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PLANNING BOARD

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VILLAGE OF NORTH HAVEN

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Held at:

335 Ferry Road

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Sag Harbor, New York 11963

11

Also Held Via:

12

Zoom Video Communications

13

November 20, 2023

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4:30 p.m.

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Proceedings Recorded by

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Electronic Sound Recording

Transcribed by: Agata Davis

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A P P E A R A N C E S:

Bryan von Hagn, Chairperson (Absent)
Ernest Schieferstein, Deputy Chairperson
Allen Kopelson, Board Member (Absent)
Gregory Churchill, Board Member
Christian Duryea, Board Member
Susan Edwards, Board Member
Scott Middleton, Esq., Village Attorney
Billy Hajek, Planning & Environmental
Consultant
George Butts, Village Building Inspector
(Absent)
Erika Gubitosi, Village Clerk/Secretary

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NORTH HAVEN PLANNING BOARD - 11/20/2023

MR. SCHIEFERSTEIN: Okay. I'd like to welcome everybody to the November 20th Planning Board meeting, and rise for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

MR. SCHIEFERSTEIN: Okay. Did everybody look at the October 16th transcript? Have any comments, or?

(No Response)

MR. SCHIEFERSTEIN: Motion to approve?

MR. CHURCHILL: So moved.

MR. SCHIEFERSTEIN: Second?

MR. DURYEA: Aye.

MR. SCHIEFERSTEIN: All in favor?

ALL BOARD MEMBERS: Aye.

MR. SCHIEFERSTEIN: Okay, so we'll move to Active Applications.

First one is John Alschuler and Diana Diamond, Owners/David Berridge, Agent. The property is located at 28 Ezekills Hollow, North Haven, New York. Suffolk County Tax Map No. 901-1-3-7. The

NORTH HAVEN PLANNING BOARD - 11/20/2023

applicant requests an extension to the Planning Board's approval for the construction of a two-story addition containing 868 square feet on the first floor, 865 square feet on the second floor, reconfiguration of the driveway, installation of a new I/A OWTS, to maintain minor clearing and revegetation. Approved by the Board on May 16, 2022.

MR. MIDDLETON: With respect to this, I don't have any reason for the extension not to be granted, despite the fact that it's a little bit late. But I think it would be a pru- -- a prudent move to request that they provide us with Covenants & Restrictions with respect to the area of nondisturbance, the 75-foot buffer. So I think that if you folks wanted to grant the extension, that it would be subject to the C&Rs.

MR. SCHIEFERSTEIN: Okay.

MR. MIDDLETON: All right? And I think you can -- you can let the applicant know, right? Who's the -- do they have an

1 **NORTH HAVEN PLANNING BOARD - 11/20/2023**

2 attorney?

3 MS. GUBITOSI: Not that I know of.
4 David Berridge is their architect.

5 MR. HAJEK: He's the architect.

6 MR. MIDDLETON: Okay. All right.

7 MR. SCHIEFERSTEIN: So do we have
8 to do a motion on that, or just --

9 MR. MIDDLETON: Yes.

10 MR. DURYEA: I make a motion and
11 follow Scott's advice on the 75-foot
12 buffer with Covenants & Restrictions.

13 MR. SCHIEFERSTEIN: Right.
14 Second?

15 MR. CHURCHILL: Second.

16 MR. SCHIEFERSTEIN: All in favor?

17 ALL BOARD MEMBERS: Aye.

18 MS. GUBITOSI: And that'll be for
19 six months?

20 MR. MIDDLETON: Six months. You
21 said they were pretty close to submitting.

22 MS. GUBITOSI: Yeah, they want to
23 submit --

24 MR. MIDDLETON: Great.

25 MR. SCHIEFERSTEIN: Okay. The

NORTH HAVEN PLANNING BOARD - 11/20/2023

second is Stilwell Holding II, LLC,
Owner/Peconic Environmental Associates,
Inc., Agent. The property is located at
10 West Drive, North Haven, New York.
Suffolk County Tax Map No. 901-1-1-8. The
applicant proposes a two-story addition to
the existing dwelling, including the
connection of the existing dwelling and
the detached garage, installation of an
I/A septic system and revegetation.

You wanted to state who you are?

MS. DEDOVICH: Melissa Dedovich,
Peconic Environmental Associates.

MR. McMULLAN: James McMullan,
Fleetwood, McMullen and Sanabria
Architects.

MR. MIDDLETON: That one, we have
a resolution ready. That's it. Just, if
you guys want to vote on the resolution, I
can provide it to the applicant within a
day or so.

MR. SCHIEFERSTEIN: Okay.

MR. DURYEA: I'll make a motion.

MR. SCHIEFERSTEIN: Second?

NORTH HAVEN PLANNING BOARD - 11/20/2023

MR. CHURCHILL: Second.

MR. SCHIEFERSTEIN: Okay. All in favor?

MR. DURYEA: Aye.

MR. CHURCHILL: Aye.

MR. SCHIEFERSTEIN: Aye.

MS. EDWARDS: I'm actually gonna vote "no" on this one.

MS. DEDOVICH: Okay. Thank you.

MR. McMULLAN: Thank you.

MR. MIDDLETON: Okay. 5 Widow Coopers is next. We have a reso on that one, as well.

MR. SCHIEFERSTEIN: 5 Widow Coopers Path, LLC, Owner/En-Consultants, Agent. The property is located at 5 Widow Coopers Path, North Haven, New York. Suffolk County Tax Map No. 901-2-4-36. The applicant proposes to construct a two-story, single-family dwelling, attached garage, swimming pool, spa, patios and installation of drywells and I/A septic system.

This one, the engineer okayed,

1 **NORTH HAVEN PLANNING BOARD - 11/20/2023**

2 right? That's -- that's all good.

3 MR. MIDDLETON: Mm-hm.

4 MR. SCHIEFERSTEIN: Is there is
5 anybody here?

6 MS. PANTOFEL: (Inaudible.)

7 MR. SCHIEFERSTEIN: Excuse me?

8 MS. PANTOFEL: I am from there,
9 yeah, 5 Widow Cooper.

10 MR. SCHIEFERSTEIN: Right.

11 MS. PANTOFEL: Yes.

12 MR. SCHIEFERSTEIN: You want to
13 come up, and just state your name.

14 MS. PANTOFEL: Jennifer Pantofel.
15 We're the contractor.

16 MR. MIDDLETON: This one, we have
17 a resolution, as well.

18 MS. GUBITOSI: Kim is also on
19 Zoom. She's from En-Consultants.

20 MR. MIDDLETON: Oh, okay.

21 MS. GUBITOSI: If you need her.

22 MR. MIDDLETON: Great.

23 MS. EDWARDS: We have a
24 resolution?

25 MR. MIDDLETON: I know, Susan,

1 **NORTH HAVEN PLANNING BOARD - 11/20/2023**

2 you -- we have a resolution on this one.

3 I know you had some questions or
4 suggestions.

5 MS. EDWARDS: I did have a couple
6 questions on this one.

7 Late in the game on this, for
8 sure. I'm new to this Board and that sort
9 of thing, but I did want to ask, regarding
10 your site plan pushed over here against
11 the property line in terms of driveway and
12 clearing right to the property line and
13 that sort of thing, is there any
14 flexibility on your part to either central
15 it a little bit or consider a front-entry
16 garage?

17 MS. PANTOFEL: I'm not sure about
18 the front-entry garage, but we could
19 probably work -- like, move the driveway a
20 little bit. We'd have to see.

21 MS. EDWARDS: Okay. I just feel
22 that it would be wise for us to be
23 encouraging people to not clear to the
24 property line, particularly for this
25 distance on a driveway and for neighborly

1 **NORTH HAVEN PLANNING BOARD - 11/20/2023**

2 things.

3 MS. PANTOFEL: Yeah.

4 MS. EDWARDS: Buffers are a nice
5 thing.

6 MS. PANTOFEL: Yeah. I don't know
7 if you've been out to the property.
8 There's definitely a lot of, like, woods
9 around there and everything. Like, you
10 wouldn't be close to another area.

11 MS. EDWARDS: Well, there won't be
12 after you put in this driveway and clear
13 to the property line, though, is my point.

14 MS. PANTOFEL: Yeah.

15 MR. SCHIEFERSTEIN: Is there a
16 dimension you're thinking of planting, or?

17 MS. EDWARDS: Well, planting is
18 really a good thing, but I'm just
19 thinking -- I'm generally speaking on site
20 plans. I'd like for us to be encouraging
21 people to be --

22 MR. SCHIEFERSTEIN: No, I agree.

23 MS. EDWARDS: -- respectful of
24 their neighbors and buffers as much as
25 possible. And this is really pushed as

1 **NORTH HAVEN PLANNING BOARD - 11/20/2023**

2 far as it can go to the side when there is
3 some room over here, and I'm just
4 wondering --

5 MS. PANTOFEL: Why we have it that
6 way.

7 MR. SCHIEFERSTEIN: Is there a
8 house next door? I'm not familiar.

9 MS. PANTOFEL: It's on a
10 cul-de-sac. Both of the houses next door
11 aren't very close to the house, so.

12 MR. SCHIEFERSTEIN: I'm sorry?

13 MS. PANTOFEL: They aren't very
14 close to the house.

15 MR. SCHIEFERSTEIN: But, I mean,
16 their driveways aren't close to where
17 you're putting yours?

18 MS. PANTOFEL: No, not really.

19 MR. MIDDLETON: We had a
20 resolution prepared. I think that --

21 MS. EDWARDS: Did you send us
22 resolution?

23 MS. GUBITOSI: Yeah, I sent it
24 early today.

25 MS. EDWARDS: Today, oh.

1 NORTH HAVEN PLANNING BOARD - 11/20/2023

2 MS. GUBITOSI: Yeah. We had to
3 tweak a little.

4 MR. MIDDLETON: Yeah.

5 So it's up to the Board. I know
6 this applicant's been here for a while.
7 And I think the -- I think, over the
8 course of the months that the applicant's
9 been here, that the driveway was
10 addressed. I think there was probably
11 something in Billy's original report. So
12 it's up to the Board what you folks want
13 to do.

14 MR. CHURCHILL: Just a question.
15 Just how close is it to the property line?
16 I mean, can we guesstimate that?

17 MR. HAJEK: The clearing or the
18 driveway?

19 MR. CHURCHILL: The driveway.

20 MR. HAJEK: It's, like, right on
21 it.

22 MR. CHURCHILL: It sure looks like
23 it.

24 MS. EDWARDS: But the clearing
25 will be on it.

NORTH HAVEN PLANNING BOARD - 11/20/2023

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MR. CHURCHILL: The clearing looks like it's right on it from this.

MR. HAJEK: The clearing is just a few feet off, maybe two feet. The driveway, itself --

MR. CHURCHILL: It should be more like five.

MR. HAJEK: -- guesstimating, it's about ten feet.

MR. CHURCHILL: That's okay, but the --

MS. PANTOFEL: Yeah, I think it's around ten feet.

MS. GUBITOSI: Their original limit of disturbance was right along the driveway, and I think in Billy's first memo, he asked for a more realistic limit.

MR. HAJEK: Yeah, that's -- your -- so the drywells and, and -- you know, you have to put drywells in your driveway to retain the stormwater. And originally, they -- they were proposing a length of clearing that was right up against the driveway, but we all know

1 **NORTH HAVEN PLANNING BOARD - 11/20/2023**

2 that's not a realistic --

3 MR. CHURCHILL: Right.

4 MR. HAJEK: You know, you need ten
5 feet of clearing, at least. And I think
6 that's what this proposed, was ten feet of
7 disturbance, and then revegetating after
8 it's completed.

9 MR. SCHIEFERSTEIN: Yeah.

10 MR. HAJEK: I mean, that
11 hatched -- the crosshatch is gonna get --
12 is gonna be revegetated.

13 MS. PANTOFEL: Yes.

14 MR. HAJEK: So the pink area, I
15 think, what's shown as pink on there --

16 MS. PANTOFEL: Yes, is
17 revegetation.

18 MR. HAJEK: -- is revegetation.

19 So it's not gonna be cleared.
20 It'll be disturbed up to the property
21 line, but then you get revegetated after.

22 MS. EDWARDS: Yeah, I understand
23 that, but I don't think --

24 MR. HAJEK: Okay.

25 MS. EDWARDS: I don't think that

1 **NORTH HAVEN PLANNING BOARD - 11/20/2023**

2 reveg is the equivalent of nondisturbance.

3 MR. HAJEK: Okay. That's fine.

4 MS. EDWARDS: So even though this
5 is going to engineering, we have a
6 resolution as sort of like a --

7 MS. PANTOFEL: It went to
8 engineering already.

9 MR. HAJEK: It was already
10 reviewed.

11 MR. MIDDLETON: Engineering got
12 it.

13 MR. SCHIEFERSTEIN: No,
14 engineering came back to us. It was good.

15 MR. HAJEK: And Vinny Gaudiello
16 reviewed it and he signed off on the --

17 MR. SCHIEFERSTEIN: Yup.

18 MS. EDWARDS: Okay. I don't have
19 that, either.

20 MR. MIDDLETON: Yeah, it's --

21 MS. GUBITOSI: Yeah, it was in the
22 last week or so.

23 MR. MIDDLETON: His report is
24 November 2nd.

25 MS. EDWARDS: Well, I understand

1 **NORTH HAVEN PLANNING BOARD - 11/20/2023**

2 what you're saying, approval is
3 recommended, 'cause that's who he is.
4 Never mind, never mind. Read it wrong.

5 MR. SCHIEFERSTEIN: Okay, so --

6 MR. MIDDLETON: So you can ask for
7 a motion --

8 MR. SCHIEFERSTEIN: Yeah,
9 motion to --

10 MR. MIDDLETON: -- with respect to
11 approval of the resolution.

12 MR. DURYEA: I'll make a motion to
13 approve the resolution.

14 MR. SCHIEFERSTEIN: Second?

15 MR. CHURCHILL: Second.

16 MR. SCHIEFERSTEIN: All in favor?

17 MR. CHURCHILL: Aye.

18 MR. DURYEA: Aye.

19 MR. SCHIEFERSTEIN: Aye.

20 MS. EDWARDS: I vote "no" again.

21 MR. MIDDLETON: Okay. All right.
22 You'll get the resolution in a couple of
23 days.

24 MS. PANTOFEL: All right. Thank
25 you.

1 **NORTH HAVEN PLANNING BOARD - 11/20/2023**

2 MR. MIDDLETON: Just follow up
3 with Erika.

4 MS. PANTOFEL: Yeah.

5 MR. MIDDLETON: She'll get it to
6 you.

7 MR. SCHIEFERSTEIN: All right.
8 Jason Craig, Owner/Brian J. Locascio,
9 Esq., Agent. The property is located at 6
10 West Harbor Drive, North Haven, New York.
11 Suffolk County Tax Map No. 901-6-2-23.
12 The applicant requests approval of an
13 as-built 18'x40' swimming pool.

14 And you are?

15 MR. LOCASCIO: I am Brian
16 Locascio, the attorney for the property
17 owner.

18 MR. SCHIEFERSTEIN: And Vinny
19 reviewed this.

20 MR. LOCASCIO: Yeah, he just
21 issued a memo (inaudible) today. I have
22 one comment I need to revise on the survey
23 per his memo.

24 MR. SCHIEFERSTEIN: With the
25 driveway.

1 NORTH HAVEN PLANNING BOARD - 11/20/2023

2 MR. LOCASCIO: With the driveway,
3 which I'll note is a pervious pavement.
4 But he otherwise agreed that it is a
5 pervious surface, so it shouldn't count
6 towards lot coverage.

7 MS. EDWARDS: This is the one with
8 the Flexi-something?

9 MR. LOCASCIO: Yeah, yup.

10 MR. CHURCHILL: He suggested you
11 make a note of it, right?

12 MR. LOCASCIO: Yeah, which I --
13 yeah, I don't have it. I just got it,
14 like, a few hours ago. But I will
15 certainly -- I will get that to you.

16 MR. MIDDLETON: Well, you gotta go
17 back to Zoning.

18 MR. LOCASCIO: Correct.

19 MR. MIDDLETON: So I think that
20 this Board could have a motion to refer
21 the matter back to the Zoning Board
22 because they need the relief from the
23 street, the setback relief for the pool.
24 And then -- and then after they get the
25 Zoning relief, they'll come back here.

1 NORTH HAVEN PLANNING BOARD - 11/20/2023

2 MR. SCHIEFERSTEIN: Okay. A
3 motion on that issue?

4 MR. DURYEA: I make a motion, send
5 them back to Zoning.

6 MR. LOCASCIO: Just before --
7 otherwise, you're okay with the planting
8 plan we provided, hence I think we've
9 addressed all their comments.

10 MR. HAJEK: It was an as-built,
11 the as-built planting, right, for the
12 cedar trees?

13 MR. LOCASCIO: Yeah, yeah. And we
14 actually have to do some -- a little more
15 revegetation and bring it into compliance.
16 The property is currently slightly
17 overcleared, so you have a planting plan
18 showing about 1,200 square feet of
19 revegetation.

20 MR. HAJEK: Oh, on the south.

21 MR. LOCASCIO: Yup.

22 MR. HAJEK: The south end. Okay.

23 Yeah, I think the issue of concern
24 previously was the screening from West
25 Harbor.

1 **NORTH HAVEN PLANNING BOARD - 11/20/2023**

2 MR. MIDDLETON: You know, when you
3 come back it'll be subject to, you know,
4 somebody taking a look to make sure that
5 everything there is alive and thriving --

6 MR. LOCASCIO: Yup, okay. That's
7 fine.

8 MR. MIDDLETON: -- and meets --
9 meets what the plan is.

10 But for right now, I think it's
11 best that you go back to Zoning and get
12 this thing --

13 MR. LOCASCIO: Yeah, exactly.
14 Let's get this cleaned up --

15 MR. MIDDLETON: Thankfully, you
16 know, you've been a lot more attentive
17 than your predecessor.

18 MR. LOCASCIO: Happy to do my job.
19 Okay. That's all I have, unless
20 you have any other questions?

21 MR. MIDDLETON: So a motion --

22 MR. DURYEA: Motion to go back to
23 Zoning.

24 MR. MIDDLETON: Second?

25 MR. CHURCHILL: Second.

NORTH HAVEN PLANNING BOARD - 11/20/2023

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MR. MIDDLETON: All in favor?

ALL BOARD MEMBERS: Aye.

MR. MIDDLETON: Okay. All right.

See you at Zoning.

MR. LOCASCIO: It's worth it.

Erika, you'll let me know what day
he wants that set?

MS. GUBITOSI: Yeah. I'll give
you a call tomorrow.

MR. LOCASCIO: Sounds good. Okay.

Happy Thanksgiving, everyone.

MR. SCHIEFERSTEIN: Take care.

MR. LOCASCIO: Appreciate your
help, as always.

MR. MIDDLETON: With respect to
the discussion items, 20 Forest, the
applicant's attorney contacted Erika today
and asked for an adjournment to December
18th, so.

MS. EDWARDS: Okay, I just want to
understand. They're asking for an
adjournment to December for just this
reveg thing? 'Cause they're also in the
"Inactive" list.

NORTH HAVEN PLANNING BOARD - 11/20/2023

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MS. GUBITOSI: Yes.

MR. MIDDLETON: Yeah.

MS. EDWARDS: Okay. What would they be doing differently for next meeting?

MR. HAJEK: Hopefully providing a thorough revegetation plan that proposes to revegetate the 75-foot buffer.

MS. EDWARDS: So what you're looking for is not the little teeny thing. You're looking for the 75 foot, the whole thing?

MR. HAJEK: Yes, or a majority of the whole thing, yeah. A reasonable revegetation plan.

MS. EDWARDS: Okay. So, so when I'm reading this to see over 1,200 plants, which didn't mean 1,200 plants in this?

MR. HAJEK: I don't know if that's what they meant.

MS. EDWARDS: Okay.

MR. HAJEK: But it's not contributed to anybody and it doesn't make sense, so they have --

NORTH HAVEN PLANNING BOARD - 11/20/2023

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MS. EDWARDS: Okay.

MR. HAJEK: They can correct their
revegetation plan. If they have --

MS. EDWARDS: I have no problem --

MR. HAJEK: -- questions, they
know how to --

MS. EDWARDS: -- with going
further. I'm just trying to --

MR. HAJEK: Yeah.

MS. EDWARDS: -- understand what
would be different. Okay.

MR. SCHIEFERSTEIN: Okay. Any
other issues or discussion about anything
before we close our meeting?

(No Response)

MR. SCHIEFERSTEIN: Motion to
close the meeting?

MR. CHURCHILL: Sure.

MR. DURYEA: Second.

MR. MIDDLETON: All in favor?

ALL BOARD MEMBERS: Aye.

(End of Provided Recording)

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ERRATA SHEET FOR THE TRANSCRIPT OF:
Hearing Name: North Haven Planning Board
Hearing Date: November 20, 2023

CORRECTIONS					
PG	LN	NOW READS	SHOULD READ	REASON FOR	
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Date Signature

Subscribed and sworn to
before me this ____ day
of _____, 2023

Notary Public

1
2 I, Agata Davis, certify that the
3 foregoing transcript of Proceedings of the
4 Planning Board of the Village of North Haven,
5 held on November 20, 2023, was prepared using
6 the required electronic transcription
7 equipment and is a true and accurate record of
8 the Proceedings.

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12 Agata Davis
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1	accurate ^[1] - 25:7 Active ^[1] - 3:20 addition ^[2] - 4:4, 6:7 addressed ^[2] - 12:10, 19:9 adjournment ^[2] - 21:19, 21:23 advice ^[1] - 5:11 Agata ^[3] - 1:24, 25:2, 25:11 Agent ^[4] - 3:23, 6:4, 7:17, 17:9 ago ^[1] - 18:14 agree ^[1] - 10:22 agreed ^[1] - 18:4 alive ^[1] - 20:5 ALL ^[4] - 3:18, 5:17, 21:3, 23:22 Allegiance ^[2] - 3:5, 3:7 Allen ^[1] - 2:6 Alschuler ^[1] - 3:21 applicant ^[6] - 4:2, 4:24, 6:7, 6:21, 7:20, 17:12 applicant's ^[3] - 12:6, 12:8, 21:18 Applications ^[1] - 3:20 appreciate ^[1] - 21:14 approval ^[4] - 4:3, 16:2, 16:11, 17:12 approve ^[2] - 3:13, 16:13 approved ^[1] - 4:10 architect ^[2] - 5:4, 5:5 Architects ^[1] - 6:17 area ^[3] - 4:18, 10:10, 14:14 as-built ^[3] - 17:13, 19:10, 19:11 Associates ^[2] - 6:3, 6:14 attached ^[1] - 7:22 attentive ^[1] - 20:16 Attorney ^[1] - 2:10 attorney ^[3] - 5:2, 17:16, 21:18 aye ^[11] - 3:16, 3:18, 5:17, 7:5, 7:6, 7:7, 16:17, 16:18, 16:19, 21:3, 23:22	13:17 bit ^[3] - 4:14, 9:15, 9:20 BOARD ^[5] - 1:5, 3:18, 5:17, 21:3, 23:22 Board ^[13] - 2:6, 2:7, 2:8, 2:9, 3:4, 4:10, 9:8, 12:5, 12:12, 18:20, 18:21, 24:2, 25:4 Board's ^[1] - 4:3 Brian ^[1] - 17:15 bring ^[1] - 19:15 Bryan ^[1] - 2:4 buffer ^[3] - 4:19, 5:12, 22:9 buffers ^[2] - 10:4, 10:24 Building ^[1] - 2:12 built ^[3] - 17:13, 19:10, 19:11 Butts ^[1] - 2:12	19:15 concern ^[1] - 19:23 connection ^[1] - 6:9 consider ^[1] - 9:15 construct ^[1] - 7:20 construction ^[1] - 4:4 Consultant ^[1] - 2:11 Consultants ^[2] - 7:16, 8:19 contacted ^[1] - 21:18 containing ^[1] - 4:5 contractor ^[1] - 8:15 contributed ^[1] - 22:24 Cooper ^[1] - 8:9 Coopers ^[3] - 7:13, 7:16, 7:18 correct ^[2] - 18:18, 23:3 CORRECTIONS ^[1] - 24:4 count ^[1] - 18:5 County ^[4] - 3:25, 6:6, 7:19, 17:11 couple ^[2] - 9:5, 16:22 course ^[1] - 12:8 Covenants ^[2] - 4:17, 5:12 coverage ^[1] - 18:6 Craig ^[1] - 17:8 crosshatch ^[1] - 14:11 cul ^[1] - 11:10 cul-de-sac ^[1] - 11:10	disturbance ^[2] - 13:16, 14:7 disturbed ^[1] - 14:20 door ^[2] - 11:8, 11:10 Drive ^[2] - 6:5, 17:10 driveway ^[14] - 4:7, 9:11, 9:19, 9:25, 10:12, 12:9, 12:18, 12:19, 13:6, 13:17, 13:22, 13:25, 17:25, 18:2 driveways ^[1] - 11:16 drywells ^[3] - 7:23, 13:20, 13:21 Duryea ^[1] - 2:8 DURYEA ^[9] - 3:16, 5:10, 6:24, 7:5, 16:12, 16:18, 19:4, 20:22, 23:20 dwelling ^[3] - 6:8, 6:9, 7:21
2	20 ^[4] - 1:13, 21:17, 24:3, 25:5 2022 ^[1] - 4:10 2023 ^[4] - 1:13, 24:3, 24:22, 25:5 20th ^[1] - 3:4 28 ^[1] - 3:23 2nd ^[1] - 15:24	C	D	E
3	335 ^[1] - 1:9	C&Rs ^[1] - 4:21 care ^[1] - 21:13 cedar ^[1] - 19:12 central ^[1] - 9:14 certainly ^[1] - 18:15 certify ^[1] - 25:2 Chairperson ^[2] - 2:4, 2:5 Christian ^[1] - 2:8 CHURCHILL ^[16] - 3:14, 5:15, 7:2, 7:6, 12:14, 12:19, 12:22, 13:2, 13:7, 13:11, 14:3, 16:15, 16:17, 18:10, 20:25, 23:19 Churchill ^[1] - 2:7 cleaned ^[1] - 20:14 clear ^[2] - 9:23, 10:12 cleared ^[1] - 14:19 clearing ^[8] - 4:9, 9:12, 12:17, 12:24, 13:2, 13:4, 13:24, 14:5 Clerk/Secretary ^[1] - 2:14 close ^[8] - 5:21, 10:10, 11:11, 11:14, 11:16, 12:15, 23:15, 23:18 comment ^[1] - 17:22 comments ^[2] - 3:10, 19:9 Communications ^[1] - 1:11 completed ^[1] - 14:8 compliance ^[1] -	count ^[1] - 18:5 County ^[4] - 3:25, 6:6, 7:19, 17:11 couple ^[2] - 9:5, 16:22 course ^[1] - 12:8 Covenants ^[2] - 4:17, 5:12 coverage ^[1] - 18:6 Craig ^[1] - 17:8 crosshatch ^[1] - 14:11 cul ^[1] - 11:10 cul-de-sac ^[1] - 11:10	early ^[1] - 11:24 EDWARDS ^[27] - 7:8, 8:23, 9:5, 9:21, 10:4, 10:11, 10:17, 10:23, 11:21, 11:25, 12:24, 14:22, 14:25, 15:4, 15:18, 15:25, 16:20, 18:7, 21:21, 22:4, 22:10, 22:17, 22:22, 23:2, 23:5, 23:8, 23:11 Edwards ^[1] - 2:9 either ^[2] - 9:14, 15:19 electronic ^[2] - 1:23, 25:6 En ^[1] - 8:19 En-Consultants ^[1] - 8:19 encouraging ^[2] - 9:23, 10:20 end ^[2] - 19:22, 23:23 engineer ^[1] - 7:25 engineering ^[4] - 15:5, 15:8, 15:11, 15:14 entry ^[2] - 9:15, 9:18 Environmental ^[3] - 2:11, 6:3, 6:14 equipment ^[1] - 25:7 equivalent ^[1] - 15:2 Erika ^[4] - 2:14, 17:3, 21:7, 21:18 Ernest ^[1] - 2:5 ERRATA ^[1] - 24:2 Esq ^[2] - 2:10, 17:9 exactly ^[1] - 20:13 excuse ^[1] - 8:7
4	4:30 ^[1] - 1:13	C&Rs ^[1] - 4:21 care ^[1] - 21:13 cedar ^[1] - 19:12 central ^[1] - 9:14 certainly ^[1] - 18:15 certify ^[1] - 25:2 Chairperson ^[2] - 2:4, 2:5 Christian ^[1] - 2:8 CHURCHILL ^[16] - 3:14, 5:15, 7:2, 7:6, 12:14, 12:19, 12:22, 13:2, 13:7, 13:11, 14:3, 16:15, 16:17, 18:10, 20:25, 23:19 Churchill ^[1] - 2:7 cleaned ^[1] - 20:14 clear ^[2] - 9:23, 10:12 cleared ^[1] - 14:19 clearing ^[8] - 4:9, 9:12, 12:17, 12:24, 13:2, 13:4, 13:24, 14:5 Clerk/Secretary ^[1] - 2:14 close ^[8] - 5:21, 10:10, 11:11, 11:14, 11:16, 12:15, 23:15, 23:18 comment ^[1] - 17:22 comments ^[2] - 3:10, 19:9 Communications ^[1] - 1:11 completed ^[1] - 14:8 compliance ^[1] -	count ^[1] - 18:5 County ^[4] - 3:25, 6:6, 7:19, 17:11 couple ^[2] - 9:5, 16:22 course ^[1] - 12:8 Covenants ^[2] - 4:17, 5:12 coverage ^[1] - 18:6 Craig ^[1] - 17:8 crosshatch ^[1] - 14:11 cul ^[1] - 11:10 cul-de-sac ^[1] - 11:10	early ^[1] - 11:24 EDWARDS ^[27] - 7:8, 8:23, 9:5, 9:21, 10:4, 10:11, 10:17, 10:23, 11:21, 11:25, 12:24, 14:22, 14:25, 15:4, 15:18, 15:25, 16:20, 18:7, 21:21, 22:4, 22:10, 22:17, 22:22, 23:2, 23:5, 23:8, 23:11 Edwards ^[1] - 2:9 either ^[2] - 9:14, 15:19 electronic ^[2] - 1:23, 25:6 En ^[1] - 8:19 En-Consultants ^[1] - 8:19 encouraging ^[2] - 9:23, 10:20 end ^[2] - 19:22, 23:23 engineer ^[1] - 7:25 engineering ^[4] - 15:5, 15:8, 15:11, 15:14 entry ^[2] - 9:15, 9:18 Environmental ^[3] - 2:11, 6:3, 6:14 equipment ^[1] - 25:7 equivalent ^[1] - 15:2 Erika ^[4] - 2:14, 17:3, 21:7, 21:18 Ernest ^[1] - 2:5 ERRATA ^[1] - 24:2 Esq ^[2] - 2:10, 17:9 exactly ^[1] - 20:13 excuse ^[1] - 8:7
5	5 ^[4] - 7:12, 7:15, 7:17, 8:9	C&Rs ^[1] - 4:21 care ^[1] - 21:13 cedar ^[1] - 19:12 central ^[1] - 9:14 certainly ^[1] - 18:15 certify ^[1] - 25:2 Chairperson ^[2] - 2:4, 2:5 Christian ^[1] - 2:8 CHURCHILL ^[16] - 3:14, 5:15, 7:2, 7:6, 12:14, 12:19, 12:22, 13:2, 13:7, 13:11, 14:3, 16:15, 16:17, 18:10, 20:25, 23:19 Churchill ^[1] - 2:7 cleaned ^[1] - 20:14 clear ^[2] - 9:23, 10:12 cleared ^[1] - 14:19 clearing ^[8] - 4:9, 9:12, 12:17, 12:24, 13:2, 13:4, 13:24, 14:5 Clerk/Secretary ^[1] - 2:14 close ^[8] - 5:21, 10:10, 11:11, 11:14, 11:16, 12:15, 23:15, 23:18 comment ^[1] - 17:22 comments ^[2] - 3:10, 19:9 Communications ^[1] - 1:11 completed ^[1] - 14:8 compliance ^[1] -	count ^[1] - 18:5 County ^[4] - 3:25, 6:6, 7:19, 17:11 couple ^[2] - 9:5, 16:22 course ^[1] - 12:8 Covenants ^[2] - 4:17, 5:12 coverage ^[1] - 18:6 Craig ^[1] - 17:8 crosshatch ^[1] - 14:11 cul ^[1] - 11:10 cul-de-sac ^[1] - 11:10	early ^[1] - 11:24 EDWARDS ^[27] - 7:8, 8:23, 9:5, 9:21, 10:4, 10:11, 10:17, 10:23, 11:21, 11:25, 12:24, 14:22, 14:25, 15:4, 15:18, 15:25, 16:20, 18:7, 21:21, 22:4, 22:10, 22:17, 22:22, 23:2, 23:5, 23:8, 23:11 Edwards ^[1] - 2:9 either ^[2] - 9:14, 15:19 electronic ^[2] - 1:23, 25:6 En ^[1] - 8:19 En-Consultants ^[1] - 8:19 encouraging ^[2] - 9:23, 10:20 end ^[2] - 19:22, 23:23 engineer ^[1] - 7:25 engineering ^[4] - 15:5, 15:8, 15:11, 15:14 entry ^[2] - 9:15, 9:18 Environmental ^[3] - 2:11, 6:3, 6:14 equipment ^[1] - 25:7 equivalent ^[1] - 15:2 Erika ^[4] - 2:14, 17:3, 21:7, 21:18 Ernest ^[1] - 2:5 ERRATA ^[1] - 24:2 Esq ^[2] - 2:10, 17:9 exactly ^[1] - 20:13 excuse ^[1] - 8:7
6	6 ^[1] - 17:9	C&Rs ^[1] - 4:21 care ^[1] - 21:13 cedar ^[1] - 19:12 central ^[1] - 9:14 certainly ^[1] - 18:15 certify ^[1] - 25:2 Chairperson ^[2] - 2:4, 2:5 Christian ^[1] - 2:8 CHURCHILL ^[16] - 3:14, 5:15, 7:2, 7:6, 12:14, 12:19, 12:22, 13:2, 13:7, 13:11, 14:3, 16:15, 16:17, 18:10, 20:25, 23:19 Churchill ^[1] - 2:7 cleaned ^[1] - 20:14 clear ^[2] - 9:23, 10:12 cleared ^[1] - 14:19 clearing ^[8] - 4:9, 9:12, 12:17, 12:24, 13:2, 13:4, 13:24, 14:5 Clerk/Secretary ^[1] - 2:14 close ^[8] - 5:21, 10:10, 11:11, 11:14, 11:16, 12:15, 23:15, 23:18 comment ^[1] - 17:22 comments ^[2] - 3:10, 19:9 Communications ^[1] - 1:11 completed ^[1] - 14:8 compliance ^[1] -	count ^[1] - 18:5 County ^[4] - 3:25, 6:6, 7:19, 17:11 couple ^[2] - 9:5, 16:22 course ^[1] - 12:8 Covenants ^[2] - 4:17, 5:12 coverage ^[1] - 18:6 Craig ^[1] - 17:8 crosshatch ^[1] - 14:11 cul ^[1] - 11:10 cul-de-sac ^[1] - 11:10	early ^[1] - 11:24 EDWARDS ^[27] - 7:8, 8:23, 9:5, 9:21, 10:4, 10:11, 10:17, 10:23, 11:21, 11:25, 12:24, 14:22, 14:25, 15:4, 15:18, 15:25, 16:20, 18:7, 21:21, 22:4, 22:10, 22:17, 22:22, 23:2, 23:5, 23:8, 23:11 Edwards ^[1] - 2:9 either ^[2] - 9:14, 15:19 electronic ^[2] - 1:23, 25:6 En ^[1] - 8:19 En-Consultants ^[1] - 8:19 encouraging ^[2] - 9:23, 10:20 end ^[2] - 19:22, 23:23 engineer ^[1] - 7:25 engineering ^[4] - 15:5, 15:8, 15:11, 15:14 entry ^[2] - 9:15, 9:18 Environmental ^[3] - 2:11, 6:3, 6:14 equipment ^[1] - 25:7 equivalent ^[1] - 15:2 Erika ^[4] - 2:14, 17:3, 21:7, 21:18 Ernest ^[1] - 2:5 ERRATA ^[1] - 24:2 Esq ^[2] - 2:10, 17:9 exactly ^[1] - 20:13 excuse ^[1] - 8:7
7	75 ^[1] - 22:12 75-foot ^[3] - 4:18, 5:11, 22:9	C&Rs ^[1] - 4:21 care ^[1] - 21:13 cedar ^[1] - 19:12 central ^[1] - 9:14 certainly ^[1] - 18:15 certify ^[1] - 25:2 Chairperson ^[2] - 2:4, 2:5 Christian ^[1] - 2:8 CHURCHILL ^[16] - 3:14, 5:15, 7:2, 7:6, 12:14, 12:19, 12:22, 13:2, 13:7, 13:11, 14:3, 16:15, 16:17, 18:10, 20:25, 23:19 Churchill ^[1] - 2:7 cleaned ^[1] - 20:14 clear ^[2] - 9:23, 10:12 cleared ^[1] - 14:19 clearing ^[8] - 4:9, 9:12, 12:17, 12:24, 13:2, 13:4, 13:24, 14:5 Clerk/Secretary ^[1] - 2:14 close ^[8] - 5:21, 10:10, 11:11, 11:14, 11:16, 12:15, 23:15, 23:18 comment ^[1] - 17:22 comments ^[2] - 3:10, 19:9 Communications ^[1] - 1:11 completed ^[1] - 14:8 compliance ^[1] -	count ^[1] - 18:5 County ^[4] - 3:25, 6:6, 7:19, 17:11 couple ^[2] - 9:5, 16:22 course ^[1] - 12:8 Covenants ^[2] - 4:17, 5:12 coverage ^[1] - 18:6 Craig ^[1] - 17:8 crosshatch ^[1] - 14:11 cul ^[1] - 11:10 cul-de-sac ^[1] - 11:10	early ^[1] - 11:24 EDWARDS ^[27] - 7:8, 8:23, 9:5, 9:21, 10:4, 10:11, 10:17, 10:23, 11:21, 11:25, 12:24, 14:22, 14:25, 15:4, 15:18, 15:25, 16:20, 18:7, 21:21, 22:4, 22:10, 22:17, 22:22, 23:2, 23:5, 23:8, 23:11 Edwards ^[1] - 2:9 either ^[2] - 9:14, 15:19 electronic ^[2] - 1:23, 25:6 En ^[1] - 8:19 En-Consultants ^[1] - 8:19 encouraging ^[2] - 9:23, 10:20 end ^[2] - 19:22, 23:23 engineer ^[1] - 7:25 engineering ^[4] - 15:5, 15:8, 15:11, 15:14 entry ^[2] - 9:15, 9:18 Environmental ^[3] - 2:11, 6:3, 6:14 equipment ^[1] - 25:7 equivalent ^[1] - 15:2 Erika ^[4] - 2:14, 17:3, 21:7, 21:18 Ernest ^[1] - 2:5 ERRATA ^[1] - 24:2 Esq ^[2] - 2:10, 17:9 exactly ^[1] - 20:13 excuse ^[1] - 8:7
8	865 ^[1] - 4:6 868 ^[1] - 4:5	C&Rs ^[1] - 4:21 care ^[1] - 21:13 cedar ^[1] - 19:12 central ^[1] - 9:14 certainly ^[1] - 18:15 certify ^[1] - 25:2 Chairperson ^[2] - 2:4, 2:5 Christian ^[1] - 2:8 CHURCHILL ^[16] - 3:14, 5:15, 7:2, 7:6, 12:14, 12:19, 12:22, 13:2, 13:7, 13:11, 14:3, 16:15, 16:17, 18:10, 20:25, 23:19 Churchill ^[1] - 2:7 cleaned ^[1] - 20:14 clear ^[2] - 9:23, 10:12 cleared ^[1] - 14:19 clearing ^[8] - 4:9, 9:12, 12:17, 12:24, 13:2, 13:4, 13:24, 14:5 Clerk/Secretary ^[1] - 2:14 close ^[8] - 5:21, 10:10, 11:11, 11:14, 11:16, 12:15, 23:15, 23:18 comment ^[1] - 17:22 comments ^[2] - 3:10, 19:9 Communications ^[1] - 1:11 completed ^[1] - 14:8 compliance ^[1] -	count ^[1] - 18:5 County ^[4] - 3:25, 6:6, 7:19, 17:11 couple ^[2] - 9:5, 16:22 course ^[1] - 12:8 Covenants ^[2] - 4:17, 5:12 coverage ^[1] - 18:6 Craig ^[1] - 17:8 crosshatch ^[1] - 14:11 cul ^[1] - 11:10 cul-de-sac ^[1] - 11:10	early ^[1] - 11:24 EDWARDS ^[27] - 7:8, 8:23, 9:5, 9:21, 10:4, 10:11, 10:17, 10:23, 11:21, 11:25, 12:24, 14:22, 14:25, 15:4, 15:18, 15:25, 16:20, 18:7, 21:21, 22:4, 22:10, 22:17, 22:22, 23:2, 23:5, 23:8, 23:11 Edwards ^[1] - 2:9 either

existing [2] - 6:8, 6:9 extension [3] - 4:2, 4:13, 4:20 Ezekills [1] - 3:24	guesstimate [1] - 12:16 guesstimating [1] - 13:9 guys [1] - 6:20	itself [1] - 13:6	Member [4] - 2:6, 2:7, 2:8, 2:9 MEMBERS [4] - 3:18, 5:17, 21:3, 23:22 memo [3] - 13:18, 17:21, 17:23 Middleton [1] - 2:10 MIDDLETON [35] - 4:11, 4:23, 5:6, 5:9, 5:20, 5:24, 6:18, 7:12, 8:3, 8:16, 8:20, 8:22, 8:25, 11:19, 12:4, 15:11, 15:20, 15:23, 16:6, 16:10, 16:21, 17:2, 17:5, 18:16, 18:19, 20:2, 20:8, 20:15, 20:21, 20:24, 21:2, 21:4, 21:16, 22:3, 23:21 mind [2] - 16:4 minor [1] - 4:9 mm-hm [1] - 8:3 months [3] - 5:19, 5:20, 12:8 motion [13] - 3:12, 5:8, 5:10, 6:24, 16:7, 16:9, 16:12, 18:20, 19:3, 19:4, 20:21, 20:22, 23:17 move [3] - 3:20, 4:15, 9:19 moved [1] - 3:14 MR [141] - 3:2, 3:8, 3:12, 3:14, 3:15, 3:16, 3:17, 3:19, 4:11, 4:22, 4:23, 5:5, 5:6, 5:7, 5:9, 5:10, 5:13, 5:15, 5:16, 5:20, 5:24, 5:25, 6:15, 6:18, 6:23, 6:24, 6:25, 7:2, 7:3, 7:5, 7:6, 7:7, 7:11, 7:12, 7:15, 8:3, 8:4, 8:7, 8:10, 8:12, 8:16, 8:20, 8:22, 8:25, 10:15, 10:22, 11:7, 11:12, 11:15, 11:19, 12:4, 12:14, 12:17, 12:19, 12:20, 12:22, 13:2, 13:4, 13:7, 13:9, 13:11, 13:19, 14:3, 14:4, 14:9, 14:10, 14:14, 14:18, 14:24, 15:3, 15:9, 15:11, 15:13, 15:15, 15:17, 15:20, 15:23, 16:5, 16:6, 16:8, 16:10, 16:12, 16:14, 16:15, 16:16, 16:17, 16:18, 16:19, 16:21, 17:2, 17:5, 17:7, 17:15, 17:18, 17:20, 17:24, 18:2, 18:9, 18:10, 18:12, 18:16, 18:18, 18:19, 19:2, 19:4, 19:6, 19:10, 19:13, 19:20, 19:21, 19:22, 20:2, 20:6, 20:8, 20:13, 20:15, 20:18, 20:21, 20:22, 20:24, 20:25, 21:2, 21:4, 21:6, 21:11, 21:13, 21:14, 21:16, 22:3, 22:7, 22:14, 22:20, 22:23, 23:3, 23:6, 23:10, 23:13, 23:17, 23:19, 23:20, 23:21 MS [58] - 5:3, 5:18, 5:22, 6:13, 7:8, 7:10, 8:6, 8:8, 8:11, 8:14, 8:18, 8:21, 8:23, 9:5, 9:17, 9:21, 10:3, 10:4, 10:6, 10:11, 10:14, 10:17, 10:23, 11:5, 11:9, 11:13, 11:18, 11:21, 11:23, 11:25, 12:2, 12:24, 13:13, 13:15, 14:13, 14:16, 14:22, 14:25, 15:4, 15:7, 15:18, 15:21, 15:25, 16:20, 16:24, 17:4, 18:7, 21:9, 21:21, 22:2, 22:4, 22:10, 22:17, 22:22, 23:2, 23:5, 23:8, 23:11
F	H	J	N
fact [1] - 4:14 familiar [1] - 11:8 family [1] - 7:21 far [1] - 11:2 favor [6] - 3:17, 5:16, 7:4, 16:16, 21:2, 23:21 feet [9] - 4:5, 4:6, 13:5, 13:10, 13:14, 14:5, 14:6, 19:18 Ferry [1] - 1:9 few [2] - 13:5, 18:14 fine [2] - 15:3, 20:7 first [3] - 3:21, 4:5, 13:17 five [1] - 13:8 Fleetwood [1] - 6:16 Flexi [1] - 18:8 Flexi-something [1] - 18:8 flexibility [1] - 9:14 floor [2] - 4:6, 4:7 folks [2] - 4:19, 12:12 follow [2] - 5:11, 17:2 foot [1] - 22:12 FOR [2] - 24:2, 24:4 foregoing [1] - 25:3 Forest [1] - 21:17 front [2] - 9:15, 9:18 front-entry [2] - 9:15, 9:18	Hagn [1] - 2:4 HAJEK [24] - 5:5, 12:17, 12:20, 13:4, 13:9, 13:19, 14:4, 14:10, 14:14, 14:18, 14:24, 15:3, 15:9, 15:15, 19:10, 19:20, 19:22, 22:7, 22:14, 22:20, 22:23, 23:3, 23:6, 23:10 Hajek [1] - 2:11 happy [2] - 20:18, 21:12 Harbor [3] - 1:10, 17:10, 19:25 hatched [1] - 14:11 HAVEN [1] - 1:6 Haven [6] - 3:24, 6:5, 7:18, 17:10, 24:2, 25:4 Hearing [2] - 24:2, 24:3 Held [2] - 1:9, 1:11 held [1] - 25:5 help [1] - 21:15 hence [1] - 19:8 hm [1] - 8:3 Holding [1] - 6:2 Hollow [1] - 3:24 hopefully [1] - 22:7 hours [1] - 18:14 house [3] - 11:8, 11:11, 11:14 houses [1] - 11:10	K	
G	I	L	
game [1] - 9:7 garage [4] - 6:10, 7:22, 9:16, 9:18 Gaudiello [1] - 15:15 generally [1] - 10:19 George [1] - 2:12 gonna [4] - 7:8, 14:11, 14:12, 14:19 gotta [1] - 18:16 grant [1] - 4:20 granted [1] - 4:13 great [2] - 5:24, 8:22 Gregory [1] - 2:7 Gubitosi [1] - 2:14 GUBITOSI [11] - 5:3, 5:18, 5:22, 8:18, 8:21, 11:23, 12:2, 13:15, 15:21, 21:9, 22:2	I/A [3] - 4:8, 6:11, 7:24 II [1] - 6:2 Inactive [1] - 21:25 inaudible [2] - 8:6, 17:21 Inc [1] - 6:4 including [1] - 6:8 Inspector [1] - 2:12 installation [3] - 4:8, 6:10, 7:23 issue [2] - 19:3, 19:23 issued [1] - 17:21 issues [1] - 23:14 it'll [2] - 14:20, 20:3 items [1] - 21:17	last [1] - 15:22 late [2] - 4:14, 9:7 least [1] - 14:5 length [1] - 13:24 limit [2] - 13:16, 13:18 line [6] - 9:11, 9:12, 9:24, 10:13, 12:15, 14:21 list [1] - 21:25 LLC [2] - 6:2, 7:16 LN [1] - 24:4 LOCASCIO [15] - 17:15, 17:20, 18:2, 18:9, 18:12, 18:18, 19:6, 19:13, 19:21, 20:6, 20:13, 20:18, 21:6, 21:11, 21:14 Locascio [2] - 17:8, 17:16 located [4] - 3:23, 6:4, 7:17, 17:9 look [2] - 3:9, 20:4 looking [2] - 22:11, 22:12 looks [2] - 12:22, 13:2	
	M		
	maintain [1] - 4:9 majority [1] - 22:14 Map [4] - 3:25, 6:6, 7:19, 17:11 matter [1] - 18:21 McMullan [3] - 6:15, 7:11 McMullen [1] - 6:16 mean [4] - 11:15, 12:16, 14:10, 22:19 meant [1] - 22:21 meeting [4] - 3:4, 22:6, 23:15, 23:18 meets [2] - 20:8, 20:9 melissa [1] - 6:13		

<p>note [2] - 18:3, 18:11 November [5] - 1:13, 3:3, 15:24, 24:3, 25:5 NOW [1] - 24:4</p>	<p>PLANNING [1] - 1:5 Planning [5] - 2:11, 3:4, 4:3, 24:2, 25:4 plans [1] - 10:20 planting [5] - 10:16, 10:17, 19:7, 19:11, 19:17 plants [2] - 22:18, 22:19 Pledge [2] - 3:5, 3:6 point [1] - 10:13 pool [3] - 7:22, 17:13, 18:23 possible [1] - 10:25 predecessor [1] - 20:17 prepared [2] - 11:20, 25:5 pretty [1] - 5:21 previously [1] - 19:24 problem [1] - 23:5 proceedings [1] - 1:23 Proceedings [2] - 25:3, 25:8 property [13] - 3:23, 6:4, 7:17, 9:11, 9:12, 9:24, 10:7, 10:13, 12:15, 14:20, 17:9, 17:16, 19:16 proposed [1] - 14:6 proposes [3] - 6:7, 7:20, 22:8 proposing [1] - 13:23 provide [2] - 4:16, 6:21 provided [1] - 19:8 Provided [1] - 23:23 providing [1] - 22:7 pru [1] - 4:15 prudent [1] - 4:15 Public [1] - 24:24 pushed [2] - 9:10, 10:25 put [2] - 10:12, 13:21 putting [1] - 11:17</p>	<p>really [3] - 10:18, 10:25, 11:18 REASON [1] - 24:4 reason [1] - 4:12 reasonable [1] - 22:15 recited [1] - 3:7 recommended [1] - 16:3 reconfiguration [1] - 4:7 record [1] - 25:7 Recorded [1] - 1:23 Recording [2] - 1:23, 23:23 refer [1] - 18:20 regarding [1] - 9:9 relief [3] - 18:22, 18:23, 18:25 report [2] - 12:11, 15:23 request [1] - 4:16 requests [2] - 4:2, 17:12 required [1] - 25:6 reso [1] - 7:13 resolution [11] - 6:19, 6:20, 8:17, 8:24, 9:2, 11:20, 11:22, 15:6, 16:11, 16:13, 16:22 respect [4] - 4:11, 4:17, 16:10, 21:16 respectful [1] - 10:23 Response [2] - 3:11, 23:16 Restrictions [2] - 4:17, 5:12 retain [1] - 13:22 reveg [2] - 15:2, 21:24 revegetate [1] - 22:9 revegetated [2] - 14:12, 14:21 revegetating [1] - 14:7 revegetation [9] - 4:9, 6:11, 14:17, 14:18, 19:15, 19:19, 22:8, 22:16, 23:4 reviewed [3] - 15:10, 15:16, 17:19 revise [1] - 17:22 rise [1] - 3:4 Road [1] - 1:9 room [1] - 11:3</p>	<p>3:15, 3:17, 3:19, 4:22, 5:7, 5:13, 5:16, 5:25, 6:23, 6:25, 7:3, 7:7, 7:15, 8:4, 8:7, 8:10, 8:12, 10:15, 10:22, 11:7, 11:12, 11:15, 14:9, 15:13, 15:17, 16:5, 16:8, 16:14, 16:16, 16:19, 17:7, 17:18, 17:24, 19:2, 21:13, 23:13, 23:17 Schieferstein [1] - 2:5 Scott [1] - 2:10 Scott's [1] - 5:11 screening [1] - 19:24 second [12] - 3:15, 4:6, 5:14, 5:15, 6:2, 6:25, 7:2, 16:14, 16:15, 20:24, 20:25, 23:20 see [3] - 9:20, 21:5, 22:18 send [2] - 11:21, 19:4 sense [1] - 22:25 sent [1] - 11:23 septic [2] - 6:11, 7:24 set [1] - 21:8 setback [1] - 18:23 SHEET [1] - 24:2 SHOULD [1] - 24:4 showing [1] - 19:18 shown [1] - 14:15 side [1] - 11:2 Signature [1] - 24:19 signed [1] - 15:16 single [1] - 7:21 single-family [1] - 7:21 site [2] - 9:10, 10:19 six [2] - 5:19, 5:20 slightly [1] - 19:16 sorry [1] - 11:12 sort [3] - 9:8, 9:13, 15:6 Sound [1] - 1:23 sounds [1] - 21:11 south [2] - 19:20, 19:22 spa [1] - 7:22 speaking [1] - 10:19 square [3] - 4:5, 4:6, 19:18 state [2] - 6:12, 8:13 Stilwell [1] - 6:2 stormwater [1] - 13:22 story [3] - 4:4, 6:7, 7:21 street [1] - 18:23 subject [2] - 4:21,</p>	<p>20:3 submit [1] - 5:23 submitting [1] - 5:21 Subscribed [1] - 24:21 suffolk [4] - 3:25, 6:6, 7:19, 17:11 suggested [1] - 18:10 suggestions [1] - 9:4 surface [1] - 18:5 survey [1] - 17:22 Susan [2] - 2:9, 8:25 swimming [2] - 7:22, 17:13 sworn [1] - 24:21 system [2] - 6:11, 7:24</p>
T				
<p>Tax [4] - 3:25, 6:6, 7:19, 17:11 teeny [1] - 22:11 ten [4] - 13:10, 13:14, 14:4, 14:6 terms [1] - 9:11 thankfully [1] - 20:15 Thanksgiving [1] - 21:12 that'll [1] - 5:18 THE [1] - 24:2 thinking [2] - 10:16, 10:19 thorough [1] - 22:8 thriving [1] - 20:5 today [4] - 11:24, 11:25, 17:21, 21:18 tomorrow [1] - 21:10 towards [1] - 18:6 Transcribed [1] - 1:24 transcript [2] - 3:10, 25:3 TRANSCRIPT [1] - 24:2 transcription [1] - 25:6 trees [1] - 19:12 true [1] - 25:7 trying [1] - 23:9 tweak [1] - 12:3 two [4] - 4:4, 6:7, 7:21, 13:5 two-story [3] - 4:4, 6:7, 7:21</p>				
U				
<p>unless [1] - 20:19 up [7] - 8:13, 12:5, 12:12, 13:24, 14:20, 17:2, 20:14</p>				

V

Via ^[1] - 1:11
Video ^[1] - 1:11
VILLAGE ^[1] - 1:6
Village ^[4] - 2:10,
 2:12, 2:14, 25:4
Vinny ^[2] - 15:15,
 17:18
von ^[1] - 2:4
vote ^[3] - 6:20, 7:9,
 16:20

W

wants ^[1] - 21:8
week ^[1] - 15:22
welcome ^[1] - 3:3
West ^[3] - 6:5, 17:10,
 19:24
whole ^[2] - 22:12,
 22:15
Widow ^[4] - 7:12,
 7:15, 7:17, 8:9
wise ^[1] - 9:22
wondering ^[1] - 11:4
woods ^[1] - 10:8
worth ^[1] - 21:6

Y

York ^[5] - 1:10, 3:24,
 6:5, 7:18, 17:10
yup ^[4] - 15:17, 18:9,
 19:21, 20:6

Z

Zoning ^[7] - 18:17,
 18:21, 18:25, 19:5,
 20:11, 20:23, 21:5
Zoom ^[2] - 1:11, 8:19