## TOWN OF UNITY LAND USE REVIEW COMMITTEE MEETING MINUTES APRIL 23, 2014

LOCATION: UNITY MASONIC HALL, UNITY, MAINE

MEMBERS IN ATTENDANCE: Randy Reynolds, Barry McCormick, Mark Nickerson, Charlie Porter, Jim

Kenney, John McIntire

**MODERATOR:** Jim Kenney

**OBSERVERS**: Garrett Morrison

**RECORDER**: Sherry Powell-Wilson

18:38:59 Jim Kenney: You've all received the Minutes of last week's meeting. I might not be here next

week. Needs revision, remove my name as moderator of last meeting as I wasn't there.

18:39:04 Barry McCormick: I made the motion to accept as written.

18:39:11 Jim Kenney: Approved.

18:39:13 Randy Reynolds: Let's start at 13.6.2, open space. There are only about six items that we

have to take up.

18:39:36 Jim Kenney: Did we agree on the open space? We had decided to take it out.

18:39:42 Randy Reynolds: We can go over those again. Let's jump right to 13.6.4.2.

18:39:36 Jim Kenney: I think you will see where I tucked in 13.4.1, where we inserted following majority vote. I put it in because we agreed to put it in but I'm still reluctant to have it there at all. That's belongs in the bylaws. What are your thoughts there? I didn't see a decision, 13.4.1. I don't think

we should be telling the Planning Board how they vote.

18:39:36 Randy Reynolds: I agree. That's coming up here isn't it? We can actually change their Bylaws

if we want to take the time to do it.

18:39:38 Jim Kenney: Let's get our work done first. Have you folks done your homework and come up

with any ideas in this section? Here's what I'm doing, I'm typing this into one document.

18:41:02 Randy Reynolds: We're going to go to the end of 13 and finish up and then go back and talk

about what you guys did last week.

Jim Kenney: John did send in some homework, which we'll need to come back to.

18:41:41 Randy Reynolds: I just want to get through 13. Drop down to 13.7.1., the following

preexisting conditions. 13.7.1.1, topography of the site, drop down to 13.7.2 it talks about it again. We

don't need to talk about it so many times. I would say take 13.7.2 right off because it just says here appropriate contour interval. I would rather 13.7.1.1 and just say 1 to 5 feet instead of 2-10.

18:42:29 Jim Kenney: One to five sound okay?

18:42:34 Randy Reynolds: Usually it was one for contours but if you are taking off a USGS map to do something usually 20-foot elevation contours of the USGS map, that's why you put in the 10 foot...it would be between the two contours. In this case I think 1-5 would be sufficient.

18:43:01 Jim Kenney: And because the topography defines the features.

18:43:05 Randy Reynolds: It defines the elevations.

18:43:12 Jim Kenney: But the major features you're saying this is not necessary? 13.7.1.2, major natural features including wetlands.

1:43:17 Randy Reynolds: 13.7.2.

18:43:22 Garrett Morrison: Major heading on the next page.

18:43:43 Randy Reynolds: Then drop down to 13.7.2, topography, proposed topography of the site appropriate contour interval.

18:43:52 Jim Kenney: Redundant. Agreed? [Yes]

18:44:18 Randy Reynolds: Next page, 13.7.15, help me title this one, 'help me title this one.'

18:44:37 Jim Kenney: Dedication or conveyance.

18:45:53 Randy Reynolds: We'd have to take out open space.

18:46:00 Jim Kenney: Is the title okay, say yes, 13.7.15, dedication of conveyance. This is where I was asking for help to name it.

18:46:25 Randy Reynolds: I don't see any problem with it.

18:46:37 Barry McCormick: It looks good.

18:46:40 Jim Kenney: Randy, on your other point, other open space dedicated for public use, this is something that somebody is giving?

18:46:52 Randy Reynolds: Could leave it in for now couldn't you?

18:47:01 Jim Kenney: How say you guys?

18:47:05 John McIntire: I think that makes sense.

- 18:47:11 Randy Reynolds: It's not saying you have to keep it out of the lot, you're the open space to the town.
- 18:47:20 Mark Nickerson: Are you making it voluntary?
- 18:47:22 Randy Reynolds: That happens a lot with roads and different things like that.
- 18:47:31 John McIntire: But the town doesn't have to accept it.
- 18:47:35 Randy Reynolds: Right, and the attorney has to approve it.
- 18:47:38 Jim Kenney: And, just letting you know, all acceptances go to Town Meeting. It's not the Board of Selectmen or the Planning Board or any other board, it's the citizens accept the land. Because, what's happening by the acceptance is it loses from the tax base.
- 18:48:00 Randy Reynolds: Okay, just one more that I question, last one on 13, 13.7.17, cost estimate.
- 18:48:15 Barry McCormick: I thought that was kind of odd, to be honest with you. They asked when I started out they asked me how I'm going to prove that, to provide evidence of financial capability, and most of the people knew me so it I didn't think it was that big of an issue. What was I supposed to do, show them my financials, my bank statement or what are they asking for?
- 18:48:40 Randy Reynolds: It's open to interpretation.
- 18:48:44 John McIntire: My concern, and I understand why they would put this in. It's an odd way of writing it but my concern would be to get some developer in and a building half done like they did down in Belfast, and then run out of money. Then we're really stuck.
- 18:49:02 Jim Kenney: How does the town get stuck if they run out of money? They're the ones that are in trouble.
- 18:49:07 John McIntire: But the you've got the property tied up half, you've got a half-finished structure or a foundation that's in and nothing....then it becomes a nuisance.
- 18:49:20 Randy Reynolds: I don't know, we're talking about really two things. Because you've not only got to worry about the big guy, you've got to worry about not overburdening the little guy trying to develop something.
- 18:49:39 Barry McCormick: I look at this like is somebody is going to do a development and they've been approved for the loan or whatever, you've got to have the cash to finish it, and you've got investors involved, the bank's got equity in it, at some point I find it hard to believe that it would just sit there.
- 18:49:57 Jim Kenney: I would believe it would not sit there. I'll use an example, my house. My house had an estimated cost and then the hurricanes came to New Orleans and the materials went up two to three times. I brought it through because I had the means. I brought it through because the bank helped me bring it through.

18:50:27 Barry McCormick: They have interest in it too.

18:50:31 John McIntire: Several years ago in that development down on the waterfront in Belfast, it sat there because they ran out of money.

18:50:40 Barry McCormick: I'm not familiar with that. How long did it stay there?

18:50:42 John McIntire: Where the new boat shop is now.

18:50:51 Randy Reynolds: Two or three years anyway.

18:50:55 Jim Kenney: But while it was there they were paying taxes on it. Here, cost or proposed development and evidence of financial capacity to complete.

18:51:10 Randy Reynolds: If we reword it a little bit it would be fine.

18:51:14 Charlie Porter arrived.

18:51:14 Barry McCormick: I don't know if you could ever stop that. If I had a million dollars in the bank and I wanted to build a \$600,000 project, but I've got it in the stock market and the stock market goes to heck and I lose all my money.

18:51:33 Jim Kenney: But sitting at a Planning Board Meeting you've come forward as this development. Who's qualified on the basis of the town to say you don't have enough money to do it? Because that's what it's asking, evidence of financial capacity to complete it.

18:51:59 John McIntire: I don't think it hurts to ask a person to come up with, alright, you don't have to be specific but I've got loans, guaranteed loans from this bank, I've got half a dozen investors on board around that. I think it makes some sense.

18:52:25 Jim Kenney: How to reword?

18:52:28 Randy Reynolds: What if it's his own money and not in a bank? Then you start prying into his private stuff.

18:52:34 John McIntire: Then I want to know a little bit more.

18:52:40 Mark Nickerson: I don't think it's any of the town's business to be honest with you.

18:52:43 Jim Kenney: I would put period after the word development.

18:52:51 Barry McCormick: To be honest with you, when I went in and they went down and read it out loud, that was exactly my sentiment when they asked me that. It's none of your business. I understand what John is saying. The reality is I'm the one going on the hook here.

18:53:09 Jim Kenney: Isn't fair for you to estimate what the cost to be?

18:53:12 Randy Reynolds: Estimated cost of proposed development period.

18:53:14 John McIntire: But then you get, I hate to use this example but you get this fellah who went to the BLM auction and bid on this piece of property to keep it from being development and never having any intention of paying for it but it tied it up forever.

18:53:37 Jim Kenney: But that's a different circumstance.

18:53:42 John McIntire: Is it?

18:53:44 Jim Kenney: Did he come to the town and ask? It was a business deal he was doing but he didn't have to come to the town at that time.

18:53:51 John McIntire: No but if somebody buys Doc Aldrich's place and tears it down with the intention of putting up x, y and z and they get all the permits and all that for it. So they get the thing in the cellar hole and then what? Then they decide that it's not economic.

18:54:16 Barry McCormick: Let me ask a question. What if you ask the guy all this information and it still happens? What good has it done?

18:54:28 Jim Kenney: I think it's good to know generally the cost of the proposed development period, but the evidence of financial capacity to complete I think is nobody's business.

18:54:37 Garrett Morrison: And I'm not sure that it's the town's concern whether or not it gets completed. Where I've seen this many times before is the state requiring demonstration of financial capacity to complete, in this case a landfill where you will receive money over the lifetime of a landfill and tipping fees with a promise to the state that you're going to do a proper closure at the time that it's filled up. You can't just walk out with all the money and say, sorry, I don't have enough to do the job. You have to pay that into an escrow account, accumulate it and see to it that there will be enough there with inflation costs to complete a satisfactory closure, which is a public safety question and the state is simply assuring that's going to happen, and that's part of you're being able to show the financial capacity to do that which is to have the income on a tip fee in place on the project. But, when we come to anything else, it's kind of like saying we want to insure ourselves against any kind of eventuality people wouldn't like to see, and I don't as a society we can do that.

18:56:02 Barry McCormick: We can also try to document early on there is some repercussion if you start a project and don't finish it. You've only got so much time to make things happen. They've got to have a certain part of it done within a year.

18:56:30 Jim Kenney: The town said that your permit has expired and you have to reapply.

18:56:36 Mark Nickerson: Garrett, was that a state requirement that would cover a landfill that they have the money to close it up.

18:56:41 Garrett Morrison: That's correct, in order to be licensed to build it in the first place...

18:56:43 Randy Reynolds: That was a town requirement wasn't it? State and town?

- 18:56:46 Garrett Morrison: State is all I know.
- 18:56:48 Randy Reynolds: Because the town has it sitting there and they want to make sure it will get covered. That's a little out of our realm though.
- 18:57:14 Jim Kenney: Are we still trying to buy a period after the word development? 13.7.17, it's in the type 2....
- 18:57:39 Mark Nickerson: I would like to throw one word into it, approximate cost of the proposed development.
- 18:57:47 Randy Reynolds: It says estimated cost.
- 18:57:52 Mark Nickerson: Yeah, cost estimate in the title but then it says of the proposed development. That works.
- 18:59:43 Jim Kenney: Here's what we're talking about. Cost estimate, to strike an evidence of the past need to complete it, change the sentence to read estimated cost of the proposed development period. Say yes. Thank you.
- 18:59:44 Garrett Morrison: Take it back to 13.3.2.2.19, moving to type 2. This is the one that says the name, registration number and seal of the surveyor.
- 19:00:12 Jim Kenney: We're moving it from here to type 2. Here's what it looks like. Put it into 13.7.
- 19:01:55 Randy Reynolds: I'd like to make a point on that, 13.3.2.2.19. It should be in 1 and 2 because you're going to have a final plan in 1, and a final plan in 2. You don't need these until the final plan. You don't need it on the preliminary, which is what this is asking for. This is general information when you start a type 1. All final plans shall have the name, registration number, and seal of the land surveyor, architect -- add that to it, the final plan.
- 19:02:43 Jim Kenney: Give it to me again.
- 19:02:45 Randy Reynolds: The final plan shall have the....just add final before name and you've got it. The final plan shall contain the name, registration number and seal.... Leave that in type 1.
- 19:03:24 Jim Kenney: That's the requirement for both type 1 and 2. Once you state it here it's sufficient...
- 19:03:31 Randy Reynolds: No, no because you're only looking here at type 1.
- 19:03:35 Jim Kenney: Not true. Requirements for both type 1 and type 2 developments.
- 19:03:42 Randy Reynolds: But it still should be in type 2. Let's fix it right here then. The final plan shall have the name...
- 19:04:00 Barry McCormick: The final plans for type 1 or 2 shall...

19:04:03 Jim Kenney: Gentlemen, it's already stated in 13.3.2, requirements for both type 1 and 2. And this is the general information for both types. Change the entrance to read the final plans shall the name, registration number, and seal of the land surveyor, architect, engineer, or...

19:04:42 Randy Reynolds: Move type 2 right off there. That would take care of both 1 and 2. It doesn't need it in the preliminary.

19:05:02 Jim Kenney: There was a question raised in the Minutes on 13.3.2.13, which deals with at least two copies of all maps and drawings of a size that all contained information is legible. That got bantered back and forth and I did not figure out what was the final solution.

19:05:28 Mark Nickerson: In my notes is says at least two legible copies of all maps and drawings.

19:05:34 Randy Reynolds: Legible copies. Full size doesn't have to be in there.

19:05:45 Jim Kenney: We wanted to define it of a size that all contained information is legible so we can strike that and just put in legible copies?

19:06:00 John McIntire: Well, no, we're going to split hairs. That says something different. Legible copy is something that's either printed well or typewritten and it can be legible depending on whose glasses or what magnifying glass you need.

19:06:29 Randy Reynolds: But if you take a 100-scale print and try to reduce it to 10 scale, it's not legible.

19:06:36 John McIntire: I like the wording that was in there, of a size that all contained information is legible. That doesn't define how big it needs to be because on something that's really detailed, it's going to have to be bigger. Legible to me is just readable at some point. I can use that with a magnifying glass.

19:07:12 Jim Kenney: What I'm saying here is of a size that all contained information is legible, that means the lines, the squiggles, the words, the arrowheads on a drawing.

19:07:28 Randy Reynolds: Read the whole sentence again.

19:07:31 Jim Kenney: At least two copies of all maps and drawings of a size that all the contained information is legible.

19:07:40 Randy Reynolds: That work for everybody?

19:07:45 John McIntire: I don't see any reason to change it from that.

19:08:11 Randy Reynolds: What about 13.3.2.2?

19:08:19 Jim Kenney: General information, each development review shall contain the following information.

19:08:30 Randy Reynolds: You've got less those specific items waived by the Board.

19:08:38 Jim Kenney: We struck that. That stays out because that takes us back to something, this section reference was wrong to begin with. This took us back to the design team, which is not applicable.

19:09:07 Randy Reynolds: How about 13.3.2.2.1.4?

19:09:14 Jim Kenney: We changed that to read the names and addresses of all abutting property owners.

19:09:19 Randy Reynolds: We're going to leave that that way. What about the last sentence down, 2.2.1, okay, we've already dealt with that. Let's keep going. Before we go any further, how about the second page where it shows type 1 and type 2 classifications.

19:09:41 John McIntire: There are gaps in there.

19:10:41 Jim Kenney: There are gaps in the chart...blanks. John had some suggested words and he's got some good suggestions. [Can't find notes.]

19:11:53 Randy Reynolds: Let's leave for a later time, let's keep on going. 13.3.3.23, existing conditions.

19:12:08 Jim Kenney: We struck that, no, bearing distances and I wrote down moving to 14.4.2. You wanted this moved. It shouldn't be 14 at all, it should be 13. 13.4.2, bearing in distances, final plan stage.

19:13:21 Randy Reynolds: The sentence should be just above 13.5, professional review, that's where we set it temporarily.

19:13:30 Jim Kenney: Bearings and distances of all property lines of the property to be developed and the source of this information.

19:15:45 John McIntire: I would leave it there. I would think you would want it under the requirements under 13.3.2, under requirements for both 1 and 2.

19:16:10 Randy Reynolds: Proposed development activity? We could make it a separate one, 13.3.2.4.10. It would be right after that.

19:16:15 Jim Kenney: I am at 13.4.1, preliminary plan stage. Let's go back to what you're saying. Location of open drainage courses, wetlands, any trees with a 12 inch or more diameter within the proposed project and other important natural features. We're taking out the existing conditions. What we're proposed taking out it just said generally stand of trees, we defined the trees. Any trees with 12 inch or more diameter within the proposed project and other important natural features with a description of such features to be retained. We thought the stand of trees was too ambiguous.

19:20:56 Randy Reynolds: Fine with me.

- 19:21:00 Jim Kenney: Hearing no objections, we came down to then, the same page, 2.3.10, striking, reading now, general boundaries and description of vegetative cover. We struck out with trees over 18 inch diameter at breast height indicated if 100 feet of the proposed development activity. We proposed to strike that. Okay?
- 19:21:36 John McIntire: No, a tree that's that big you start digging around too much you're going to have to start thinking about how that's going to affect the thing down the road and if that tree is going to be a problem for the development down the road. A tree of 18 inches, 100 feet, 50 feet maybe, I would say would be a real issue. I don't know about 100 feet. I'm just thinking in terms how much of its root structure you start disturbing and if that tree is then going to be, you disturb too much of the root structure, what's the impact of that tree coming over going to be on the development.
- 19:22:48 Jim Kenney: Is that the town's responsibility?
- 19:22:53 John McIntire: No, but it might be the abutter.
- 19:22:58 Randy Reynolds: What if the abutter has a tree and the property line is right to the edge of it. There's nothing you can do about it anyway because it's the abutter's land.
- 19:23:25 Barry McCormick: You're saying if I've got a tree on my property line that the development only has to be 15 feet away from it.
- 19:23:33 John McIntire: I'm saying that if I've got a row of sugar maples down there that are 18 inches in diameter, I want somebody to think about that before they start digging up the ground within 50 feet of those trees.
- 19:23:51 Randy Reynolds: There's nothing you can do about it. You can show it if you want but you can't say stay 100 feet away from my sugar maples. If it's their land they've got a right to build, they can do anything right up to within 15 feet of the property line.
- 19:24:12 Charlie Porter: They'd be girded so quick you wouldn't know what happened.
- 19:24:15 Mark Nickerson: I just want to make sure because we beat this a couple weeks ago. We're keeping the general boundary and description of vegetative cover right. The rest of it is struck.
- 19:24:31 Barry McCormick: See, I'm looking at it on the other hand, as a devil's advocate. I've got a bunch of trees this size on my property but I want to develop it so basically what it's saying is I can't do it because I can't cut.
- 19:24:44 John McIntire: No, you can cut your own trees. I'm talking about boundary issues and what's going on with the neighbor's property.
- 19:24:55 Barry McCormick: But then again, we'd have to change quite a bit to affect that.
- 19:25:00 John McIntire: And I don't think this says that you can't do it. I think it just says that you need to take it into consideration.

19:25:06 Jim Kenney: You've got to go out and count and locate the trees but to what end does that come. So,, you tell the Planning Board Randy has a tree out there 75' that's 18 inches and over. Can they then say you can't have your development?

19:25:23 Randy Reynolds: They really can't say anything if it's within 15 feet of the property.

19:25:33 Jim Kenney: I understand but why does the knowledge of that tree have anything to do with the Planning Board? Has John convinced you, or any of you, to not strike with trees of over 18 inches in diameter?

19:26:19 Barry McCormick: I understand exactly what he's saying but I don't think there's anything we can do about it.

19:26:23 Randy Reynolds: You can put in the fact that you've got to show it on the print. Not that you can do anything about it.

19:26:29 Barry McCormick: Why have somebody go through it then?

19:26:32 Randy Reynolds: It's an added expense.

19:26:32 Jim Kenney: To what end? I would like to see the border of the drawing to be the border of the property and clear on the other side with room for notes. We changed 2.3.13, approximate location and depth of any well on the property within.

19:26:59 Garrett Morrison: One hundred feet.

19:27:02 Mark Nickerson: Also we put in there if known.

19:27:20 Jim Kenney: I want to go back a page. We haven't got there yet, let's keep going forward. We're down here to number 2.3.16, location, dimension and description of any portion of the land abutting the proposed development that is currently used for commercial agriculture. What we was striking was including in/or in front of abutting, and then including the name of the farmer utilizing the land. It would read location, dimension, and description of any portion of the land abutting the proposed development that is currently used for commercial agriculture.

19:28:56 John McIntire: Why shouldn't the farmer utilizing the land be notified? I'm assuming that's the only reason for having that in there.

19:29:14 Randy Reynolds: If they're going to notify, they're going to notify the abutters, he will get one anyway.

19:29:18 John McIntire: But what if he doesn't own the land?

19:29:21 Randy Reynolds: They notify the owner.

19:29:17 Jim Kenney: The owner only has the right.

19:29:22 John McIntire: But if the farmer doesn't get notified.

19:29:26 Jim Kenney: The farmer who is leasing the land? [Yes] That's up to the owner to advise him once they're advised. The owner of the land abutting the proper is responsible for the leasee. We talk it but I'm giving you an answer. It's not the responsibility of the owner, it's not the responsibility of the town to run around and tell people. We send them a letter that says we're going to have a meeting. Location, description, we've struck open space throughout this document. Hearing no objections. 13.4.1, I'm down in the paragraph 4.1, preliminary plan, fourth subparagraph entitled a public hearing. As I said in parenthetical statements, I put it in because this document should not be telling the Planning Board how to vote. The Planning Board bylaws need to do that.

19:31:00 Charlie Porter: Have you ever seen the Planning Board ordinance? I think you ought to fix that along with this.

19:31:11 Jim Kenney: Let us get one thing done. We've already agreed we're going to look at that. The projects will be held at the discretion of the Planning Board. I think that has to stay. How say you? The public hearing may be held, the planning stage, projects will be held at the discretion of the Planning Board, the public hearings. Not by the majority vote.

19:31:54 Randy Reynolds: We really can't say that.

19:31:58 Jim Kenney: We can't say how it's going to be voted, it's at the discretion of the Planning Board. And then the bylaws of the Planning Board will tell how that will be done. Any objections? Now we're down to 13.5? In our previous discussion we had decided to strike this. Taking of the land.

19:33:11 Randy Reynolds: All developments shall be configured to preserve...

19:33:34 Garrett Morrison: And I think Garrett you said quite well and clear, this is taking, and we decided to strike it. And now you've had a chance to think about it further, I propose we strike it.

19:33:59 Randy Reynolds: Strike both. It's telling the farmer what he can and can't do with his property.

19:34:11 Jim Kenney: Do I hear any objections?

19:34:15 John McIntire: I don't like striking it. I think it's in the best interest of the community to be able to recognize the use of the land.

19:34:31 Garrett Morrison: If we want to limit that to recognizing it I think that's okay. If you're trying to say control it...

19:34:39 Charlie Porter: A lot of this that's in here falls under the Shoreland Zoning Ordinance.

19:34:47 Randy Reynolds: Not these two. This is just about farms.

19:35:56 Mark Nickerson: Great. Done.

19:36:01 Randy Reynolds: The subparagraph right below it, strike that too.

19:36:22 Jim Kenney: Yes, the Planning Board may waive, shall we? [Yes]

19:36:37 Randy Reynolds: 13.6.4.2, we're striking that? No, I think we ought to leave that. All this is saying in subdivisions, it's not saying subdivisions are handled here. It's just saying in subdivisions the number of new driveways intersecting with existing streets shall be minimized where practical such driveways shall flow through to the new road. This needs to stay right where it is.

19:37:06 Jim Kenney: I don't understand that. This is subdivision.

19:37:10 Randy Reynolds: It's not subdivisions, no.

19:37:14 Mark Nickerson: But it says in subdivisions. How is it not?

19:37:29 Randy Reynolds: Let me think about it a minute, it has to go under the subdivision ordinance. 13.6.4.4, let's look at 5.1.3 road access management to make it consistent. I did that and it was 2% and 25 feet. That's so you've got a flat surface coming out. Just like the Amish over there, coming out of the store.

19:38:25 Jim Kenney: So the task was to confirm and it has been confirmed that this is consistent with other areas of the document.

19:38:33 Randy Reynolds: That's where we stopped 2 weeks ago.

19:38:38 Garrett Morrison: We need to go back to 13.5, professional review. We went through this last week.

19:38:53 Jim Kenney: This is where you had the financials assigned to it.

19:38:59 Garrett Morrison: The hiring of outside help.

19:39:19 Jim Kenney: I saw that in the Minutes.

19:39:26 Barry McCormick: We changed it. We put 5% right down across.

19:39:41 Jim Kenney: So, we're going to find a place to put in professional review, the extent of not to exceed 5% of the estimate? Where is a good place to put it in this paragraph?

19:40:00 Garrett Morrison: I didn't have a place to put it in. I just sent you a note that we had discussed this.

19:40:35 Randy Reynolds: You just want the project's cost, you don't want this top stuff. We just have to have a reference to what this means.

19:40:47 Garrett Morrison: Basically a schedule of fees related to project cost.

19:40:58 John McIntire: My notes said that that the applicant would not be held responsible for greater than five percent of the project cost to pay for said professional analysis. Just put it right at the end of that paragraph.

19:41:16 Barry McCormick: That's perfect.

19:41:18 Garrett Morrison: That's fine. It's much simpler that way.

19:41:58 Randy Reynolds: How about total project cost?

19:42:01 Garrett Morrison: It would have to be estimated project cost. We should reference the paragraph where we have stated the project cost.

19:43:13 Jim Kenney: Have we done it? Congratulations. I'll put this in shape. Let us pause a moment. What about the definitions?

19:44:12 Meeting closed.

Respectfully submitted, Sherry E. Powell-Wilson, Notary Public Approved: