

**Town of Auburn  
Board of Selectmen  
December 20, 2021  
Town Hall**

**7:00 p.m.**

**( ) Call to Order – Pledge of Allegiance**

Approval of Payroll Manifest for the Week of December 20, 2021

Approval of Consent Agenda – Week of December 20, 2021

**( ) Appointments with the Board**

- Involuntary Merger Application – Richard & Yvette Paris, 202 Old Candia Road

**( ) New Business**

**( ) Old Business**

- Goal Setting Meeting for 2022
- Step Increases – Deputy Town Clerk and Town Administrator

**( ) Report / Comments of Ex-officio Board Representatives**

**( ) Other Business**

**( ) Next Meetings / Events**

- Monday, January 10, 2022 – Board of Selectmen's Meeting – 4:00 PM
- Monday, January 24, 2022 – Board of Selectmen's Meeting – 7:00 PM

**( ) Minutes**

- December 13, 2021 Public Meeting
- December 13, 2021 Non-Public Meetings (x3)

**( ) Non-Public Session pursuant to provisions of RSA 91-A: II (a)**

- The compensation of any public employee

**( ) Adjourn**

*Note: "Any person with a disability who wishes to attend this public meeting and needs to be provided reasonable accommodations in order to participate, please contact the Board of Selectmen's Secretary at (603) 483-5052 x100, so that arrangements can be made."*

Town of Auburn, NH  
Application for Restoration of  
Involuntarily Merged Lots Pursuant to RSA 674:39-aa

*Applicant Information*

Owner(s) Name	<u>RICHARD E. PARIS SR.</u> <u>PARIS FAMILY LIVING TRUST</u>		
Address/Street Number	<u>202 OLD CANDIA RD.</u>		
City & State	<u>AUBURN, N.H.</u>	Telephone	<u>(603) 483-2531</u>

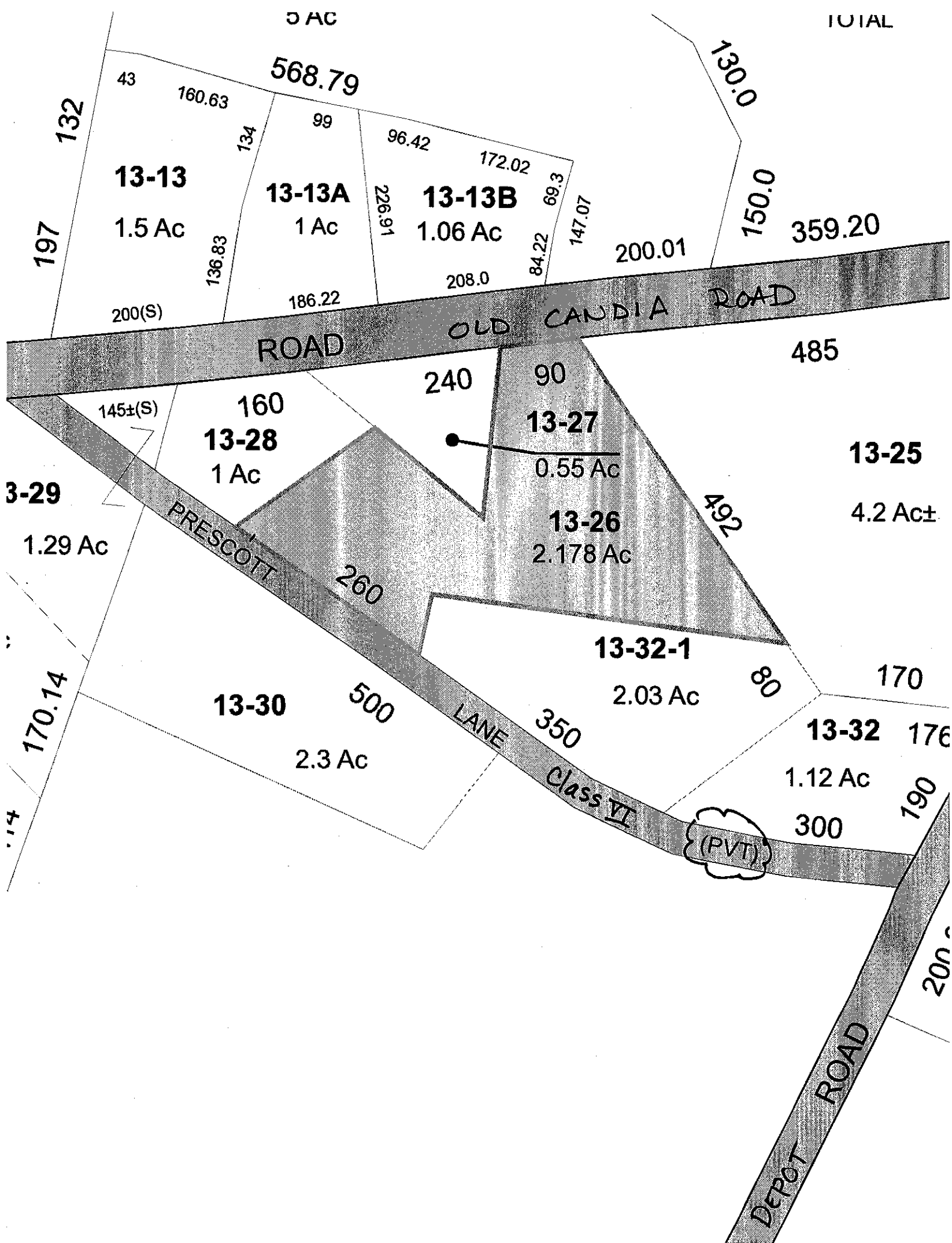
*Current Parcel Information (use additional sheet if more than three parcels involved)\**

	Parcel 1	Parcel 2	Parcel 3
Assessor's Map/Lot/Sub	TAX MAP NO. 013 LOT-026	TAX MAP NO. 013 LOT-031	
Street Address	202 OLD CANDIA RD.	PRESCOTT LANE	
Deed Reference Book/Page	BK 5852 Pg. 2287		

*\*Please attach a copy of the deed for each parcel. Please also attach any written consent of mortgage holders, relevant surveys, site plans, approved subdivision plans, pre-merger tax bills or other documentation that you think is pertinent. This application must be submitted to the Town of Gilmanton Board of Selectmen prior to December 31, 2021. Please see the Instructions & General Information for additional details. By submission of this application, the property owner does hereby consent to the inspection of the property by the Town.*

Owner's Signature Richard E. Paris Date 10-18-2021

Owner's Signature Yvette T. Paris Date 10-18-2021



# PROPERTY RECORD

MAP NO. <u>13</u> LOT NO. <u>26</u>		LOCATION <u>Old Candia Road</u>	SIZE <u>90'-1Ac.</u>		
NAME OF OWNER		ADDRESS	DATE	BOOK	PAGE
RICHARD E. & YVETTE T. PARIS					
RFD#1 BOX 577A		<del>0/27 OLD CANDIA RD. RFD#2</del>			
MANCHESTER, N. H. 03104		<del>RFD#7, MANCHESTER, N.H. 03104</del>			
<i>into Trust merged with Map 13</i>		Lot 31 10/1988			
Paris Family Living Trust		202 Old Candia Rd, Auburn NH	9/11/17	5852	2287

## ASSESSMENT RECORD

ITEMS	19	19	19	19	19	19	19
LAND							
BLDGS							
TOTAL							

# PROPERTY RECORD

MAP NO. <u>13</u> LOT NO. <u>31</u>		LOCATION <u>Off Candia Road</u>	SIZE <u>260'-.75Ac.</u>		
NAME OF OWNER		ADDRESS	DATE	BOOK	PAGE
ALBERT R. MANVILLE					
RFD#1			6/22/65	1772	295
MANCHESTER, N. H. 03103					
<i>Gillespie, William</i>		385 Hanover St., Manchester, NH	4/4/64	1958	203
<i>Paris, Eugene &amp; Jean</i>			7-9-70	2023	182
Paris, Richard E. & Yvette T.		177 Old Candia Rd., RFD-7 Manchester, N. H. 03104 <i>Auburn, N. H. 03026</i>	10/6/77	2296	1039
<i>merged with map 13</i>		Lot 26 10/1988			

## ASSESSMENT RECORD

ITEMS	19	19	19	19	19	19	19
LAND							
BLDGS							
TOTAL							

# PROPERTY RECORD

MAP NO. 13 LOT NO. 26 LOCATION <sup>202 RT</sup> Old Candia Road SIZE 90'-1Ac.

NAME OF OWNER	ADDRESS	DATE	BOOK	PAGE
RICHARD E. & YVETTE T. PARIS RFD#1 BOX 577A MANCHESTER, N. H. 03104	<del>202 OLD CANDIA RD. RD. 2</del> <del>RD 7, MANCHESTER, N. H. 03104</del>			
<i>into Trust merged with Map 13</i>	<i>Lot 31 10/1988</i>			
<i>Paris Family Living Trust</i>	<i>202 Old Candia Rd, Auburn NH</i>	<i>9/11/17</i>	<i>5852</i>	<i>2287</i>

## ASSESSMENT RECORD

ITEMS	19	19	19	19	19	19	19
LAND							
BLDGS							
TOTAL							

MAIL TO  
PLEASE RETURN TO:

Curtin Law Office, PLLC  
40 Bay Street  
Manchester, NH 03104



### WARRANTY DEED

**KNOW ALL MEN BY THESE PRESENTS THAT** we, **Richard E. Paris, Sr. and Yvette T. Paris**, husband and wife, of 202 Old Candia Road, Auburn, New Hampshire 03032, for consideration paid, grant to **Richard E. Paris, Sr. and Yvette T. Paris, and their successors, as Trustees of the Paris Family Living Trust**, having an address of 202 Old Candia Road, Auburn, New Hampshire 03032, all right, interest and title, **WITH WARRANTY COVENANTS**, in the following real property, located in the Town of Auburn, County of Rockingham and State of New Hampshire:

A certain lot of land situate in County of Rockingham and the town of Auburn, New Hampshire, bounded and described as follows to wit:

Beginning at the Northwest corner of premises at an Iron pipe in stone wall, on the South side of Candia Road.

Thence S 34° 00' W by the stone wall two hundred ninety-eight no/100 (298.00) feet to a point at iron pipe in stone wall.

Thence S 69° 36' E four hundred twenty-five no/100 (425.00) feet to a point at iron pipe in wall on east line of premises.

Thence N 23° 00' W by stone wall four hundred no/100 (400.00) feet more or less to a point at iron pipe on the South side of Candia Road.

Thence N 73° 10' W by South side of said road eighty-five no/100 (85.00) feet to the point of beginning.

Containing 57,060 square feet or 1.28 acres.

Meaning and intending to convey the same premises as conveyed by Warranty Deed of Eugene Paris and Jeanne Paris to Richard E. Paris (a/k/a Richard E. Paris, Sr.) and Yvette T. Paris, as joint tenants with rights of survivorship, dated March 30, 1967 and recorded in the Rockingham County Registry of Deeds, Book 1856, Page 102.

2017 SEP 11 AM 11:54 039457

ROCKINGHAM COUNTY  
REGISTRY OF DEEDS

A certain lot of land, with the buildings thereon, in Auburn, in the County of Rockingham and State of New Hampshire, and described as follows:

Beginning at a point marked by an oak hub in the corner of a stone wall, said point being the southerly corner of the herein described parcel; thence on a bearing of North thirty-seven (37) degrees, twenty-seven (27) minutes West, along the easterly side of an old back road a distance of two hundred thirty-eight and ninety-three one-hundredths (238.93) feet to a point marked by an oak hub; thence in an easterly direction along land of Manville with an interior angle of sixty-six (66) degrees, twenty-nine (29) minutes a distance of two hundred eight and sixty-six one hundredths (208.66) feet to a point marked by an oak hub; thence in a southeasterly direction with an interior angle of one hundred ten (110) degrees, thirty-four (34) minutes and along land of Flynn a distance of seventy-nine and forty-five one-hundredths (79.45) feet to a point marked by an old iron pipe; thence in a southwesterly direction with an interior angle of one hundred fifteen (115) degrees, seven (7) minutes and along land of N. Sopiak a distance of two hundred two and eighteen one-hundredths (202.18) feet to the point of beginning.

Containing thirty thousand one hundred thirty (30,130) square feet of land, more or less.


Meaning and intending to convey the same premises as conveyed by Warranty Deed of Eugene Paris and Jeanne Paris to Richard Eugene Paris (a/k/a Richard E. Paris, Sr.) and Yvette T. Paris (a/k/a Yvette T. Paris), husband and wife, as joint tenants with rights of survivorship, dated October 6, 1977 and recorded in the Rockingham County Registry of Deeds, Book 2296, Page 1039.

This deed was prepared without the benefit of a title examination.

Pursuant to RSA 78-B:2, XXII, this conveyance is a non-contractual transfer and is not subject to transfer tax.

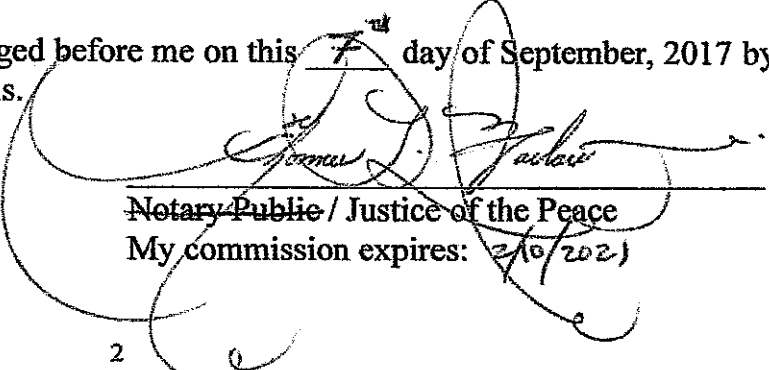
DATED this 7<sup>TH</sup> day of September, 2017.

  
Richard E. Paris, Sr.

  
Yvette T. Paris

STATE OF NEW HAMPSHIRE  
HILLSBOROUGH COUNTY

This instrument was acknowledged before me on this 7<sup>th</sup> day of September, 2017 by Richard E. Paris, Sr. and Yvette T. Paris.

  
Notary Public / Justice of the Peace  
My commission expires: 2/10/2021

*Auburn, NH* **Know all Men by these Presents:**

03437

THAT Charles Eugene Paris and Jeanne M. Paris of 385 Hanover Street, Manchester, County of Hillsborough and State of New Hampshire for consideration paid, grant to Richard E. Paris and Yvette T. Paris of Box 377A, R.F.D. #1 in said Manchester with warranty covenants to the said Richard E. and Yvette T. Paris as joint tenants with rights of survivorship, ~~XHE~~ and not as tenants in common,

A certain lot of land situate in County of Rockingham and the town of Auburn, New Hampshire, bounded and described as follows to wit:

Beginning at the Northwest corner of premises at an Iron pipe in stone wall, on the South side of Candia Road.

Thence S 34°-00'W by the stone wall two hundred ninety eight no/100 (298.00) feet to a point at iron pipe in stone wall.

Thence S 69°-36'E four hundred twenty five no/100 (425.00) feet to a point at iron pipe in wall on east line of premises.

Thence N 23°-00'W by stone wall four hundred no/100 (400.00) feet more or less to a point at iron pipe on the South side of Candia Road.

Thence N 73°-10'W by South side of said road eighty five no/100 (85.00) feet to the point of beginning.

Containing 57,060 square feet or 1.28 acres.

Being the same premises conveyed to the grantors by deed of Nicholas and Theodora Sopiak, dated July 7, 1966, and recorded in the Rockingham County Registry of Deeds in Volume 1828, Page 233.

No monetary consideration.

The grantors are husband and wife ~~XHE~~ and ~~XHE~~ release to said grantees all rights of ~~XHE~~

(dower and homestead and other interests therein.  
(curtsey

Witness our hands and seals this 30th day of

March . 1967

WITNESS:

*Wm. H. Craig*  
*to both*

*Charles Eugene Paris*  
*Jeanne M. Paris*

STATE OF NEW HAMPSHIRE

COUNTY OF HILLSBOROUGH

On this the 30th day of March, 1967, before me, the undersigned officer, personally appeared Charles Eugene Paris and Jeanne M. Paris known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instru-



## ROLAND P. THERRIEN

255 RIVER ROAD • TEL. 625-8457 AREA CODE 603 • MANCHESTER, NEW HAMPSHIRE 03104

### DESCRIPTION FOR E. PARIS

Survey by Roland P. Therrien June 27, 1966

A certain lot of land situate in County of Rockingham and the town of Auburn, New Hampshire, bounded and described as follows to wit:

Beginning at the Northwest corner of premises at an Iron pipe in stone wall, on the South side of Candia Road.

Thence S 34°-00'W by the stone wall two hundred ninety eight no/100 (298.00) feet to a point at iron pipe in stone wall.

Thence S 69°-36'E four hundred twenty five no/100 (425.00) feet to a point at iron pipe in wall on east line of premises.

Thence N 23°-00'W by stone wall four hundred no/100 (400.00) feet more or less to a point at iron pipe on the South side of Candia Road.

Thence N 73°-10'W by South side of said road eighty five no/100 (85.00) feet to the point of beginning.

Containing 57,060 square feet or 1.28 acres.

(previous deed ; who; date; Registry Volume and page)

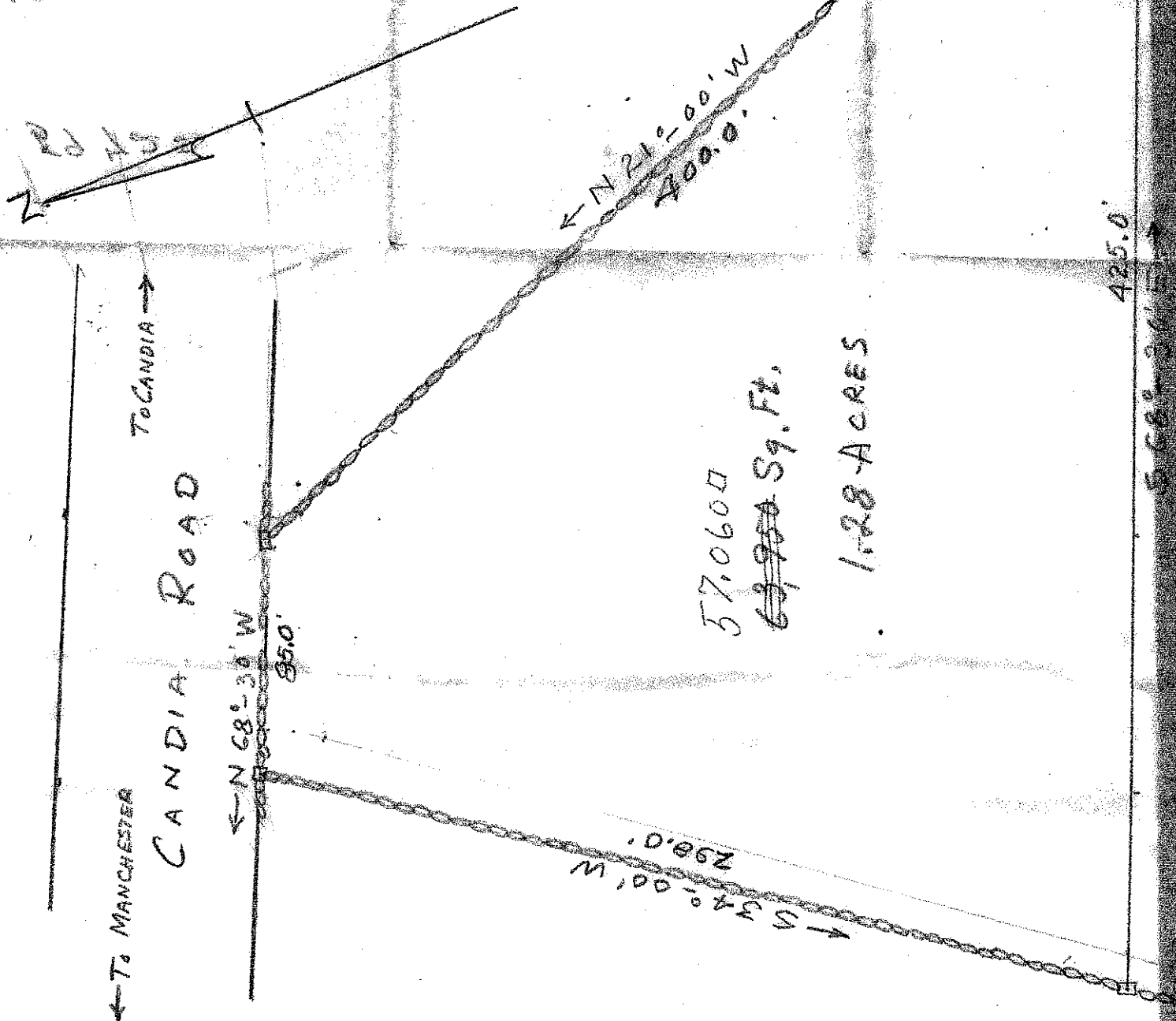
*Roland P. Therrien*  
*L.S.*

PROPERTY OF E PARIS  
AUBURN, ROCKINGHAM COUNTY  
NEW HAMPSHIRE

SURVEY BY R.P. THERRIEN L.S.

SCALE 1"=50'

JUNE 27, 1966. R.P. Therrien



# WARRANTY DEED

2296-1039

We, Eugene Paris and Jeanne Paris of 385 Hanover Street

of Manchester Hillsborough County, State of  
New Hampshire, for consideration paid, grant to Richard Eugene Paris and Yvette Theresa  
Paris, husband and wife, as joint tenants with rights of survivorship,  
of Candia Road, Auburn, Rockingham County, State of  
New Hampshire, as joint tenants with rights of survivorship, with warranty covenants,

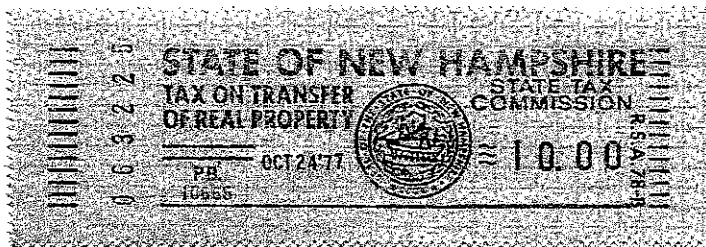
A certain lot of land, with the buildings thereon, in Auburn,  
in the County of Rockingham and State of New Hampshire, and described  
as follows:

Beginning at a point marked by an oak hub in the corner of  
a stone wall, said point being the southerly corner of the herein  
described parcel; thence on a bearing of North thirty-seven (37)  
degrees, twenty-seven (27) minutes West, along the easterly  
side of an old back road a distance of two hundred thirty-eight  
and ninety-three one-hundredths (238.93) feet to a point marked  
by an oak hub; thence in an easterly direction along land of  
Manville with an interior angle of sixty-six (66) degrees, twenty-  
nine (29) minutes a distance of two hundred eight and sixty-six one-  
hundredths (208.66) feet to a point marked by an oak hub; thence  
in a southeasterly direction with an interior angle of one hundred  
ten (110) degrees, thirty-four (34) minutes and along land of  
Flynn a distance of seventy-nine and forty-five one-hundredths  
(79.45) feet to a point marked by an old iron pipe; thence in  
a southwesterly direction with an interior angle of one hundred  
fifteen (115) degrees, seven (7) minutes and along land of N.  
Sopiak a distance of two hundred two and eighteen one-hundredths  
(202.18) feet to the point of beginning.

Containing thirty thousand one hundred thirty (30,130) square  
feet of land, more or less.

Meaning and intending to convey the same premises conveyed to  
Eugene Paris and Jeanne Paris by deed of Ruth M. Short dated  
June 24, 1970, and recorded in Volume 2023, page 482, Rockingham  
County Registry of Deeds.

Consideration less than \$100.



We, being Eugene Paris wife & Jeanne Paris husband, release to said grantees all rights of  
dower & curtesy and each of us releases homestead and other interests therein.

WITNESS our hand S and seal S this 6th day of October, 1977.

Witness:

David G. McDough

Eugene Paris

David G. McDough  
to both

Eugene Paris  
Jeanne Paris  
Jeanne Paris

The State of New Hampshire  
County of Hillsborough

On this the 6th day of October, 1977, before me,

the undersigned officer, personally appeared Eugene Paris and  
Jeanne Paris

known to me (or satisfactorily proven) to be the persons  
whose name s are subscribed to the within instrument, and acknowledged that t hey executed the same for  
the purposes therein contained.

Before me,

David G. McDough

Justice of the Peace  
Notary Public

OWELL PROPERTY

1100' PROP  
REMLAND PROPERTY

208.66'

2 STORY BUILDING  
132' LONG, 30' WIDE

TAX MAP NO. -013  
LOT-031

TAX MAP  
NO. 013  
LOT-026

DIRT ROAD  
PRESCOTT LANE

STONE WALL

STONE WALL

SELL PROPERTY



32'

50'

50'

70'

202.18'

79'

79.45'

238.93'



## TOWN OF AUBURN, NEW HAMPSHIRE BUILDING DEPARTMENT

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### Zoning Determination

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**Property Location:** 202 Old Candia Road (formerly known as 177 Old Candia Road)

**Tax Map/Lot #** 013-026

**Zoning District:** Residential One (R-1)

**Property Owner(s):** Paris Family Living Trust, Richard E. Paris, Sr, Trustee

**Current Use of Property:** Single family 2 bedroom home, with several outbuildings including a 30' x 132' two story barn.

**Other:**

- 2.178 acre parcel total
- 85' road frontage on Old Candia Road (200' required for conformance)
- 238' frontage along Prescott Lane (Class VI road)

**Proposal:** Request by property owner to un-merge lots.

**Historic Evaluation:**

- Prior to October 1988 the property was 2 separately deeded and taxed parcels
  - Map 13 Lot 26 57,060 sq ft (1.28 acres) frontage on old Candia Rd
  - Map 13 Lot 31 30,130 sq ft (.69 acre) frontage along Prescott Lane
- Richard and Yvette Paris acquired Map 13 Lot 26 in 1967
- House construction on Map 13 Lot 26 occurred circa 1968 per tax card
- Richard and Yvette Paris acquired Map 13 Lot 31 in 1977 from Eugene Paris and Jeanne Paris
  - Age of barn on former lot 31 unknown, however town records from 1975 reference "chicken house" on Paris property along Prescott Lane.
- Frontage along Prescott Lane is classified was Class VI road by notification of Board of Selectmen and Road Agent in March 1975
  - *A stretch of road beginning at the Sopiak buildings on Depot road to a building used as a chicken house on the Paris property"*
- In 1983 the Town of Auburn voters amended the Town of Auburn Zoning Ordinance Article II, # 240 Lot. The zoning language included stipulations regarding Non-Conforming Lots held in common ownership and criteria which would deem them merged. #240 (A) & (B) .
- In October 1988 the Auburn Board of Selectmen discussed implementation of the "merger ordinance" at the October 5, 1988 meeting. Instructions were given to direct the assessor to merge non-conforming lots meeting the ordinance criteria.

- In October 1988 the tax record was modified to reflect the merger of Lots 26 & 31. The combined 2.178 Acre tract was to be known as Tax Map 13 Lot 26.

### **Zoning Determination**

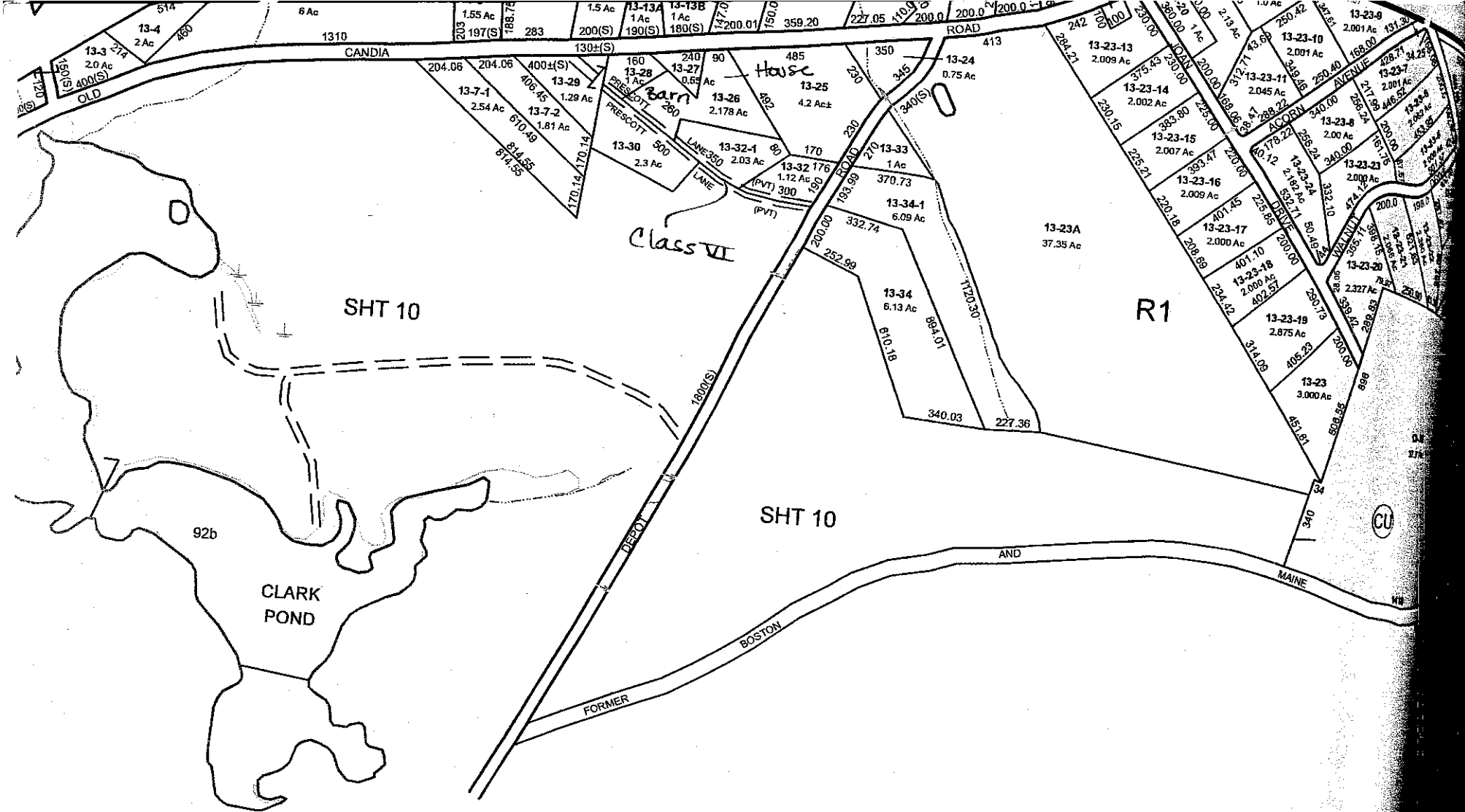
- It is my determination that there is substantial evidence to indicate that Map 13 Lot 26 and Map 13 Lot 31 were merged by actions of the Town of Auburn in 1988.
- Lots were merged under provisions of the Auburn Zoning Ordinance Article II, as they were considered non-conforming lots held in common ownership.
- Lots are described in deed documentation as (2) separate parcels and can revert back to original deed descriptions.
  - **Map 13 Lot 26 as described in RCRD Bk 1856 Pg 102 57,060 sq ft**
  - **Map 13 Lot 31 as described in RCRD Bk 2296 pg 1039 30,130 sq ft.**

As a result of an Un-Merger:

- All properties will become “non-conforming lots”, lacking adequate acreage and/or frontage for the Residential One (R-1) zoning district.
- Ability to secure building permit on Map 13 Lot 31 with frontage on the Class VI portion of Prescott Lane will be subject to NH RSA 674:41.
- Any proposed construction on lots will need to meet all local zoning regulations and State of NH subsurface disposal system requirements. There is no guarantee Town of Auburn will grant relief or waivers.

**Carrie Rouleau-Côté**  
***Building Official/Code Enforcement Officer***

**Date: 12/09/2021**



Barn located on former  
Map 13 Lot 31.

Prescott Lane is Class VI Road

NAME AND ADDRESS	DESCRIPTION AND VALUATION	ALLOWED	AM'T OF TAX
	<i>Tax Warrant 1976</i>		
ROLAND M. & RUTH R. PAQUETTE, HEIRS 20 NEAL AVE. MANCHESTER, N. H. 03103	LAND 2700 BLDGS. 13850 20 NEAL AVE. 16550	50	330.65
<i>NEW OWNER</i> RONALD & SARAH PAQUETTE 2433 CANDIA RD MANCHESTER N.H.	LAND 2650 BLDGS 25950 RTE 121 28600		657.80
LAURA I. PAQUIN RFD 1 BOX 158C MANCHESTER, N. H. 03104	LAND 3450 BLDGS. 7450 CANDIA RD. 10900		250.70
TIME PARADIS RFD 2 HOFFSTOWN, N. H. 03045	25A LAND 9900 RATTLESNAKE RD.		227.70
BERVE P. & ALEXINA S. PARENT 28 CHESTER RD. MANCHESTER, N. H. 03103	LAND 2650 BLDGS. 12750 CHESTER RD. 15400	E 115.	239.20
EUGENE & JEANNE PARIS 385 HANOVER ST MANCHESTER, N.H. 013-031	LAND 1500 BLDGS 2150 OFF 101 3650		83.95
RICHARD E. & YVETTE T. PARIS RFD#1 BOX 577A MANCHESTER, N. H. 03104 013-026	1.28 A. LAND 2700 BLDGS 13550 S/S CANDIA RD. 16250	50	323.75
AUL & ANN PARIZO PPLETRE RD UBURN N.H.	LOT 96 SEC. I 1700 BLDGS 6850 SUN VALLEY 8550		196.60
AUL & ANN PARIZO PPLETREE RD. UBURN, N. H.	LAND 1400 LOT 99 SEC # 1 SUN VALLEY		32.20
TOTAL			2342.60



# PROPERTY RECORD

MAP NO. <u>13</u> LOT NO. <u>26</u> LOCATION <u>Old Candia Road</u>			SIZE <u>90'-1Ac.</u>	
NAME OF OWNER	ADDRESS	DATE	BOOK	PAGE
RICHARD E. & YVETTE T. PARIS RFD#1 BOX 377A MANCHESTER, N. H. 03104	<del>202</del> <del>127 OLD CANDIA RD. RD. 2</del> <del>RFD 7, MANCHESTER, Auburn 03032</del>			
<i>into Trust merged with Map 13</i>	<i>Lot 31 10/1988</i>			
<i>Paris Family Living Trust</i>	<i>202 Old Candia Rd, Auburn NH</i>	<i>9/11/17</i>	<i>5852</i>	<i>2287</i>

## ASSESSMENT RECORD

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NAME OF OWNER	ADDRESS	DATE	BOOK	PAGE	
ALBERT R. MANVILLE RFD#1 MANCHESTER, N. H. 03103		6/22/65	1772	295	
<i>Gillespie, William</i>	385 Hanover St., Manchester, NH	4/4/69	1958	203	
Paris, Eugene & Jean		7-9-70	2023	482	
Paris, Richard E. & Yvette T.	177 Old Candia Rd., RFD 7 <del>Manchester, N. H. 03104</del> <i>Auburn, N. H. 03032</i>	10/6/77	2296	1039	
merged with map 13 Lot 26 10/1988					

## ASSESSMENT RECORD

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BLDGS							
TOTAL							

10/25/89

AUBURN, N. H.

Tax Warrant 1989 APRIL 198

PROPERTY OWNER & DESCRIPTION		VALUATIONS	TAX AMOUNT
JULIA & MARY ANNA RD 2 NH 03032	012-016-008 13787	BLDG 60800 LAND 43000	2122.00
LOT 8		103800	2122.00
VE P & ALEXINA S RD NH 03103	025-020 13730	BLDG 40100 LAND 35900 ELDY 20000-	1145.00
RD		56000	1145.00
DENNIS SNAKE RD NH 03032	005-009-003 13731	BLDG 53200 LAND 43000	1966.00
SNAKE RD	LOT 3	96200	1966.00
DAKLEY R. PARTIAN & DALE OAKLEY RD 2 NH 03032	012-016-031 13805	BLDG 89400 LAND 43100	2708.00
DEER RUN	LOT 31	132500	2708.00
RICHARD E & YVETTE T CANDIA RD RD 2 NH 03032	013-026 13734	BLDG 58500 LAND 43400	VET 2083.00 50.00-
CANDIA RD		101900	2033.00
ZD, PAUL & ANNE APPLETREE RD AUBURN NH 03032	017-085 13736	BLDG 22200 LAND 40000	VET 1271.00 50.00-
APPLETREE RD	LOT 96 SEC 1	62200	1221.00
PARKER FARMS ASSOCIATES BOX 326 MANCHESTER NH 03105	004-015 13737	LAND 8000	164.00
SPOFFORD/RATTLESNAKE RDS		8000	164.00
PARKER FARMS ASSOCIATES BOX 326 MANCHESTER NH 03105	001-006 13739	LAND 31800	650.00
RATTLESNAKE HILL RD		31800	650.00
PARKER FARMS ASSOCIATES BOX 326 MANCHESTER NH 03105	002-005 13741	LAND 52700	1077.00
E/S WILSON CROSSING RD		52700	1077.00
5745.00	PAGE TOTAL	645100	13086.00

606.00

11/13/86

AUBURN, N. H.

Tax Warrant APRIL 1986

PROPERTY OWNER & DESCRIPTION	VALUATIONS	TAX AMOUNT
CARL A 277 NH 03032 007-006-001 16900	BLDG 89000 LAND 44000 133000	1862.00 1862.00
HILL RD RONALD C LANE NH 03032 008-005-003 17035	LAND 23800 23800	333.00 333.00
LANE ALAN J & SHERYL L LANE NH 03032 003-006 13415	BLDG 44000 44000	616.00 616.00
MASSABESIC LAKE PETER C & PATRICIA RD NH 03032 002-026-002 13724	BLDG 64600 LAND 42600 107200	1501.00 1501.00
HILL RD HERVE P & ALEXINA S RD NH 03103 025-020 13730	BLDG 40100 LAND 35900 ELDY 20000- 56000	784.00 784.00
RD DENNIS SNAKE RD NH 03032 005-009-003 13731	BLDG 50700 LAND 43000 93700	1312.00 1312.00
SNAKE RD LOT 3 DAKLEY R. PARTIAN & DALE DAKLEY RD 2 NH 03032 012-016-031 13805	BLDG 75000 LAND 43100 118100	1653.00 1653.00
RUN LOT 31 RICHARD E & YVETTE T ANDIA RD RD 2 NH 03032 013-031 13733	BLDG 8400 LAND 25800 34200	479.00 479.00
101 RICHARD E & YVETTE T ANDIA RD RD 2 NH 03032 013-026 13734	BLDG 50100 LAND 41500 91600	1282.00 VET 50.00 1232.00
ANDIA RD 4404.00 PAGE TOTAL	701600	9772.00

Thomas disagreed saying every state and federal government do it the same way. Mr. Andrus said he still thinks it is wrong, it ends up costing us 33% more in the long run. He also said he does not want items brought to the Budget Comm. without a consensus and the Budget Comm. will not act as a referee to the BOS and another department. Thomas agreed and said he did not feel that was proper either, once a budget is prepared and modifications have been made it should remain that way until leaving the Budget Comm. Mr. Andrus said the Department heads do not have to attend the Budget Comm. meeting with the BOS rep., however if you choose to do so there can be no bickering.

Thomas asked when the meetings will begin. Mr. Andrus said possibly the second or third week of November, and Tuesday will most likely be the night they meet.

Mr. Andrus left, and the meeting shifted to the P/B room.

#### DISCUSSION ON THE MERGING ORDINANCE

Present were: Al Samson, Atty. Dean Eggert, Rusty Sullivan, Money Worster, Ray Beauchesne, Herb Chase, Irving Lunnie, Jim Pethers of SNHPC, and Frank Edellman, along with the 3 members of the BOS.

Shackelton said we are here to discuss the merging ordinance. In 1983 it stated that if you buy an abutting piece of property to what you currently own they are automatically merged if one is non-conforming. However, in our office this never took place with tax bills, etc... He said it should be done now, however, we may be issuing notices back to 1983 on certain pieces of property. Mr. Worster asked why abatements would be necessary. Mr. Shackelton explained that taxes are figured on different sizes of lots, meaning whether they are buildable or not. Thomas said the way the ordinance is written in 1983, we may be looking at retro-active, his legal question is does it constitute toe town taking of a person's land. Atty. Eggert said the purpose behind the merger is to eliminate non-conforming lots. We had the same question when we went from 2 to 3 acre lots. We have done research and have not found that the merger doctrine constitutes rising to the constitutional level. Mr. Samson asked if this was checked through the state and federal. Atty. Eggert said that all 50 states were checked but there is no reason why we would need federal checked. If we tried to merge two developed lots in a R1 zone you would create a one-unit dwelling, which does not fit in with the zoning. Two things that must be considered are; 1. don't create non-conforming lots, and 2. If there is an accessory building such as barn, swimming pool, on the other lot they

must be merged.

Rel. Mtg. - 10/6/88 - pg. 3

Mr. Edellman asked if the failure of the town to act on it creates a problem. Atty. Eggert said it was legal the day we announced the vote. He further said that is a persuasive argument, however, what the administration does and the zoning does are separate. It may not be a bad idea to volunteer a rebate back to 1983 from common ownership before that date. Mr. Thomas said suppose I buy a lot in 1981 of 1/2 acre at \$30,000, then in 1982 I buy another at the same price. Now the next year the town comes along and merges them, now it is only worth \$32,000 and I paid \$60,000. Atty. Eggert agreed that the investor will be hurt by this, but the common land owner buys the abutting piece to protect his land. He also said the merger exists on the principle of eliminating non-conforming lots and it's got to be upheld. The town can make the decision to not apply a merger doctrine. The court's have been split when there is one developed and one undeveloped lot abutting. Usually they may with the merger. Mr. Samson asked what if when this was taking place someone is told not to worry they have a lot of record. Atty. Eggert said in realty all lots are lots of record whether they are non-conforming or not. It would be useless unless it applies to all lots previous and in the future.

Mr. Lunnie asked what if the deeds to the abutting properties are in different names, eg. husband, husband & wife, child, etc.. Atty. Eggert said the court will most likely go along with the owner and not merge them. However, if this takes place after the merger the court will probably merge them. He feels the town should take the extra step and tell the people what they are getting into. Mr. Tether agreed with Dean saying the merger should eliminate non-conforming lots. But there is some contradiction in some of the ordinances. One part says whether conforming or not they will be merged, but that defeats the purpose. Also, if it is within 5% of the ordinance it is safe. He wondered if the ZBA is consistent when considering variances. Mr. Lunnie said if someone has a non-conforming lot and no abutting piece the board is more lenient with him as long as the septic, well and house can be placed without bothering the neighbor. Mr. Edellman felt if you were to go strictly by the 5% you would not need a ZBA. He feels the 5% leeway is a mechanical reason, the individual cases must be able to meet criteria and then they will get their variance. Mr. Lunnie said if someone meets the 5% standards you probably have to give the variance. Mr. Edellman felt pg. 7 #2, and it is useless as far as he is concerned. They state that if the criteria are met a variance must be given. Mr. Lunnie said if someone comes before the board we should come away from the book and sit and think. Hopefully to get away from a stiff rule of the book. Once the applicant comes to the board we are reasonable.

Mr. Tether asked if a variance is given is it then allright to go to the Building Inspector par a permit for a non-conforming lot. Mr. Lunnie answered yes, but you must prove you need a variance where someone else would not. Atty. Eggert's understanding of the application process is to get aside the merger implication and the end result is if the board rules in favor the merger does not take place. He would then come to the board as a reg owner of a non-conforming lot like the ones who do not have abutting property. There is one situation where two conforming lots can be merged. If one is on the toard and one is a backlot you would not want to landlock somebody. Mr. Worster asked if there would be a problem defending the town on this. Atty. Eggert said not if improved lots are not merged. Mr. Chase asked if improved means a building. Atty. Eggert said yes, and also you must see if it is an accessory to the developed lot. If it is, it must be merged. If not, it should not be merged. This is a one-time shot and once you do it it will be done and over with. You can't be inconsistent. merge everything except two improved lots. He further said our town has the most detailed merger ordinance in the state.

Mr. Sullivan was comfortable with what Atty. Eggert has said. It was the P/B intention when written to merge non-conforming with conforming lots. The % was included to give the Building Inspector and ZBA a right of leverage. Mr. Chase said variances have been given for someone with only 40 ft. frontage. Mr. Sullivan said that is okay as long as he meets the rest of criteria.

Mr. Shackelton distributed a copy of a letter from his office to Mr. Gagnon to get the input of the other members. Mr. Samson asked how they are registered with Exeter. Mr. Shackelton said it is the same on both pieces, they are both owned by husband and wife. He showed the deeds. Mr. Lunnie was in favor of the letter, asking the ZBA recieve a copy.

Mr. Labore asked what Atty. Eggert suggested for abatements. Atty. Eggert said the assessor would have to identify then go back on rates yearly to 1983. You also may pay 6% in interest. Mr. Samson asked if a challenge goes to superior court, how much would the estimated cost be. Atty. Eggert said it would be the same as in the past, whatever Atty. VanLoan has taken up in the past would be similiar in price. Mr. Sullivan said it would cost approximately between \$10,000 and \$20,000. Atty. Eggert said now is not the time to say "what if", it has already been written, and now needs to be enforced or ammend the ordinance. Mr. Thomas felt if we merge we will loose about \$25,000 in tax money, however, if we are challenged we could loose up to \$450,000.



Mr. Beauchesne asked if someone could apply for a varinace for no other reason than to avoid the merger. Atty. Eggert said yes, because he can not file an appeal until he has exhausted all his other options. Mr. Beauchesne asked if this will be done before the next tax bill. Mr. Shackelton said yes, it has already been started. Mr. Samson felt if the town controls taxation and ZBA wouldn't that mean it could not be allowed due to the time lapse. Atty. Eggert said no, the constitution does not say the ZBA must get caught up in what the tax collector's office does, nor does it say they must pass out notices every time a change is made in the ordinance. Mr. Tethers said he was quite comfortable with the answers he has recieved tonight. Mr. Shackelton said if there is no objections, we will let the assessor go ahead with the merging. Mr. Beauchesne asked if this will be for just non-conforming lots, or for non-conforming with a conforming abutting. Mr. Sullivan said the only ones that will not be merged are two conforming lots.

A copy of these minutes will be sent to all ZBA and P/B members.

9:05 BOS returned to their office.

#### APPOINTMENTS

9:10 Donna Quinn and Rusty Sullivan entered.

Mr. Shackelton asked Mrs. Quinn why she wished to join the P/B. Mrs. Quinn said she is interested in the growth and management of the town. Mr. Shackelton asked what she can add to the board. Mrs. Quinn said she has a lot of energy to expend. Mr. Labore asked where she lives. Mrs. Quinn replied she moved on Buttonwood Drive last year. Mr. Shackelton explained the opening on the P/B is for an alternate. Mr. Sullivan explained we have 7 voting members and 2 alternates. The alternates do not vote unless, therre is a member missing. He asked if talking in front of crowds makes her nervous. Mrs. Quinn said no it does not.

9:10 Atty. Eggert entered.

Mr. Shackelton explained they meet on Wednesday evenings. Mrs. Quinn said that would be fine, as the only evening she works is Tuesday. She is a technologist at the VA hospital. Mr. Labore asked when this position will expire. Mr. Sullivan said he must look it up, however, when it expires she will have an option to become a full member.

Mr. Shackelton motioned to appoint Donna Quinn as an alternate member to the Planning Board. Mr. Labore seconded. A vote was taken, and all were in favor.

SELECTMEN'S OFFICE  
AUBURN, NEW HAMPSHIRE 03032

March 25, 1975

At the Selectmens Meeting on March 17, 1975 the following roads were classified as Class VI roads by the Road Agent and the Selectmen.

1. Rattlesnake Road from By-Pass 28 westerly to the Manchester City line.
2. Steam Mill Road, (Auburn - Berry Road, Auburn-Derry Road, Heater Road) from the southerly end of Nutt Road to the Lerry town line.
3. Lovers Lane from the Dennis Thorrell house westerly to Chester Road (Route 121)
4. Coleman Road from Cliff Stacy's barn northerly to the Addie Davis driveway.
5. Nutt Road southeasterly from Wilsons Crossing Road to Steam Mill Road.
6. Birch Road from Chester Turnpike to Raymond Road.
7. Raymond Road from Dearborn Hill Road (Murray Hill Road) to the Chester Town line.
8. Calef Road from the further end of the Marzloff sub-division to Pingree Hill Road.
9. A stretch of road beginning at the Sopiak buildings on Depot Road to a building used as a chicken house on the Paris property.
10. Chester Turnpike from the Dearborn Hill Road & Coleman Road intersection to the Chester Town line.

Wm. F. Chase  
Chairman

Gerald B. Jacques  
W. E. K. R.  
BOARD OF SELECTMEN

10/OHC



## Town of Auburn

Town Hall  
47 Chester Road  
P.O. Box 309  
Auburn, NH 03032



## Town Administrator

William G. Herman, CPM  
Phone: (603) 483-5052 Ext. 111  
Fax: (603) 483-0518  
E-Mail:  
[townadmin@townofauburnnh.com](mailto:townadmin@townofauburnnh.com)

To: Board of Selectmen

From: Bill Herman, CPM, Town Administrator

Date: December 15, 2021

Re: Potential Auburn Goal Setting Meeting Dates

In follow-up to a past conversation the Board had concerning the scheduling of a goal setting workshop in the new year, I have made connection with the folks from Primex who facilitate our meetings and they are happy to schedule a return to Auburn.

The Board had discussed the potential of meeting in either April or May, and the following dates were offered as suggestions:

- Tuesday, April 26<sup>th</sup>
- Wednesday, April 27<sup>th</sup>
- Thursday, April 28<sup>th</sup>

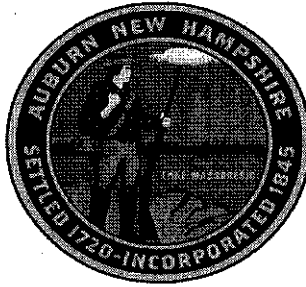
In the past, these sessions have taken two to two-and-a-half hours in total time. The facilitators are open to doing this as a morning event, or as an early evening beginning at 4:00 or 4:30 PM.

We are happy to at least temporarily schedule any date and time that the Board feels might work the best.

Thank you for your consideration.

## Town of Auburn

Town Hall  
47 Chester Road  
P.O. Box 309  
Auburn, NH 03032



## Town Administrator

William G. Herman, CPM  
Phone: (603) 483-5052 Ext. 111  
Fax: (603) 483-0518  
E-Mail:  
townadmin@townofauburnnh.com

To: Board of Selectmen

From: Bill Herman, CPM, Town Administrator

Date: December 15, 2021

Re: Deputy Town Clerk Joann Crete – Completion of Certification Programs  
Town Administrator William Herman – Performance Review

During the past week, Town Clerk Kathleen Sylvia advised me Deputy Town Clerk Joann Crete has completed various State of New Hampshire Certification programs for her position. When she was hired in August, she was hired at a Labor Grade 4, Step 4 (\$16.32 / hour) with the understanding that with the completion of the certification programs, she would advance to a Labor Grade 4, Step 5 (\$16.65 / hour).

In follow-up to the Board's completion of the annual performance evaluation of the Town Administrator at your December 13<sup>th</sup> meeting, the final action for the Board is the formal vote to approve a step increase as recommended in the evaluation. This would advance the Town Administrator from a Labor Grade 20, Step 17 (annual salary of \$96,027) to a Labor Grade 20, Step 18 (annual salary of \$97,947).

Should the Board agree with these recommendations, the motions the Board should consider are as follows:

*Move to approve a step increase for the Deputy Town Clerk from a Labor Grade 4, Step 4 to a Labor Grade 4, Step 5 due to successfully completing State of New Hampshire Certification programs.*

*Move to approve a step increase for the Town Administrator from a Labor Grade 20, Step 17 to a Labor Grade 20, Step 18 based on a positive performance evaluation.*

Thank you for your consideration.

**Town of Auburn  
Board of Selectmen  
December 13, 2021**

**Town Hall  
Minutes**

**4:00 PM**

**Selectmen Present:** Keith Leclair, Todd Bedard, and Michael Rolfe

**Others Present:** Janice Fusco, Jim Fusco, Connor Marks, Rene LaBranche, Mike DiPietro, Town Administrator William Herman and Nancy Hoijer, Recording Secretary

**Call to Order – Pledge of Allegiance**

Mr. Leclair called the meeting to order at 4:00 PM.

**Griffin Mill Bridge Project**

Mr. Leclair introduced those present and asked Mr. and Mrs. Fusco to recap the history of the project.

Mrs. Fusco noted the bridge was condemned five years ago; closed in 2017 with a load limit implemented prior to that in the 2012–2013-time frame. Vehicles could drive on it, mostly passenger cars and light load oil deliveries, but no propane, which is what they use, or fire trucks. The project went back and forth between budget and warrant article in terms of how to fund the project. State funds were to be available but then put off until 2022. They have been driving across their field to access their home. A road was built on the other side of the bridge which ends at a stone wall on Water Works property, which is plowed. Mr. Leclair noted the Selectmen had been advised by a previous Fire Chief t the road on the other side of the bridge would provide access for fighting fires. Mr. Fusco put in his own access road using his own machinery and then received a complaint that his “driveway” was non-compliant. Mr. Fusco noted he did not want anyone driving across the field, the granite boundary marker was ripped out and no courtesy has been shown to them Mr. Fusco noted he is not willing to sign an easement with no end date.

Mr. Leclair noted he understood the construction crew would need access from both sides. The state funding became available with the Town paying 20% (an 80/20 match). Mr. LaBranche noted he was told state funds were going to be doubled but that didn't pass and then the funding was pushed off to 2022 by the state.

Mr. LaBranche explained the proposal to put in the bridge leaving the historic abutments and excavating on the back side for new cast-in-place abutments. A pre-cast deck and ornamental railing would be put in. The crew would need to form and rebar and pour concrete and be able to dig from both sides. Mr. Rolfe added they would need to pave also. Mr. Fusco noted work could be done with a crane without an access easement. Mr. LaBranche explained with the

added expense and no access the state would not likely approve the funding due to the escalation in cost for doing the project without access which would be significant, he estimated it to be 25% to 30% of the total price. The additional cost would be approaching \$100,000 and bid prices are inconsistent these days. He discussed it with the state and was told that would be a deal breaker which would result in the Town incurring the entire cost of the project. There have been a lot of changes with the state in their Tier 3 permits concerning streams which now are requiring expensive geological studies before work can begin. The project can't be put out to bid until they know if they have access. Mr. LaBranche recommended having a pre-bid meeting with the Fuscos and conditions could be spelled out in the bid, such as time of day for work to begin and end, notice to owners, trash removal, landscaping, etc. A snow fence could be put up and parameters set as to where contractors could go on the property. Mr. Leclair clarified that design specifications and selection of contractors/vendors would be up to the Town.

Mr. Fusco noted they have already incurred the expense of putting in the driveway, damage to their vehicles. Mr. Fusco asked if there were any other options. Mr. LaBranche stated that all options will require excavation. Mr. Fusco asked about the timetable and Mr. Herman advised the construction could begin any time after July 1<sup>st</sup> when the State funding is available. Mr. LaBranche stated he would expect the project to begin in late summer or early fall and take 3-4 months from the start of construction depending on the time to get pre-cast structures delivered, which can take up to two months. Ornamental railings could be pre-purchased with approval by the Selectmen.

Mr. Fusco asked about the design and Mr. LaBranche noted it was not designed yet, it is conceptual. Mr. Leclair noted it would need to be in keeping with the center of Town with a natural patina. Mr. LaBranche noted the railing would be the most visible part. Mr. Fusco noted they would like to know what the bridge is going to look like.

Mr. Fusco asked if the replacement would fit in the deeded ROW and Mr. LaBranche stated that it would.

Mr. Fusco stated that they want to make sure the builder is experienced and not just chosen because they are local.

Mr. LaBranche noted the easement would not be permanent and would dissolve on a certain date.

Mr. Fusco asked if any of the "driveway" could be plowed by the Town until the project is completed. Mr. Leclair will check on that.

#### **Approval of Accounts Payable Manifest for the Week of December 13, 2021 - \$72,075.42**

***Mr. Bedard motioned to approve the Accounts Payable Manifest for the week of December 13, 2021 in the amount of \$72,075.42. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

**Approval of Accounts Payable Manifest for the Week of December 13, 2021 - \$4,060.00**

***Mr. Bedard motioned to approve the Accounts Payable Manifest for the week of December 13, 2021 in the amount of \$4,060. Mr. Leclair seconded the motion. A vote was taken. Mr. Leclair voted aye, Mr. Bedard voted aye, and Mr. Rolfe abstained. The motion passed 2-0-1.***

**Approval of Manifest for the Week of December 13, 2021 - \$2,205.38**

***Mr. Leclair motioned to approve the Manifest for the week of December 13, 2021 in the amount of \$2,205.38. Mr. Bedard seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

**Approval of Consent Agenda for the Week of December 13, 2021**

Mr. Leclair read out loud and provided for inspection a copy of the Consent Agenda for the week of December 13, 2021 which included: two (2) abatement – refund requests, one (1) FY 2020 Audit Governance Questionnaire and one (1) pistol/revolver license.

***Mr. Bedard motioned to approve the Consent Agenda for the week of December 13, 2021. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed 3-0-0.***

**Non-Public Session pursuant to provisions of RSA 91-A: 3, II (b) the hiring of any person as a public employee**

***Mr. Leclair motioned to go into non-public session pursuant to RSA 91-A: 3, II (b) the hiring of any person as a public employee. Mr. Bedard seconded the motion. A roll call vote was taken, Mr. Leclair vote aye, Mr. Bedard voted aye, and Mr. Rolfe voted aye. The motion passed 3-0-0.***

The meeting room was closed to the public at 4:56 PM.

***Mr. Leclair motioned to come out of non-public session. Mr. Bedard seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

The meeting room was reopened to the public at 5:06 PM.

***Mr. Bedard motioned to appoint Barbara J. Hurley of Auburn as the Deputy Tax Collector effective December 13, 2021 and to initially set the position as a Labor Grade 4, Step 2 on the Town of Auburn Wage Schedule. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

**Non-Public Session pursuant to provisions of RSA 91-A: 3, II (d) the consideration of the lease of real property**

***Mr. Leclair motioned to go into non-public session pursuant to the provisions of RSA 91-A: 3, II (d) the consideration of the lease of real property. Mr. Bedard seconded the motion. A roll call vote was taken, Mr. Leclair voted aye, Mr. Bedard voted aye, and Mr. Rolfe voted aye. With all in favor, the motion passed 3-0-0.***

The meeting room was closed to the public at 5:07 PM.

***Mr. Leclair motioned to come out of non-public session. Mr. Bedard seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

The meeting room was reopened to the public at 5:13 PM.

**Non-Public Session pursuant to provisions of RSA 91-A: 3, II (a) the compensation of any public employee**

***Mr. Leclair motioned to go into non-public session pursuant to the provisions of RSA 91-A: 3, II (a) the compensation of any public employee. Mr. Bedard seconded the motion. A roll call vote was taken. Mr. Leclair voted aye, Mr. Bedard voted aye, and Mr. Rolfe voted aye. With all in favor, the motion passed 3-0-0.***

The meeting room was closed to the public at 5:13 PM.

***Mr. Bedard motioned to come out of non-public session. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed 3-0-0.***

The meeting room was reopened to the public at 5:52 PM.

***Mr. Bedard moved to approve a merit recognition of \$500 for the Building Inspector based on a positive performance evaluation. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

***Mr. Bedard moved to approve a step increase for the Land Use Administrator from a Labor Grade 7, Step 13 to a Labor Grade 7, Step 14 based on a positive performance evaluation. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

***Mr. Bedard moved to approve a step increase for the Facilities Maintenance Worker from a Labor Grade 5, Step 6 to a Labor Grade 5, Step 7 based on a positive performance evaluation. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

## **Other Business**

Mr. Herman reported the Town received notice that afternoon the Zoning Board of Adjustment decision to deny the Michaud application for an Involuntary Merger has been filed with the new NH Housing Appeals Board.

## **Next Meeting/Events**

- Monday, December 20, 2021 – Board of Selectmen's Meeting – 7:00 PM
- Monday, January 10, 2022 – Board of Selectmen's Meeting – 7:00 PM

## **Minutes**

### **December 6, 2021 Public Meeting**

***Mr. Bedard motioned to approve the December 6, 2021 Public Meeting Minutes. Mr. Rolfe seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

## **Adjourn**

***Mr. Bedard motioned to adjourn the meeting at 6:08 PM. Mr. Leclair seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

Respectfully submitted,

Nancy Hoijer  
Recording Secretary