

**Milford Board of Adjustment Minutes
September 7, 2006
Case #25-06
Timothy Cullinan/Perry Fields, LLC**

Present: Katherine Bauer
Bob Levenson
Fletcher Seagroves
Ron Pieper, Jr.

Secretary: Kathryn Parenti

Motion to Approve: _____

Seconded: _____

Signed: _____

Date: _____

K. Bauer: ...informally of how to proceed tonight.

J. Pendleton: We are missing a, this is being recorded. My name is John Pendleton. I'm here to represent the applicant. The applicant, in reality, is the proposed buyer of the property and they are two members of an LLC and one of them isn't here this evening. He has six (6) children and had some sort of issue come up and we'd like him here so we prefer to continue the matter or table the matter. I'm happy to submit, we have kind of a written presentation which I tried to do. It entails just kind of a short summary of our argument for the variance, with some pictures of the site, the tax map, colored in, highlighted the exact lot in question which we'd be happy to submit tonight. We'd also be happy to answer, if you have any informal questions or any issues that you'd like us to address.

K. Bauer: What I don't want to do is to start in with questions and have it turn into a hearing. Do you know what I'm saying?

J. Pendleton: I completely understand. That wouldn't be our intent.

K. Bauer: So, um, let me state again Kathy (referring to the secretary), the hearing is open, the case is open but I'm not going through the usual procedures of notice of hearing and reading the abutters list, just so these folks can submit what they want. So, do you have copies for everyone or we can make copies.

J. Pendleton: I do. If it's alright, I'll pass one out to everybody, including the secretary. I will confess; it may read Perry Road Industrial, LLC. I wasn't familiar with the owner's name. I represent Perry Road, LLC as the potential buyer and my guess the application was filed in...

B. Levenson: Perry Fields, LLC.

J. Pendleton: Perry Fields, LLC? In the name of Perry Fields, LLC.

B. Levenson: Shall we vote to table it?

K. Bauer: I think so. Um.

B. Levenson: Either we have the conversation here or we don't, I guess.

F. Seagroves: I don't think we should have this conversation.

K. Bauer: What, Fletcher?

F. Seagroves: I don't think we should have this conversation.

K. Bauer: No. So our next scheduled meeting is what, September 21, 2006?

B. Levenson: Yes, fourteen (14) days.

K. Bauer: Is that too soon or do you want to go into October?

J. Pendleton: We'd be perfectly happy to be here on the 21st. This wasn't anticipated. I actually drove over from Portsmouth.

K. Bauer: Yeah, you told me.

J. Pendleton: Our apologies. The last thing we wanted to do was get the board angry at us before we had our hearing.

Laughter.

K. Bauer: No, no these things happen.

B. Levenson: At least you showed up (referring to George Infanti and Timothy Cullinan); sometimes they don't even show up and that angers me more.

J. Pendleton: That doesn't really help us. It is our apology and we appreciate you tabling the...

B. Levenson: I make the motion to table the case to September 21, 2006.

K. Bauer: Ok, second?

F. Seagroves: I'll second it.

K. Bauer: Ok, motion by Bob, seconded by Fletcher. All those in favor to table to the 21st say "aye".

R. Pieper: Aye.

F. Seagroves: Aye.

B. Levenson: Aye.

K. Bauer: Aye. Ok, we'll see you on the 21st.

J. Pendleton: Thanks, we appreciate your effort.

R. Pieper: It doesn't anger us by letting us out early.

Laughter.

J. Pendleton: We forgot about that one.

K. Bauer: It's so unusual. It's such a novelty.

Unintelligible conversation.

B. Levenson: Do we have to notify abutters again?

K. Bauer: No, but how do we let abutters know; they don't have to be notified by certified mail?

B. Levenson: It's been tabled.

K. Bauer: We don't really have to let them know if they didn't show up.

R. Pieper: We've been in this situation a number of times.

B. Levenson: They've already been notified. If they were interested, the assumption is they would show up.

R. Pieper: The rational is they were notified of the hearing, they should be here. If they weren't here, they could look at the minutes and see it's been tabled.

K. Bauer: (To K. Parenti, secretary) You didn't have any letters or phone calls specifically, did you?

K. Parenti: Yes, there's one letter from Hitchiner.

K. Bauer: Oh, ok; we can read it next time.

K. Parenti: They are against this. So it's in the file, the letter's in the file.

B. Levenson: The applicants aren't here so we shouldn't even be talking about it.

K. Bauer: We're talking about tabling procedures.

Approval of minutes from August 3, 2006 occurred here and was interrupted by an abutter who attended the hearing.

Ed Delage: Excuse me; will we receive another notice as far when the next meeting is? Or just...

K. Bauer: We were just talking about that. No, you don't but you know when it is right?

E. Delage: The 21st?

K. Bauer: The 21st. Which is two weeks away. We always meet on Thursdays.

E. Delage: That's great. I don't care either way.

B. Levenson: (To K. Parenti) Do we have anything else that night? KT?

F. Seagroves: I think we do.

K. Parenti: Yes, there's one more. I have it here.

K. Bauer: That case, it should be first. I don't think they are going to change the agenda.

B. Levenson: No, you don't.

K. Bauer: Sometimes they do.

E. Delage: At the same time?

K. Bauer: It should be the first case that night at 7:30. Sorry to inconvenience you.

E. Delage: Oh, not at all. I live in town. It gave me a reason to get out. Thanks.