

# SAN BENITO COUNTY PLANNING COMMISSION

## January 17, 2007 Minutes

PRESENT: Bettencourt, Smith, Tognazzini

Late: DeVries, who arrived and was seated on the dais at 6:45 PM

ABSENT: Machado

STAFF: Director of Planning (DoP) Art Henriques; Principal Planner (PP) Byron Turner; Senior Planner (SP) Chuck Ortwein, Associate Planner (AP) Michael Kelly, Associate Planner (AP) Lissette Knight, Deputy Director of Public Works (DDPW) Arman Nazemi; Deputy County Counsel (DCC) Shirley Murphy; and Minutes Clerk Janet Somavia.

Vice-Chair Tognazzini opened the meeting at 6:06 p.m. by leading the pledge of allegiance to the flag and reiterating the standing rules of order.

### **DIRECTOR'S REPORT:**

DoP Henriques reported recent Board of Supervisor's meeting/actions:

- December 19, 2006 public hearing for zone change on Hillcrest Road to C-2 (the site of the proposed Home Improvement store which had been seen by the Commissioners) approved by the Board
- introduced an Ordinance amendment to the Growth Management System which will provide the possibility of exemption of affordable housing units; first reading waived with a continuation to January 9, 2007 for final adoption
- upheld the Planning Commission's distribution of the preliminary allocation with denials of the appeals which had been filed
- discussion of the Hollister Ranch Estates; additional direction provided to staff which will result in follow-up meetings with the residents of that subdivision
- meeting on Tuesday, January 17, 2006, Supervisor Marcus was selected to be Chair for the ensuing year; and Vice-Chair is Supervisor DelaCruz
- Machado and Bettencourt reappointed to Commission
- first round of interviews for the General Plan update with stakeholders [County Departments, Cities, business community representatives, local engineering groups, Board of Realtors, agriculture-related groups, non-profits, Farm Bureau, housing groups, local water Districts; broader list to be formulated; listed others who will take part] was held this date; Countywide survey of property holders and series of public meetings/hearings to follow

- report of General Plan update to be presented at a joint meeting of the Commissioners and the Supervisors
- public hearing with the Commissioners which will become the foundation of the General Plan, Consultant will provide items from the current General Plan to form the basis for the new Plan
- January 30, 2007 study session with the Board on affordable housing; not an action item

**PUBLIC COMMENT:**

Vice-Chair Tognazzini opened, and then closed, the public hearing having ascertained there were no persons present wishing to address items not on the agenda.

**CONSENT AGENDA:**

1. Acknowledge Public Hearing Notice
2. Acknowledge Certificate of Posting for January 3, 2007 cancellation
3. Acknowledge Certificate of Posting for January 17, 2007 meeting
4. Minutes of December 6, 2006
5. **LOT LINE ADJUSTMENT NO. 06-495 APPLICANTS:** Roger and Wendy Mairose. LOCATION: 1000 San Juan Canyon Road, San Juan Bautista. REQUEST: Adjust the property boundary between two adjoining legal lots. ZONING: Agricultural Rangeland (AR).

**COMMISSIONERS BETTENCOURT/SMITH MOTIONED TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION PASSED (3-0-0-2) WITH THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COMMISSIONERS PRESENT; DeVRIES AND MACHADO WERE ABSENT.**

**CONTINUED ITEM – COMMISSION ACTION**

6. **MINOR SUBDIVISION 1189-06** – OWNER/APPLICANT: Esther Matthews. LOCATION: 480 Mansfield Road, Hollister. APN: 25-33-02. REQUEST: To subdivide three 2.5-acre future home sites (new parcels) from a 10-acre parcel. ZONING: Rural Transitional (RT). ENVIRONMENTAL EVALUATION: Mitigated Negative Declaration. *(continued from 12-06-06)*

AP Kelly presented the staff report, providing an overview of the request and uses of the parcels.

Commissioner Bettencourt asked about the increase in the Fish and Game Fees. It was ascertained that the fees are set by the State and the County officials have no part in that decision. Commissioner Bettencourt noted the increase as being from \$1,250 to \$1,800 with a \$50 filing fee.

Vice-Chair Tognazzini opened the public hearing.

Anne Hall, San Benito Engineering, raised the issue of Condition #20 asking it be changed from “subject to verification by the County Engineer” to ***an amount not to exceed \$43,560***. DCC Murphy clarified that Condition #20 could be changed to .... subject to verification by the County Engineer, an amount not to exceed \$43,560.

Commissioner Tognazzini clarified with DDPW Nazemi that the matter has been reviewed and the County is in agreement with that.

Commissioner Bettencourt asked if that money will go into a fund for ‘fixing Mansfield Road’? If so, what will trigger expenditures? DDPW Nazemi explained the processes which will result in upgrading Mansfield Road and how the amount identified must be deposited or bonded or ensure upgrade. DDPW Nazemi reminded an applicant has two years for recording the map, with the possibility of two one-year extensions. He also spoke to other methods of upgrading by the applicants in lieu of cash spending, while emphasizing the importance of putting in the improvements as soon as possible. DCC Murphy interjected there was no ‘deadline’ for completing the work as long as the money is deposited timely.

With no others to speak to the matter, the public hearing was closed.

Commissioner Smith noticed that on page 2 of the staff report, under arsenic, it mentions the maximum continuation level which has been raised by the State, suggesting that the Staff needs to monitor those levels.

Commissioner Bettencourt recalled that the issue of high levels of arsenic would be avoided if the project were to annex to the Sunnyslope Water District.

**COMMISSIONERS BETTENCOURT/SMITH MOTIONED TO APPROVE MINOR SUBDIVISION 1189-06 AS PRESENTED, INCLUSIVE OF THE MITIGATED NEGATIVE DECLARATION, AND INCLUDING THE FINDINGS AND CONDITIONS CONTAINED THEREIN, TOGETHER WITH THE MODIFICATION TO CONDITION #20, stressing the applicant can pay the \$43,560.00 deposit that being the choice of the applicant to complete work themselves. THE MOTION PASSED (3-0-0-2) WITH THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COMMISSIONERS PRESENT; DeVRIES AND MACHADO WERE ABSENT.**

7. **MINOR SUBDIVISION NO. 661-84B** – APPLICANT: Cooper, Sandoval and Adair LOCATION: Brown Rd., San Juan Bautista. APNs: 11-23-29, 11-23-40 & 11-23-41. REQUEST: An amendment to the approved subdivision to change the building envelopes and access easements. ZONING: Rural (R). ENVIRONMENTAL EVALUATION: Mitigated Negative Declaration (*continued from 12-06-06*)

*Disclosure: Commissioner Bettencourt visited the project area. During the public hearing Chair DeVries arrived and disclosed he had visited the site as well.*

AP Knight presented the staff report, and explained the amendment request. She distributed an updated 'before and after' explanation of the building envelopes. One of the three parcels has a residence, with the remaining two being vacant. A mineral resource area is nearby and a noise study has been completed in view of the proximity to the Granite Rock workplace nearby. AP Knight explained changes to the Staff report: Page 1 {Project Description} ~~as well as remove the access easements on the three (3) properties~~

Page 2 {CEQA Findings (2) [Evidence]} ~~December 6<sup>th</sup>~~ January 17<sup>th</sup> meeting

Page 4 Conditions of Approval {renumbering required sequentially}

Environmental Health: (insert) Prior to issuance of a building permit, a Soil Profile.....

*Chair DeVries arrived at 6:45 PM and was seated on the dais.*

Commissioner Bettencourt asked about percolation testing, which AP Knight will be required prior to the issuance of the building permit.

Page 5 (add) Condition # 7: The applicant(s) shall file a Certificate of Correction to show the amended building envelopes. [Required for changes to a tentative map.]

Commissioner Bettencourt asked about fire requirements for the parcels.

Vice-Chair Tognazzini opened the public hearing.

Roger Grimsley spoke to the Commissioners as the project Engineer, saying concurrence was at hand for the conditions listed and asked for approval of the amendment request. Mr. Grimsley spoke to the matter of increase by the Fish and Game fees, saying that this project should be exempted according to the provisions of the Legislation. He said the matter should be studied by staff in depth for exemption policies.

DoP Henriques said this has become a common practice: having funding for State agencies come from local projects. He said that interpretations from State agencies are what the local agencies must follow.

Responding to a question from Commissioner Bettencourt, Mr. Grimsley said the applicants are in agreement with the requirement for review by the Design/Review committee.

Jim West, representative of Granite Rock, said that when the minor subdivision was enacted in 1984, the company was interested as the CEQA document for the company's operations had just been completed for the quarry. He explained the reason for having the building envelopes placed as indicated. Mr. West said that the impression was that in 1984 all developers involved would sign an agreement regarding placement of the building envelopes, but that did not occur. Mr. West said a major concern was the site plans for the potential dwellings, whose occupants may object to the gravel removal operations or offer objection to the use of their home as a result of the quarry operations.

“Now, they want to move those footprints. That’s fine. But we want a waiver signed that was signed by an original developer in (?1981/2001). I was under the impression they were going to sign it, but they have not,” Mr. West said.

Commissioners determined that the speaker and his employer were opposing the request as presented. Mr. West clarified that if the blueprints as presented this time were changed from previous agreements and this presented continued concerns for the quarry operations. Mr. West asked A) that the application be denied or B) that the approval be postponed until the waivers are signed whereupon the objection of Granite Rock would be withdrawn.

Commissioner Smith insisted that Granite Rock had not been fair with the objection at the last minute, ‘without documentation’. Mr. West said that it was unfortunate that the applicants had not signed the waivers which would protect both the company and the potential homeowners and that the company had been led to believe that action would occur.

AP Knight said the Planning Department had been contacted by Granite Rock regarding the waivers, and that the applicant had met with Granite Rock but was unable to resolve other problems and issues, e.g., easements and rights of way. Mr. West said he had been led to think that the waiver had been mitigated, but referencing the CEQA findings, the concern existed.

Considerable discussion ensued regarding the matter with AP Knight reminding of the requirement for design/review.

Ko Cooper, 1381 Cannon Road, San Juan Bautista, spoke to the Commissioners as the property owner and Realtor. Mr. Cooper spoke to the waiver which had been signed by a prior developer, and indicated he had spoken with representatives of Granite Rock regarding the request before the Commissioners at this time. Mr. Cooper also referenced minutes of the previous Commission meetings regarding action on this property. Mr. Cooper stressed the financial involvement he has with the property and said the demand for signing the waiver was a form of extortion. Mr. Cooper said he has paid taxes and been cooperative with the County over the years.

Brian Adair, 560 Brown Road, spoke to the Commissioners as one of the applicants. Mr. Adair asked that the request be granted for moving the footprint. He said he had personally contacted the neighbors upon purchasing the land in 2005, and had been clear throughout the process that he intended moving the building footprint. Mr. Adair said six area residents had not presented objection. A communication with Granite Rock had not been satisfactory, Mr. Adair indicated, and said he would not sign the presented waiver. Mr. Adair also said he could not see the noise as an issue nor would the view shed present a problem. Mr. Adair spoke of a commute hardship which could be alleviated with construction of a new home. Mr. Adair continued at some length regarding Granite Rock’s operations and the resultant burden on property owners.

Mr. West returned to the podium to respond to comments by Mr. Cooper who had said Granite Rock could have purchased the property under discussion. Mr. West said there was no objection to the request *if* the waivers would be signed.

Commissioner Bettencourt asked Mr. West to address the over-burden placement area. Mr. West said the maximum height of the over-burden had been reached but could be expected to widen.

Miguel Sandoval (no card provided) said he had not been approached to sign a waiver. Mr. Sandoval addressed the noise issue which 'played into his decision not to sign a waiver'.

Mr. Adair returned to the podium to provide an overview of a new subdivision with a million dollar house on Butterfly Court. He said the houses in that subdivision had not been asked to waivers.

With no others to speak to the matter, the public hearing was closed.

Chair DeVries said the Commission could not be involved in having the waivers signed, but could only address Staff's recommendations. Waivers and such were private matters, he said.

DCC Murphy spoke to the findings which might be indicative of changes and if those changes could be supported by documented studies. AP Knight explained the noise studies which had been presented to the Commissioners previously. No new noise study had been ordered for this request, she said, as she read from the Conditions and Findings. DCC Murphy said a note could be placed on the map notifying the property owners of the quarry operations. Commissioner Smith expressed concern that the previous noise study might not be applicable to the current request and could be easily challenged.

PP Turner spoke regarding the noise study which was not readily available to this meeting, saying it would be difficult to reference the older study as part of the evidence.

**COMMISSIONER SMITH MOTIONED TO HAVE A NEW NOISE STUDY BE GENERATED FOR THIS PROJECT. The motion died for lack of a second.**

Commissioner Smith continued to object to the objections raised at 'the last minute' by Granite Rock. Chair DeVries said the objections of Granite Rock were private matters and could not be addressed by the Commissioners.

**COMMISSIONERS SMITH /BETTENCOURT MOTIONED TO CONTINUE THE MATTER OF MINOR SUBDIVISION NO. 661-84B, TO THE FEBRUARY 7, 2007 PLANNING COMMISSION MEETING. THE MOTION PASSED (4-0-0-1) WITH THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COMMISSIONERS PRESENT; MACHADO WAS ABSENT.**

*Note: it is not know when Chair DeVries assumed the gavel.*

**PUBLIC HEARING ITEM – COMMISSION ACTION**

8. **USE PERMIT NO. 961-06** –APPLICANT: San Benito Cattle Company. LOCATION: 7658 Santa Anita Road (Las Aguilas Corp.), Hollister APN: 24-03-05 REQUEST: A communications repeater facility powered by a solar panel array. ZONING: Agricultural Rangeland (AR)ENVIRONMENTAL EVALUATION: Categorically Exempt (*continued from 12-06-06*)

*Data for this item was not available on tape.*

**CHAIR DeVRIES/COMMISSIONER SMITH MOTIONED TO APPROVE USE PERMIT NO. 961-06 AS INDICATED IN THE STAFF REPORT. THE MOTION PASSED (4-0-0-1) WITH THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COMMISSIONERS PRESENT; MACHADO WAS ABSENT.**

9. **ZONE CHANGE NO. 05-144 & COMMERCIAL DISTRICT REVIEW NO. CDR 56-05** – APPLICANTS: Rick and Audrey Pennington LOCATION: The north side of Enterprise Road between Highway 25 and Quail Hollow Drive, Hollister APN: 20-30-13 REQUEST: A zone change from R-1 (Single-Family Residential) to C-2 (Neighborhood Commercial) and Commercial District Review for the purpose of constructing an office building. ZONING: Single-Family Residential. ENVIRONMENTAL EVALUATION: Negative Declaration

SP Ortwein presented the staff report, saying the zone change was recommended to be sent to the Board of Supervisors for approval and approve the commercial district review based on the findings and conditions presented. He asked the Commissioners to direct staff to forward the Mitigated Negative Declaration and the complete Administrative record for the Commercial District Review No. CDR 56-05 to the Board of Supervisors for reference when they considered the project for approval.

Chair DeVries asked if this parcel is in the Hollister Sphere of Influence? [No]

Commissioner Bettencourt asked about the parcels and uses of those parcels in the area.

Chair DeVries opened the public hearing.

*Data for the beginning of the public hearing was missing on the tape.*

Applicants Audrey Pennington Young and Rick Pennington were present to present the conceptual drawings (Mission Style architecture). Mr. Pennington explained the surrounding uses, and the fact that currently with the traffic patterns and the restriction size-wise limited the property use. Mr. Pennington said the property lent itself to office use and a planned real estate office was in the works for the property. Mr. Pennington referenced Roger Grimsley as having addressed the Commissioners as well and asked him to speak to the location of the components of the infrastructure. Commissioner

Bettencourt asked about water/sewer hookups and proposed parking. Mr. Pennington called attention to the placement of the building and the parking. Mr. Grimsley explained the proposed sound wall dimensions, saying the line of site would not have interference caused.

DCC Murphy asked if the shorter wall would be an effective noise barrier. Mr. Grimsley said it would be more of an architectural detail.

Landscaping for the project was discussed.

Mrs. Pennington-Young explained the transition from a rural site to one 'which will be architecturally pleasing and an improvement over what is there now'.

The public hearing was closed.

SP Ortwein addressed concerns raised about Condition 7, saying it had been settled. (The pro rata share will be applied toward the signalization at Highway 25.) Responding to questions, SP Ortwein said no comments had been received regarding this matter.

PP Turner explained that a Standard Condition should be included in approval of the request. "The development and use of the site shall conform substantially with the proposed site plan and the Conditions of Approval as declared by the Planning Commission any further development or changes shall be subject to further Planning Commission review and approval." PP Turner said the site/building renderings distributed by Mr. Pennington would be included in the record. He also informed of specific requirements (in Ordinance form) for findings in a confluence of a C-District and a residential area. Mr. Grimsley said the site plan had been based on the content of that Ordinance, with specifics to be approved by the Staff on submittal of the building permit application.

A landscaping plan – to be submitted to the Planning Department – prior to building permit issuance will be required.

DCC Murphy reminded that this matter cannot be completed until the Board of Supervisors approves a zone change.

PP Turner clarified that the C-District Review would not go to the Board of Supervisors and without approval of the zoning request, the C-District would not become valid.

The landscaping and additional buildings were discussed in correlation to the potential regional sewer plan.

**COMMISSIONERS BETTENCOURT/TOGNAZZINI MOTIONED TO APPROVE ZONE CHANGE NO. 05-144 & COMMERCIAL DISTRICT REVIEW NO. CDR 56-05, INCLUDING THE ITEMS NOTED DURING DISCUSSION, AND APPROVAL OF THE NEGATIVE DECLARATION, TOGETHER WITH**

**RESOLUTION 2007-01 (ATTACHMENT D), WITH MODIFICATION TO CONDITION 7 (FOR THE TRAFFIC SIGNALIZATION) AND FURTHER MODIFICATION OF AN ADDITION OF TWO CONDITIONS: SITE PLAN AND LANDSCAPE PLAN - AND FORWARD THE ENTIRE ACTION PACKAGE TO THE BOARD OF SUPERVISORS FOR FINAL ACTION. THE MOTION PASSED (4-0-0-1) WITH THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COMMISSIONERS PRESENT; MACHADO WAS ABSENT.**

10. **MINOR SUBDIVISION NO. MS 1188-06** - APPLICANTS: Gary L. Daly and David Sanchez LOCATION: Los Viboras Road, Hollister APN 16-11-35 REQUEST: to subdivide the parcel into four parcels for the development of four lots for single family dwellings. ENVIRONMENTAL EVALUATION: Mitigated Negative Declaration/Mitigated Monitoring Plan ZONING: Agricultural Productive (AP)

SP Ortwein gave the staff report, noting the subdivision of the parcel noted into four parcels, with the infrastructure requirements explained. Parcel 1 is within the flood zone, but the set-backs negate the issue of the flood zone. Grade 1 soils are contained within the site, SP Ortwein said, but three-fourths of parcel is surrounded by residential development with maximum density allowed\*. Therefore the General Plan indicates this to be an approved use.

\*PP Turner explained the exemption to Grade 1 soils. Lands in the area are zoned Ag Productive SP Ortwein agreed, and explained the location of the homes in the area. DCC Murphy asked for clarification of the location of the densities in the area, together with location of the Grade 1 soils, with SP Ortwein responding. She subsequently offered language for further clarification, which was agreed.

Chair DeVries opened the public hearing.

Engineer Grimsley spoke to the Commissioners as a representative of the applicant. Mr. Grimsley said the Conditions of Approval were concurred.

*Note: Mr. Grimsley announced the sale of his business, and introduced the new owner.*

Mr. Grimsley spoke of having dug the wastewater profiles and the different soil stratus which must be accessed during that process. He told the Commissioners that this site is on the 'borderline' of Grade 2 soils, and was not Grade 1 in total.

Commissioner Tognazzini spoke of the value of peer review with soil grade exploration.

With no others to speak to the issues, the public hearing was closed.

Chair DeVries commented he did not like the General Plan exemption, and felt it should be revisited.

Commissioner Bettencourt spoke on the ‘fair share contribution’ for road construction and maintenance. DDPW Nazemi was asked to comment on the ‘benefit area’ for intersection construction and maintenance. Commissioner Tognazzini asked about a time-line for the upgrade of the intersection.

**COMMISSIONERS SMITH/TOGNAZZINI MOTIONED TO APPROVE MINOR SUBDIVISION NO. MS 1188-06, INCLUSIVE OF THE MITIGATED NEGATIVE DECLARATION, THE MITIGATION MONITORING PLAN, TOGETHER WITH THE FINDINGS AND CONDITIONS CONTAINED THEREIN. THE MOTION PASSED (4-0-0-1) WITH THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COMMISSIONERS PRESENT; MACHADO WAS ABSENT.**

**REGULAR AGENDA – COMMISSION ACTION**

**11. Consider Re-Allocation(s) of pending subdivisions: (provides 2-year extension)**

PP Turner presented the staff report, saying the following applications have not received tentative map approval within the required two-year period plus a one-year time extension.

MS 1160-04	MORRIS-BAUMGARTNER	Re-Allocate - Exp 1/18/07 (1 allocation) <i>Environmental Health issues; expected to be before the Commission within 6 months.</i>
MS 1161-05	DOTTA, Tom	Re-Allocate - Exp 1/18/07 (1 allocation) <i>Initial study expected to be reviewed soon</i>
MS 1162-05	DOTTA, Tom	Re-Allocate - Exp 1/18/07 (1 allocation)
MS 1176-05	MODE, Brian	Re-Allocate - Exp 1/18/07 (3 allocations) <i>Lot Line Adjustment anticipated shortly</i>
MS 1172-05	HOLTHOUSE, Brian	Re-Allocate - Exp 1/18/07 (1 allocation) <i>Added to prior list which had been distributed.</i>
MS 1158-04	COROTTO, Nenetete	Re-Allocate - Exp 1/18/07 (2 allocations) <i>Not recommended for reallocation due to the applicant not responding to requests from Planning staff</i>
MS 1154-04	LOMANTO, Larry	Re-Allocate - Exp 1/18/07 (3 allocation) <i>Project assigned; will be processed</i>
TSM 06-73	LICO-GRECO	Re-Allocate - Exp 1/18/07 (14 allocations) <i>Required geologic work completed and reviewed.</i>

PP Turner explained that all applicants had not contacted the Planning Staff following communication to the applicants. PP Turner explained that the applicants recommended for allocation extension had been making effort for progression, but due to circumstances

beyond the control of the applicants, the loss of allocation was eminent and therefore the recommendation was to approve the reallocations as outlined by staff.

Mr. Grimsley said that materials had been submitted, and due to extreme staff turnover, no action had occurred, therefore, the inaction was not the fault of the applicant.

**COMMISSIONERS SMITH/TOGNAZZINI MOTIONED TO APPROVE THE RE-ALLOCATION REQUESTS FOR MODE, MORRIS-BAUMGARTNER, AND HOLTHOUSE, WITH THE REMAINDER OF THE LIST {DOTTA, COROTTO, LOMANTO AND LICO-GRECO} TO A CONSENT AGENDA ITEM AT THE FEBRUARY 7, 2007 COMMISSION MEETING, WITH LOMANTO AND LICO-GRECO TO PROVIDE INFORMATION REGARDING THE EXCEPTION TO LOSS OF ALLOCATION TO THE STAFF FOR TRANSMITTAL TO THE COMMISSIONERS. THE MOTION PASSED (4-0-0-1) WITH THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COMMISSIONERS PRESENT; MACHADO WAS ABSENT.**

#### **INFORMATIONAL – NON-ACTION ITEM**

##### Commissioner Announcements/Reports/Discussions

Commissioner Bettencourt said he had given an overview of the General Plan update committee to the Republican Women's group and asked as to how the list of stakeholders was formulated. PP Turner said any parties interested in being named to the stakeholder list should contact DoP Henriques. Commissioner Bettencourt and Commissioner Tognazzini asked for more information regarding important measures such as this one.

Commissioner Smith said he had appeared to the Gavilan College Board as a private citizen, and encouraged a general meeting with the College Board and representatives of the County to talk about the future of the college campus with respect to the County General Plan update. He also advised that within the last week he had met with a member of the TDC Commission to learn more about TDCs. Commissioner Smith remarked that the meeting was informative.

Chair DeVries asked the status of the Enz mine project. PP Turner gave a brief update of the matter.

Commissioner Tognazzini reminded of the Fish and Game fees which were of concern. PP Turner read from the Office of Planning and Research (State Clearinghouse) regarding the limitations of local entities regarding any disparate thoughts/actions to the issue of the fees as set.

**ON A MOTION BY COMMISSIONERS TOGNAZZINI/BETTENCOURT, AND  
PASSED UNANIMOUSLY BY THE COMMISSIONERS PRESENT – WITH  
MACHADO ABSENT – CHAIR DeVRIES ADJOURNED THE MEETING AT  
9:00 P.M.**

*Minutes transcribed by:*

*Judi Johnson*

*Attest:*

*DoP Art Henriques*