

MINUTES OF NOVEMBER 15, 2021

The regular meeting of the Sussex County Board of Adjustment was held on Monday, November 15, 2021, at 6:00 p.m. in the County Council Chamber, Sussex County Administration Office Building, Georgetown, Delaware. The teleconference system was tested during the meeting by staff to confirm connectivity.

The meeting was called to order at 6:00 p.m. with Chairman John Williamson presiding. The Board members present were: Dr. Kevin Carson, Mr. Jeff Chorman, Mr. John T. Hastings, Mr. John Williamson, and Mr. Jordan Warfel. Also, in attendance were Mr. James Sharp, Esquire – Assistant County Attorney, and staff members Ms. Jennifer Norwood – Planning and Zoning Manager, and Ms. Ann Lepore – Recording Secretary.

The Pledge of Allegiance was led by Mr. Williamson.

Motion by Mr. Warfel, seconded by Dr. Carson and carried unanimously to approve the agenda. Motion carried 5 – 0.

The vote by roll call; Mr. Warfel – yea, Mr. Williamson – yea, Mr. Hastings – yea, Dr. Carson – yea, and Mr. Chorman - yea.

Motion by Mr. Chorman, seconded by Mr. Warfel and carried unanimously to approve the Minutes for the September 20, 2021, meeting. Motion carried 5– 0.

The vote by roll call; Mr. Warfel – yea, Mr. Williamson – yea, Mr. Hastings – yea, Dr. Carson – yea, and Mr. Chorman - yea.

Motion by Mr. Hastings, seconded by Dr. Carson and carried to approve the Findings of Facts for the September 20, 2021, meeting. Motion carried 5 – 0.

The vote by roll call; Mr. Warfel – yea, Mr. Williamson – yea, Mr. Hastings – yea, Dr. Carson – yea, and Mr. Chorman - yea.

Mr. Sharp read a statement explaining how the Board of Adjustment meeting is conducted and the procedures for hearing the cases.

PUBLIC HEARINGS

Case No. 12627 – Jack & Jeanine Zaccara seek a variance from the rear yard setback requirement for a proposed structure (Sections 115-34 and 115-183 of the Sussex County Zoning Code). The property is located on the southwest side of Falmouth Way within Coastal Club Condominiums. 911 Address: 31339 Falmouth Way, Lewes. Zoning District: MR-RPC. Tax Parcel: 334-11.00-394.00

Ms. Norwood presented the case and stated that the Office of Planning and Zoning received 12 letters in support of and no correspondence in opposition to the Application and two mail returns. The Applicants are requesting an 8 ft. variance from the 20 ft. rear yard setback requirement for a

proposed addition.

Mr. Jack Zaccara and Ms. Jeanine Zaccara were sworn in to give testimony about their Application.

Ms. Zaccara testified that the Applicants own a townhouse and have requested approval from the Architectural Review Board of the Condominium Association to build a three-season room at the rear of the dwelling; that the addition would be built on a portion of the existing patio; that the sunroom will increase the value of the property; that her husband has skin cancer and Parkinson's disease; that the three-season room is needed for her husband's health; that she has a letter from the Condominium Association President approving the request; that this sunroom would be identical to the sunroom on neighboring units; that other neighbors plan to have similar sunrooms and support this request; that there will not be any steps; that the patio is at ground level; that there is only one sunroom in this group of townhouses; that the other townhouses are identical to their townhouse; that there is a swale with standing water and mosquitos behind the dwelling; and that the sunroom could be reduced to 16 feet but they would have to go back to the builder and the Architectural Review Committee.

Mr. Zaccara testified that the three-season room would extend no farther out than the existing patio; that there are other sunrooms in the neighborhood and there are no variances for those sunrooms; that granting this variance will not change the essential character of the neighborhood; that his health would benefit greatly from the addition of the sunroom; that he sees this as being similar to someone asking for a wheelchair ramp; that he is unsure why a variance is necessary; that they would like the sunroom to use as living space; that the rear of the dwelling gets sun all day; that a physician has recommended that he get more fresh air without being in direct sunshine; that there are easily a half-dozen sunrooms in the neighborhood; that he believes the sunroom will add value to the house; that he does not think he could get the relief sought by having a sunroom that was built in compliance with the Code; that he does not think he could fit furniture in a sunroom that complies with the Code; that the Architectural Review Committee has approved the request; that the rear yard is unusable due to the sun and mosquitoes; that his neurologist stated that it would help with his anxiety if the sunroom was built; and that he is asking for a reasonable accommodation.

Mr. Chorman asked staff if there is a reason that this sunroom requires a variance when the neighboring sunrooms did not.

Ms. Norwood stated that she would have to do some research to find that answer; that there are no variances in the neighborhood; that a neighbor received a certificate of compliance for a sunroom; that she is not sure if that was granted in error; and that the neighbor's sunroom measures 12 feet by 15 feet and was built in 2018.

The Board found that no one appeared in support of or in opposition to the Application.

Mr. Williamson closed the public hearing.

Dr. Carson moved to leave the record open for Case No. 12627 for the requested variance to allow the Planning & Zoning staff to research similar structures in the same development and to determine if the variance request is necessary and to allow comments from the Applicants and the public regarding the information to be presented by staff at the Board's meeting on December 13, 2021.

Motion by Dr. Carson, seconded by Mr. Chorman, carried unanimously that the **record be left open for the stated limited purpose until December 13, 2021.** Motion carried 5 – 0.

The vote by roll call; Mr. Warfel – yea, Mr. Williamson – yea, Mr. Hastings – yea, Dr. Carson – yea, and Mr. Chorman – yea.

Case No. 12628 – Brian & Sarah Reilly seek variances from the front yard and side yard setback requirements for a proposed dwelling (Sections 115-34, 115-182 and 115-183 of the Sussex County Zoning Code). The property is located at the southeast side of Louisiana Avenue approximately 365 feet southwest of North Bay Shore Drive. 911 Address: 107 Louisiana Drive, Milton. Zoning District: MR. Tax Map: 235-3.16-12.00

Ms. Norwood presented the case and stated that the Office of Planning and Zoning received no correspondence in support of or in opposition to the Application and zero mail returns. The Applicants are requesting 24.2 ft. variance from the 30 ft. front yard requirement for a proposed dwelling. Ms. Norwood noted that there was a previous variance of 22 ft. from the 30 ft. front yard requirement granted in 2005 which has expired.

Mr. Brian Reilly, Ms. Sarah Reilly, and Mr. Thomas Head were sworn in to give testimony about the Application.

Mr. Reilly testified that the Applicants have moved to this area to be near family; that the Applicants were looking for a house and found this lot; that there are houses on either side of the subject property; that there are federal wetlands on the rear of the property; that the existing septic system is in the center of the lot; that the dimensions of the dwelling are like the previous approval; that the lot is 50 ft. wide and the proposed dwelling is 30 ft. allowing 10 ft. on each side; that the only variance being sought is from the front yard setback; that there is a mixture of empty lots and some improved lots; and that there have been no complaints from the neighbors.

Mr. Head testified that the difference between the 2005 application and this application is due to the stone bed of the septic system; that the new survey shows the house will not interfere with the septic system; that the house was designed to be 10 feet from the septic system; that, although the survey shows 8 ft. at one side and 12 ft. at the other side, the survey is incorrect, and the proposed dwelling will have 10 ft. on each side and will meet the side yard setback requirements; that the house has been designed with no external staircases that would further encroach into setbacks; that legally only a 4 ft. by 30 ft. dwelling would comply with setbacks because of the wetlands and the location

of the septic system; that the only way the property is buildable is with a front yard variance; that the edge of paving matches the property line; that the house will be built on pilings at an 8 ft. height to allow for parking under the dwelling; that neighboring houses are located on pilings as well; that the wetlands are located to the rear of the septic system; that the house will be 30 feet wide – not 32 feet wide as shown on the survey; that the septic is not a mound system but a peatmoss system; that the property does not slope; and that only one or two other houses will use that road.

Ms. Reilly testified that Louisiana Drive is a dead-end side street off North Bay Shore Drive with very little traffic.

The Board found that no one appeared in support of or in opposition to the Application.

Mr. Williamson closed the public hearing.

Mr. Chorman moved to approve Case No. 12628 for the requested front yard variance, pending final written decision, for the following reasons:

1. The property has unique physical conditions due to the placement of the septic system and the wetlands to the rear of the lot;
2. That, due to the physical conditions, the property cannot be developed in strict conformity with Sussex County Zoning Code;
3. The exceptional practical difficulty was not created by the Applicants;
4. The variance will not alter the essential character of the neighborhood; and
5. The variance represents the minimum variance necessary to afford relief.

Motion by Mr. Chorman, seconded by Mr. Hastings, carried unanimously that the **variance be granted for the reasons stated.** Motion carried 5 – 0.

The vote by roll call; Mr. Warfel – yea, Mr. Williamson – yea, Mr. Hastings – yea, Dr. Carson – yea, and Mr. Chorman - yea.

Case No. 12629 – John Porter seeks variances from the front yard and side yard setback requirements for existing structures (Sections 115-25, 115-182, 115-183, and 115-185 of the Sussex County Zoning Code). The property is a through lot located on the east side of Sharptown Road and the west side of Hastings Drive. 911 Address: 9248 Sharptown Road, Laurel. Zoning District: AR-1. Tax Parcel: 432-8.14-7.00

Ms. Norwood presented the case and stated that the Office of Planning and Zoning received no correspondence in support of and one letter in opposition to the Application and zero mail returns. The Applicant is requesting the following variances:

1. 1.8 ft. from the 40 ft. front yard setback requirement from Sharptown Road for an existing

dwelling.

2. 2 ft. from the 10 ft. side yard setback requirement on the northeast side for an existing dwelling.
3. 9.4 ft. from the 10 ft. side yard setback requirement on the northeast side for an existing deck.
4. 9.2 ft. from the 10 ft. side yard setback requirement on the northeast side for an existing deck.
5. 9.4 ft. from the 10 ft. side yard setback requirement on the northeast side for an existing above ground pool.
6. 2.8 ft. from the 5 ft. side yard setback requirement on the northeast side for an existing shed.
7. 3.1 ft. from the 5 ft. side yard setback requirement on the northeast side for an existing shed.
8. 1.9 ft. from the 5 ft. side yard setback requirement on the southwest side for an existing shed.

Mr. Hastings recused himself from this hearing and left Council Chambers.

Mr. John Porter and Ms. Brooke Harrison Porter were sworn in to give testimony about the Application.

Mr. Porter testified that he purchased the property in 2006; that the dwelling and sheds were existing on the property at that time; that, in 2016, he improved the property with an above-ground pool and deck; that he built the deck himself and admitted his mistake; that the septic system is 3 feet from the pool; that, due to the placement of the septic system, there is no other area on the property to place a pool; that the distance from the house on Lot 97 and the house on the subject property is less than 10 feet; that there is a privacy fence on the property line; that the dwelling has been on the property since the 1940s; that there have been no complaints about the dwelling; that the deck to the rear of the house was built in 1999 by a previous owner and is less than 6 inches off the ground; that the deck surrounding the pool was built in 2020 without a permit by him and his friends; that there have been complaints made to the County regarding the pool and the deck; that the shed on the west side of the property was placed there in the 1940s; that the sheds on the east side of the property are portable but were there when the property was purchased; that there are three steps to the house, which are concrete, measuring 12 inches each; that there are three levels to the deck with a deck to the house, a ground level patio, and a raised deck to the pool; that the deck to the pool is not in compliance with the Code; that the sheds behind the pool are on cinder blocks; that the shed on the west side has a foundation; and that the carport is in compliance.

Ms. Porter testified that the sheds on the east side were there in 1999 and the shed on the west side was placed in the 1940s; that the pool is a temporary seasonal pool; that the fence was requested by the neighbor but supplied by the Applicant; that the two sheds to the rear of the pool were permitted and installed in 1999; that the sheds cannot be moved into compliance because of the location of the septic system; and that one shed behind the pool sits on a cement patio.

Ms. Porter submitted letters of support to Board members.

Ms. Angela Givens and Mr. David Spaulding were sworn in to give testimony in opposition

to the Application.

Mr. Spaulding testified that he is a friend of Ms. Givens; that he does a lot of work on Ms. Givens' house; that Ms. Givens takes care of her grandchildren; that Ms. Givens had a wooden fence that was on her property line which was removed by the Applicant without permission from Ms. Givens; that there is hostility between the property owners; that there have been issues with dogs as well; that the deck overlooks Ms. Givens' property; and that Ms. Givens has no privacy in her back yard.

Mr. Sharp explained that the fence is not part of the variance request and that comments in opposition to the Application should be regarding the Application before the Board of Adjustment.

Ms. Givens testified that the pool presses on the white vinyl fence; that Mr. Porter told her he was going to install a privacy fence but she did not expect him to remove the existing fence; that she has been harassed by persons on the deck and in the pool; that she has audio of name calling by her neighbor; that, because the deck is raised and within the setbacks it violates her privacy; that she called the police due to the noise at a July 4th party; that tensions were raised after the pool and deck were installed; that she is being harassed now and receives lots of threats when she is outside; that her outside area is lower than the Applicant's deck; that this has affected her mental health; that she cannot use her own backyard; that the Applicant's dog goes on the deck and barks at her dog; that the Applicant has loud parties; that she bought her property in September 2019; that she is opposed to the sheds, pool, & deck but not the dwelling or the shed on the west side of the property; and that she objects to the variances for the sheds on the east side as she believes they should meet the setback requirements.

Mr. Porter stated that the privacy fence was placed in the location of the previous fence and that it was paid for by him and Ms. Givens.

Mr. Sharp explained to the Applicant that the fence is not part of the Application.

Mr. Porter testified that there is less than 10 feet between the houses; that, even if he removes the pool and deck, the other deck will still be overlooking Ms. Givens' property; that Ms. Givens has cameras with audio recording; and that the deck can be maintained without encroaching on the adjacent property.

Ms. Porter testified that they have no privacy in their backyard, and that the reason she is requesting the variance is for her children to have a swimming pool.

Mr. Williamson closed the public hearing.

Mr. Sharp stated that there are nine variances in total when you include the steps at the front of the house.

Mr. Williamson stated that six were existing when the Applicant purchased the property and three were created by the Applicant.

The Board found that no one appeared in support of and six people appeared in opposition to the Application.

Mr. Chorman moved to approve in part Case No. 12629 for the requested variances for the steps, the dwelling, and the shed on the west side of the property, pending final written decision, for the following reasons:

1. The exceptional practical difficulty was not created by the Applicant;
2. Those variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to public welfare; and
3. Those variances represent the minimum variances necessary to afford relief and represent the least modifications of the regulations at issue.

Motion by Mr. Chorman, seconded by Mr. Warfel, carried unanimously that the **variances for the steps, dwelling, and shed on the west side of the lot be granted for the reasons stated.** Motion carried 4 – 0.

The vote by roll call; Mr. Warfel – yea, Mr. Williamson – yea, Dr. Carson – yea, and Mr. Chorman - yea.

Mr. Warfel moved to deny in part Case No. 12629 for the requested variances for the pool and the deck that wraps around it, pending final written decision, for the following reasons:

1. The exceptional practical difficulty was created by the Applicant.

Motion by Mr. Chorman, seconded by Mr. Warfel, carried unanimously that the **variances for the pool and deck surrounding the pool be denied for the reasons stated.** Motion carried 4 – 0.

The vote by roll call; Mr. Warfel – yea, Mr. Williamson – yea, Dr. Carson – yea, and Mr. Chorman - yea.

Dr. Carson moved to approve in part Case No. 12629 for the requested variances for the two sheds on the east side of the property, pending final written decision, for the following reasons:

1. The exceptional practical difficulty was not created by the Applicant as the sheds were pre-existing.

Motion by Dr. Carson failed for lack of a second. Dr. Carson withdrew the motion.

Dr. Carson moved to deny in part Case No. 12629 for the requested variances for the two sheds on the east side of the property, pending final written decision.

Motion by Dr. Carson, seconded by Mr. Warfel, carried that the **variances for the sheds on the east side of the property be denied.** Motion carried 3 – 1.

The vote by roll call; Mr. Warfel – yea, Mr. Williamson – nay, Dr. Carson – yea, and Mr. Chorman – yea.

Recess
7:40 p.m. – 7:45 p.m.

Mr. Hastings returned to the Council Chambers.

Case No. 12630 – Louis C. & Barbara C. Pugliese seeks variances from the front yard setback requirement for proposed structures (Sections 115-34 and 115-182 of the Sussex County Zoning Code). The property is located on the northeast side of Bayfront Drive within the Quillens Point Subdivision. 911 Address: N/A. Zoning District: MR. Tax Parcel: 134-5.00-330.00

Ms. Norwood presented the case and stated that the Office of Planning and Zoning received no correspondence in support of and three letters in opposition to the Application and two mail returns. The Applicants are requesting a 4.9 ft. variance, a 5.9 ft. variance, and a 3.4 ft. variance from the 30 ft. front yard setback requirement for a proposed dwelling and steps.

The Board found that David Hutt, Esq., was present on behalf of the Applicants.

Mr. Louis Pugliese, Ms. Barbara Pugliese, and Mr. Bruce Mears were sworn in to give testimony about the Application.

Mr. Hutt stated that exhibit notebooks have been distributed to Board members; that Mr. Mears is the designer of the home; that the subject property is Lot 21 on Bayfront Drive within the Quillen Points Subdivision; that the original Application was revised to include one step which extends an additional foot into the setback; that the property is zoned Medium Residential (MR); that, in general in the MR Zoning District, lots should consist of a minimum of 10,000 square feet with a minimum lot width of 75 ft.; that the setbacks are generally 40 ft. in the front and 10 ft. on the sides and rear of the property; that this property has a 30 ft. front yard setback as it is not on a County road; that the side and rear yard setbacks are 5 ft. as the lot consists of less than 10,000 square feet and benefits from the small lot ordinance; that this property has 9,970 square feet; that the subdivision plan filed in 1982 incorrectly shows that this property is a 10,000 square foot lot; that the lot is

undeveloped except there is a bulkhead and dock on the property; that 1,500 square feet of the lot is unbuildable as the property extends beyond the bulkhead; that the house will be 38 feet from the edge of paving; that the Quillen's Point restrictive covenants show that they match Sussex County setbacks; that the property is unique as there is approximately 1/5 of the lot that is unusable; that the variances are necessary; that the Applicants did not create the lot or the exceptional practical difficulty; that the Applicants have spent hours and hours on the design of the house; that the Applicants reduced the size of the house to minimize the need for variances; that granting the variances will not alter the essential character of the neighborhood; that the Applicants have four letters of support from neighbors; that the variances requested are the minimum variances that will still allow almost 40 ft. from the house to the edge of paving on Bayfront Drive; that the property has unique physical circumstances due to its proximity to Indian River Bay; that the lot is shallow; that the variances are necessary to enable the reasonable use of the property; that the property cannot otherwise be developed in strict conformity with the Sussex County Zoning Code; that the lot was created in 1981 by a prior owner; that, if the development went through the subdivision process now, the lot would look different; that the bulkhead was installed by a prior owner; that there have been 9 other variances granted in the neighborhood including 6 front yard variances; that, although the property has lost almost 20 ft. of buildable space, the variance request is for only 5 ft. for the home; and that the encroaching structures consist of approximately 324 square feet.

Ms. Pugliese affirmed the statements made by Mr. Hutt as true and correct.

Ms. Pugliese testified that they have lived in the area for 20 years; that they had been looking for waterfront property where they could have a boat; that this area is a great place to build a retirement home; and that the request to move the house forward to have a little more space in the rear of the property is for the safety of grandchildren.

Mr. Pugliese testified that they did contact the HOA and did not receive a response; that it is a unique community, and it should be taken on a case-by-case basis; that they were denied permission to attend a HOA meeting where they could have explained the request to the HOA Board members; that the community has different houses and orientations; that the house will add value to the neighborhood; and that the request will not adversely affect the neighboring and adjacent properties.

Mr. Mears affirmed the statements made by Mr. Hutt as true and correct.

Mr. Mears submitted a full-size plan for Board members to review.

Mr. Mears testified that he worked on this plan with the Applicants for over five months; that the house will be three stories tall; that the side setbacks are 5 ft. but the Applicants are not building to those setbacks which would lessen the waterfront view for neighbors; that, when drawing the house plans, the rooms have been compressed without making it a tall, ugly, and narrow building; that the master bedroom is 12.6 ft. deep which is not typical for a million-dollar home; that the pool will be only 8 ft. wide; that there are pools in this neighborhood and this is common when there is not a

community pool; that two out of every three houses designed by him include swimming pools; that the homeowner owns the bulkhead; and that DNREC will not permit extending the bulkhead to capture back some of the buildable area.

Mr. Hutt stated that there are nine variances in this development but was unsure if any included swimming pools; that the Applicants need the pool to reasonably use the property; and that the Applicants purchased the property in October 2020.

Ms. Pugliese testified that she was unaware how much of the area of the property was unbuildable; that she was surprised that so much of the lot extended beyond the bulkhead; that she originally thought the lot went to the bulkhead; and that the pool on Lot 20 is a pool on the third deck.

Mr. Pugliese testified that based on the current market that the purchase of the property happened very quickly and there was some confusion about the survey and what it meant; that the house on Lot 20 has 6,000 square feet; that their home is designed to consist of 5,300 square feet and was designed to be the minimum variance to afford relief; that Lot 20 plans to use the front yard for recreational purposes; and that there is not enough room for the pool in the side yard.

Mr. Sharp stated that this is lot is effectively a blank slate which benefits from the small lot ordinance and asked why the Applicants cannot comply with the setbacks.

Mr. Hutt stated that the small lot ordinance does not provide benefit for this lot as it is only a front yard variance that is being sought and in addition there is 1/5 of the lot that is unbuildable; and that the Board approved a variance in Quillens Point in Case No. 12230 in November 2018.

Mr. Mears testified that a pool could be put in the front yard but that it makes more sense to have it in the rear yard and there is no room at either side of the house for a pool; that this house will be an asset to the community and raise property values for all properties on that street; that it will not affect neighbors; and that there are four letters of support from the nearest neighbors.

Mr. Mark Tingle and Mr. Tom Farrah were sworn in to give testimony in support of the Application.

Mr. Tingle testified that he lives two lots away from the subject property; that he supports the Applicants because they have taken time to plan a house that will look great on the lot; that there is no neighborhood pool; that there is a lot reserved to build a community pool but that requires a 66% vote in favor of the pool; that they have been unable to get the votes to build that pool; and that the HOA had a meeting where they drafted the letter of opposition but the meeting was not open to all homeowners.

Mr. Farrah testified that he owns Lot 25; that there are 99 lots in this community with 86 homes; that, when the current construction is complete, there will be 10 undeveloped lots; that the

outcome of this hearing will not change the community which was started in 1981; and that he is on the HOA Board and, though his name is on the letter of opposition, he voted against opposing the variance.

Mr. John Szczur was sworn in to give testimony in opposition of the Application.

Mr. Szczur testified that he owns Parcel 349; that he is a member of the HOA Board of Directors; that he is opposed to the variance because the right-of-way (ROW) is owned by the HOA and cannot be used by the Applicants; that the Applicants knew the limits when they purchased the property; that the Applicants could have taken advantage of the small lot ordinance and designed a house that would meet setbacks; that the HOA was not given a copy of the building plans; that he has safety concerns regarding fire suppression and asked if the height of the house would have to be lowered if the Applicants built to the 5 ft. setback; and that it would block views if the Applicants built to the 5 ft. side yard setback.

Mr. Mears testified that four-story buildings require fire suppression and that this house is a three-story building.

Ms. Pugliese testified that the Architectural Review Committee guidelines state that complete and final plans must be submitted and that their plans were only completed in the past few days.

Mr. Hutt stated that the Applicants are aware that the HOA has the ownership of the 50-ft. right-of-way; and that the point he was making when pointing this out is the distance from the dwelling to the edge of paving beyond the right-of-way.

The Board found that two people appeared in support of and one person appeared in opposition to the Application.

Mr. Williamson closed the public hearing.

Mr. Chorman moved to approve Case No. 12630 for the requested variances, pending final written decision, for the following reasons:

1. The property has unique physical conditions because part of the rear of the property is in the water;
2. The variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property; and
3. The variances represent the minimum variances necessary to afford relief and represent the least modifications of the regulations at issue.

Motion by Mr. Chorman, seconded by Mr. Hastings, carried unanimously that the **variances be granted for the reasons stated**. Motion carried 5 – 0.

The vote by roll call; Mr. Warfel – yea, Mr. Williamson – yea, Mr. Hastings – yea, Dr. Carson – yea, and Mr. Chorman - yea.

ADDITIONAL BUSINESS

There was no additional business.

Meeting adjourned at 9:01 p.m.