaction of the Assistant City Manager.

Conditions to Be Met Prior to Any Construction Activity:

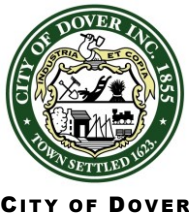
5. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer or Assistant City Manager.
6. Applicant shall complete Land Use Development Tracking Form, most recently revised version, utilizing the online Pollution Tracking and Accounting Pilot Project (PTAPP) portal.
<https://www.unh.edu/unhsc/ptapp>
7. Add language to the deed indicating that a farm use is nearby with certain sounds and smells to be expected.

Conditions to Be Met Prior to Issuance of a Building Permit:

8. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.
9. Water and sewer investment fees shall be paid at the time of request of service.

Conditions to Be Met Prior to Issuance of a Certificate of Occupancy:

10. Documentation that the HOA has been created and is in place.



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center Rm 306 – 61 Locust Street
Meeting Date: **Tuesday, August 28, 2018**
Meeting Time: **7:00 pm**

11. Impact fees for any new unit (\$8,895 per unit) shall be paid per the invoice provided with the Notice of Decision.

Discussion about the subdivision ensued. Amendments were made to the conditions.

Motion: D. White made a motion to approve the subdivision with the staff recommended conditions and amendments. Seconded by J. Burdin. Vote passed 8-1 with F. Torr opposed.

4. NEW BUSINESS

- A. Consideration and acceptance of a Conditional Use Permit for Tim Patterson / Unitil, in an existing utility easement on 15 properties on Ivan's Lane, Dover Point Road, Toftree Lane, and Constitution Lane. Proposal is to install 3,351 lineal feet of 12" steel gas pipeline underground adjacent to existing pipeline. Temporary wetland buffer impacts are 18,097 sq. ft. and permanent wetland impacts are 1,580 sq. ft. Temporary Conservation District impacts along Varney Brook are 11,278 sq. ft. and permanent impacts are 1,580 sq. ft. 113 feet of the bank of Varney Brook will be rebuilt. *(P18-32)

D. Benton explained the applicant is requesting to replace underground gas pipe which impacts the wetland buffer and Conservation District permanently and temporarily. The Conservation Commission endorsed this application at their August meeting.

Tim Patterson of Unitil and Doug Hogue of Process Pipeline Services represented the application and discussed the project. Phase I includes approximately 3,300 square feet of 12" steel gas pipeline which will be installed in a trench.

Motion: F. Torr made a motion to accept the application. Seconded by T. Clark. Vote U/A

Public hearing opened. No one spoke. Public Hearing Closed.

STAFF RECOMMENDATION

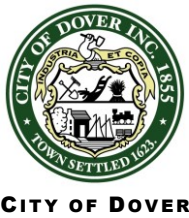
The Planning Department recommends the Planning Board vote to approve the Conditional Use Permit for Phase I with the following conditions:

Conditions to Be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant shall provide the Planning Department with a copy of the NHDES Wetlands Permit.
2. The applicant shall confirm in writing to the Planning Department that vegetated stabilization is used rather than hard stabilization.

Motion: F. Torr made a motion to conditionally approve the Conditional Use Permit. Seconded by D. White. Vote U/A.

- B. Consideration and acceptance of a Conditional Use Permit for STF Development Corp, (Owner: Lee Ann Burns Revocable Trust), Assessor's Map 15, Lot 67, zoned CBD- Downtown Gateway, located at 260 Locust Street. (Proposal is to allow construction of a 5,700 sq. ft. building with the proposed lot coverage of 25.98% less than the minimum of 50% and the frontage build-out of 44.17% which is below the minimum of 60%, 12 units instead of 9.5 units permitted, and lack of brick facade.) *(P18-31)



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center Rm 306 – 61 Locust Street
Meeting Date: **Tuesday, August 28, 2018**
Meeting Time: **7:00 pm**

K. Schuman explained items 4B & 4C would be heard together.

D. Benton explained that the applicant is requesting 4 Conditional Use Permits in this one application. She explained the applicant appeared before the Technical Review Committee on July 26.

Chris Berry, Berry Survey & Engineering, represented the application and presented the case.

Motion: F. Torr made a motion to accept the application. Seconded by D. White. Vote U/A

Public hearing opened.

Sienna Niedzolkowski, 260 Locust Street, lives in an apartment at the property in question and didn't even know this project was in the works until she received the abutters notice for this meeting. She loves the home she has made for herself there.

Frank Landford, 3 Monroe Street, is a direct abutter and noted that in the winter and spring that lot has a lot of water. Monroe St is mostly single-family homes with a few duplexes. He was confused how the number of units and square footages were calculated. There will be a diminution of value to the homes on that road. The neighborhood will change with respect to noise and density.

Ruth Demott, 7 Monroe Street, is concerned about ponding in that area. She is also concerned about the housing issues in Dover and appreciates the board addressing density. For this property she is concerned about traffic, parking, lighting and the roadway.

Jeff Garstka, 251-253 Locust Street, asked if the board was aware of this project before tonight, because he wasn't. He recently received the abutters notification making him aware of the project. The current use of the property is a duplex with similar properties around it. He wants to see what the plans look like. He is concerned about the zoning change that occurred.

Sienna Niedzolkowski, 260 Locust Street, stated she is also concerned about the ponding.

The Chair stated two emails were received by the board from public members who couldn't attend tonight's meeting.

Chris Berry responded to the public comments and answered board member questions.

Public Hearing closed.

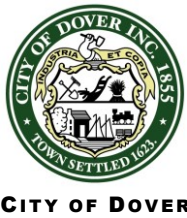
STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board approve the Conditional Use Permit with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The Site Plan (P18-30) shall be approved.
2. The applicant shall be subject to a formal agreement between the Planning Board and the applicant. Said agreement shall be recorded at the Strafford County Registry of Deeds per Chapter 170-20-B(3).
3. Revised applications and narratives be submitted separating each request.

Discussion ensued on whether to vote on all four CUPs at once or split them up.



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center Rm 306 – 61 Locust Street
Meeting Date: **Tuesday, August 28, 2018**
Meeting Time: **7:00 pm**

Motion: F. Torr made a motion to approve the lot coverage request with the staff recommended conditions. Seconded by L. Skinner. Vote U/A

Motion: F. Torr made a motion to approve the build out request with the staff recommended conditions. Seconded by L. Skinner. Vote U/A

Motion: F. Torr made a motion to approve the lack of brick request with the staff recommended conditions. Seconded by T. Clark. Vote passed 7-2.

Motion: F. Torr made a motion to approve the density request with the staff recommended conditions. Seconded by T. Clark. Vote U/A

- C. Consideration and acceptance of a Site Review for STF Development Corp, (Owner: Lee Anne Burns Revocable Trust), Assessor's Map 15, Lot 67, zoned CBD – Downtown Gateway, located at 260 Locust Street. (Proposal is to remove existing structure for construction of "Locust Street Inn" a 5,700 sq. ft. building containing 12 apartment units. Proposal also consists construction of a 428 ft. long private roadway.) *(P18-30)

Motion: F. Torr made a motion to accept the application. Seconded by D. White. Vote U/A

STAFF RECOMMENDATION-Waiver:

The Planning Department recommends that the Planning Board approve the waiver request with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall switch lamp B to a lamp in the approved CBD Design Guidelines.
2. The lighting plan shall be revised so that the darkest area in the parking lot is 0.1 foot candles.
3. A note shall be added to the site plan that the waiver was granted for the reasons stated by the applicant and that the Board found the criteria of 149-19 have been met.

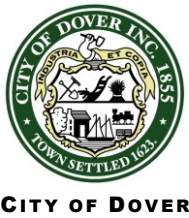
Motion: F. Torr made a motion to grant the waiver. Seconded by D. Landry. Vote U/A

STAFF RECOMMENDATION-Site Plan:

The Planning Department recommends that the Planning Board approve the site plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The conditional use permits (P18-31) shall be approved
2. The applicant shall provide:
 - a. A digital version of plan set
 - b. Integrated Pest Management Plan documenting need or lack thereof for pest control.
 - c. Proof of compliance with NH Department Historical Resources
 - d. A contribution amount agreed to by the Assistant City Manager for recreation space.
3. The applicant must revise final plan set to:
 - a. Add the owner's signatures
 - b. Add LLS, PE, and Landscape Architect signatures and stamps to final plan



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center Rm 306 – 61 Locust Street
Meeting Date: **Tuesday, August 28, 2018**
Meeting Time: **7:00 pm**

- c. Indicate width of access/egress and width of Locust Street right of way
- d. Include dimensions provided with zoning dimensional requirements note
- e. Pull fencing and screening back to allow neighbors further site distance
- f. Applicant shall work with Planning Staff to address applicable items raised by Paul Chamberlin's email dated August 28, 2018.
- g. Pull dumpster forward at least 10 feet toward street.

Conditions to Be Met Prior to any Construction Activity:

4. A site construction sign with the contact information for the general contractor must be located and approved by the City Engineer or Assistant City Manager.
5. Applicant shall complete Land Use Development Tracking Form, most recently revised version, utilizing the online Pollution Tracking and Accounting Pilot Project (PTAPP) portal.
<https://www.unh.edu/unhsc/ptapp>

Conditions to Be Met Prior to Issuance of a Building Permit:

6. The new dwelling units and the Inn shall be assessed and pay the current water and sewer investment fees in place at the time of application for service.
7. Provision passive and active recreation offsite fees shall be paid.

Conditions to Be Met Prior to Occupancy:

8. Issuance of a certificate of occupancy.
9. Impact fees for new dwelling units and commercial space shall be paid (\$51,338) per the invoice included with the Notice of Decision.
10. Fees in lieu of Recreation Space shall be paid.
11. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

Motion: F. Torr made a motion to approve the application with the staff recommended conditions.
Seconded by L. Skinner. Vote U/A

- D. Consideration and acceptance of a Minor Subdivision for Jan A. & Shannon C. Nedelka, Trustee, Assessor's Map L, Lot 87, zoned R-20, and located at 165 Dover Point Road. (1 new lot) *(P18-40)

D. Benton explained that the applicant is proposing to subdivide his property.

K. McEneaney represented the applicant and explained they live next door to the lot and purchased it to prevent it from being developed while they live there.

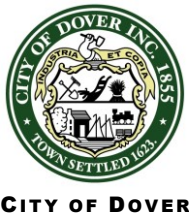
Motion: F. Torr made a motion to accept the application. Seconded by T. Clark. Vote U/A

Public hearing opened. No one spoke. Public Hearing closed.

STAFF RECOMMENDATION:

The Planning Department recommends that the Planning Board approve the minor subdivision plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center Rm 306 – 61 Locust Street
Meeting Date: **Tuesday, August 28, 2018**
Meeting Time: **7:00 pm**

1. Provide:
 - a. Copy of NHDES Subdivision Permit to Planning Department and amend plan note to add permit number.
2. The applicant shall revise the plat to:
 - a. Include the Licensed Land Surveyor signature and stamps
 - b. Add the owner's signatures to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds
 - c. Add common minor subdivision notes 9 & 13
 - d. Add Planning File #P18-40
 - e. Add note that should construction occur in the future that a driveway permit be obtained from the NHDOT.
 - f. Revise to put stockade fence so that it does not encroach onto abutting property
 - g. Add language to the deed indicating that farm use is nearby with sounds and smells to be expected.

Conditions to Be Met Prior to Issuance of a Certificate of Occupancy:

3. Issuance of a Certificate of Occupancy.
4. Impact fees for new dwelling unit shall be paid per the invoice included with the Notice of Decision.

Motion: F. Torr made a motion to approve the application subject to the staff recommended conditions. Seconded by L. Skinner. Vote U/A

- E. Consideration and acceptance of a Conditional Use Permit for the City of Dover, zoned R-12, located along Spruce Lane (between Mast Rd. & Back River Rd.) (Proposal is to construct new concrete sidewalk along the northern side of the recently reconstructed Spruce Lane.) *(P17-14A)

D. Benton introduced Gretchen Young, Assistant City Engineer to give an overview of the project.

Gretchen Young represented the application.

Motion: F. Torr made a motion to accept the application. Seconded by T. Clark. Vote U/A

Public hearing opened.

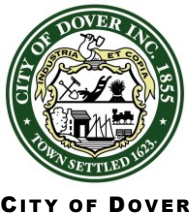
Rita Shortill, 5 Spruce Drive, stated she is happy with this project. Some people were worried about the trees, but not her. This is a vital project. When will the sidewalks go in?

Public Hearing closed.

Ms. Young addressed the comments by stating the City will work with homeowners regarding the trees and the hope is to start the project this fall after permits are finalized. If those take longer than expected, it will be an early spring project.

STAFF RECOMMENDATION:

The Planning Department recommends the Planning Board approve the Conditional Use Permit with the following nonbinding condition:



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center Rm 306 – 61 Locust Street
Meeting Date: **Tuesday, August 28, 2018**
Meeting Time: **7:00 pm**

Condition to Be Met Prior to the Issuance of the Conditional Use Permit:

1. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Minimal Impact Expedited Permit.

Motion: L. Skinner made a motion to approve the application subject to the staff recommended condition. Seconded by F. Torr. Vote U/A

- F. Consideration and acceptance of a Minor Lot Line Adjustment for David W. Vincent, (Owners: Margaret M. Malone Revocable Living Trust & F.L. Malone Inc.), Assessor's Map L, Lots 58-B & 59-C, zoned R-20, and located at 321 Dover Point Road. *(P18-42)

D. Benton explained that the applicant is proposing to adjust the lot line. This lot line adjustment will be used to correct the City's tax maps as well since those do not match the deeds or latest recorded plan.

David Vincent represented the application. The owners had intended to sell the property then noticed the lot line discrepancy. A survey has been done and the lots conform to zoning.

Motion: T. Clark made a motion to accept the application. Seconded by L. Skinner. Vote U/A

Public hearing opened. No one spoke. Public Hearing closed.

STAFF RECOMMENDATION:

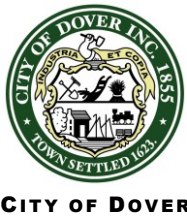
The Planning Department recommends that the Planning Board approve the lot line adjustment plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The applicant shall provide the Planning Department with a digital version of the final plat.
2. The applicant shall provide the Planning Department with draft deeds to be recorded at the same time as the Lot Line Adjustment.
3. The applicant shall revise the plat to:
 - a. Include the Licensed Land Surveyor signature and stamp
 - b. Add the owner's signatures to the final plat submitted for signature to be recorded at the Strafford County Registry of Deeds
 - c. Add Planning file number to be P18-42
 - d. Revise note 4 to indicate existing and proposed lot areas in acres and square feet
 - e. Add note "Street addresses for each lot shall be assigned by the Building Official"
 - f. Add note for sheds to be moved onto owner's property from state right of way

Motion: F. Torr made a motion to approve the application subject to the staff recommended condition. Seconded by T. Clark. Vote U/A

- G. Presentation and possible posting of proposed amendments to the Site Review Regulations relative to pest control



DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center Rm 306 – 61 Locust Street
Meeting Date: **Tuesday, August 28, 2018**
Meeting Time: **7:00 pm**

D. Benton explained that there has been a recent pest control issue in some of the downtown areas, so the Planning Department worked with the Fire Department to create language to add to the regulations regarding prebatement for projects in the Central Business District. As the language reads, an analysis by a Licensed Pest Control Specialist be done to create an Integrated Pest Management Plan. Then depending on the findings, pest control measures are laid out in Section 149.G(2). She then introduced Building Official Jim Maxfield for any questions/discussion by the Board.

Mr. Maxfield explained the need for this proposed amendment and how it would work. Discussion ensued among the board and Mr. Maxfield. The board discussed whether or not to make a decision today, so it can be posted for the September meeting. The Board indicated they would like adjustments made including expanding the area that the analysis be required.

Motion: J. Burdin made a motion to post the amendments. Seconded by D. Landry. Vote U/A

5. STAFF COMMENTS

- D.Benton thanked Sarah Wheeler for sitting on the board as an alternate. She had to resign as she is moving out of state
- She informed the Board that after hearing their feedback, going forward full size plans will be rejected.
- The Council approved the Zoning Ordinance at last week's Council meeting
- A firm has been retained to do a third party peer review for bigger projects in the CBD. The first project being First Street's next phase. The Planning Board has the authority to ask for that, considering the Architectural Design Guidelines and the size and location of the project
- She reviewed projects that came before TRC: First Street's next phase, Hanson Street, Portland Ave & Cocheco Street, & Pointe Place's next phase
- D.Benton reiterated that the Visual Preference Survey is out and on the website
- She asked the Board for direction on Bradley Commons and whether they'd be more lenient on lot coverage or architectural waivers.
- She reminded the Board they are back to two meetings a month in September and October but still in McConnell Center
- D.Benton announced that at September 5 at 6:30pm there will be an information session on the General Sullivan Bridge Project in City Hall.

6. MEMBER COMMENTS

J. Burdin mentioned the CBD conflicts discussed earlier- the build-outs versus the number of units/density issue. He is in favor of looking at that next year during goal setting. He'd also like to look at the old/expired variances and special exceptions.

F. Torr said the TDR needs refinement. He thought it was for lower income housing, but after tonight realizes that's not the case.

Discussion ensued regarding TDR projects and Planning Board intent.

7. ADJOURNMENT



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: McConnell Center Rm 306 – 61 Locust Street
Meeting Date: **Tuesday, August 28, 2018**
Meeting Time: **7:00 pm**

Motion: F. Torr made a motion to adjourn at 11:28 p.m. Seconded by L. Skinner. Vote U/A