



## SUDBURY CONSERVATION COMMISSION MINUTES

Meeting Minutes of Monday, June 23, 2025

**Present:** David Henkels, Chair; Ken Holtz, Vice Chair; Jeremy Cook; Luke Faust (7:16 PM); Bruce Porter; Kasey Rogers; Mark Sevier; Harry Hoffman, Associate Member; Victor Sulkowski, Associate Member; and Lori Capone, Conservation Coordinator

The meeting was called to Order by Chair Henkels at 7:01 PM via roll call.

### Wetland Applications:

#### **Notice of Intent: 173 Peakham Road, DEP #301-1445**

Chair Henkels resumed the Hearing for the project to remove trees after-the-fact within the 100-foot Buffer Zone and local riverfront area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Pieter and Esther Duplessis were the applicants. This Hearing was continued from June 9, 2025.

Hearing no public comment or questions from the Commission, Chair Henkels requested a motion to close the hearing.

On motion by Comm. Holtz to close the Hearing, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

Coordinator Capone then summarized the special condition within the Order of Conditions: the Order would remain open for a period of three years to confirm that the applicants follow through with invasive species management, which had been offered as mitigation for the unpermitted tree removal. She emphasized that this condition differs from standard practice, as most Orders may close upon completion of work. In this case, since the tree removal was already complete, the Commission required an extended monitoring period to ensure ecological recovery efforts are implemented.

On motion by Comm. Cook to issue the Order of Conditions, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative.

#### **Notice of Intent: 20 Tavern Circle, DEP #301-TBD**

Chair Henkels resumed the Hearing for the project to remove trees within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Matthew Drew was the applicant. This Hearing was continued from January 27, 2025.

On motion by Comm. Rogers to continue the Hearing to July 7, 2025, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

#### **Notice of Intent: 182 Wayside Inn Road, DEP #301-1434**

Chair Henkels resumed the Hearing for the project to install a gravel driveway and stream crossing after-the-fact, renovate and expand an existing garage, construct an accessory out-building, exterior pool, and replace an existing culvert within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Andrew Leverone was the applicant. This Hearing was continued from November 18, 2024.

Mr. Leverone recapped that the initial discussions took place during the winter, and he was now presenting an updated and more detailed site plan. He acknowledged that the outstanding question from the last meeting involved the stream status. He reported that the stream had resumed steady flow prior to the end of the drought and, although he had not sought expert confirmation, he considered the stream to be perennial.

Chair Henkels confirmed for the record that Mr. Leverone intended to proceed on the basis that the stream is perennial, which Mr. Leverone affirmed.

Mr. Leverone explained that the new plan consolidates the various project components into a comprehensive master plan, including a revised pool and patio layout, accessory building, garage expansion, and associated plantings. He noted that while no timeline has been finalized, the garage is the likely first phase of construction, followed by pool and landscaping work. A planting list had also been submitted and includes proposed trees and shrubs to support mitigation requirements.

Mr. Leverone re-affirmed his understanding that the stream should be considered perennial and asked the Commission for guidance on whether the existing culvert and stream crossing could remain as constructed, or if removal or redesign would be necessary. He emphasized that significant time, money, and materials had been invested into the existing crossing and expressed a desire to retain it if possible.

Coordinator Capone explained that designation of the stream as perennial places most of the proposed work within the outer Riverfront Area. The exception would be the proposed pool, deck, and associated structures, which fall within the inner Riverfront Area and require more stringent scrutiny. She stated that the Massachusetts Department of Environmental Protection (DEP) had already commented that the current stream crossing design does not meet stream crossing standards. If the applicant intends to keep the crossing, it must be redesigned to comply with those standards. The Commission must also consider the alternative of relocating the crossing entirely, potentially connecting to Pride's Crossing Road.

Coordinator Capone further explained that the updated plan presented by the applicant lacks essential information, including accurate calculations of existing and proposed impacts within the Riverfront Area, a revised survey plan that reflects all proposed activities and associated mitigation areas, quantified planting details, and a clarification on the location of proposed mitigation areas.

Comm. Rogers asked whether the newly proposed deck expansion was properly included in the Notice of Intent. Coordinator Capone confirmed that while it was not part of the original plan, it is allowable under the Wetlands Protection Act and local Bylaw if located more than 50 feet from wetlands in a landscaped area, and therefore did not require amendment to the legal filing.

Comm. Faust joined the meeting at this point.

Comm. Holtz inquired whether the proposed plan exceeded the allowable 10% alteration threshold for Riverfront Area under the Wetlands Protection Act. Coordinator Capone confirmed that she believed the project already exceeded the 10% limit, even prior to the latest revisions. She noted that the Commission has discretion to allow up to 5,000 square feet or 10% disturbance—whichever is greater—on grandfathered lots. Exceeding that limit would require removal of some proposed elements, as the Commission does not have discretion to approve projects beyond that threshold.

Chair Henkels asked whether a Stormwater Permit would also be required. Coordinator Capone replied that the level of alteration would trigger at least a General Stormwater Permit from the Planning Department, as previously discussed in the November 2024 hearing. Mr. Leverone acknowledged that he had not yet contacted Planning about the permit.

Comm. Porter raised questions about jurisdiction and permit responsibilities, particularly regarding the Stormwater Bylaw. Coordinator Capone clarified that if a project triggers the stormwater thresholds, the Planning Board typically administers the permit. However, in cases where no other permitting board is involved, Planning may delegate that authority to the Conservation Commission. In such instances, the Commission would issue a separate Stormwater Permit under the local Bylaw.

Comm. Holtz asked how the applicant intends to manage runoff from the proposed garage and accessory outbuilding. Mr. Leverone responded that he would need to consult with his architect and provide that information in a future submission. Comm. Holtz emphasized that the Commission is particularly interested in how impervious surfaces will be handled, including the gravel driveway. Coordinator Capone noted that while the driveway is not paved, it functions as a hard-packed surface and may require stormwater treatment as well.

Chair Henkels stated that significant detail was still lacking and requested that Coordinator Capone organize another site visit, given the seasonal changes since the previous inspection.

Comm. Sevier asked whether the applicant intended to retain the stream crossing. Mr. Leverone affirmed that he did, citing the need for access to the rear pasture for invasive species management and brush hogging. He explained that the original rock crossing failed and that his installation of a culvert was intended to improve what had previously existed. Comm. Sevier also noted that the proposed pool as drawn on the original plan appeared smaller than what was currently being proposed. Mr. Leverone agreed and clarified that the initial plan only included a placeholder. The current submittal was meant to offer a more accurate and detailed design for the pool and surrounding landscape.

Comm. Holtz returned to the 10% Riverfront Area disturbance threshold and asked whether the updated pool and patio dimensions were included in the current calculations. Mr. Leverone confirmed that they were not, and acknowledged that providing updated square footage figures would be necessary. He stated he had already added that to his list of action items.

Comm. Holtz reiterated the need for a more detailed planting and mitigation plan, including quantities, species, and ongoing invasive species control. These details would be important for the Commission to evaluate the proposal against performance standards and the Wetlands Protection Act requirements.

Chair Henkels asked Coordinator Capone to clarify what the applicant or the Commission was responsible for submitting to the Massachusetts Department of Environmental Protection (DEP), particularly regarding the culvert crossing. Coordinator Capone explained that because the stream is classified as perennial, any crossing must meet the state's stream crossing standards, specifically including calculations such as the openness ratio. The current culvert design does not meet those standards. As a result, the engineering team must reevaluate, redesign, and resubmit a compliant plan, which must then be submitted simultaneously to both the Commission and DEP.

Chair Henkels inquired whether the Commission could proceed with evaluating the remainder of the project without that revised stream crossing plan. Coordinator Capone responded that the lack of an updated design is one of several outstanding issues and that a full plan must be provided before the Commission can evaluate the project in its entirety.

Chair Henkels also asked when Mr. Leverone should next return before the Commission. Coordinator Capone advised that the next step must come from the applicant's engineers: they need to redesign the culvert, calculate the impacts to the Riverfront Area, and resubmit the full revised plan to both the Commission and DEP. DEP had not raised additional concerns at that time beyond the stream crossing, but may offer further comments upon receiving the new submission.

Comm. Holtz then commented that the intent of this session was to determine whether the project was moving in the right direction. Based on the limitations outlined under the Wetlands Protection Act, particularly the prohibition on altering more than 10% of the Riverfront Area, he stated that the applicant would need to eliminate some components from the plan. Specifically, the Commission has no discretion to permit a project that exceeds that statutory threshold. He suggested that the applicant reconsider which elements could be removed to reduce the total impact.

Coordinator Capone agreed and noted that the newly constructed gravel road was likely the largest contributor to the overage. She advised that restoring the road to lawn or another pervious surface might recover sufficient square footage to allow the rest of the proposed features to remain under the limit. However, she reiterated that only the project engineers could calculate and confirm those numbers.

Coordinator Capone advised Mr. Leverone to reach out directly to DEP to discuss their prior comments on the stream crossing design. She offered to participate in that meeting if needed. Mr. Leverone asked whether it would be possible to segment the project and move forward with the garage and stream crossing separately from the rest of the site work. Coordinator Capone responded that segmenting the project would not change the 10 percent Riverfront Area disturbance threshold, which applies to the entire site. She noted that the unpermitted stream crossing remains the central concern for the Commission at this stage.

Comm. Sevier reminded Mr. Leverone that Orders of Conditions expire after three years and that if the pool project is not pursued for several years, extensions may be necessary. Coordinator Capone added that the Commission does not allow multiple open Notices of Intent simultaneously and would expect any initial filing to be closed before a new one is submitted.

Mr. Leverone stated that the discussion had provided helpful clarity, and he committed to facilitating another on-site meeting and submitting the required materials. Chair Henkels thanked him for his participation and suggested potential continuation dates. Mr. Leverone indicated that he would like to continue the hearing to August 4, 2025.

On motion by Comm. Rogers to continue the Hearing to August 4, 2025, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

**Request for Determination of Applicability: 112 Powers Road, RDA #25-04 and Certificates of Compliance: 112 Powers Road, DEP #301-168, DEP #301-286, DEP #301-1076**

Chair Henkels introduced the next project for the after-the-fact reconstruction of a barn within the 100-foot Buffer Zone under the Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw.

Kailia Starr introduced herself and her husband, Ken Manning, and explained that their barn, originally constructed to resemble a barn in approximately 1986, had served as their office for the past 20 years. In January, a fire caused extensive smoke and water damage. The structure did not fully burn, but due to the damage, much of it had to be dismantled. They proposed to rebuild the barn on the original concrete slab foundation, with a garage below and office space above, maintaining the same footprint.

The only proposed change was the reconstruction of a previously cantilevered deck, which they now intended to support with three concrete footings. This change was visible during a site visit by Coordinator Capone. No additional alterations were proposed.

Coordinator Capone provided further context, noting that the reconstruction began before filing with the Commission. Though the applicants had submitted for a building permit, work proceeded before completing the conservation permitting process. She visited the site after learning of the construction and issued a stop-work order. At that point, most of the structure, including the roof and walls, had been erected. Interior work was underway, and footings for the new deck had been excavated but not installed.

Coordinator Capone explained that the footings and deck stairs were a building code requirement due to lack of egress and that the proposed deck would be located over lawn. Originally, she had anticipated requiring a Notice of Intent due to the proximity to a stream, but upon confirming that the existing foundation was being reused and that the project would not further encroach upon the resource area, she determined an RDA would suffice. She reported that Ms. Starr responded quickly once informed of the permitting oversight.

Coordinator Capone stated that the barn reconstruction had no negative impact on the resource area. A vegetated buffer of approximately 20 feet to the stream remained undisturbed. No trees had been removed. The applicant also proposed to use rain barrels to collect roof runoff for irrigation. Based on these factors, she recommended that the Commission issue a negative Determination to allow construction to resume.

Chair Henkels thanked Coordinator Capone and invited questions from the Commissioners.

Comm. Sevier suggested that the Commission discuss the remaining issues related to the property while the matter was still active. Coordinator Capone agreed and offered to summarize the historical context, though she cautioned that the files were incomplete. Ms. Starr confirmed she was unfamiliar with any of the past activity, as it all predated her ownership.

Coordinator Capone explained that in 1988, an Enforcement Order was issued to a previous owner for filling approximately 2,900 square feet of wetlands. An Order of Conditions was issued to require restoration of the impacted area, but that permit lapsed. A new Order of Conditions was issued in 1990 for the same purpose. According to minutes from the time, the required work involved removing fill placed in the southwest corner of the wetland, near a bend in the stream behind the property. In 1995,

the prior owner requested a Certificate of Compliance, and the Commission discussed conducting a site visit, but there was no documentation that a Certificate was ever issued, nor any follow-up.

Coordinator Capone surmised that the restoration work was completed, since a new Order of Conditions was granted in approximately 2008–2012 to the current owners for an addition to the house. No mention of prior violations appeared in the minutes from that application, suggesting the matter had been considered resolved at the time.

She noted that the 1988 Enforcement Order and 1990 Order of Conditions were both recorded on the Deed, and still appear as encumbrances. She requested that the Commission issue Certificates of Compliance for both to clear the title. The more recent Order of Conditions for the house addition had never been recorded but was completed in compliance, and she recommended issuing a Certificate of Compliance for that file as well to officially close it.

Comm. Sevier asked whether Coordinator Capone could identify the original 2,900-square-foot impact area from 1988. She replied that it was likely the southwest corner of the property, near where the stream bends, and displayed the GIS map to show the area in question. The location now appears naturally vegetated with trees and undergrowth, and lawn does not extend into that section. She acknowledged that although it could not be definitively confirmed whether the restoration met its original specifications, disturbing the site now to re-perform that work would likely cause more harm than benefit, 37 years later.

Ms. Starr reiterated that she and her husband were unaware of the historical violations or the recorded restrictions when they purchased the property, noting that they were surprised it hadn't come up during the sale.

Chair Henkels asked whether the Commission could proceed with voting on the three Certificates of Compliance at that point, even though it was out of order in the agenda. Coordinator Capone confirmed that they could.

On motion by Comm. Porter to issue the Certificate of Compliance #301-0168, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative.

On motion by Comm. Faust to issue the Certificate of Compliance #301-0286, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

On motion by Comm. Faust to issue the Certificate of Compliance #301-1076, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

On motion by Comm. Holtz to issue a negative Determination of Applicability #3, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.

#### **Notice of Intent: 26 Windmill Drive, DEP #301-TBD**

Chair Henkels opened the Hearing for the project to construct a garage, expand the driveway, replace the existing deck and replace the walkway, within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Aaron Widell was the applicant.

Montgomery Nsamba, of Stamski and McNary, began a presentation using a shared screen. He described the existing conditions of the property, including the house, driveway, deck, and walkway, all situated in relation to the 100-foot Buffer Zone. He explained the proposed project would involve demolition of portions of the house and deck, with a new garage addition and similar replacement deck. The walkway would be replaced with a paved surface connecting the new front steps to the driveway. He noted removal and reconfiguration of sections of the existing driveway. He described the installation of erosion controls and a proposed mitigation planting area of 597 square feet to offset the increase in impervious surface.

Coordinator Capone first asked Mr. Montgomery whether he had visited the site, and he confirmed he had not. She then stated that the existing walkway was not gravel but rather paver stones, a pervious surface. She noted that the proposed walkway would be asphalt, a change to impervious surface. She described the wetland at the rear of the property as lower quality, with a stream that continues through a catch basin and under the street. She stated there was a narrow fringe of natural vegetation and then a maintained lawn area.

Coordinator Capone said that while most of the proposed work occurred over existing structures and driveways, she would like more information about the net change in impervious surface, particularly because the driveway configuration appeared to be increasing rather than decreasing. She noted that the original mitigation calculations did not seem to include the paved walkway. She stated that while she believed the project was generally permissible, she had a more serious concern about site alterations that had occurred in the rear yard.

Specifically, Coordinator Capone noted that a large area of the Buffer Zone had recently been cleared, including removal of the wetland flags, making it impossible to verify the wetland boundary. She observed that the wetland itself may have been altered or filled with wood chips. She said she needed to meet with the wetland scientist who flagged the site to confirm the boundary and assess potential wetland alteration.

Mr. Montgomery responded that he had been unaware of the recent clearing and that the client had not informed him. He said he would contact the client and also reach out to the wetland scientist, Dave Crossman, to follow up.

Chair Henkels invited questions from Commissioners.

Comm. Holtz asked about the existing and proposed driveway materials, confirming both were asphalt. He noted the driveway appeared to extend northward on the plan, allowing for easier vehicle egress. He inquired about a proposed extension of the driveway close to the wetland, estimating it to be about 18 feet from the wetland, and asked about the purpose of that extra section given an existing turnaround. Mr. Nsamba explained the additional driveway area was likely intended to provide more parking spaces.

Comm. Holtz further questioned the space between the proposed driveway and a proposed paved walkway near the garage, confirming it was lawn area. Mr. Nsamba agreed.

Assoc. Comm. Hoffman, asked about the driveway width and if the added width from 16 to 18 feet was to accommodate more parking. He wondered if parking along the length of the driveway would be sufficient, and whether two vehicles could pass at once. Mr. Nsamba confirmed the client wanted additional parking spaces, estimating about three more spaces in the proposed extension area. He said the driveway was fairly long and they could discuss adjustments to move the driveway further from the wetlands if needed.

Comm. Holtz suggested it would be useful to know the driveway's length and width, and whether two cars could fit side by side or if parking along the length would allow access to the garage. Mr. Nsamba agreed to add those dimensions in the revised plan.

Chair Henkels asked Coordinator Capone about the area where wood chips or mulch had been placed in the rear of the property, noting some wetland flags appeared missing there. Coordinator Capone confirmed that the vegetation and wetland flags were removed in that area.

Chair Henkels asked what the process would be for the engineer to determine the wetland boundary in the absence of vegetation. Coordinator Capone explained that the wetland scientist would likely remove or disturb the thin layer of wood chips to examine the soil, looking for hydric soil indicators to locate the boundary based on soils and other evidence.

Chair Henkels asked if, assuming the wetland flags were originally placed but are now gone, and if hydric soils confirm the area as wetland, would additional mitigation be required due to the potential violation. Coordinator Capone responded that the Commission would likely require revegetation of the wetland and the buffer zone area that was cleared, either as part of the project or separately to address the disturbance.

Comm. Holtz asked for clarification on the location of the wood chip clearing on the plan. Coordinator Capone indicated it was near the upper right part of the site, beyond flag 6 and toward the back of the property. She noted the clearing extended between flags 6 and 8.

Coordinator Capone shared photos showing the wetland edge and the cleared area behind the deck, confirming the cleared area extends within the buffer zone and possibly into wetlands. The cleared area included lawn and small

trees and shrubs, primarily red maples and low growth, with no major invasive species visible. It was noted this clearing extended up to the property line, and neighbors' properties also had brushy or tree-lined edges.

Comm. Rogers asked whether the neighbors had also cleared to their property line, and Coordinator Capone confirmed the presence of a tree or brush line there.

Comm. Porter asked for more detail on the number of proposed parking spaces—whether the number met a peak parking requirement or was intended for family visits—to ensure the parking area was appropriately sized and not excessively large. Mr. Nsamba said he would discuss this with the client to provide a clearer answer.

On motion by Comm. Cook to continue the Hearing to July 21, 2025, seconded by Comm. Porter, via roll call the vote was unanimous in the affirmative.

### Certificates of Compliance:

#### **Maillet: 9 Trevor Way, DEP #301-1247**

Coordinator Capone stated that this item would need to be tabled for the evening. She explained that a required Deed Restriction from 2006 had never been completed. She indicated that additional research was needed to determine why the restriction had been required, the scope of the requirement, and the language it was intended to include in order to ensure compliance.

Chair Henkels acknowledged the update and asked for clarification on procedure. Coordinator Capone confirmed that the item would simply be tabled rather than formally continued.

### Other Business:

#### **Sponsor LS Adult Education Walk: Davis Farm and Broadacres, Neela de Zoysa**

Chair Henkels began the discussion regarding the sponsorship of a Lincoln Sudbury adult education walk at Davis Farm and Broadacres Farm.

Coordinator Capone explained that Neela de Zoysa has been leading several walks through the Lincoln-Sudbury Adult Education Program, including wildflower classes. This year, Ms. de Zoysa requested the Commission's sponsorship for a walk along the Bruce Freeman Rail Trail, which would include access to Davis Farm and Broadacres Farm properties to educate participants about the town's conservation lands. A pollinator meadow brochure for Davis Farm is also in development to highlight this habitat.

Chair Henkels asked Coordinator Capone if there was an expected maximum number of participants; she replied it would be a small group. He also inquired about any required waivers, and Coordinator Capone confirmed with Human Resources there was no liability for the Commission.

Comm. Faust noted that the Commission already holds walks at Davis Farm in May and suggested scheduling this new program outside May to avoid conflicting events. Coordinator Capone confirmed the proposed walk would be in November.

Ms. de Zoysa introduced herself and expressed appreciation for the Commission's support, emphasizing the goal of increasing public awareness of town conservation lands. Amy Rose, the incoming director of Lincoln-Sudbury Adult and Community Education, also spoke, highlighting the value of these guided walks in building community and celebrating local natural resources.

Comm. Holtz asked what sponsorship entailed. Coordinator Capone explained that the Commission's role would be limited to permitting the walk and acknowledging the sponsorship in promotional materials, with no financial commitment required. Ms. de Zoysa noted past collaborations with other organizations sponsoring walks on properties they manage and welcomed the suggestion to coordinate with the Bruce Freeman Rail Trail Advisory Task Force. Comm. Holtz also mentioned that the Bruce Freeman Rail Trail is currently not open but is being used at one's own risk, hoping it would be officially open by November.

On motion by Comm. Rogers to permit and sponsor the Adult Education walk, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative.

### **Subcommittee Appointment: Community Preservation Committee**

Chair Henkels introduced discussion regarding the appointment of the Conservation Commission representative to the Community Preservation Committee (CPC).

Coordinator Capone explained that although a nominee had been voted in at the April 28th meeting, the CPC informed them that the term is three years, not one. Consequently, the Commission needed to re-confirm the appointment. The Town Planner confirmed that Associate Members could serve as the representative if the Commission wished.

Chair Henkels stated his preference not to serve a three-year term on the CPC and invited discussion or expressions of interest from other Commissioners.

Assoc. Comm. Hoffman asked about the responsibilities and time commitment involved. Chair Henkels described the role as significant, noting that from September through December each year, the CPC reviews applications related to open space, historic preservation, affordable housing, and recreation. Meetings typically occur every other week, sometimes more frequently, and last about two hours, plus time spent reviewing application materials independently. The meetings have been hybrid, generally held on Wednesday evenings from 7 to 9 p.m., and do not conflict with Conservation Commission meetings.

Assoc. Comm. Hoffman expressed willingness to serve, appreciating the hybrid meeting format that would allow him to juggle scheduling.

Chair Henkels asked if any other Commissioners were interested or had questions. None voiced interest.

On motion by Comm. Holtz to nominate Harry Hoffman as the Conservation Commission's representative to the Community Preservation Committee, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative.

Coordinator Capone mentioned that Comm. Hoffman had taken a recent appointment on the Land Acquisition Recommendation Committee (LARC), and asked whether Assoc. Comm. Hoffman wished to serve on both committees or if the Commission wanted to appoint someone else to LARC. Assoc. Comm. Hoffman indicated willingness to serve as best suited to the Commission's needs but was open to sharing responsibilities.

Assoc. Comm. Victor Sulkowski noted that he was currently too busy to take on additional roles but might consider opportunities in the future.

### **Adjourn Meeting**

On motion by Comm. Porter to adjourn the meeting at 8:29 PM, seconded by Comm. Cook, via roll call the vote was unanimous in the affirmative.