

**CARSON CITY PLANNING COMMISSION**

**Minutes of the March 29, 2006 Meeting**

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A regular meeting of the Carson City Planning Commission was scheduled for 3:30 p.m. on Wednesday, March 29, 2006 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson John Peery  
Vice Chairperson Mark Kimbrough  
Connie Bisbee  
Craig Mullet  
Roy Semmens  
William Vance

**STAFF:** Walter Sullivan, Planning and Community Development Director  
Jennifer Pruitt, Senior Planner  
Tom Grundy, Engineering Division Civil Design Supervisor  
Michael Suglia, Senior Deputy District Attorney  
Kathleen King, Recording Secretary

**NOTE:** A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are public record, on file in the Clerk-Recorder's Office. These materials are available for review during regular business hours.

**A. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE (3:30:19)** - Chairperson Peery called the meeting to order at 3:30 p.m. Roll was called; a quorum was present. Commissioner Vance led the pledge of allegiance. Commissioner Reynolds was absent.

**B. COMMISSION ACTION ON APPROVAL OF MINUTES - October 4, 2005, December 22, 2005, January 25, 2006, and February 21, 2006 (3:31:22)** - Commissioner Semmens moved to approve the minutes. Commissioner Vance seconded the motion. Motion carried 6-0.

**C. PUBLIC COMMENT (3:32:02)** - None.

**D. MODIFICATIONS TO THE AGENDA (3:32:24)** - None.

**E. DISCLOSURES (3:32:30)** - None.

**F. CONSENT AGENDA (3:32:39)** - None.

**G. PUBLIC HEARING:**

**G-1. SUP-06-032 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM CARSON CITY TO ALLOW THE HEALTH AND HUMAN SERVICES DEPARTMENT, A COMMUNITY COUNSELING CENTER, AND RELATED SOCIAL SERVICE ACTIVITIES, ON PROPERTY ZONED PUBLIC COMMUNITY (PC) AND PUBLIC REGIONAL (PR), LOCATED AT 900 EAST LONG STREET, APN 002-121-19 (3:33:35)** - Chairperson Peery introduced this item. Mr. Sullivan reviewed the staff report and oriented the commissioners to the subject property using a displayed aerial photograph. He noted staff's recommendation of approval based on the findings and conditions included in the staff report.

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(3:38:57) Health and Human Services Department Director Daren Winkelman acknowledged having reviewed the staff report and his agreement with the same. Steve Burt, of the Community Counseling Center, responded to questions of concern over safety with regard to the proximity of the senior center to the detox center. Mr. Winkelman advised that the inside and outside doors are alarmed so that staff would be notified of anyone entering or exiting the building after hours. In response to a question, Mr. Burt advised that all juvenile services are located at 205 South Pratt Street and would not intermingle with the Community Counseling services. Vice Chairperson Kimbrough expressed concern over noise and movement through the building. Mr. Winkelman advised that Community Counseling will be housed upstairs. The rest of the building will be occupied by the Department of Health and Human Services. Mr. Winkelman further advised there are two separate public entrances. The majority of Community Counseling Center clients will enter from the south side of the building. Mr. Winkelman pointed out a secured access point which leads directly to an elevator. Mr. Burt advised there is no access other than to the elevator. In response to a comment, Mr. Winkelman advised there are a sufficient number of entrances and exits to provide for both functions in the same building.

In response to a question, Mr. Burt advised of having been with the Community Counseling Center for approximately twelve years. Mr. Sullivan advised that, in the last twelve years, Planning and Community Development has not received any complaints from the neighborhood of Harbin and Musser Streets. Mr. Burt advised of having complained of noise from neighbors adjacent to the Community Counseling Center. Commissioner Mullet advised that the Community Counseling Center had facilitated construction of fewer cells in the jail. Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained additional comments, questions, or a motion. **Vice Chairperson Kimbrough moved to approve SUP-06-032, a special use permit application from Carson City to allow the Health and Human Services Department, a Community Counseling Center, and related social service activities, on property zoned public community / public regional, located at 900 East Long Street, APN 002-121-19, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Mullet seconded the motion. Motion carried 6-0.**

**G-2. MISC-06-042 DISCUSSION REGARDING A MOBILE HOME PARK CLOSURE REQUEST FROM OASIS RV PARK LTD. (PROPERTY OWNER: LAMERDIN, ROBERT) REGARDING THE OASIS RV PARK PURSUANT TO THE PROVISIONS OF NRS 278.0332, ON PROPERTY ZONED GENERAL COMMERCIAL (GC), LOCATED AT 4550 SOUTH CARSON STREET, APN 009-266-02 (3:48:05)** - Chairperson Peery introduced this item. Mr. Sullivan reviewed the staff report, and the attachments. He reviewed a displayed aerial photograph. In response to a question, he advised that the pertinent statute provides the tenants recourse to address sufficiency of the notice. He referred to statutes cited in the staff report, and advised that errors in the notice would be the responsibility of the tenants to address with the State Division of Manufactured Housing. Commissioner Vance expressed concern that every tenant realizes they are entitled to the cost of moving.

In response to a question, Mr. Sullivan advised that, regardless of age, if a mobile home is located in Carson City, it can be moved in Carson City. Chairperson Peery reviewed the commission's responsibility with regard to this item. Vice Chairperson Kimbrough suggested the circumstances surrounding closure of the mobile home park were unusual. He acknowledged problems associated with the existing septic system, and further suggested that another property owner could purchase the property as a mobile home park. Mr. Suglia advised of limited involvement in this matter approximately six months ago, and that the Nevada Division of Environmental Protection was the lead agency regarding the health concerns. He advised the City had not initiated the closure; however, ordinances regarding connection to City utilities were applicable.

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(3:58:26) Robert Lamerdin acknowledged having reviewed the staff report and his agreement with the same. In response to a comment, he discussed initial goals to improve the mobile home park and improvements made to the water system. He advised that addressing the septic system “was an impossible feat,” and discussed costs associated with connecting to the City’s wastewater system. He provided background information on and an overview of the noticing process. He advised that, of the 37 mobile homes previously in the park, there were eight remaining. Most all the mobile homes had been moved or purchased. Mr. Lamerdin advised the process had been relatively smooth; that three mobile homes would be moved out in the next several weeks. He further advised that mobile home purchase had been offered to four of the remaining tenants. He noted the process had been difficult for some of the residents in that they had wanted to be moved earlier than was possible. He advised the property would definitely not be used as a mobile home park in the future. He acknowledged that every tenant was provided sufficient notice of their rights under the law. He advised that the same company had been used to tear down, move, and set up the mobile homes in different parks. He discussed difficulties associated with finding qualified and certified mobile home relocators. Vice Chairperson Kimbrough commended Mr. Lamerdin on his approach to the process. Chairperson Peery opened this item to public comment.

(4:04:13) Barbara Kepley inquired as to how market value of the mobile homes would be determined if they could not be moved. Mr. Sullivan referred her to the State Division of Manufactured Housing. Ms. Kepley further inquired as to what would happen if the mobile homes are not moved prior to the June 15<sup>th</sup> deadline. Chairperson Peery called for Mr. Lamerdin, who advised that, according to the law, if a price could not be negotiated, the Division of Manufactured Housing would hire an appraiser to determine the value of the mobile home. Mr. Lamerdin advised that “so far, ... whatever they want we’ve been giving them, pretty much.” He anticipated that everyone would be moved by the June 15<sup>th</sup> deadline. If not, the deadline may have to be extended. Mr. Lamerdin advised that “everything will be totally done prior to the change of ownership.”

(4:06:23) Pat Angel expressed concern that an appraised value would be assigned to the homes if the tenants are unable to find a place to move. Mr. Sullivan read NRS 118B.177(5)(a) and (b) into the record. He provided a copy of the same to Ms. Angel. In response to a further question, Mr. Sullivan advised that the Division of Manufactured Housing has information regarding tenant rights and mobile home park rules and regulations.

Mr. Lamerdin stated “from our standpoint, we’re not going to put anybody out. We’re going to work with everybody ... and make it so everybody’s happy and there’s no problem.” He acknowledged Ms. Angel’s concerns over eviction and net loss.

(4:09:50) Ms. Angel expressed concern over security issues and the method by which the mobile home park was being dismantled. She inquired as to tenant rights as to the appearance of the mobile home park and “people drifting through.” She requested security for the area. Chairperson Peery advised that the Sheriff’s Department is charged with protecting the community, and suggested contacting the Sheriff’s Department. He acknowledged the dismantling process is most likely not aesthetically pleasing. Ms. Angel advised of vagrants in the area. Chairperson Peery suggested the Sheriff should be alerted to a heightened interest in the area.

(4:11:32) Ms. Kepley advised she had a space identified in another mobile home park, but expressed concern that if she doesn’t get moved soon, it may not continue to be available. She advised she was unable to pay space rent for both sites. Chairperson Peery suggested the owner may be able to help. Mr. Lamerdin acknowledged he would address the situation “right away.”

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(4:12:20) Mr. Lamerdin advised that a couple is staying in the manager's office 24 hours a day, walking through the park periodically. Another couple is staying at the south end of the park, as well, also walking through the park periodically and keeping an eye on the property. The two couples know to alert the Sheriff's Department, if necessary.

(4:13:20) Mark Beutner expressed concern over the proximity of the septic field to a community well approximately 300 feet away. He inquired as to when the septic system would be abandoned. In response to a question, he advised of having spoken to the City Engineer about his concerns several times over the years. The solution offered was to connect to the City's water system. Mr. Beutner acknowledged having had his water tested approximately three times.

Mr. Winkelman advised that the water had been tested and that the well has a denitrification system in place. In response to a question, he advised there is a good chance the septic system is the source of the nitrates. He further advised the septic system would have to remain until all the mobile home park residents are moved. The Carson City Municipal Code provides criteria for properly abandoning septic systems.

Chairperson Peery called for additional public comment and, when none was forthcoming, thanked the citizens for their attendance and participation.

**G-3a. SUP-05-167 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM HANNAFIN DESIGN ASSOCIATES (PROPERTY OWNER: MAXWELL, LARRY AND JULIE) TO ALLOW EXPANSION OF A NON-CONFORMING USE BY ADDING AN ATTACHED GARAGE, ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6), LOCATED AT 702 NORTH MINNESOTA STREET, APN 003-234-03; and G-3b. VAR-05-168 ACTION TO CONSIDER A VARIANCE APPLICATION FROM HANNAFIN DESIGN ASSOCIATES (PROPERTY OWNER: MAXWELL, LARRY AND JULIE) TO PLACE A STRUCTURE WHICH WILL NEED TO VARY FROM THE REQUIRED REAR SETBACK OF 10 FEET TO 5 FEET), ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6), LOCATED AT 702 NORTH MINNESOTA STREET, APN 003-234-03** (4:15:46) - Chairperson Peery introduced these items, and Mr. Sullivan reviewed the staff reports. He noted 17 conditions of approval for the special use permit application, and 14 conditions of approval for the variance application. He advised of having received no comments from any adjacent property owners. He provided an overview of the plans included in the agenda materials, and noted staff's recommendation of approval for both the special use permit and the variance. He acknowledged the use is considered legal, nonconforming and presumed it had been in existence since 1978. He noted the number of roof angles depicted on the plan drawings.

Chairperson Peery called for the applicant, who was not present. He called for public comment; however, none was forthcoming. Mr. Sullivan suggested deferring this item until the applicant could be present. **Commissioner Mullet moved to table this item until later in the meeting. Commissioner Semmens seconded the motion. Motion carried 6-0.** At Mr. Sullivan's request, Chairperson Peery recessed the meeting at 4:24 p.m. and reconvened at 4:38 p.m.

Mr. Sullivan advised of having spoken telephonically with the property owner during the break; that he had read the report and accepted the conditions of approval. Mr. Maxwell informed Mr. Sullivan he would decide whether to go forward with the project within the next year. Chairperson Peery entertained a motion. **Commissioner Vance moved to approve SUP-05-167, a special use permit request from Larry and Julie Maxwell, owners, and Art Hannafin, applicant, to allow an addition not to exceed 927 square feet, on property in the single family 6,000 zoning district, located at 702 North Minnesota**

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**Street, APN 003-234-03, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Bisbee seconded the motion. Motion carried 6-0.**

**Commissioner Mullet moved to approve VAR-05-168, a variance application from Larry and Julie Maxwell, owners, and Art Hannafin, applicant, to vary the setback from ten feet to five feet on the rear yard to allow an addition not to exceed 927 square feet, on property zoned single family 6,000, located at 702 North Minnesota Street, APN 003-234-03, based on three findings and subject to the recommended conditions of approval contained in the staff report. Commissioner Bisbee seconded the motion. Motion carried 6-0.**

**G-4. SUP-06-027 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM WILLIAM AND JOANN WALKER TO ALLOW A 40 FOOT BY 60 FOOT METAL ACCESSORY GARAGE STRUCTURE, ON PROPERTY ZONED SINGLE FAMILY ONE ACRE (SF1A), LOCATED AT 1175 CLEARVIEW DRIVE, APN 009-185-11 (4:42:33) - Chairperson Peery introduced this item. Ms. Pruitt reviewed the staff report and narrated pertinent slides. She noted staff's recommendation of approval.**

(4:45:59) Duane Walker acknowledged having reviewed the staff report and his agreement. In response to a question, he advised that a couple of the boats on the site belong to friends. They will be removed once construction begins. Chairperson Peery commended Mr. Walker on his rapport with surrounding neighbors, as evidenced by the letters of support included in the agenda materials.

Chairperson Peery called for public comment and, when none was forthcoming, entertained a motion. **Commissioner Vance moved to approve SUP-06-027, a special use permit application to allow construction of a detached accessory structure which exceeds 75 percent of the existing primary structure, and that exceeds five percent of the parcel size, on property zoned single family one acre, located at 1175 Clearview Avenue, APN 009-185-11, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Mullet seconded the motion. Motion carried 6-0.**

**G-5. ZMA-06-028 ACTION TO CONSIDER A ZONING MAP AMENDMENT APPLICATION FROM JOHN TOM ROSS TO CHANGE THE ZONING ON A PORTION OF A SPLIT-ZONED PARCEL FROM MULTI-FAMILY APARTMENT (MFA) TO GENERAL COMMERCIAL (GC), ON PROPERTY ZONED MULTI-FAMILY APARTMENT (MFA) AND GENERAL COMMERCIAL (GC), LOCATED ON HIGHWAY 50 EAST, APN 008-152-17 (4:48:06) - Chairperson Peery introduced this item. Ms. Pruitt reviewed the staff report and oriented the commissioners to the subject property using a displayed aerial photograph. She narrated additional slides and noted, for the record, the property is absolutely vacant. In response to a question, she expressed the understanding the property directly to the west is also split zoned. Mr. Sullivan provided historic information on the split-zoning.**

(4:52:20) Dennis Smith, of Western Engineering representing the applicant, advised of his client's preference for a commercial zoning designation on the entire property. In response to a previous question, he advised that the flood plain will change with construction of the freeway; the flood zone designation will be eliminated. He expressed the opinion that commercial development represents the highest and best use for the property. Mr. Smith acknowledged his agreement with the staff report. Chairperson Peery opened this item to public comment.

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(4:53:53) Cal Doherty advised that his property is adjacent to the subject property. He further advised that he serves as treasurer of the Park Terrace Condominium Association. He advised of having discussed the application with the Park Terrace Condominium Association Board, and that “everybody seems to be in agreement that it would be an improvement to have this property developed.”

Chairperson Peery called for additional comments, questions, or a motion. **Commissioner Mullet moved to approve ZMA-06-028, a change of land use request from property owner John Tom Ross, to change the zoning on a portion of a split-zoned parcel from multi-family apartment (MFA) to general commercial (GC), on property zoned multi-family apartment (MFA) / general commercial (GC), subject to the four findings contained in the staff report, APN 008-152-17. Commissioner Bisbee seconded the motion. Motion carried 6-0.**

**G-6. SUP-06-029 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM BJG ARCHITECTURE AND ENGINEERING (PROPERTY OWNER: CONNEMARA PARK LLC AND BURGER FAMILY TRUST) TO ALLOW SIGNAGE THAT EXCEEDS CITY SIGN CODE ALLOWANCES IN NUMBER OF ALLOWABLE FREE-STANDING SIGNS FOR A SIX-BUILDING OFFICE / RETAIL CAMPUS, ON PROPERTY ZONED LIMITED INDUSTRIAL (LI), LOCATED AT 1818, 1898 AND 1910 COLLEGE PARKWAY, GONI ROAD, AND OLD HOT SPRINGS ROAD, APNs 002-653-07, -09, -12, -13, -14, AND -15 (4:56:30) -** Chairperson Peery introduced this item. Mr. Sullivan oriented the commissioners to the subject property using a displayed aerial photograph. He reviewed the staff report and narrated additional slides. He advised of staff’s recommendation of approval subject to the findings and the 22 conditions included in the staff report. He advised of having received a phone call from an adjacent property owner, who expressed support for the application.

Commissioner Vance expressed concern with regard to dark skies lighting. He read into the record a portion of the pertinent condition of approval. Mr. Sullivan suggested adding a condition that staff approve the lighting. He advised the City has no existing standard with regard to lighting intensity. Discussion followed, and Vice Chairperson Kimbrough expressed an interest in the commission becoming involved in refining the City’s signage standards. Ms. Pruitt advised that staff had been working with the applicants over a period of months, and that they had been very conscientious over lighting for the buildings as well as the signage. She further advised that Planning and Community Development staff is periodically tasked with visiting various buildings at night to inspect lighting. She noted that Assistant Planner Kathe Green works diligently with applicants on lighting. Commissioner Semmens noted the previously approved casino signage located north of the subject property.

(5:10:16) Robert Grimaldi, of BJG Architecture, acknowledged having reviewed the staff report and his agreement with the same. He suggested the City’s sign ordinances emphasize discretion and “low-key scaling proportions.” He advised that care was taken to use the same color and stonework for the signs as was used for the building’s wainscoting. The lighting for the monument signs at the individual buildings is meant to be discreet. Mr. Grimaldi advised the electrical engineers ensured that very little foot candle, if any, would “come up and over the sign.” He demonstrated the height of the two signs proposed to be located diagonally at the corner. He advised that smaller signs aid in wayfinding and in the campus approach of the development. Commissioner Mullet commended Mr. Grimaldi on the project, and other commissioners agreed. Chairperson Peery opened this item to public comment and, when none was forthcoming, entertained a motion. **Commissioner Semmens moved to approve SUP-06-029, a special use permit application from North Carson Crossing, LLC, to allow signage that exceeds city sign code allowances in number of allowable freestanding signs, for a six-building campus, on property**

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**zoned limited industrial, located on the east side of Goni Road between College Parkway and Old Hot Springs Road, APN 002-653-07, -09, -12, -13, -14, and -15, based on seven findings and subject to the recommended conditions of approval contained in the staff report. Vice Chairperson Kimbrough seconded the motion. Motion carried 6-0.**

#### **G-7. PRESENTATION AND DISCUSSION REGARDING THE PLANNING COMMISSION APPLICATION FLOW CHARTS TO THE PLANNING COMMISSION (5:14:10)-**

Mr. Sullivan reviewed the flow charts included in the agenda materials, and discussion ensued. Commissioner Vance suggested adding language to indicate that master plan amendment requires approval by a two-thirds majority of the commission. He suggested using another term than “postmortem” in box 9 of the Master Plan Amendment flow chart. Chairperson Peery requested that the commission be assigned its own color on the flow charts. Commissioner Vance noted a correction to the Tentative Subdivision / Planned Unit Development Map flow chart. Vice Chairperson Kimbrough suggested including a site tour as part of the commission’s review responsibilities for Tentative Subdivision / Planned Unit Development maps. Mr. Sullivan responded to questions regarding the appeal process associated with the Parcel Map Process. He suggested the possibility of referring water, sewer, roadway, and other engineering issues directly to the Board of Supervisors. Following a brief discussion, consensus of the commissioners was to continue to have preliminary review authority. In response to a question, Mr. Sullivan advised there is no public noticing requirement associated with the parcel map process. Commissioner Vance pointed out a typographical error on the Final Subdivision Map flow chart. Mr. Sullivan discussed the extensive public noticing process involved in the special use permit / variance process. In response to a question, he advised that the Board of Supervisors adheres to an unwritten policy to remand items back to the Planning Commission upon presentation of information which was not previously provided.

Ms. Pruitt discussed the benefit of developing the flow charts in conjunction with staff from other divisions within the Public Works Department. With regard to noticing, she discussed an inherent difficulty in that properties often change ownership. She advised that Planning and Community Development staff works very closely with GIS Division and Assessor’s Office staff to ensure data is kept current.

Mr. Sullivan noted overwhelmingly positive feedback from the development community regarding the major project review process. Ms. Pruitt advised that the major project review process is offered free-of-charge to the public. Mr. Sullivan thanked his staff and all those involved in developing the flow charts.

#### **H. STAFF REPORTS:**

##### **H-1. REPORT ON BOARD OF SUPERVISORS’ ACTION ON PRIOR PLANNING COMMISSION APPLICATIONS (5:47:25) -**

Mr. Sullivan advised that the zoning amendment associated with the Corte Reale PUD was approved unanimously by the Board of Supervisors on second reading. The second reading on the Harbin and Musser Streets auxiliary parking lot for the Sheriff’s Office, and several master plan amendments were approved by the Board of Supervisors at their March 16<sup>th</sup> meeting. The Fischer master plan amendment request was approved by the Board of Supervisors. Mr. Sullivan advised that a number of master plan amendments; a memorandum of understanding between Carson City and the Nevada Division of Housing; the comprehensive master plan, the parks and recreation master plan, and the unified pathways master plan were agendized for adoption by the Board of Supervisors at their April 6<sup>th</sup> meeting. In addition, Code amendment 150 will be presented, together with the condominium ordinance. Mr. Sullivan advised that a funding source was identified for survey of apartment buildings. He further

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advised that the consultant has reviewed approximately 60% of the apartment buildings with ten or more units. There is an approximately 2.7% vacancy rate. A more realistic picture will be available by the middle of next week.

**H-2. MPA-04-127 STATUS REPORT ON ACTIVITIES RELATED TO “ENVISION CARSON CITY,” THE UPDATE OF THE CARSON CITY MASTER PLAN AND THE PARKS, RECREATION, AND TRAILS PLAN (5:50:55)** - Mr. Sullivan reiterated that the Board of Supervisors will take action on adopting the master plan at their April 6<sup>th</sup> meeting.

Vice Chairperson Kimbrough requested Mr. Sullivan to include an agenda item to provide for commission comments. Chairperson Peery discussed inherent problems with such an item, and Mr. Suglia agreed. He suggested agendizing the matter for discussion at a future meeting.

**I. ACTION ON ADJOURNMENT (5:52:44)** - Commissioner Mullet moved to adjourn the meeting at 5:52 p.m. Commissioner Vance seconded the motion. Motion carried 6-0.

The Minutes of the March 29, 2006 Carson City Planning Commission meeting are so approved this 26<sup>th</sup> day of April, 2006.

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JOHN PEERY, Chair