



**Town of Marbletown
Planning Board
PO Box 217, Stone Ridge, NY 12484
(845) 687-7500 Ext. 171
Email: Planning@marbletown.net**

**Planning Board Meeting
January 22nd, 2024
Draft Meeting Minutes**

Meeting Called to Order by Chairman Stratton

6:00 P.M.

Pledge of Allegiance

Quorum Call:

Present: Max Stratton, Dave Cobb, Brendan Masterson, Jim Economos, John Farrar, Sharon Klein, Amalia Graziani (Alternate)

Absent – Harry Hansen

Town Staff Present – Shawn Marks

Announcements/Communications:

The Chair led a Moment of Silence for Will Husta in remembrance and appreciation for his dedicated service to the Town of Marbletown community as a long time member and Chair of the Zoning Board of Appeals.

The Secretary notes a quorum of 6 Voting members; 1 Non-Voting Alternate

1.) 2023-05 SUP: Lexington Center Medical Office – Open Application

(J.E.)

Applicant: Lexington Center for Recovery

Address: 10-14 Gagnon Drive, Stone Ridge, NY, 12484

SBL: 69.2-5-8.100, B1 Zone, 4.30 Ac. +/-

Requesting Special Use Permit Approval for an outpatient health care office

The Chair called the Application to the floor for continued discussion and review.

Suzanne Tisne, Adrienne Marcus, Barbara Tabala, and Michael Moriello are in attendance for the Application, in addition to Medenbach & Eggers.

Board member Jim Economos is Point of Contact for the Application

The Chair reported that the Applicant has provided all requested submissions and Site Plan details to date, and that the Board is ready to schedule a Public Hearing on the Application.



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Motion to Set the Public Hearing for February 26th, 2024, made by M. Stratton, second by J. Economos; call for a Vote with unanimous Aye. (6-0)

Motion to Affirm Lead Agency made by J. Economos, second by B. Masterson; call for a Vote with unanimous Aye. (6-0)

The Chair Appointed Alternate Board members as Voting members for tonight's business; The Secretary notes a quorum of 7 Voting members.

The Board read, reviewed, discussed, and filled out the EAF Part 2

During discussion the Chair called for a polling of the Board on each member's response to the EAF Part 2 Question 3, "Will the proposed action impair the character or quality of the existing community", as a Board member indicated that a moderate impact may or could occur because of the demographic to be served by the proposed Use.

Chair of the Board Poll for response to EAF Part 2 Question #3:

"No, or small impact may occur": D. Cobb, J. Economos, B. Masterson, J. Farrar, A. Graziani, and M. Stratton. (X6)

"Moderate to large impact may occur": S. Klein (x1)

Motion to Accept the completed EAF Part 2 made by J. Economos, second by D. Cobb; call for a Vote with unanimous Aye. (7-0)

The Board engaged in discussion with the Applicant and the Applicants Agents:

- The property owner provided an invoice for a service and inspection of the existing septic system on site; the invoice affirms that the septic system has a 1,000-gallon tank and that it is in good repair and is operating as designed.
- A revised Site Plan is requested with the addition of the setbacks from property lines of the proposed parking area being expanded; setback is required to be 10 feet from the property line to any paved area of the proposed parking spaces or the parking area in general which is being expanded.
- The Board and Applicant discussed the possibility of creating a circular access drive, if necessary, which could continue around the building and reconnect to the upper parking lot on the opposite side of the building; proposed turn around area in the lower parking lot would meet the need for having an area to turn around larger vehicles if needed.



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- Additional parking spaces can be added to the upper parking lot as well with wayfinding and directional signage added to direct people to the lower low entrance via the newly proposed staircase and sidewalk.
- The Board affirmed the items on the Town Engineer commentary letter which have yet to be addressed on the Site Plan and requested their addition and revisions prior to the Public Hearing at the February meeting.
- Directional signage and pedestrian access lane requested to be provided on the Site Plan; The intersection of Route 209 and Gagnon Drive requiring signage for persons arriving by Public Transport or being dropped off on Route 209 to access the site on foot.
- The Applicant reinforced that most clients arrive in personal vehicles or carpool; a small percentage may arrive by public transportation or may come in a taxi or “Medicaid Cab” medical transport vehicle; Oversized vehicles or vans are not expected; Applicant clarified misunderstanding that there was to potentially be numerous large 8–10-person sized vans that would need accommodations to provide for efficient traffic flow.
- Based on documentation provided thus far, and in comparing the confirmed septic capacity on site to the proposed number of employees and patients expected to be serviced by the facility, there remains some concern that there’s the potential for the septic system capacity to be exceeded; the Board discussed the need for a flow meter and monitoring of the septic system to be considered and discussed further moving forward in the review; consideration to be given to both businesses which would be operating on the site.

The Applicants Agent will provide a revised Site Plan for review by the Board and the Town Engineer, and a Public Hearing will be noticed for February 26th, 2024.

2.) 2023-04 SBD: Mastropietro Minor SBD – Open Public Hearing

(D.C.)

Owner/Applicant: June Mastropietro
Address: 46 Fairview Avenue, High Falls, NY, 12440
SBL: 70.9-1-27.210; R1 Zone, 11.50 Ac. +/-
Requesting approval for a 2 Lot Minor Subdivision

Applicant June Mastropietro is in attendance for the Application

Application Point is Dave Cobb

Board Chair and Application Point provided a brief update on the Applications progress and review:

- The Plat is conforming to Code Requirements for Subdivision and the Density and Bulk requirements set forth in the Zoning Code.
- No public comment was received at the opening of the Public Hearing in December of 2023.



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- The Public Hearing was carried until January 2024 to allow for the SEQRA deadline to pass and provide the DEC with sufficient time to respond to the SEQRA circulation; No response received; No other SEQRA submissions have been received anytime thereafter.
- The Board is ready to discuss and consider the EAF Part2/3, and to discuss the issuance of a Negative Declaration and consider a vote on the Application.

Call for Public Comment: None Received

Motion to Close the Public Hearing made by D. Cobb, second by M. Stratton; call for a Vote with unanimous Aye. (7-0)

Motion to Affirm Lead Agency made by M. Stratton, second by J. Farro; call for a Vote with unanimous Aye. (7-0)

The Board reviewed the previously documented EAF Part 2 and reaffirmed its findings.

Motion to Accept the EAF Part 2 Short made by D. Cobb, second by S. Klein; call for a Vote with unanimous Aye. (7-0)

The Board read, reviewed, discussed, and edited the drafted EAF Part 3 Short and Negative Declaration.

Motion to Accept the EAF Part 3 Short made by D. Cobb, second by J. Economos; call for a Vote with unanimous Aye. (7-0)

Motion to Issue a Negative Declaration made by M. Stratton, second by B. Masterson; call of the Roll with the following Vote: D. Cobb, Aye; M. Stratton, Aye; J. Economos, Aye; B. Masterson, Aye; S. Klein, Aye; J. Farro, Aye; A. Graziani, Aye. (7 Aye / 0 Nay) (7-0)

The Board read, reviewed, discussed, and edited the drafted Determination. Resolution, and Conditions of Approval for the Mastropietro Minor Subdivision.

Motion to Approve the Determination and Resolution for the Mastropietro Minor Subdivision made by M. Stratton, second by D. Cobb; call of the Roll with the following Vote: D. Cobb, Aye; M. Stratton, Aye; J. Economos, Aye; B. Masterson, Aye; S. Klein, Aye; J. Farrar, Aye; A. Graziani, Aye. (7 Aye / 0 Nay) (7-0)

Board member Dave Cobb recused himself at 6:54 P.M.

The Secretary notes a Quorum of 6 Members Voting.



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3.) 2024-01 SIGN: Lomontville Fire District Freestanding Sign – New Application (J.F.)

Applicant: Lomontville Fire District

Address: 2394 Hurley Mountain Road, Kingston, NY, 12401

SBL: 62.1-1-19, B-1 Zone, 0.33 Ac. +/-

Requesting approval for the replacement of an existing Freestanding Sign

Sally Dolan in attendance for the Application.

John Farrar is the Application Point of Contact.

Motion to accept and open the Application made by M. Stratton, second by S. Klein; call for a vote with unanimous Aye. (6-0)

Motion to Classify the Application as a Type II Action under SEQRA made by M. Stratton, second by S. Klein; call for a vote with unanimous Aye. (6-0)

The Application Point and Chair provided an overview of the Application request and the Board engaged in conversation and review of the Application proposal and the supporting documentation:

- The proposed Freestanding Sign design meets the Zoning Code requirements for the B1 District.
- The existing sign to be replaced in full by newly designed Sign; to include new footings and slight adjustment for the sign to be perpendicular to Hurly Mountain Road so its visible from each direction of travel.
- 911 Address to be placed at the bottom of the sign to be illuminated by the downward facing lighting.
- Discussion by the Board on hours of illumination and the use of a “timer” to turn off sign lighting at a pre-determined hour; generally, would not like the lights on all night long; Board has previously requested a 10 pm “off time” on other Applications for signage and Site Plans.
- The applicant noted that the current lighting on the existing sign is on all night long and they are planning to do the same for the new sign to mark the location of the Fire Department; lighting proposed is downward facing and dark sky compliant; no complaints about current lighting from any neighbors.
- A streetlight exists and additional lighting with motion sensors and a timer is planned for installation on the Fire House over the garage doors with a timer planned to be set for 10 p.m.
- Following additional discussion with the Applicant and Fire Department representative and given that the building and signage is of an Emergency Services Use, the Board collectively decided not to restrict the hours of illumination on the sign, and that the hours of



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illumination be left up to the Applicant and the needs of the Fire District and the Community but requested that a timer system be considered for use and lighting limited where practicable.

The Board read, reviewed, discussed, and edited the drafted Determination, Resolution, and Conditions of Approval for the Freestanding Sign.

Motion to Approve the Determination and Resolution for the Lomontville Fire District Freestanding Sign made by M. Stratton, second by B. Masterson, with the following call of the Roll; M. Stratton, Aye; J. Economos, Aye; B. Masterson, Aye; S. Klein, Aye; J. Farrar, Aye; A. Graziani, Aye. (6 Aye / 0 Nay) (6-0)

Board member Dave Cobb returned as a voting member by the Chair at 7: 12 P.M.

The Secretary notes a quorum of 7 Members Voting.

4.) 2023-03 SBD: Sans Minor Subdivision – Open Public Hearing

(B.M.)

Applicant: AHB1 LLC; c/o Katy & Gregory Sans

120-121 Mill Road, Stone Ridge, NY, 12484

SBL: 61.1-2-22.200, A3 Zone, 7.07 Acres +/-

Requesting subdivision approval for a 2-lot minor subdivision to include an undersized flag lot which has received an Area Variance.

Bill Eggers of Medenbach & Eggers is in attendance as Agent for the Application

Board member Brandon Masterson is Point for the Application

The Public Hearing is Open

Call for Public Comment: None

Agent Bill Eggers and the Board engaged in discussion on the Applications progress and the details of the proposed Minor Subdivision:

- The Planning Board Chair, ZBA Chair, Town Attorney, Board Secretary, and Code Officer have discussed and reviewed the concerns raised at the Public Hearing in December 2023.
- The Chair of the Planning Board and ZBA have scheduled a Site Visit with the owner of the property at 43 Sun Mountain Road on January 26, 2024; Site Visit to further understand the concerns surrounding soil and erosion control on the property; Further discuss concerns associated with the construction of a residence on the parcel proposed to be subdivided more fully.



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- Consideration to and additional review of concerns over Soil & Erosion Control is within the purview of the Board, and the intention of the Board is to fully appreciate the scope of the concerns, and to further the discussion with the Applicant and the Applicants Engineer on potential mitigation needs.
- The Board requested that the Agent begin to consider discussions for a Construction Activity Soil Erosion and Sediment Control Plan to coincide with the Subdivision review for the proposed construction of the Single-Family Residence.
- Documented and verified Wetlands are noted to be a significant distance from the proposed site of the new single-family residence upon the proposed parcel for subdivision.
- The Agent for the Application noted that he had driven along Mill Road and did appreciate water runoff from the parcel, but that it appeared to him to be that Mill Road is in between the path that the water is trying to take from the parcel in question to reach the lower lands and wetlands on the opposite side of Mill Road.
- Photos which were provided by a neighbor of water runoff from the parcel were viewed and discussed by the Board and the Applicants Agent.
- Earthwork and construction work, if done properly, should have a positive effect upon Soil & Erosion concerns, and not a detriment to or serve to make an existing issue worse.
- The need for a Construction Activity Soil & Erosion Control Plan is certainly appropriate to ensure water and runoff will not affect neighboring parcels.
- No additional information was provided to the Board regarding the reported gravesite upon the parcel.
- The Agent reports that the "oil pit" commentary was regarding the abatement of an underground oil tank which was removed from the property.
- The Board has not received any additional commentary from the neighbor at 39 Sun Mountain Road.
- Discussion of if a culvert exists in the vicinity along Mill Road to help the water runoff of concern; the Agent noted that he did not believe that there is a culvert and that may be part of the problem; The driveway curb cut is an old legacy curb cut and it's possible no culverts were installed to facilitate drainage at the time that the driveway was constructed.
- Fire Apparatus Pull Off, Turn Around, and total area of disturbance to be added to the Subdivision Plat in a revision for the Board to review.

Call for Public Comment: None

Motion to hold the Public Hearing open at the Call of the Chair made by M. Stratton, second by J. Economos; call for a vote with unanimous Aye. (7-0)

Site Visit with 43 Sun Mountain to be completed and additional review and discussions to continue at the February Planning Board meeting.



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5.) 2024-02 SIGN: 2821 Route 209 Freestanding Sign – New Application

(J.F.)

Applicant: Polestar Holdings

Address: 2821 Route 209, Kingston, NY, 12401

SBL: 62.1-3-36, B-2 Zone, 1.00 Ac. +/-

Requesting approval for a new sign face panel in an existing Freestanding Sign

John Farrar is Application Point of Contact

The Application Point and provided an overview of the Application request and the Board engaged in conversation and review of the Application proposal and the supporting documentation:

- The existing Freestanding Sign conforms to the Sign Code requirements for the B2 District and the proposed double sided Sign Face conforms to the Sign Code requirements.
- During his Site Visit, the Application Point noted that the building had Address numeric for #2819, #2820, and #2821. #2820 not a valid address number for the parcel; opposite side of the street for even numbers.
- 911 Address Range assigned to the Parcel. Ulster County 911 confirmed that it has both addresses listed in the 911 database.
- #2821 to be placed on Route 209 roadside signpost and #2819 to be placed on the building side, or yard side, signpost. 911 Addresses to be visible from both directions of travel on Route 209.
- The existing Freestanding Sign has existing lighting, and no new lighting is proposed.

Motion to accept and open the Application made by S. Klein, second by D. Cobb; call for a vote with unanimous Aye. (7-0)

Motion to Classify the Application as a Type II Action under SEQRA made by M. Stratton, second by B. Masterson; call for a vote with unanimous Aye. (7-0)

The Board read, reviewed, discussed, and edited the drafted Determination, Resolution, and Conditions of Approval for the Freestanding Sign.

Motion to Approve the Determination and Resolution for the #2819-#2821 Route 209 Freestanding Sign for Polestar Holdings made by J. Farrar, second by S. Klein, with the following call of the Roll: D. Cobb, Aye; M. Stratton, Aye; J. Economos, Aye; B. Masterson, Aye; S. Klein, Aye; J. Farrar, Aye; A. Graziani, Aye. (7 Aye / 0 Nay) (7-0)

Other Business:



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1. Rose Hill Road Subdivision – Town of Rochester Planning Board Referral

Nadine Carney of Peak Engineering in Attendance on behalf of the Application

The Board and Application Agent engaged in a review and discussion on the Subdivision Referral for Comment and SEQRA Circulation:

- Located in the Town of Rochester; 4 lot Subdivision to be serviced by a Private Rural Road connecting across the Town Line.
- Parcel being subdivided is parallel to and along the Town Line with access being proposed across an existing Marbletown Town Road and Right of Way; Private Rural Road to be curb cut at Rose Hill Road which also parallels the Town Line.
- No Application for Subdivision is requested to be made to the Marbletown Planning Board.
- A copy of the final Road Maintenance Agreement is requested to be provided and placed on file with the Town of Marbletown.
- Town of Rochester Planning Board requested to consult with the Marbletown Highway Department and Marbletown Town Board for commentary on the curb cut for the proposed private rural road as its location is proposed to be at the terminus of Rose Hill Road which is a dead-end road with a turnaround area.

The Chair Polled the Board with resulting unanimous agreement amongst all 7 voting members that the Town of Rochester Planning Board should serve as Lead Agency for the SEQRA Review of the Rose Hill Road Subdivision.

The Board Chair will provide the completed SEQRA Lead Agency Referral Form and a Letter of No Comment or Concern to the Town of Rochester Planning Board documenting full agreement that they serve as the Lead Agency in the coordinated review.

2. Local Law #1 of 2024 & 2024 Comprehensive Plan Amendments – Referral for Comment

The Board reviewed and discussed the drafted Local Law #1 and the 2024 Comprehensive Plan Amendment referred by the Town Board:

- Parcel being considered for rezoning fronts on North Marbletown Road and most recently housed the Marbletown Fire Department.
- Parcel is 0.6 acre and currently Zoned R1; Proposing to re-zone to B2; the B2 Zoning district is directly adjacent to the parcel.
- Town has assumed ownership of the property and is seeking to sell the property.
- The building has its origins as the original one-room schoolhouse for North Marbletown.



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- Possible septic insufficiency and contamination on the site; The site may not be able to support another Use of greater intensity; the septic system at the business adjacent needed a new septic installation after years of insufficiency and ground contamination.
- Concern that property may not be able to support the potential uses which re-zoning would allow; Limited parking, limited acreage, limited infrastructure.
- Change in Zoning to increase the value and salability of the property; B2 Zone is directly adjacent and in direct proximity to this parcel would be a small adjustment.
- Neighborhood has already expressed concerns over the future of the property and the potential commercial uses which could be in the building following a re-zoning.
- Possibility that the property could be given to the Food Pantry as the Food Pantry is a not for profit and would be a low impact Use that would greatly benefit the operation and the building and property could continue to have direct benefit to the Community; If the Town is looking to end its ownership of the property, give it to a non-for profit as the property has not been contributing to the tax rolls and is of low value.
- Consideration of the History of the property and the building being the original single room School House for North Marbletown prior to its expansion and renovation to support the Emergency Services Use; School House portion of the building was kept as intact as possible by the Fire District to retain its character; consideration could be given to returning the building to its original design and supporting a Historic Designation.
- Any additional information on the impact of the change in the Zoning would be beneficial; the zoning of no other surrounding parcels would change, only the single parcel is being considered for change of zoning.
- A business Use or commercial Use on that property if re-zoned would still need to move through the Special Use Permit or Site Plan Approval process in which the property would come back before the Planning Board.

The Chair polled the Board for commentary on the re-zoning of the property, the Local Law #1 of 2024, and the amendment to the Town Comprehensive Plan:

M. Stratton: In support of the Zoning Change and Local Law #1.

D. Cobb: In support; does not like to see the Town involved in Real Estate Transactions.

J. Economos: RECUSAL; has family who own property directly across the street.

B. Masterson: Would like to have more information before deciding on supporting the zoning change; would like to understand the impacts of the change in the zoning and how it benefits the sale and value.

S. Klein: In support if the Town feels that it needs to sell the building and if that's what the Town feels is best and what is needed.



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J. Farrar: Is neutral on the matter.

A. Graziani: In support of the change.

The Chair will draft a Letter of Comment to the Town Board

3. Hasbrouck House SUP Approval Extension Request #4

Stephanie Bassler is the Agent in attendance for the Application on behalf of the Owner.

The Board and the Application Agent engaged in discussion on the request for an additional Approval Extension for the Hasbrouck House Special Use Permit:

- 3rd Approval Extension expired January 8th, 2024.
- Applicant was intent on completing the outstanding Conditions of Approval in acquiring the formal Approvals of the Department of Health and the State Department of Transportation during the 3rd 90-day extension which the Board granted; did not come to pass.
- Application was made in August of 2023 to both the Ulster County Health Department and the Department of Transportation, and it was not until December of 2023 that the Agencies provided their initial review commentary.
- The timing of the review commentary did not allow the engineers adequate time to respond by the January expiration of the 90 Day Extension.
- Concern expressed that four (4) Approval Extensions are excessive and that it sets a bad precedent.
- The previous extension was noted to have been the last extension and sentiment noted that the Board should follow through with its stated intention.
- A lot of time has been spent on the Application and it's problematic that the Approvals have not yet been acquired given how much time has elapsed since the original Approval.
- The Agent provided a Letter of Initial Concept Approval from a NYS DOT Engineer indicating that the Curb Cut Application and Work Permit can progress forward for its next review phase indicated some progress is occurring.
- The Agent provided commentary from the Ulster County Board of Health which indicated the initial formal review had commenced and that the Applicants Engineer is now tasked with submitting the requested modifications for Approval.
- Concern was raised regarding the Applicants' failure to follow Conditions of Approval pertaining to the Special Events Tent during last summer.
- Willingness to support an existing business by considering an additional extension given that there are signs of progress being made with the Health Department and Department of



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Transportation reviews and that there's already been a lot of work put into the Application by the Board.

- The Agent noted that the Board already spent a considerable amount of time on the Special Use Permit and Site Plan, and that it should consider time spent already given that the Subdivision for the Hasbrouck House will be coming back before the Board.

The Chair noted that the Board is considering the request for approval extension because of the amount of work the Board has already put into the Application and the project, but feels that the Board has reached its limit and that he personally is not in favor of an additional extension but wishes to hear feedback from the Board.

The Chair polled the Board for commentary on the Request for Extension:

D. Cobb: Understands that some of the delays are outside the control of the Applicant or the Agent and is willing to support a viable business within the Town and would be willing to consider supporting one additional Approval Extension.

J. Economos: Would like to also support an existing business by supporting an additional Approval Extension.

B. Masterson: If the Code allows for it and there's signs and documentation of movement from the DOT and the Health Department on moving toward Approvals, he would be in favor of an additional extension.

S. Klein: Concerned that the continued granting of extensions sets bad precedent and that it does not look good on the Board to continue with approval extensions beyond the number allowed by Code; additional concern for noncompliance relating to conditions of approval regarding the event tent on site; is not willing to support an additional Extension Approval.

J. Farrar: Amazed that the matter is still before the Board for as long as it has been and is concerned that a lot of work will be wasted but there's no guarantee that additional issues or obstacles could arise which prevents the DOT or DOH approvals from being obtained before the next expiration.

A. Graziani: New to the issue but has reviewed the documents beforehand and would be in favor of granting an extension.

Following the Boards discussion and the Chairs poll and request for commentary, as well as a review and discussion of Town Code for Approval Extensions, in addition to a review of the language in the original Approval Determination and Resolution for the Hasbrouck House Special Use Permit and Site Plan Approval, the Chair called the matter to a Vote.



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Motion to Grant a 90 Day Approval Extension for the Hasbrouck House Special Use Permit and Site Plan Approval made by D. Cobb, second by J. Economos; Call of the Roll with the following Vote: D. Cobb, Aye; M. Stratton, Nay; J. Economos, Aye; B. Masterson, Aye; S. Klein, Nay; J. Farrar, Nay; A. Graziani, Aye. (4 Aye / 3 Nay) (4-3)

4. Approval of December 2023 Meeting Minutes

Motion to Approve the minutes of the December 2023 Planning Board Meeting made by J. Economos, second by D. Cobb; call for a vote with unanimous Aye. (7-0)

Motion to adjourn the meeting made by M. Stratton, second by J. Economos; call for vote with unanimous Aye. (7-0)

Meeting Adjourned

8:23 P.M.

Draft Submitted 02/12/2024

Minutes Approved XX/XX/XXXX

Shawn Marks