

CITY OF GLOUCESTER

CONSERVATION COMMISSION

MINUTES

WEDNESDAY June 3, 2015 - 7:00 PM
City Hall, 2nd Floor, Kyrouz Auditorium
Robert Gulla - Chair

Members Present: Robert Gulla - Chair, Ann Jo Jackson – Co-Chair, Linda Charpentier, John Feener, Barry Gradwohl, Helene Shaw-Kwasie

Staff Present: Ken Whittaker - Agent, Courtney Karcher – Recording Clerk

Chairman Gulla opened the meeting at 7:03 PM

I. 1-5 minutes, review of amended, updated or final information, status reviews, modifications, signing decisions etc.

Wellspring House Fish Ladder Conservation Restriction

The perpetual right and easement to construct, maintain, repair, replace, and access the Little River Stream Habitat Restoration Project extending from the southwest property line to Essex Avenue.

Presenter: Gregg Cademartori – Planning Director, City of Gloucester, Gloucester, MA

Mr. Cademartori reviewed the history of the river restoration project at 302 Essex Avenue as well as a parking area behind Wellspring House. Construction of the restoration project is currently out to bid, with a contract to be awarded in August. Work would be expected to conclude before first frost.

Mr. Cademartori noted the existing easement provided for the water treatment plant is smaller than the footprint of the restoration project. Wellspring House has provided for the full footprint of the restoration project to be contained within a conservation easement. When the area is restored it will be contained within a conservation restriction, therefore requiring approval from the Conservation Commission, City Council, and Mayor before being sent to the State to be under perpetual preservation.

Mr. Cademartori stated the intention of the project to become a naturalized landscape with support from those conducting the fish counting as well as Wellspring House.

Mr. Gulla requested a final fish count for the existing structure to be issued to the Commission.

Mr. Feener noted his concern with a lack of volunteer base in the future to maintain the facility and recommended a narrative of the fish ladder project be posted on the website to educate the public and future volunteers.

Mr. Cademartori mentioned the Department of Marine Fisheries (DMF), The National Oceanic and Atmospheric Administration (NOAA) and the Department of Ecological Restoration as partners in the project that will continue in a stewardship role. The intention of the project is that it will be a self-sustaining design with little maintenance. He noted the project is also partially funded by a state grant pertaining to green infrastructure, therefore including elements of sustainable design such as using vegetation to restore and stabilize the environment.

Mr. Feener questioned the timeline of the proposed construction of the parking lot area. Mr. Cademartori noted the construction time would piggyback onto the restoration project's timeline, beginning in June.

Motion to approve and endorse the conservation restriction for the **Wellspring House Fish Ladder as presented on June 3rd, 2015** made by Mr. Gradwohl, seconded by Ms. Shaw-Kwasie, approved unanimously.

Mr. Cademartori will update the Agent as bids come in and construction begins.

II. PUBLIC COMMENT: None

III. MINUTES REVIEW:

Motion to approve the Meeting Minutes from **May 6, 2015** made by Ms. Charpentier, seconded by Mr. Gradwohl, approved unanimously. Ms. Shaw-Kwasie abstained.

Consideration of the draft minutes from the meeting of **May 20, 2015** was deferred until the next meeting.

IV. Block 1* Continued Projects

- A) **Continued NOI: 644 Essex Avenue – MassDEP #28-2367:** Submitted by Roger LeBlanc (Represented by Wetlands and Land Management Inc.) for the construction of a duplex, driveway, utility installation, grading, landscaping and retaining walls (Map 237, Lot 109 and a portion of 4).

Motion to continue the project at **644 Essex Avenue – MassDEP #28-2367** to July 15, 2015 made by Ms. Shaw-Kwasie, seconded by Ms. Charpentier, approved unanimously.

- B) **Continued NOI: 59 Riverview Road MassDEP #28-2387:** Submitted by Bruce Ross to reconstruct retaining wall and revetment slope on bank of Annisquam River also repair pool and decking (Map 94 Lot 71).

Motion to continue the project at **59 Riverview Road MassDEP #28-2387** to June 17, 2015 made by Ms. Shaw-Kwasie, seconded by Mr. Gradwohl, approved unanimously.

- C) **Continued NOI: 82 Hesperus Ave MassDEP #28-2389:** Submitted by Joe Amicone to install an in ground swimming pool, deck and associated landscaping (Map 192 Lot 14).

Presenter: Bob Griffin, Griffin Engineering Group, LLC, 100 Cummings Ctr. Ste 222G, Beverly, MA

Mr. Griffin reviewed the current application as well as a 2010 approved Order of Conditions for the site. He noted the Commission conducted a site visit on May 16, 2015.

Mr. Feener stated, due to lack of quorum, the members present at the site walk did not request any changes to the proposed plan at that time.

Mr. Whittaker cited a paragraph relevant to the application in the MACC performance standards for a coastal bank stating: "Material eroded from Coastal Banks by wind and rain runoff contributes less to Beach nourishment than that eroded by wave action or water seepage. Such erosion should be discouraged by keeping Banks vegetated, and by refraining from breaching the integrity of the bank with paths and solid structures. Unstable Banks should be traversed on elevated wooden walkways. Eroding Banks can be destabilized by blasting activities or vibrations from heavy machinery."

Mr. Griffin noted all of the proposed work would be above the coastal bank. He reviewed that the pool deck run-off will travel through PVC pipe, through a swale, and into a rain garden where filtration will occur. He noted there is a significant amount of planted area above the coastal bank and in the location of a proposed hedge whose intention is for safety reasons as well as stopping anything from accidentally going into the resource.

Mr. Feener paraphrased a passage in the performance standards, stating, "work, even outside of a buffer zone, should not affect the zone directly next to it." He noted that although the proposed pool is outside the buffer zone, the run-off from it would not necessarily meet the performance standards.

Mr. Griffin stated the proposed work would be occurring in the buffer zone uphill of the coastal bank which the performance standards refer to. None of the proposed work would destabilize the coastal bank. Because there is no bordering vegetated wetland downhill of the proposed work, Mr. Griffin stated there is no difference whether run-off from the pool deck goes into the ground at the pool area or in the proposed rain garden as it will not affect the resource.

Mr. Gradwohl and Mr. Griffin discussed the site of the proposed rain garden for intended infiltration as Mr. Gradwohl had concerns with installation close to the resource.

Mr. Gradwohl questioned if the applicant had intentions of blasting during construction. Mr. Griffin replied he did not think it would be necessary, although he would not eliminate blasting as a possibility.

Mr. Feener noted that in a rocky intertidal zone there are mussels, etc. that rely on tidal pools that erosion could affect.

Mr. Gulla mentioned to the applicant that installation of a pervious pool deck and/or re-location of the rain garden may satisfy the Commissioners concerns with the Application.

Mr. Griffin noted the applicant wants an impervious pool deck. He would be willing to consider rain garden re-location, although it would still be located in the buffer zone.

Mr. Feener stated his concern lies not only with where the water goes into the ground, but by moving the rain garden uphill, away from the resource, it may slow the water velocity therefore reducing erosion potential.

Mr. Griffin noted the significant erosion control proposed during construction, as well as post construction in the form of proposed vegetation and lining of the swale with gravel.

The Commission and Mr. Griffin discussed various conditions to be placed on the Application, including re-location of the rain garden further away from the buffer zone, blasting, and heavy equipment.

Mr. Whittaker requested the Applicant flag any significant boulders to be removed and include them on the proposed plan. He was requested to develop a list of suitable conditions for review by the Commission at the next meeting.

Public Comment: None

Motion to continue the project at **82 Hesperus Ave MassDEP #28-2389** due to awaiting Conditions made by Ms. Shaw-Kwasie, seconded by Ms. Charpentier, approved unanimously.

- D) Continued NOI: 8 Thurston Lane MassDEP #28-2391:** Submitted by Paula Parsons to construct a seasonal ramp and float for access to Annisquam River (Map 98 Lot 50, 51).

Presenter: John Judd, Engineer - Gateway Consultants, 33 Forest Hill Avenue, Lynnfield, MA

Mr. Judd noted a site visit had recently taken place with the Commission where the placement of the float and proposed height of the ramp was discussed. He noted the intention of the Applicant to extend the float legs to 18 inches to address concerns heard from the Commission of compromising dune grass. A one-year monitoring of the dune grass surrounding the proposed project was also proposed to monitor any adverse effects.

The Shellfish Constable's comments from a letter filed with the Agent were discussed.

The Commission and Mr. Judd discussed conditions to be placed on the Application.

Public Comment:

Gerald Hart, 94 Wheeler Street, Gloucester, MA

Mr. Hart, a neighbor, approves of the project. He mentioned the eelgrass has receded since sewerage came in, would like the Commission to take that into account when monitoring the project.

Public Comment closed

Conditions:

1. Monitoring of surrounding dune grass for 2 years
2. The issuance of a Certificate of Compliance will not be permissible for 2 years.
3. No net loss of dune grass may be associated with the gangway and float

Motion to approve the project at **8 Thurston Lane MassDEP #28-2391** with the aforementioned conditions made by Mr. Feener, seconded by Ms. Charpentier, approved unanimously.

- E) Continued NOI: 16 Cambridge Ave Mass DEP #28-2392:** Submitted by Deborah Decotis to remove and reconstruct a single family home, grading, landscaping and utilities within wetland buffer zone (Map 119 Lot 46).

Presenter: John Judd, Engineer - Gateway Consultants, 33 Forest Hill Avenue, Lynnfield, MA

Mr. Judd noted the concerns heard at the recent site visit including the proposed construction of a pervious driveway, and providing more robust planting plans.

Mr. Judd stated a detailed, expanded planting zone adjacent to the coastal bank is being drawn and will be filed with the Agent. A section detail for providing a pervious driveway, as well as a cobble apron at the entrance to minimize erosion, will also be filed with the Agent.

Mr. Feener noted if, during the excavation of the pavement driveway, it is not feasible to dig deep enough to provide a pervious surface, a supplemental plan for drainage retention would need to be filed with the Agent.

Mr. Judd agreed, and noted that he believes there is miscellaneous fill under the driveway. He also agreed, at Mr. Feener's request, to e-mail a picture of the surface to the Agent before construction.

Mr. Gulla noted the late date of the site visit due to the Commission's availability as a factor in the approval of the proposed plan without a definitive planting plan.

Public Comment: None

Conditions:

1. Applicant will augment the planting on the coastal bank side of the site.
2. A section detail for the driveway to be filed with the Agent
3. A cobble apron will be installed near the entrance to reduce water velocity
4. A picture of the surface underneath the proposed driveway site will be filed with the Agent

Motion to approve the project at **16 Cambridge Ave Mass DEP #28-2392** made by Ms. Charpentier, seconded by Mr. Feener, approved unanimously.

- F) Continued NOI: 726 Rear Washington Street MassDEP #28-2393:** Submitted by Alfred Fichera for repair to existing granite walls along coastal bank. Also add site landscaping (Map 116 Lot 11).

Presenter: Bill Manuel – Wetlands and Land Management Inc., 100 Conifer Hill Dr # 516, Danvers, MA

Mr. Manuel reviewed a recent site visit with the Commission. He noted a request to the Applicant to not remove any stone with vegetative growth or

rockweed. A request was also made to not disturb large embedded stones that will be used as a line of demarcation for the proposed wall.

Mr. Whittaker noted comments made by the Department of Marine Fisheries regarding a request to not move any embedded rocks, no rock movement out 3 feet from the original wall, as well as replacement rocks would be preferred over recovered rocks.

Public Comment: None

Motion to approve the project at **726 Rear Washington Street MassDEP #28-2393** made by Mr. Feener, seconded by Mr. Gradwohl, approved unanimously.

V. Block II* NEW Projects

- G) New RDA: 5 Wiley Street #RDA1445** Submitted by Michael Diliberti and Peter Wolfskehl for replacement of 18 pilings with associated concrete supports under a residence (Map 129 Lot 34).

Presenter: Peter Wolfskehl, 5 Wiley Street, Gloucester, MA

Mr. Wolfskehl presented the proposed plan to replace 115 year-old pilings under his residence. He stated all proposed construction would be done by hand at low tide. There would be no barge and no machines on the beach. New pilings would be boomed onto the beach from the roadside. Three or four pilings would be replaced per low tide, with construction lasting approximately two weeks. A granite block will be set, and the piling will be placed on top. There would be no cement pouring.

Mr. Gulla requested Mr. Whittaker find a similar project for examples of conditions.

Public Comment: None

Conditions:

1. No concrete will be used
2. Holes for new piles will be hand dug
3. All debris will be picked up at the end of each day
4. The Agent will supply a supplemental list of conditions

Motion for a negative determination for the project at **5 Wiley Street #RDA1445** with aforementioned conditions, made by Ms. Shaw-Kwasie, seconded by Mr. Gradwohl, approved unanimously.

Chairman Gulla left the meeting to Co-Chair Jackson

- H) New NOI: 510 Washington Street MassDEP # 28-....:** Submitted by Lonakilty Realty Trust, Maureen Cahill, for an after the fact request to rebuild a pier and install an attached gangway and float at 508/510 Washington Street (Map 110 Lot 2).

Presenter: Charles Faia, Civil Engineer - Parsons and Faia Inc., 60 Lewis Street #2, Lynn, MA

Jack Cahill, 510 Washington Street, Gloucester, MA

Mr. Faia presented the proposed plan to rebuild an existing pier in the same footprint. There had been a pier on the property for 40 years, which was damaged due to weather. The applicant removed the wooden pier from the site, stored the existing gangway and float on the property, and installed several new concrete footings and sonotubes.

Mr. Whittaker noted any work completed on the site prior to the application had taken place without a permit, resulting in a cease and desist order from the Agent. Mr. Whittaker then consulted with the Department of Marine Fisheries and the Department of Environmental Protection, whose comments were filed.

Mr. Whittaker paraphrased comments from the DEP noting the work done on site may not be permissible. He suggested clarification from the DEP before the Commission takes any action on the Application.

Mr. Cahill noted to the Commission that all materials removed were trucked off-site; nothing was left in the resource.

Ms. Jackson questioned if the proposed pier would be the same elevation as the pier that was torn down. Mr. Faia noted he does not have an elevation to work from, although, it will not be purposefully raised or lowered.

Mr. Feener requested, if available, additional photos of the old pier to be filed with the Agent. He noted to the Applicant to pay special attention to the Shellfish Constables comments.

Public Comment: None

Motion to continue the project at **510 Washington Street MassDEP #28-....** to July 15, 2015 made by Ms. Charpentier, seconded by Ms. Shaw-Kwasie, approved unanimously.

- I) **New NOI: Lanes Cove Road Fish Shack MassDEP #28-....:** Submitted by the City of Gloucester to make landscaping modifications and install paving materials and portable restrooms at the Fish Shack area at Lanes Cove (Map 142 Lot 38).

Presenter: Arnold Shore, 4 Langsford Street, Gloucester, MA

Mr. Shore, a member of the Lanes Cove Fish Shack Building Committee, reviewed the history of a cooperative project between the City of Gloucester and the Lanes Cove Historical Association to restore the Fish Shack including the proposed landscape plan.

Presenter: Ralph Pisaturo, 17 Andrews Street, Gloucester, MA

Mr. Pisaturo, a member of the Lanes Cove Historical Association, reviewed the proposed landscape plan to clean, improve and provide erosion control around the Fish Shack.

Mr. Pisaturo outlined the areas of proposed change with photographs filed with the Agent. He highlighted a few areas including an area to the right of the shack overgrown with brush that has become a dumping ground, which would be cleaned out. He noted the intention of reducing water run-off directly onto the side of the Fish Shack, which causes erosion and damage, with the installation of granite steps as well as native plantings. Proposed native plantings would also enhance infiltration for water run-off.

Mr. Whittaker commended the group on a terrific job with upgrading the building. He commented the project as a whole is an improvement to the area and is consistent with the mission of the Commission, therefore having his approval.

When questioned by the Agent, Mr. Shore clarified the proposed seasonal restroom facility is being considered as a separate issue by the DPW.

Mr. Feener stated his concerns regarding the proposed planting plan. He noted the proposed prevention of erosion should be applied further away from the resource. He also noted the intention of removal of sumac and locust, which would be very difficult to remove and control within a year time frame due to their root systems, and would require a long-term removal plan. Mr. Feener offered to conduct a site-visit to assist the Applicant.

Public Comment:

Barbara Jobe, 8 Duley Street, Gloucester, MA

Ms. Jobe, a member of the Lanes Cove Fish Shack Building Committee and Lanes Cove Historical Association, addressed Mr. Feener's

comments regarding water erosion. She noted addressing the DPW regarding erosion issues on city property.

Public Comment closed

Ms. Jackson discussed a continuance with the Applicant to conduct a site-visit with Mr. Feener to address erosion control, as well as a potential 2-year management plan for removal of locusts and sumac. She also noted the Applicant update the proposed planting plan with a reasonable substitute if the proposed Marsh Elder is unavailable.

Motion to continue the project at **Lanes Cove Road Fish Shack MassDEP #28-....** to June 17, 2015 made by Mr. Gradwohl, seconded by Ms. Charpentier, approved unanimously.

- J) New RDA: 6 Plum Court #RDA1446:** Submitted by Carmelina Procaccini for re-setting of boulders on stacked sea wall and soil addition at 6 Plum Court in Gloucester (Map 140 Lot 9).

Presenter: Carmelina Procaccini, Steve Polanski, 6 Plum Court, Gloucester, MA

Ms. Procaccini reviewed the Application to repair an existing stone sea wall and replant lawn, which has eroded due to winter weather. Ms. Procaccini declared the intention for keeping construction machines on the lawn side of the sea wall.

Mr. Polanski stated the intention for the proposed sea wall to be the same height and tie in with the surrounding existing sea wall. The proposed construction would include excavating on the lawn side of the sea wall to remove small rocks, replace them with larger stone, back-fill with permeable material covered with filter fabric, and then replant grass.

Mr. Whittaker noted the proposed construction would be located behind and not on the coastal bank. Water does not go into the area unless there are very strong weather conditions.

Mr. Feener requested a construction sequence from the contractor be filed with the Agent.

Public Comment:

Jane Brown, 5 Plum Court, Gloucester, MA

Ms. Brown stated her concern with the Applicant building the land out toward the resource.

Public Comment closed

Conditions:

1. A sketch of the proposed seawall to be filed with the Agent

Motion to continue the project at **6 Plum Court #RDA 1446** to June 17, 2015 made by Ms. Shaw-Kwasie, seconded by Ms. Charpentier, approved unanimously.

VII. OTHER COMMISSION BUSINESS - Requests for Letter Permits/Modifications, etc.

- **66 Woodward Avenue**

Presenter: Michael Faherty, Attorney – 111 Main Street, Gloucester, MA

Mr. Faherty reviewed the approved Application from three years ago, noting the Applicant has not been granted approval from the Board of Appeals. He noted intention to move the building outside of the jurisdiction of the Board of Appeals; the building footprint would be smaller requiring a Minor Modification. The Applicant requested an extension.

Motion to approve an extension for the NOI at **66 Woodward Ave** to June 28, 2017 made by Ms. Shaw-Kwasie, seconded by Mr. Gradwohl, approved unanimously.

- **19 Norseman Avenue**

Mr. Whittaker noted the request for an extension by the Applicant due to legal issues.

Motion to approve an extension for the NOI at **19 Norseman Avenue** for 18 months made by Ms. Shaw-Kwasie, seconded by Mr. Gradwohl, approved unanimously.

- **114 Wheeler Street**

Motion to approve an extension for the NOI at **114 Wheeler Street** to July 2016, made by Mr. Feener, seconded by Mr. Gradwohl, approved unanimously.

- **Wise Place parking matter**

Mr. Whittaker provided the Commission with a brief history of the matter. He noted there was an intention of parties' involved coming to a mediated settlement – that has not occurred. There is an existing conservation restriction on the property, and the issue is in regard to whether or not parking of vehicles should be allowed, and to what extent. There are two parties involved: one for parking, one against.

Mr. Whittaker stated his concern that banning parking would have impacts on the neighborhood such as snow removal, etc. He noted that a parking area is not necessarily inconsistent with conservation purposes. He noted he is sensitive to both sides of the issue. Mr. Whittaker stated he recommends the allowance for two parking spaces in the area with restrictions, including no overnight parking.

Mr. Feener and Mr. Whittaker discussed allowances and enforcements allowed by the Commission. Mr. Whittaker stated the possible action of installing boulders, therefore not allowing parking, which would not necessitate enforcement. He noted the awareness of not creating a safety issue for the neighborhood.

*Ms. Shaw-Kwasie brought to the Commission's attention her employment history with Attorney Mary Fine. She stated she was not involved in nor discussed the case in question.

Presenter: Meredith Fine, Attorney - 85 Eastern Avenue, Gloucester, MA representing Anthony and Diana Frontiero, 4 Wise Place, Gloucester, MA

(Geri Parisi with North Shore Court Reporting was also present)

Ms. Fine noted, in regard to Ms. Shaw-Kwasie's disclosure, she never discussed the case in question with Ms. Shaw-Kwasie.

Ms. Fine thanked Mr. Whittaker for his efforts, and noted because of limited space, two parking spaces would not be enough.

Ms. Fine outlined a proposal that would balance conservation efforts with the safety and convenience of the neighborhood. The proposal would allow for three parking spaces, two that would allow 48-hour overnight parking, and one transient parking space. No overnight parking would be permissible on weekends. Further, all cars would be intact. No cars awaiting mechanical work would be allowed. The proposal would include a 90-day trial period. Ms. Fine stated her opinion that this proposal alleviates concerns on both sides, and requested it be considered.

Ms. Fine noted the history of parking on Wise Place and that it has not affected the wetland. She stated the concern with barring the parking area as a safety issue. Reducing the parking would force parking on the side of the road; blocking trash removal vehicles, as well as emergency vehicles.

Presenter: Joel Favazza, Seaside Legal Solutions, 111 Main Street, Gloucester, MA representing Terry Greel, 3 Wise Place, Gloucester, MA and Ross Robinson, 5 Wise Place, Gloucester, MA

Mr. Favazza reviewed the history of this issue, that he had contacted the Commission in April 2014 (subsequently corrected to a later date in the summer of 2014) in regard to the deeded conservation restriction on this land. He noted in July 2014 enforcement orders were sent to property owners to remove property, vehicles from conservation land. Boulders were to be installed to bar parking. Mr. Favazza stated this has not happened due to response from Mr. Frontiero, and requested follow-through with this action.

Mr. Favazza stated concern with allowing any parking on the site due to Mr. Frontiero's using the parking spaces as off-site storage for his automotive repair shop. Mr. Favazza presented photographs to the Commission corroborating this.

Ms. Jackson addressed Mr. Whittaker, asking what adverse effects from parking he has witnessed on the site. Mr. Whittaker noted the soil is compacted, and vegetation is gone. He has not seen evidence of oil spills, etc. but cannot say definitively.

Ms. Jackson stated that parking privileges are not necessarily incompatible with conservation purposes.

Mr. Feener noted the lack of the Commission to provide enforcement. He suggested consulting another entity.

Members of the Commission discussed parking and whether or not it is consistent or inconsistent with conservation efforts and in what form. Car parking versus car storage was also discussed.

Ms. Fine disputed some of the photos presented by Mr. Favazza, as well as the point that junk cars have been towed onto conservation land. She noted Mr. Frontiero has abided by orders sent to him by the Commission, but Mr. Greel and Mr. Robinson have not.

Ms. Jackson requested paperwork outlining zoning for Mr. Frontiero's property.

Mr. Favazza and members of the Commission discussed his clients' encroachments on the conservation restriction.

Mr. Whittaker agreed to consult various city records and if appropriate entities on this matter.

Motion to continue the **Wise Place parking matter** to June 17, 2015 made by Ms. Shaw-Kwasie, seconded by Ms. Charpentier, approved unanimously.

- **Verizon Facility letter permit**

Mr. Whittaker explained the proposed plan to install a 4x10 concrete pad and raised platform in order to move and install a new propane tank. Additionally, the Applicant proposes to plant 12-16 Atlantic Cedar trees along with a planting bed.

Motion to ratify the letter permit for the **Verizon Facility** made by Mr. Gradwohl, seconded by Ms. Charpentier, approved unanimously.

V. AGENT'S REPORT ON VIOLATIONS: None

VIII. CERTIFICATES OF COMPLIANCE

- **227 Atlantic Road**

Mr. Whittaker noted there is a permanent no disturb zone on this site. The Applicant is proposing minor changes to the roadway. Mr. Whittaker recommended the Commission discuss how to award a Certificate of Compliance when a permanent no disturb zone exists.

Mr. Whittaker suggested to the Applicant to present an amended Order of Conditions to the Commission addressing the proposed work on the roadway.

- **11 Lincoln Street**

Motion to approve the Certificate of Compliance for **11 Lincoln Street** made by Ms. Shaw-Kwasie, seconded by Mr. Feener, approved unanimously.

There being no further business the Chair adjourned the meeting at 10:12 PM