

**CITY OF NEWARK
DELAWARE**

**PLANNING COMMISSION
MEETING**

January 2, 2007

7:30 p.m.

Present at the 7:30 p.m. meeting were:

Chairman: James Soles

Commissioners: Ralph Begleiter
James Bowman
Angela Dressel
Chris Hamilton
Mary Lou McDowell
Joe Russell

Staff Present: Roy H. Lopata, Planning Director

Chairman James Soles called the Planning Commission meeting to order at 7:30 p.m.

Dr. Jim Soles: I would like to add an agenda item with the permission of the Commission.

1. ADDITIONAL AGENDA ITEM: PLANNING COMMISSION WORKSHOP.

Following a brief discussion the Commission decided to hold a workshop to review Planning Department and Commission procedures and policies on February 8, 2007 at 7:00 p.m. in the City Manager's Conference Room.

2. AGENDA ITEM #2: THE MINUTES OF THE NOVEMBER 8, 2006 PLANNING COMMISSION MEETING.

The minutes of the November 8, 2006 Planning Commission meeting were approved as received.

3. AGENDA ITEM #3: REVIEW AND CONSIDERATION OF THE MINOR SUBDIVISION OF THE .5725 ACRE PROPERTY AT 108 E. MAIN STREET, TO ESTABLISH CONDOMINIUM BOUNDARIES AT THE SITE.

Mr. Lopata summarized his report to the Planning Commission which reads as follows:

On November 30, 2006, the Planning Department received an application from Richard Handloff and H. Gibbons Young for the minor subdivision of the property at 108 E. Main Street. The applicants are requesting this subdivision in order to bring the front portion of the now vacant former CVS building into conformity with Zoning Code Section 32-56.4(b). Under this requirement, a restaurant selling alcoholic beverages for consumption on the premises would not be permitted at this site because the property is adjacent to residentially zoned lands fronting on Center Street. Please note, in addition, that a previously Planning Commission reviewed major subdivision and parking waiver plan that would have added apartments to the CVS building's upper floors is now being reconsidered by City Council.

Please see the attached KCI Technologies, Inc. minor subdivision plan and applicants' supporting letter.

The Planning Department's report on this 108 E. Main Street minor subdivision follows:

Property Description and Related Data

1. Location:

North side of E. Main Street approximately 92 feet from the intersection of E. Main and Center Streets.

2. Size:

.5725 acres

3. Existing Land Use:

One story, 15,088 square foot building with the vacant old CVS Pharmacy in the front portion of the facility and Mid-Atlantic Ballet Academy to the rear. The central portion of the building contains a small approximately 30 foot long two-story section.

4. Physical Condition at the Site:

The 108 E. Main Street site is a developed property containing a one-story approximately 15,000 square foot building and a small rear parking area, currently leased to the City of Newark as a portion of Parking Lot #3.

In terms of topography, the site is relatively level with a slight slope from north to south toward E. Main Street.

Regarding soils, according to the United States Department of Agriculture's Natural Resources Conservation Service, the site consists primarily of Matapeake, Sassafras Urban Land complex soil. The Conservation Service indicates that these are disturbed soils that have been used for development purposes; no development limitations for the proposed use are indicated.

5. Planning and Zoning:

The 108 E. Main Street property is zoned BB. BB is Newark's central business district zoning that permits the following:

- A. Retail and specialty stores
- B. Retail food stores up to 5,000 square feet in maximum floor area, with special conditions
- C. Restaurants, taverns, bakery - restaurants and delicatessens
- D. Banks and finance institutions
- E. Offices for professional services and administrative activities
- F. Personal service establishments
- G. Studios for artists, designers, photographers, musicians, and sculptors
- H. Repair and servicing, indoor and off-site of any article for sale, which is permitted in this district
- I. Related indoor storage facilities as accessory uses with special requirements
- J. Accessory uses and accessory buildings
- K. Public parking garage and parking lot
- L. Public transit facilities
- M. Social club, fraternal, social service, union and civic organizations, except on ground floor locations
- N. Photo developing and finishing

BB also permits, with a Council granted Special Use Permit, the following:

- A. Retail food stores with more than 5,000 square feet in area
- B. Drive-in and curb service for other than eating establishments
- C. Fast-food restaurants with special requirements
- D. Motels and hotels
- E. Commercial in-door recreation and in-door theaters
- F. Instructional, business or trade schools
- G. Electric gas and telephone central offices and telephone central offices and substations with special requirements
- H. Tower, broadcasting or telecommunications on existing buildings or structures with special requirements
- I. Police and fire stations
- J. Library, museum and art gallery
- K. Church or other place of worship
- I. Restaurant, cafeteria style
- M. Apartments, except on ground floor locations, with special requirements
- N. Restaurants with alcoholic beverages, with special requirements

Regarding related BB zoning area requirements, if the City Council approves the requested condominium subdivision, any future restaurant operating in condominium area #1 would need to receive a special use permit from City Council and to comply with the following requirements, because this location would be within 300 feet of residentially zoned property:

- (1) Live night club or floor show type entertainment defined as electronically amplified musical dance, cabaret, or comedy performances that may be accompanied by dancing by patrons shall not be permitted, except that one person electronically amplified performances intended as accessory or background music or non-electronically amplified performances shall be permitted. Permitted live entertainment shall not include adult entertainment as defined in this chapter. Full restaurant service as defined in this section, shall be provided with all permitted live entertainment.
- (2) There shall be no carry-out liquor service.
- (3) No bar facilities, defined as any counter in which alcoholic beverages may be stored, displayed, prepared, and served, and at which patrons sit and/or stand and consume alcoholic beverages, shall be permitted.
- (4) There shall be no less than 50 seats in the facility.
- (5) There shall be no alcoholic beverage promotional activities that encourage excessive consumption on the premises. Happy hours, reduced price alcoholic beverage specials, or similar alcoholic beverage promotional activities shall only be permitted where the service of such specials is restricted solely to seated patrons who shall also be required to order food as further defined as full restaurant service in this section. Such alcoholic beverage specials, in addition, shall be restricted to hours of 4:00 p.m. to 9:00 p.m.
- (6) New and existing restaurants located as specified herein shall be limited to no sale of alcoholic beverages on the premises after 12:00 midnight, unless such restaurants receive a special use permit permitting sales after 12:00 midnight, subject to the procedural requirements in Zoning Code section 32-56.4 (b) and (f).

Regarding nearby properties, the 108 E. Main Street site is adjacent on the west to BB zoned commercial properties. The BB zoned United States Post Office is adjacent to the 108 E. Main Street parcel on the east along E. Main Street. Several RS (single family detached) zoned single-family type rental dwellings are located east of the north end of the site fronting on Center Street. The UN zoned University of Delaware tennis courts are north of a portion of the property leased to the City for Municipal Lot #3. Several UN and BB zoned properties including the Washington House condominium project (now under construction) and the Academy Building lawn, are located south of the site across E. Main Street.

Regarding comprehensive planning, the recently updated Comprehensive Plan calls for “commercial (pedestrian oriented)” uses at the 108 E. Main Street location. In addition, the City’s Downtown Economic Enhancement Strategy suggests “Downtown Core District” land uses for the site. The Strategy defines the, “Downtown Core District . . . as a first floor specialty and traditional retail district, and as an area with a balanced concentration of food and entertainment.”

Departmental Comments

The City’s Management, Planning and Operating Departments have reviewed the 108 E. Main Street minor subdivision plan and have the comments provided below. Where appropriate, the subdivision plan should be revised prior to its review by City Council.

1. The Planning Department notes that the plan should include all necessary condominium parcel dimensions and should conform to all State of Delaware condominium requirements.
2. The Planning Department notes that because the issue of upper floor apartments remains under consideration by City Council, the “Data Column,” Item #6 regarding parking requirements, which refers to “15” apartments, should be deleted.
3. The Planning Department suggests that the reference on the plan to “Preliminary Subdivision Plan,” should be revised to refer to “Minor Subdivision Plan.”
4. The Building Department indicates that in light of the request to establish condominium boundaries between uses on the property, any building permit plans for the site will be required to conform to all the applicable specifications for fire/party walls under the International Building Code.

Recommendation

While the Planning Department recognizes that the 108 E. Main Street subdivision plan’s condominium boundary and parcel line relocation is intended to make possible conformity with the City’s Zoning Code alcoholic beverage restrictions, because of the City’s recent adoption of the alcoholic beverage restaurant special use permit procedure, we see no land use planning related reason not to recommend approval of the subdivision plan. In other words, if, for example, the applicants were proposing the same plan for the purpose of establishing retail or office condominium suites at the location, we would find such a proposal acceptable. The Department might, on the other hand, come to a different conclusion if this property was not subject to the applicable Zoning Code alcoholic beverage restrictions and the special use approval requirement.

Beyond that, the proposed potential use also corresponds to the land use recommendations in the Newark Comprehensive Plan.

As a result, therefore, the Planning Department suggests **that the Planning Commission recommend that City Council approve the 108 E. Main Street minor subdivision plan, as shown on the KCI Technologies, Inc. plan, dated November 28, 2006, with the Departmental recommended conditions.**

Mr. Lopata: The applicant’s son is here. I am sure he will be happy to answer any questions or make a brief additional comment if he has any, and I will be happy to answer any questions.

Mr. James Bowman: By condominium, in effect, what does this allow – for a purchase of these individual blocks just the same as a condominium townhouse apartment only the use might be for an office?

Mr. Lopata: It could be sold or leased much like a condominium apartment building. What it does require, however, if this occurs and if a special use permit is granted for a restaurant with alcoholic beverages would be a party wall separating condominium area 1 from

condominium area 2 in the rear. In other words, there would have to be a party wall meeting Fire Code requirements because this becomes a property boundary. It becomes a real line and it gets recorded.

Mr. Bowman: It becomes a stand-alone parcel.

Mr. Lopata: Correct. The upper floor apartments will be one condominium that will continue to be owned by one owner and rented out as an individual apartment. This is being done in order to make it possible to have a restaurant in the front of the building. We are not trying to kid anyone I have had numerous conversations with the owners of this property over the years about this very thing. Our regulations on alcohol have changed, and at the moment this is a way to make it possible to have a sit-down restaurant with alcohol – not a bar or tavern.

Mr. Begleiter: Since you are raising that question, one other minor point. Your summary indicates that a sit-down restaurant, if this change were approved, would be able to serve alcohol until midnight.

Mr. Lopata: That is correct.

Mr. Begleiter: But, everybody else serves until 1:00 a.m. so, we could presume that the Council would be hard pressed to deny this restaurant the extra hour of sales.

Mr. Lopata: Actually, everyone else does not serve until 1:00 a.m. Cuccina Di Napoli is one. There are several others that have come under these restrictions.

Mr. Begleiter: Home Grown . . .

Mr. Lopata: Home Grown is the most recent one to change it. I would hope that they would not do that, but you are right, the precedent is set. The Code specifies twelve midnight. I think for a sit-down restaurant like a Caffé Gelato, there is no need to be open selling alcohol until one o'clock, but I have been wrong about that in the past.

Mr. Begleiter: Yes, and it could be across the street from a wine bar.

Mr. Lopata: They may be. Interestingly enough, the University Marriott Courtyard is going to come before Council. They are going to ask for their regulations to be changed. They have some tougher regulations than these regarding alcohol that the University is going to be asking be revised. So, Ralph, you are right. There is certainly the potential for changing that.

Mr. Begleiter: And then amended them by individual application.

Mr. Lopata: That is correct. As a condition of the special use permit, Council can do that.

Mr. Begleiter: I am not raising it for an objection except that you talked about not kidding anybody. Let's not kid anybody that it is twelve midnight either.

Mr. Lopata: I think that the thing that Council feels most strongly about – and certainly the Planning Department does – is the bar. That makes a big difference. A restaurant with no bar – they can have a service bar – makes a big difference in the type of restaurant.

Ms. Mary Lou McDowell: Is this just for Area 1? Is that what we are talking about?

Mr. Lopata: Area 1, because it will not be adjacent to residential, that is the only part of the building where they can serve alcohol. The back area will still be adjacent to the homes on Center Street. And the apartments above, of course, are residential. It is not permitted upstairs.

Mr. Begleiter: That is a good question. What happens if a future purchaser of the condominiums in the area on the ground floor behind the prospective restaurant decided to sell that condominium to the restaurant owner?

Mr. Lopata: They cannot have alcohol.

Mr. Begleiter: No, could not have alcohol in that part of the restaurant but could operate the restaurant as a single facility as long as alcohol did not cross that magic line in the floor.

Mr. Lopata: That, in theory, is possible, but you have the party wall problem.

Mr. Joe Russell: Do they have plans for the front façade of the building to be changed because right now it looks like a D-Day bunker.

Mr. Brian Handloff: A lot of the delay in development has been a lack of a tenant. The main reason for this is that there have been several restaurants that were interested in renting it, but along with the Charcoal Pit (California Tortilla) site, the fear is that without being able to get a liquor license that it is not a viable business. There is no intension for a bar, but it is just with the climate that Main Street is becoming. Restaurants are where it is headed. That is basically what they want to be able to do. It makes it much more attractive to a prospective tenant having that ability without having to come and get that later.

Mr. Lopata: To answer that question more directly. The façade, as I understand it, is going to be changed dramatically.

Mr. Handloff: That is kind of assumed that when we get a tenant that will come in line with whatever else is going on Main Street.

Mr. Russell: It is long overdue.

Mr. Handloff: It certainly is.

Dr. Soles: Are there any other questions for Mr. Handloff? For Roy? Is there any public comment?

Ms. Dawn Calzada: 711 Harvard Lane. Is the plan available as an exhibit for the public to look at?

Mr. Lopata: It is really just boxes, Dawn. There are no façade drawings. That was really the question, I think, Joe asked about what it was going to look like. We don't know yet.

[Secretary's note: Mr. Lopata handed a copy of the plan to Ms. Calzada.]

Mr. Begleiter: All plans, Roy, presented to the Commission are public, are they not?

Mr. Lopata: Oh, absolutely. I did not display this one because there was nothing to see as far as I could tell. I normally put them up on the bulletin board.

Mrs. Jean White: 103 Radcliffe Drive. I have some comments, but I have some initial questions to start with for some clarification. I wondered if currently there was one heating system, one air conditioning system for the CVS space and the Mid Atlantic Ballet backspace, whether it is one heating system or whether it is separate.

Mr. Handloff: Separate.

Mrs. White: And will stay separate. I wondered, who will own the building itself?

Mr. Lopata: Typically, a condominium corporation is set up that will own the whole building.

Mrs. White: Is that also true about who owns the land beneath the building?

Mr. Lopata: Typically. Not always. Waterstone across the street is identical – commercial in the front, apartments above. Sometimes they set up series of corporations for tax reasons,

Jean. There is a management company that will manage it if it is a large condo, and there is a company that owns it. And then they will have either separate leases or separate owners.

Mrs. White: I guess it is hard for me to think it is easier when it is an apartment type thing, but it is harder for me to think of it when it is businesses. So, is what Roy says what you intend to do – have a condominium association?

Mr. Handloff: Right now I am not sure how they have it.

Mr. Lopata: I am just saying that is typical. Sometimes those corporations are one in the same. The same people run each one.

Mrs. White: I wondered if this passes that the applicants intended to rent condominium #1, which is the CVS space or intend to sell it as a condominium. I know, at this point it is not definite because you do not have your tenant yet.

Mr. Handloff: (inaudible)

Mrs. White: But, you are creating condominiums, in theory, so you can sell them.

Mr. Lopata: The units can be leased or can be sold. They are setting up separate parcels, but the parcels themselves can be owned by one entity.

Mrs. White: So, for example, the Mid Atlantic Ballet does not have to buy its condominium. It can continue to rent.

Mr. Lopata: I hope that they would not be forced to buy it.

Mrs. White: In fact, the setup may be entirely as it has been before it was rented to CVS and entities before it. And, so, on paper they are condominiums; but in fact, the setup can be almost identical.

Mr. Lopata: Jean, as I explained to other people in other contexts, physically you will not be able to tell the difference. You will have the ballet school in the back or something else, a restaurant in the front and ten apartments above.

Mrs. White: In terms of parking requirements, my understanding is that the first floor – both the CVS space and the back – in light of the amount that is leased to the City no more parking is needed for the current uses. And that has always been retail. The CVS before it was Sharrah's Fabrics and before that it was Grant's, before my time. It seems to me, if I am not mistaken, is that a restaurant ends up needing more parking.

Mr. Lopata: They may need a parking waiver depending on the size and scope of the restaurant. So, they may have to go back and recalculate that.

Mrs. White: If this goes through, if the condominium is sold to a restaurant, then the restaurant would have to pay the fee in lieu of spaces.

Mr. Lopata: Correct.

Mrs. White: But, if it is rented or leased to your father and Mr. Young, then they would have to pay it.

Mr. Lopata: Not necessarily. Panera Bread is leasing, but they pay the fee. It really depends upon the private relationship between the two. But you are right. I did not get into that because I do not know how big the restaurant is going to be.

Mrs. White: Right, but in theory at least, I do think that restaurants end up with more parking spaces.

Mr. Lopata: They have one space per three seats versus the square footage requirement.

Mrs. White: It is not exactly relevant, but I just wanted to understand it. It is an unusual situation because, basically, the building itself and the part that will presumably be built one is making three condominiums, but the ones upstairs, collectively those, presumably, ten apartments will be one condominium but will then be rented out to ten different subsets of people. So, it is a condominium in practice, but it is rented. Then condominium 2 to Mid Atlantic Ballet – presumably that is still the same procedure – and then to the restaurant, it can either be rented or you call it leased, or it could be sold. But, it sounds like, probably, it will still be rented.

Mr. Lopata: Nothing was said to the Planning Department that indicated that these were actually going to be sold.

Mrs. White: So, it is presumed that. It is clear that it is being done for the sole purpose so that the front space can be a restaurant that serves alcohol. I understand that. Obviously, if there were some way to sell the part of the building with the land under it to an owner that would be, I guess they call it, fee simple. That is a clear case of dividing the property . . .

Mr. Lopata: We have to do condominiums because of other zoning requirements.

Mrs. White: That is a good point to have made, which I might not have appreciated. So, there is no rule that a certain percent of the condominiums have to be owner occupied?

Mr. Lopata: No, nothing like that at all.

Mrs. White: That is more when you are setting up, for example, the Washington House condominium that is being set up that way because of the agreement of those.

Mr. Lopata: Remember, as I mentioned, the rental issue has already been through the mill. The ten apartments, in theory, have been endorsed by the Commission and Council.

Mrs. White: But, where you see cases where 80% of the units have to be owner occupied, that is not any larger rule of condominiums that is just . . .

Mr. Lopata: That was something that the Planning Commission, the Staff and the City Council wanted to discourage rentals.

Mrs. White: For the other situation. This is different.

Mr. Lopata: The CVS project was earlier.

Mrs. White: I understand that this is different. I am just trying to clarify whether there is any rule of condominiums.

Mr. Lopata: Not in this context.

Mrs. White: I was interested to know if you already had a restaurant in mind.

Mr. Handloff: Not at the moment. There were several that were very interested that shied away because of this current zoning.

Mrs. White: I have mixed feelings about creating the condominiums. On the positive side, I think this can be seen as a creative solution to allow an alcohol serving restaurant in the CVS, which is clearly fronting Main Street, and is a very long, deep property. Looking at the plan is 15,000 square feet and taking the depth of it about 60% of that, or the front 9,000 square feet is the CVS space, and the back portion about 40% or 6,000 is the Mid Atlantic Ballet, so really, it does not seem unreasonable to do this from, at least, my point of view. On the negative side – I am not sure I feel this – someone could view it as a sneaky way of getting around the ordinance. The concern might not be in this particular situation where you have a 60/40 split and a very long, deep property, but you could imagine someplace else some property in which they take 95% of it to be one condominium and then take a little strip at the back that touches residential and make a condominium of that just so they are not touching some residential.

Mr. Lopata: We do have a clause in the Subdivision Regulations about awkward lots, which I think we would use when someone was clearly creating slivers to get around the Zoning Code. As you said, in this case it is pretty straight forward what is happening. It is a deep lot.

Mrs. White: It is a deep lot and these are still very large parcels. I guess I wouldn't want to see the concept used with a sliver to get by something.

Mr. Lopata: I agree.

Mrs. White: I guess with understanding how this is being handled, and most likely it sounds like it is going to be leased in all of the condominiums, I guess I would feel better if the front part were sold to a restaurant, but I can see that that is probably not going to happen. So, I guess I don't have any objections having made those comments.

And, I would like to make some final comments that are in general. This is an example of a conversion of what has been retail for a really long time. I did know the wonderful Sharrah's Fabrics that was there, which was a wonderful store. CVS did not excite me but now that it is closed, I realize that there are some things that I got there that I can't get at the other three drug stores in town. What saddens me is that more of Main Street businesses are being lost to retail and going to restaurants. It is like an over supply of restaurants. I am not talking about what will go in this space because we just don't know. I was thinking that through the years we have Panera Bread that was at one point before Goodwill was Western Auto. We have Caffé Gelato which is half of a building that was Braunsteins Clothing, we have Pita Place and Coldstone Creamery which were Gershman's Clothing. We have the bagel place that was Rhodes Pharmacy. We have Quizno's that was in the (inaudible) building that is Village Imports and a jewelry store before that. We have Brewed Awakenings that was many things, including Punch and Judy (a toy store). Of course, we have this. We have Starbucks that is half of a building that was a furniture store. We have the Galleria which was a block of many things beforehand including the State Theater building, but also had a number of shops. It has four different restaurants- Grottos, Shaggy's, Brew HaHa! and Lettuce Feed You. One could go on with where Newark Lumber was. There are now two food stores. A number of these that are there now are ones that I go to and like. I am not hitting any of them as something that I wouldn't necessarily like, but the net effect is that retail overall has been converted to eating establishments. Although, I don't object to it here per se, there is less and less retail, and I am sorry to see so much of it going in that direction because there is not so much left for those of us that want to do something other eat on Main Street, even though we do that, too. Thank you.

Dr. Soles: Are there any other comments from the Commission?

Ms. McDowell: I actually had a question that is not specifically related to this, but I am just curious. Is it the intent of you or the Mid Atlantic Ballet that they are going to remain occupants?

Mr. Handloff: As far as we know.

Dr. Soles: I remember buying a suit on Main Street once. I did not have to go to Goodwill store either. I bought it a Murray's Men's' Store. The first day I taught at Delaware, I bought a suit there.

At this point, we are in a position to act.

MOTION BY BOWMAN, SECONDED BY BEGLEITER, THAT THE PLANNING COMMISSION RECOMMEND THAT CITY COUNCIL APPROVE THE 108 E. MAIN STREET MINOR SUBDIVISION PLAN, AS SHOWN ON THE KCI TECHNOLOGIES, INC. PLAN, DATED NOVEMBER 28, 2006 WITH THE DEPARTMENTAL RECOMMENDED CONDITIONS.

VOTE: 7-0

AYE: BEGLEITER, BOWMAN, DRESSEL, HAMILTON, McDOWELL,
RUSSELL, SOLES
NAY: NONE

MOTION PASSED UNANIMOUSLY

Dr. Soles: Is there anything else to come before the Commission?

Mr. Begleiter: Mr. Chairman, if I may, I would like to make a little remark concerning a matter that has come before this Commission in the past and is now before the City Council, and that is the Commerce Bank project. I would just like to say, and I am basing this only on newspaper reports because I have not seen the minutes of the December meeting of the Council, yet. I would like to say that I am very pleased that the City Council made the decision to accept the Planning Commission's recommendation, which recognized the public need for Chapel Street improvements in the public interest before opening the drive-in lanes of Commerce Bank. I am disappointed, however, at the Council's caving into the Bank's pressure, which was also expressed here to the Planning Commission to open the drive-in lanes before the street improvements are complete. I believe that is in disregard of the public interest since both the Planning Commission and the City Council have acknowledged officially that there is a public interest in making those street improvements. I am disappointed that they went ahead without them. I just would like to say that I hope that City Council will not abandon the street improvements or relent any further on the deadline for their completion. And, I certainly hope that if for some reason the street improvements on S. Chapel Street do not materialize in accordance with the current City Council schedule, that the Council will insist on closing the drive-up lanes rather than saying, oh, well, we have already opened them and therefore we will give them more time and more time and more time. I would just like to make that statement on the record.

Mr. Lopata: Mr. Chairman if I could just provide one additional piece of information. I did not see the newspaper because I was away, but the money for the improvements has been posted with a bond.

Mr. Begleiter: I am well aware of that. It doesn't cost the Bank anything except a little bit of lost interest to . . .

Mr. Lopata: That means that the project will be completed.

Mr. Begleiter: Someday.

Mr. Lopata: Right. Sooner than later.

Mr. Begleiter: But, in the meantime, the public interest of having those improvements on the street is being delayed.

Mr. Lopata: Part of the negotiations, which I am not sure, again, was clear in the paper, they are only being allowed a right turn in. It was all explained, but I understand the concern. We certainly had plenty of debate about it here, and I think the Commission, and rightly so, made some very tough recommendations that, I think, will see the light of day in a relative short term. The Bank was very aggressive in working to get, of course, their bank done, and the Chapel Street improvements done. They have roadblocks with right-of-ways and some telephone pole problems.

The meeting adjourned at 8:05.

Respectfully Submitted,

Elizabeth Dowell
Secretary, Planning Commission