Notice: Pursuant to MCA 2-3-212(1), the official record of the minutes of the meeting is in audio form, located at cascadecountymt.gov and the Planning Office. This is a written record of this meeting to reflect all the proceedings of the Board. MCA 7-4-2611 (2) (b). Timestamps are indicated in red, within each agenda item below, and will direct you to the precise location should you wish to review the audio segment.

These minutes are paraphrased and reflect the proceedings of the Zoning Board of Adjustment. These minutes are considered a draft until the Zoning Board of Adjustment approves them.

STAFF ATTENDEES: Anna Ehnes, Destiny Gough, Sandor Hopkins, and Charity Yonker.

PUBLIC ATTENDEES: Carolyn Craven and Amelia Meckler.

1. CALL TO ORDER: Bill Austin called the meeting to order at 08:58 AM

2. ROLL CALL
   BOARD MEMBERS PRESENT: Bill Austin, Charles Kuether, Michele Levine, and Leonard Reed.
   BOARD MEMBERS ABSENT: Rob Skawinski.

3. APPROVAL OF MINUTES:
   A. June 27, 2019, Meeting Minutes
      Charles Kuether (00:01:30): moves to approve the June 27, 2019, Draft Meeting Minutes.
      Leonard Reed seconds the motion to approve.
      All in favor, motion carries 4-0.

   B. August 28, 2019, Meeting Minutes (Pending Completion)

   C. September 17, 2019, Meeting Minutes (Pending Completion)
4. OLD BUSINESS: NONE.

5. NEW BUSINESS:

A. SUP 014-2019, Second Dwelling - Darryl Finley

1. Staff Report by Sandor Hopkins

Motions:

A. Alternative 1: “Move the Special Use Permit to allow an accessory dwelling unit at the subject property be denied due to (ZBOA member proposing denial must delineate legal reason that the application be denied)”

OR

B. Alternative 2: “Move the Board adopt the staff report and findings of fact, and approve the Special Use Permit to allow an accessory dwelling unit at the subject property subject to the following conditions:

1. The applicant obtains any required county, state, or federal permits including the following:
   a. A septic permit from the City-County Health Department.
   b. A homeowner’s electrical permit and plumbing permit from the Montana Bureau of Labor and Industry Building Codes Bureau.

2. The applicant obtains an address from the Cascade County GIS Department.”

2. Board Discussion & Action

Board Discussion

Bill Austin (00:23:07): states that the applicant is not present and that there is hardly anyone here today for this meeting. He then proceeds to ask if anyone on the board has any comments.

Charles Kuether shakes his head, no.

Leonard Reed (00:23:27): asks the chairman if this proposal is near his dwelling place.

Bill Austin (00:23:29): replies yes and that he has seen some of the site preparation. He goes on to say that the project appears that it will be rather pleasant when it is finished. He says that it appears that the applicant is not cutting any corners.

Michele Levine (00:23:51): says, “Okay.”

Sandor Hopkins (00:23:51): says, “Nice.”

Bill Austin (00:23:54): says that the lot may be thirty to forty acres (30-40).

Sandor Hopkins (00:24:04): says that he does not find that the lot is that large in total.

Bill Austin (00:24:09): says that the land that the applicant has roped off for the project looks to be over an acre. He says that he finds the amount of land suitable.

Public Hearing opened at 09:27 AM

Bill Austin asked for proponents: none.
Bill Austin asked for opponents: none.

Charles Kuether (00:24:48): says that he was trying to encourage the one and only public member left to speak for either proponents or opponents.

Several board members, Amelia Meckler, and some of the county staff laugh.

Amelia Meckler (00:24:50): asks if they want her to speak to liven the room.

Bill Austin (00:24:53): laughs and says “Yeah!”

Public Hearing closed at 09:27 AM

Board Discussion and Decision

Michele Levine (02:16:08): motions to “[...] move the Board [to] adopt the staff report and findings of fact, and approve the Special Use Permit to allow an accessory dwelling unit at the subject property subject to the following conditions:

1. The applicant obtains any required county, state, or federal permits including the following:
   a. A septic permit from the City-County Health Department.
   b. A homeowner’s electrical permit and plumbing permit from the Montana Bureau of Labor and Industry Building Codes Bureau.
2. The applicant obtains an address from the Cascade County GIS Department.”

Leonard Reed seconds the motion for approval.

All in favor, motion carries 4-0.

Charles Kuether (00:26:06): asks what the timespan is for when a Special Use Permit (SUP) is approved by the Zoning Board of Adjustment to when the permit is issued by the Planning Department.

Sandor Hopkins (00:26:19): responds for this SUP they would wait.

Leonard Reed (00:26:24): asks if they will wait until the applicant will have all the requirements fulfilled.

Sandor Hopkins (00:26:25): replies yes. He says they will need to submit the appropriate permits for septic, electrical, plumbing and so forth...

Michele Levine (00:26:32): asks if the applicant has to submit the applications for those permits, or do they need to wait to obtain the approved permits in order for their SUP to be issued.

Sandor Hopkins (00:26:41): says that the Planning Department prefers that the appropriate permits be approved and obtained before they issue a permit.

Michele Levine (00:26:45): ask for the Planning Department to ensure that the applicant has satisfied all of their requirements on their approved permit. She mentions that the county still has the authority to enforce the approved requirements for the approved permit in the future.
Sandor Hopkins (00:26:53): responds that is correct. He says that the Planning Department would try to avoid that type of situation. He says that the Planning Department would rather deal with any issues or complications presently, than in the future.

*Michele Levine understands.*

Bill Austin (00:27:02): says that the applicant appears to be set, once he finishes getting everything in order.

Charles Kuether (00:27:09): asks if the Planning Department sends the applicant a letter of either approval/disapproval dependent upon the verdict of the Zoning Board of Adjustments.

Sandor Hopkins (00:27:15): responds that observation is correct. He says that they send a Letter of Conditional Approval.

*Charles Kuether understands.*

**B. Variance, Height Related Setbacks for Telecom Tower - Crown Castle**

1. **Staff Report by Sandor Hopkins**

   **Motions:**

   a. **Alternative 1:** “I move the variance to allow for a height extension (25 feet) of an existing telecommunications tower on Mk14 in the NW ¼ NE ¼ Section 28 Township 20 North Range 3 East be denied,”

   **OR**

   b. **Alternative 2:** “I move the variance to allow for a height extension (25 feet) to of an existing telecommunications tower on Mk14 in the NW ¼ NE ¼ Section 28 Township 20 North Range 3 East be approved subject to the following condition:

   1. The applicant obtains any other required county, state, or federal permits and comply with regulations associated with any other permits.

   2. Addition complies with standards set by section 8.8 of the Cascade County Zoning Regulations.”

2. **Board Discussion & Action**

   **Board Discussion**

   Bill Austin (00:36:34): asks if the applicant is present.

   Amelia Meckler (00:36:36): responds yes.

   Bill Austin (00:36:37): asks if the applicant would like to come to the podium and address the board.

   Amelia Meckler (00:36:47): states that she is here representing Crown Castles and thanks the board and the county staff. She says that she hopes that this variance is approved. She goes on to state that she overheard a conversation, prior to the start of the meeting, on the difference between the heights, twenty feet (20 ft.) versus the twenty-five feet (25 ft.). She says because of the height increase, they are adding a lightning rod to the top of the tower. The lighting rod is eight feet tall (8 ft.). She says that her company considers the height to be subjected only to the height of just the tower structure, rather than the height of the lighting rod, antennae, and the
height of the tower structure. She says that they do not include the height of the antennae as the antennae's height may change overtime along with other different equipment on the tower. Overall, there is a difference of five feet (5 ft.) between what the county calculated as the overall height versus what Crown Castle listed in the application as the overall height.

Leonard Reed (00:38:19): asks how many towers are located within the vicinity.

Amelia Meckler (00:38:22): says that she is not certain. However, she is aware of at least two (2) other towers nearby.

Leonard Reed (00:38:51): asks if Verizon has a tower nearby.

Amelia Meckler (00:38:54): says that she is not certain.

Leonard Reed (00:38:59): says that he was curious.

Amelia Meckler (00:39:06): says that there are other carriers existing on this tower.

Leonard Reed understands. The board members converse with one another.

Public Hearing opened at 09:43 AM
Bill Austin asked for proponents: none
Bill Austin asked for opponents: none
Public Hearing closed at 09:43 AM

Board Discussion and Decision

Charles Kuether (00:41:06): motions to “[…] move the variance to allow for a height extension (25 feet) to of an existing telecommunications tower on Mk14 in the NW ¼ NE ¼ Section 28 Township 20 North Range 3 East be approved subject to the following condition:

1. The applicant obtains any other required county, state, or federal permits and comply with regulations associated with any other permits.
2. Addition complies with standards set by section 8.8 of the Cascade County Zoning Regulations.”

Leonard Reed seconds the motion for approval.
All in favor, motion carries 4-0.

6. BOARD MATTERS:

Bill Austin (00:42:13): says that they will discuss these photos from Sandor Hopkins.

Michele Levine (00:42:16): asks if this is a matter of Old Business.

Sandor Hopkins (00:42:17): says yes. He says that these photos are of Rockwell Scales' property and is related to the discussion that took place at the September 17, 2019, ZBOA meeting. He says on Monday, October 21, 2019, he received a phone call from Mr. Rockwell that he had finished building his fence. He says that the next day he went to Rockwell Scales and took photographic documentation of the entire property for the ZBOA members.
Charles Kuether (00:43:10): says that some of the photographs there appears to be a berm. He asks if the earthen berm is supposed to be there and visible.

Sandor Hopkins (00:44:10): responds that Mr. Rockwell is using the earthen berm as a substitute for a fence in that area as it is roughly the same height. He says that he personally finds the earthen berm does well to obscure the business activities on the other side. He then goes on to say that there does appear to be some gaps between the fence and the earthen berm however. He says that he is unsure if the gaps in the fence should or should not be addressed and filled, in order to close the gap.

Charles Kuether (00:44:39): says it seems to himself that the earthen berm is not necessarily in the spirit of what the board was hoping he would do in order to obscure his business activities from the surrounding residents. He says that he wishes for the earthen berm to be in its entirety at an even height. Nevertheless, he says that is not an item of topic that they discussed at that meeting. He says overall, he finds the progress made by Rockwell Scales to be a good start.

Michele Levine agrees with Charles Kuether.

Leonard Reed (00:45:35): ask what Sandor Hopkins’s opinion is of the current the earthen berm and of the fence.

Sandor Hopkins (00:45:44): says that in certain areas of the fence and of the berm appear to be sufficient; but there are areas, which are insufficient such as the areas where there are gaps.

Michele Levine (00:46:15): shows a photo as an example, which she says could be considered insufficient.

Sandor Hopkins (00:46:15): agrees. He says that from the angle that he took that photograph can see a bit of the residential houses through that gap. He says that he is unaware of how much of the business can be seen on the other side through a residential house's standpoint. He says if someone was to do business around the front part of that approach, that business activity may be visible.

Bill Austin (00:46:55): says that in all, he does not find that having a completely covered facility and property would make a difference to the critics of this SUP.

Destiny Gough (00:46:59): asks the Deputy Civil Attorney, how much of a discussion are the board members permitted to discuss without having the applicant currently present. In other words, she asks if the board members are allowed to make any official decisions without having the applicant present.

Charity Yonkers (00:47:06): states that the board members are just allowed to have a discussion.

Michele Levine understands.

Charles Kuether (00:47:11): says the critics, who are neighbors of this business, will presumably still be upset. He says maybe it would be possible to ask him to fulfill the gaps. He says that this action would be the extent of what the board could do. Nevertheless, he says they will never be able to please everyone.

Leonard Reed (00:47:37): says closing the gaps would be perceived as good stewardship on the applicant's behalf for the applicant to go above and beyond by closing the gaps.

Charles Kuether (00:47:43): agrees. He says that it would even be perceived as notable on the board’s behalf as well. He goes on to say that he is not sure of the possibility of Rockwell Scales ever having satisfied neighbors.
Leonard Reed (00:47:57): asks for the Sandor Hopkins's opinion.

Sandor Hopkins (00:48:02): says that he is inclined to agree with the board’s direction.

Charles Kuether (00:48:07): asks if Sandor Hopkins would ask Mr. Rockwell to attend the next ZBOA meeting, so they can have a discussion and make an official decision.

Sandor Hopkins (00:48:12): agrees. He says that he did discuss with the applicant on Monday October 21, 2019 that there will be a ZBOA meeting on October 24, 2019. He says that he encouraged Mr. Rockwell to attend as they would discuss this topic.

Leonard Reed (00:48:24): says that it may be good idea to write Mr. Rockwell a letter that is relative to the board's present discussion. So, they can avoid going through another decision process again.

Charles Kuether (00:48:38): says that the staff could also reference this particular photo that Michele Levine pointed out earlier.

Michele Levine and Leonard Reed agrees with Charles Kuether.

Michele Levine (00:48:44): says that they would like the applicant to address the gaps.

Charles Kuether (00:48:46): says that the photograph that Michele Levine pointed out, they would particularly like it to be filled.

Leonard Reed (00:48:53): says that the applicant could even go as far as to put gates up on the property.

Charles Kuether (00:49:07): asks how wide of a driveway is does the business have. he says that the driveway appears to be thirty feet (30ft.) at least.

Leonard Reed agrees with Charles Kuether.

Sandor Hopkins (00:49:13): says that it is wider than thirty feet (30ft.).

Leonard Reed (00:49:15): says that it appears to be a hundred feet (100ft.).

Leonard Reed, Michele Levine, Charles Kuether, and Sandor Hopkins agree that the opening of the driveway is fairly large.

Charles Kuether (00:49:24): says that he personally tried to put a gate on his driveway and found it to be a challenging task. He says putting a gate on Rockwell Scales' driveway would be particularly challenging.

Leonard Reed (00:49:36): agrees. He says that this driveway is large enough to turn trucks around on the driveway.

Charles Kuether agrees with Leonard Reed.

Leonard Reed (00:49:41): says that he could see not having a gate being a potential problem for the applicant. However, he does not suggest that Rockwell Scales has to put a gate on their driveway. He says Rockwell Scales could get by without a gate on their fence.

Charles Kuether makes a joke.

Michele Levine (00:49:59): asks what they are to do with the neighbors’ other concerns, such as fumes and noise. She says that it appears that this operation is in compatible use next to the rural residential area. She asks what the board discussed at the last meeting regarding this business.
Sandor Hopkins (00:50:23): says that they were specifically looking at the fence and the storage issue at that meeting. He says the Planning staff are working on a determination letter for Rockwell Scales. They would like to bring this letter to the board in the future. He says that there may be an appeal process associated as well.

Charity Yonker (00:50:55): says this determination letter would allow people to appeal the administrative staff’s determination and action on Rockwell Scales.

Michele Levine (00:51:17): says that they made a determination letter to Rockwell Scales, and Rockwell Scales can appeal the determination letter from the county.

Charity Yonker (00:51:20): says that is correct.

Sandor Hopkins (00:51:24): says that the neighbors can appeal the county's determination letter as well.

Michele Levine understands.

Charles Kuether (00:51:27): says that from what he gathered at the last meeting. The meeting was mostly about the fence, and the applicant was permitted to run what his operation is currently doing, under the existing regulations. he asks if he understood that meeting correctly.

Sandor Hopkins (00:51:51): says that he is inclined to agree.

Leonard Reed (00:51:58): asks if the board gave him permission originally to build at that specific location.

Sandor Hopkins (00:52:02): says yes.

Leonard Reed (00:52:02): says that he may remember that SUP long ago.

Charles Kuether (00:52:06): says that he was not on the board during that time.

Michele Levine (00:52:07): says that she would like to see the original application to see if it discusses light pollution such as noise and odor.

Bill Austin (00:52:14): says that he personally finds that whatever the board decides to do or what the applicant does, it will not satisfy those critics of this SUP. He says those critics do not want the applicant there. He says that after talking to other neighbors from that area, it appears that the rest of neighbors do not have any issues with Rockwell Scales. it appears to only be those few critics. He says that he is unsure if the issue will ever be resolved for, he does not find that those critics will ever be satisfied.

Michele Levine understands.

Destiny Gough (00:52:55): says that is something that Rob Skawinski mentioned at the last meeting.

Bill Austin and Charles Kuether agree with the Planning Department’s administrative assistant.

Michele Levine (00:53:06): says that it seemed to her that the applicant appeared interested in putting all of the business activities within a building. However, it is currently cost prohibited at this time for the applicant. She says though we do not necessarily require for the applicant to keep everything within a closed building, she says that it is a notion to keep in mind as this business does not seem compatible for a residential area. She says that it appears the area to be both residential and agricultural. She says that she finds the business to be a Heavy Industrial
Use. She says that the issue may stem from the fact that the district itself allows for Heavy Industrial Uses.

**Leonard Reed (00:54:15):** asks for directions to the site.

**Sandor Hopkins (00:54:50):** gives Mr. Reed the direction as to where it is located. He then goes on to say that half of the area near the neighborhood and Rockwell Scales is Agricultural District and the other half is Rural Residential District. He says in the past that Rockwell Scales and Big Stone Colony petitioned to have part of the area rezoned to be part of the Agricultural District.

**Michele Levine (00:55:45):** asks for some clarification.

**Sandor Hopkins (00:55:48):** clarifies.

**Leonard Reed (00:56:01):** asks if the Chairman knows where it is located.

**Bill Austin (00:56:03):** says yes.

The board members converse with one another.

**Michele Levine (00:56:22):** says some of the problems they may not be able to resolves, and that the citizens may bring their own nuisance litigation. Since, some of the problems are civil matters and some of the problems are beyond the board's jurisdiction.

**Leonard Reed (00:56:46):** says that notion makes sense as the board granted Rockwell Scales the variance request.

**Bill Austin (00:56:51):** says that his conversation and understanding from the last meeting with Mr. Rockwell is that Mr. Rockwell would like to put everything inside, but currently/does not have the expenses to do so. Nevertheless, he says that it is Mr. Rockwell's long-term plan.

**Michele Levine understands.**

**Bill Austin (00:57:17):** says that he personally does not find that the Mr. Rockwell's critics will ever be satisfied.

**Charles Kuether makes a joke in agreement.**

**Bill Austin (00:57:30):** says that regardless of the situation, Mr. Rockwell is trying to accommodate those complaints. He then goes on to say, if he was to build a gate for his driveway that it would enormous.

**Charles Kuether (00:57:43):** says that was the reason that he made his statement earlier as he did not find it possible to fashion a gate of that size.

**Bill Austin (00:57:54):** agrees. He then goes on to say that the rigs and scales that are being pulled out of the business grounds are fairly large.

**Michele Levine (00:58:00):** states that she would not like to live near a Heavy Industrial operation.

**Bill Austin (00:58:08):** states that he does not find the operation to be as bad as what is being described to the board.

**Charles Kuether agrees.**

**Michele Levine (00:58:19):** says that she understands. She says if the applicant wants to go ahead and set all business activity within a building. She finds that suitable. She goes on to say that she found it problematic that he did not read the conditions. She said that he said that he just listened to the discussion. She says that she encourages all applicants to read their permits and to
comply with their permits. She says that she understands where the board is coming from. However, she says the applicant was out of compliance for several years because he did not read his permit.

*Charles Kuether understands.*

Leonard Reed (00:59:20): asks if the only action that the board is taking today that the Planning staff is going to write a letter asking the applicant to fill the gaps.

*Charles Kuether (00:59:32):* says that is the current thought, but they are not taking action.

Leonard Reed (00:59:35): understands. He says that he finds if they were to send a letter, he finds that Mr. Rockwell would be willing to comply.

*Michele Levine (00:59:49):* asks why Mr. Rockwell would even want to give those neighbors more reason to dislike you. She says that it is overall a zoning issue.

*Charles Kuether (01:00:00):* says that he finds that the applicant is trying to do whatever it takes to comply with his permit. he says that the staff can let Mr. Rockwell know what the board is discussing, give him some leeway, and invite him to come to the next meeting.

*Michele Levine (01:00:18):* says that it seems the issues is also that the applicant was given a set of conditions but did not comply. Then, there was little to no enforcement of the conditions. She says that we need to enforce conditions in a timely manner. She says that she understands that majority of this situation occurred before many of the current board members and staff were involved in this situation.

*Charity Yonker (01:01:06):* asks for clarification regarding the board’s request for putting this SUP on the next ZBOA agenda.

*Charles Kuether (01:01:16):* says yes.

Leonard Reed (01:01:19): says by that time the hopefully will have a response from Mr. Rockwell.

*Michele Levine (01:01:23):* says under the regulations the Planning staff has the ability to send out letters of deficiency. Therefore, the Planning Staff could send one out now.

*Sandor Hopkins agrees.*

Leonard Reed (01:01:41): asks if they give a person thirty (30) days to comply.

*Sandor Hopkins (01:01:46):* says typically yes.

*The board understands.*

*Michele Levine (01:01:55):* says that thirty (30) days should be around the next meeting.

*Sandor Hopkins (01:02:00):* says that it depends on what everyone's' schedule is.

*The board members and Planning staff converse with one another.*

Bill Austin (01:02:26): asks if they have any more SUPs coming to the board soon.

*Sandor Hopkins (01:02:30):* says that there is at least one (1) SUP.

*Charles Kuether (01:02:45):* asks where they are on the cheese processing facility SUP appeal process.
Charity Yonker (01:03:04): says that there is thirty (30) days from the final decision. So, the thirty (30) day period has passed. She says the Commission has sixty (60) since the time the petition to appeal is submitted to take action.

Charles Kuether (01:03:33): asks what was appealed.

Michele Levine (01:03:34): says that they did not like the conditions the board gave them and some of the staff’s recommendations.

Charles Kuether (01:03:38): says that the board is reasonable.

Michele Levine (01:03:41): says the applicant begs to differ.

Charles Kuether understands.

Michele Levine (01:03:44): asks when the meeting will be for the Commissioners for the appeal.

Charity Yonker (01:03:46): says it will be an evening meeting on November 21, 2019 at 05:30 pm at the Family Living Center at the Expo Park.

Charles Kuether understands.

Michele Levine (01:04:03): asks if they should or should not attend.

Charity Yonker (01:04:12): says that if they would like to attend. They can attend as public attendees. However, they will not be there to serve or answer questions from the Commissioners. She goes on to say that public comments or arguments will not be taken at that meeting, as it is just a review of the record.

Michele Levine (01:04:27): asks if the Commissioners are to just review the minutes and the record.

Charity Yonker (01:04:34): answers yes. She says this is the reason Ms. Gough is diligently trying to get the minutes and transcript completed.

Michele Levine understands.

Destiny Gough (01:04:41): states where the letter of appeal and the agenda for that meeting is located on the Cascade County Commissioner’s website.

Charity Yonker (01:05:01): says that this is mostly an administrative process. She says if the Commissioners deem the record insufficient. The Commissioners can remand the SUP back down to the ZBOA.

Michele Levine understands.

Bill Austin (01:05:21): asks if they appealed on the basis of the conditions.

Charity Yonker (01:05:27): says that she believes the applicant appealed seven (7) of the conditions.

Sandor Hopkins (01:05:29): says that he believed that is correct.

Michele Levine asks if the Commissioners have had the training class that the ZBOA and Planning Board has had. Charity Yonker says no. The board members discuss their board training and how they liked it. Michele Levine says that the Commissioners may benefit from having taken that class by helping the Commissioners see why the board decided what they decided.
Leonard Reed (01:06:03): says that did give the approved SUP a multitude of conditions. He asks if someone remembers the exact number of conditions.

Charles Kuether (01:06:10): says seven (7) conditions.

Michele Levine (01:06:12): says that they are appealing seven (7), but there is a total of seventeen (17) conditions.

Leonard Reed (01:06:14): says that there is an abundant amount of conditions.

Michele Levine (01:06:17): says that there is at least ten (10) conditions that the applicant found agreeable.

Charles Kuether agrees.

Michele Levine (01:06:23): says that not all the conditions that are being appealed were made by the ZBOA. Rather, they were conditions proposed by the Planning Department and accepted by the ZBOA.

Charles Kuether makes a joke and the board members and staff laugh. Michele Levine agrees with Charles Kuether’s joke.

Michele Levine (01:06:33): says that it may be best in the future to adhere the advice they received from one of their board training meetings for large controversial SUP projects.

Charles Kuether agrees.

Michele Levine (01:07:11): says that she did try to postpone that meeting in order to allow the board and staff to start to implement the advice. She asks the Civil Deputy Attorney if the board need to for the staff condition better delineate the reasons for the conditions.

Charity Yonker (01:07:46): says that she finds that the staff do well at meeting and researching the findings and conclusions for any condition that they propose and/or is required. She says that they spend time beforehand considering what conditions should and should not apply and ensuring that conditions are coherent, precise, and relevant. So, she does not have concern with that matter. All the same, she says that the board also must do the equivalent with any condition that they impose on a proposal.

Charles Kuether makes a joke and the board members and staff laugh. Leonard Reed and Michele Levine thank the Civil Deputy Attorney for attending their meetings and for giving the board members advice when needed.

Charity Yonker (01:09:00): says that she agrees with that board training meeting’s instructor and the Vicechair Levine. She says that part of the issue is that they are now having to do some of the work now for as to why these seventeen (17) conditions were imposed. She says that it is very time consuming.

Charles Kuether understands.

Michele Levine (01:09:26): says that nevertheless if they do not do so they may have a remand.

Bill Austin (01:09:40): says that he is not surprised personally surprised that they challenged the conditions. He says that he could see the appeal coming, based on past experiences on this board. He says regardless, they must all try to do the best that they can.
Michele Levine understands. The board converse with one another and the Planning staff about mileage reimbursement.

7. PUBLIC COMMENTS REGARDING BOARD MATTERS: NONE.

8. ADJOURNMENT:

Michele Levine made a motion to adjourn.
Leonard Reed seconds the motion.
All in favor 4-0, meeting adjourned at 10:14 PM