

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF FEBRUARY 6, 2006**

A. CALL TO ORDER

Commissioners Present: House, Krebs, Sisich
Commissioners Absent: Harris, Zwick

B. OPEN TIME FOR PUBLIC EXPRESSION

Louise Mathews, Foothill Road, spoke about Redhill Park.

C. CONTINUED PUBLIC HEARING ITEMS

1. **ER-0502/GPA-0501/LS-0502/Z-0501 - William F. and Barbara R. Geisler, 405 Redwood Road, APN 007-141-11**, 1) initial environmental study; 2) General Plan amendment to change the designation of a portion of the property from Single Family Conservation to Single Family Residential; 3) Rezoning of a portion of the property from R-1 C (Single Family Conservation) to R-1 (Single family Residential); and 4) Parcel split to create one additional building site. The proposed new lot would be located in the northeast area of the property, north of the redwood groves and below an existing cabin, with a separate driveway access directly off Redwood Road, located within the R-1C zoning district. (staff person: Wight) **CONTINUED TO FEBRUARY 21, 2006**
2. **ER-0503/DR-0535 - Red Hill Park, 100 Shaw Drive, APN 006-061-14**, review of initial study and draft negative declaration for redevelopment of approximately 5.7 acres of the former Red Hill Middle School athletic/recreation fields into a multi-purpose community athletic sports and dog park facility, including a fenced dog park, a sports court and soccer/baseball field, a restroom/concession/storage building and a separate storage building for use by Town maintenance and sports leagues, new storm drainage, landscaping and irrigation improvements. Access to the site would be from Sunny Hills Drive and also from Shaw Drive with expanded parking off Shaw Drive. Planning Commission public hearing also scheduled for Tuesday, February 21, 2006 to include project review (rezoning to SPD (Specific Plan Development), Use Permit and Design Review). (staff person: Consultant Newman) **CONTINUED TO FEBRUARY 21, 2006**
3. **V-0535/DR-0530 - Greg and Kristi Bush, 142 Sequoia Drive, APN 006-114-05**, 1) Setback Variances to add a ±375 square foot first story addition within 16' of the front property line and 8'-6" of the street side (Knoll Road) property line, and a ±354 square foot second story addition within 19'-6" of the front and 8'-6" of the street side (Knoll Road) property line (Code setbacks: front: 20'; street side: 12'); 2) Hillside Design Review of first and second story additions totaling ± 729 square feet; 3) design review to exceed the permitted 35% FAR by 10%, and 4) Parking Variance for one of the three required on-site parking spaces to be substandard in length and partially in the right-of-way (Code: 3: 9'x19' spaces wholly on the property); located within the R-1 zoning district. (Staff person: Chambers) **CONTINUED TO A DATE UNCERTAIN**

D. PUBLIC HEARING ITEMS
CONSENT AGENDA

1. **Minutes – January 17, 2006**

The minutes were removed from the Consent Agenda by a member of the audience.

2. **V-0602 – Daniel Elkington and Chris Elkington, 12 Savannah, APN 007-084-03**, variance for a two story addition to enclose 113 square feet of an existing second story deck and area below the deck, totaling 226 square feet, within 5' of the south side property line (Code: 8'), located within the R-1 zoning district. (staff person: Chambers)
3. **V-0605 - Jonathan and Susan Pey, 29 Nokomis Avenue, APN 006-074-39**, Setback variance to raise the existing dwelling 2' in height to clear the December 31, 2005 flood elevation within 4' of the west side property line (Code setback: 8') on property located in the R-1 zoning district. In conjunction with this project, and not requiring Planning Commission approval, front extension to the dwelling, front extension to the existing garage, and both front and rear decks and stairs to provide access to the raised dwelling. (staff person: Wight)

M/s Krebs/Sisich and unanimously passed (3-0) to approve items 2 and 3 on the Consent Agenda.

Chair House reminded the audience of the 10-day appeal period to the town Council.

REGULAR AGENDA

1. **Minutes – January 17, 2006**

Louise Mathews, Foothill Road, made several objections to the minutes of January 17, 2006.

M/s Krebs/Sisich and unanimously passed (3-0) to approve the minutes of January 17, 2006.

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3. **U-0605/DR-0603/V-0603 - Mark Guelfi, 53 Indian Rock Road, APN 177-250-24**, Use Permit for the demolition of an existing 2,950± single family dwelling; Hillside Design Review of a 6,251± square foot, two-story single family dwelling, 420± square foot garage, 4,930± square feet of decks, 1,500± square feet of porch, 560 square foot covered patio, a swimming pool, 60± square foot pool equipment building, and 490± square foot second living unit; Floor Area Ratio (FAR) Variance to exceed the maximum permitted floor area by 1801± square feet (Code maximum: 5,000 square feet); Height variance to exceed the maximum permitted height by 4'10"± (Code maximum: 18' above the ridgeline); and Heritage Tree Permit to remove a 28" diameter Atlas Cedar on property located in the R-1 C zoning district. (staff person: Consultant Vazquez)

Consultant Vazquez introduced the staff report. Ms. Vazquez said that problems exist with access to the property, which she explained in more detail, and she noted staff's recommendation that evidence of clear title should be presented prior to approval of the project. Staff also recommends that a separate demolition permit should not be issued. Furthermore, Ms. Vazquez said that the house will be highly visible, and she explained in further detail other reasons that staff is unable to support the project.

In response to Commissioner Sisich, Ms. Vazquez used the plans to show which trees are slated for removal.

Mark Guelfi, applicant, explained the project in more detail. He believes that they can build a house that exceeds the Code's limit without negatively impacting neighboring properties, and that screening will be bolstered on the west side to provide more privacy. Mr. Guelfi noted that there is already a fair amount of screening.

Cas Smith, architect, explained the plans in more detail. He said that the site is large and isolated, with plenty of foliage to provide screening. Mr. Smith said that the massing is being pushed against the hill to accommodate flat parking and to meet the Fire Department's requirement that there is a parking turn. Mr. Smith discussed the reasons that a two-story house is difficult to build on this site, and he noted that there will be no off-haul because they are not excavating into the hillside. He further discussed the materials being used for the project, the easement and screening on the property that will mitigate views of the house from the southern side. Mr. Smith provided a photomontage, and he said that the house will not be as prominent as people believe.

In response to Commissioner Sisich, Mr. Smith said that the ceiling heights rise from 9' 6" to 11".

Peder Pedersen, landscape architect, explained in more detail the screening of the property from the west elevation. Mr. Pederson satisfied queries from various commissioners about the screening.

Tommy Kennedy, 2 Tomahawk Lane, supports the project.

Curtis Taaffe, 102 Broadmoor Avenue, said that the story poles are visible from Broadmoor Ave, and that the design seems visually prominent, bulky and massive. Furthermore, the story poles suggest that the house will be more visually impacting than the photomontage suggests. Mr. Taaffe said that the result of a development that contravenes the Planning Code is a development that stands out against a natural hillside environment.

David Israel, 47 Indian Rock Road, said that he and his wife support the project. He noted that the present house is visible and that only a small portion of the new house will be visible. Furthermore, the location will enable the owners to take advantage of the views, and Mr. Israel said that a one-story house is no longer appropriate and that other houses in the area consist of two-stories.

In response to Jonathan Braun, 479 Scenic Avenue, Ms. Vazquez clarified the size of the lot. Mr. Braun questions the size of the lot, and he noted that there is no language in the Planning Code to allow a larger house than 5,000 sq. ft. unless a variance is granted. In this instance, the variance should not be granted and a precedent thereby not set.

Conn Rusche, 40 Tomahawk Drive, said that it is a wonderful site, and he supports the project. He can see a portion of the house from his property but the finished house is below surrounding trees. The development will have much less impact than a smaller house with no screening.

Paul Hughes, 57 Indian Rock Road, supports the project. He said that story poles are usually highly visible and are not a fair representation of the size and protrusion of a house on a hillside.

Mark Haddix, 39 Tomahawk Drive, said that they have a view of the house from directly across the valley, and that the applicants have a sensitively designed house with landscaping. He supports the project.

Commissioner Sisich said that this is a high profile house and very large. Having visited the site, he believes that no attempt appears to have been made to minimize the design. Furthermore, Commissioner Sisich does not believe that a special circumstance exists to grant an FAR variance. He would like to see the house pulled back and the cedar tree to remain to provide screening. He believes that a home of a maximum size of 5,000 sq. ft. should be adequate.

In response to Commissioner Krebs, Ms. Wight clarified an aspect of the Zoning Law regarding the requirement of a one-acre lot to support the maximum size 5,000 sq. ft. house.

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Commissioner Krebs agrees with Commissioner Sisich that the house is too large and prominent. He recognizes an applicant's interest in building a beautiful home with a lot of living space, but there does not appear to be a special circumstance to grant the lot coverage variance. He does not believe that a flat lot constitutes a special circumstance. However, an effort has been made to use materials that are natural and will reduce the impact to some extent, but the project exceeds the maximum 5,000 sq. ft. by a large amount.

Chair House said that the project is well designed and attractive, and she likes the roof of the second structure. However, the project appears to have been designed to the specifications of the homeowner, which is not always consistent with the wishes of the community. There is a lot of glass and windows on the west side, which will be exposed in the distance and could be very bright at night. The plate heights could be reduced and the colors need to be darker on this prominent site. Furthermore, the story poles are visible and the house will be particularly exposed on the west side.

In response to Chair House, Ms. Vazquez said that certain fire-resistant wood siding is allowed under the Urban Wildlife Interface Code.

In summary, Chair House is unable to support the project because the house is too large, too tall and the colors are not sufficiently dark.

In response to Ms. Vazquez, the Commissioners all agreed that they could not support an 11' ceiling height.

M/s Krebs/Sisich and unanimously passed (3-0) to continue the item to the meeting of 6 March, 2006, when the applicant will reevaluate the size and height of his project.

5. **V-0604/DR-0604 - Brian Clark, 190 Scenic Avenue, APN 007-063-15**, Hillside Design review of a new 4,338± square foot, two story single family dwelling, a 642± square foot pool house, a 642± square foot carport, and uncovered deck terraces; a Parking Access Variance to access the property via an easement over APN 007-063-11 (undeveloped lot known as 186 Scenic Avenue); and Setback Variances for 1) the new dwelling to be located within 15'2" of the front property line (Scenic Code setback: 20' front yard setback with a 2' roof eave projection); and 2) retaining walls up to 42" above existing grade to be located within 0' of the east side property line, on property located in the R-1 C zoning district. (staff person: Wight)

Planning Director Wight introduced the staff report, and she explained why staff has suggested the project be continued. Among the reasons are that the colors and materials do not blend well into the surrounding landscape, and the removal of trees will leave the house exposed. Furthermore, Ms. Wight expressed a hope that the story poles have been modified to show the correct height of the carport, and she noted that materials showing the visual impact of the property have not been made available.

Commissioner Sisich noted the difficulty in interpreting the plans before them.

Brian Clark, applicant, provided background information on the property. He said that the house has a low visual profile, with one pavilion being the only part of the project with two stories. Mr. Clark explained the roof system in more detail, which he said is considered to be a good design in certain areas. The siding addresses fire concerns, and the amount of glazing is necessary for the photovoltaic and solar systems. He noted that the mass has been broken up and that the project remains within height limits. Furthermore, he does not consider landscaping to be necessary because he does not believe anyone will be able to see his house. Mr. Clark is concerned with the amount of time it has taken for his project to reach the Commission stage.

In response to Chair House, Mr. Clark provided a sample of the green siding and he explained the pool house design in more detail.

In response to Commissioner Sisich, Mr. Clark said that an analysis of the solar system has deemed his project worthwhile.

Jonathan Braun, 479 Scenic Avenue, said he will overlook the property and that he is concerned with the colors and reflexivity of the roof. The design ignores every design requirement in the Zoning Code; the house is massive, long and has an imposing exterior, and it does not integrate with the character of the neighborhood. Furthermore, it appears that grading will be necessary, for which information has not been provided, in addition to there being no landscaping plans. Mr. Braun is most concerned that the owner wishes to remove a black oak tree, and he does not believe that special circumstances exist to grant the variances. This is a large lot on which it is quite possible to design a suitable house that fits into the setbacks. Drainage will also be an issue, given the large quantity of impervious materials that will be used. Furthermore, Mr. Braun said that he had attempted to verify the square footage of the property from the plans and that his numbers appeared to be larger than indicated. He said that the plans need to be stamped by a licensed architect or engineer to verify the size of the development.

Kathleen Sanders, 349 Redwood Road, will also look directly upon the property. The roof will be too bright and will not blend into its surroundings. A greener color or dark gray would be more suitable, together with a smaller house. This design appears to be sprawling, and the property has been substantially altered from its natural state. Ms. Saunders asked the Commissioners to support staff's

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report, and she asked what recourse the Town and its residents have against homeowners who undertake work without permits.

Tom Fallon, 15 Plumas Ave, said that they will be visually impacted because they live directly below the new development. The story poles tower above their home and they will lose a great deal of sunlight. Mr. Fallon referred to work that has been undertaken in the past without permits, and he is concerned that the removal of dirt has changed the flow of water down to their property, because there appears to be a great deal of run-off. Mr. Fallon suggested a road bond be charged for the damage already sustained.

Larry Santucci, 69 Foothill Road, is concerned with the access road from Foothill, about which he has written to the Director of Public Works. Heavy construction equipment has used this single-lane road, in addition to dumpsters being transported to the subject property, which he believes has seriously damaged the road. His own fence and retaining wall are showing signs of distress from loading, and he is concerned about further impact this project might have on the road and his property. Mr. Santucci also believes that their main water line is at risk.

Bob Snyder, 11 Plumas Avenue, said that there is considerable change in the amount of water on their property as a result of the project at 190 Scenic Avenue. Furthermore, it is possible to design a house that is almost invisible and this house will be prominent. Mr. Snyder said that the location of the house has been chosen to take advantage of the road and, overall, it is not necessary for the house to be so large, visually prominent or for it to be built in its current location. Mr. Snyder is further concerned that the hillside will not be able to support a large swimming pool, and he noted that construction drawings for the pool have not been produced.

Pat Courtney, 194 Scenic Avenue, supports the project. He said that the applicant has a history of building homes that have a contemporary look, and that he believes the applicant to be a good builder. Mr. Courtney noted that there are a variety of designs amongst houses in the area.

Louise Mathews, Foothill Road, believes that construction will be highly detrimental to Foothill Road. The development is too large and piecemeal and there is too much glass. Ms. Mathews commented on the staff report.

Ed Poser, 19 Plumas Avenue, said that screening is needed to protect the views of those living below, and that Gail Kennedy, also of 19 Plumas Avenue, is concerned about water run-off. Furthermore, Mr. Poser said that the house will be prominent and will not fit into the neighborhood.

Thomas Roskopf, 20 Canyon Road, said that the design reminds him of a public building, and that it does not fit into the neighborhood by any stretch of the imagination. It is too large, with too much concrete, and variances should not be granted for a house that is much larger than necessary.

Barbara O'Toole, 461 Scenic Avenue, agrees with all the concerns expressed this evening.

Dolores, 15 Plumas Avenue, said that the design definitely does not fit in with the community and that the house is too large. She is concerned with the number of trees that need to be removed and with wildlife that used to inhabit the area.

B.J. Snyder, 11 Plumas Ave, is concerned about landscaping and the fire hazard caused by scotch broom. Furthermore, the amount of glazing proposed will mean that their back yard will be lit up at night, and she noted that a beautiful piece of land will be paved.

In response to public comment, Mr. Clark said that he disagrees with the amount of cut that will be necessary and that engineers will address the issue. Furthermore, he will produce a drainage plan and install an extensive drainage system. Mr. Clarke further noted that most of the trees on his property are diseased, and that he will move the house to a different location to address the front yard variance.

In response to Commissioner Krebs, Mr. Clark said that he demolished the previous building on the lot because he believed it to be safety hazard.

Commissioner Sisich said that he is concerned with the plans before them, rather than the history of the project. He commends the owner for creating a house that is interesting and takes advantage of solar power, but the design does not fit the intent of the code for hillside developments. This is a prime lot that is surrounded by other properties, and the entire envelope is being used. The separation of the pavilions exacerbates the design, and the green colors appear too light to blend into the hillside. Commissioner Sisich would like to see a computer-generated color rendering and, furthermore, the story poles need to be corrected and the trees slated for removal should be marked. However, in spite of these measures, Commissioner Sisich is not sure that he will be able to support the project.

Commissioner Krebs likes the unique design and he is not concerned if the design itself is not compatible with other houses. However, his concern lies with the colors, but which do not necessarily need to be brown, and with denuded landscaping. Commissioner Krebs said that he has to trust an arborist's report, but that the issue of mitigating the views of those living below on the south side of the property should be addressed. He noted that the owner appears willing to move the house to avoid a front yard variance. Commissioner Krebs requested a more accurate account of the square footage, but he said that he might not object to the amount of ground the project covers.

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Chair House said that this is a good lot and she approves of the use of solar power. However, she would like information provided on the cut and fill and number of truck loads that will be necessary, and the provision of a drainage plan by a soils engineer and a shadow study. Chair House also requested a landscape plan, with screening mechanisms, and including a plan to remove scotch broom. She noted that it is difficult to determine the location of the house, and she would like to see tape hung between the story poles to ascertain the edges of the building. Furthermore, Chair House would prefer a darker color pallet that would blend into the landscape better than blue, and that a photomontage of the front and back of the property would be helpful. A licensed architect should confirm the square footage of the property, and a construction management plan should be presented. Overall, Commissioner House said that she does not favor the project. The house should be smaller, and she noted that drainage is an issue given the amount of concrete the owner desires.

Planning Director Wight confirmed that the project has been reviewed in a timely fashion according to State Law, and that it was made clear to the applicant that a Use Permit was necessary prior to his demolishing the previous building without Town approval. Ms. Wight suggested that a conceptual drainage plan be produced by a licensed engineer, which should be peer-reviewed by the Town Engineer.

M/s Sisich/Krebs and unanimously passed (3-0) to continue the project to 6 March, 2006, when the following information should be presented:

- Professional photomontage and 3-D drawings
- Tape to be used on the poles at roofline
- Trees slated for removal to be marked with bright color tape
- Applicant to consider redesigning the roof on the lowest portion of the pool house
- Applicant to reconsider colors of the entire building, including the roof
- An architect-produced construction management plan, listing the amount of cut and fill, number of truck loads, access and construction hours, etc. To be reviewed by the Director of Public Works.
- Applicant to consider designing a smaller project

Chair House reminded the audience of the 10-day appeal period to the Town Council.

6. **V-0606/DR-0603 - Ken Mayer, 19 Knoll Road, APN 006-114-04 (across from 14 Knoll Road)**, Hillside Design Review of a 2,335 square foot, two-story single family dwelling, 500 square foot garage, 108± square foot deck, and 126± square foot porch; Setback variances for the dwelling to be within 6' of the front property line with the roof eave to be within 6" of the front property line (Cypress Avenue) (Cypress Code setback: 20' front yard setback with a 2' roof eave projection); Parking Variance for the third required parking space to extend over the unimproved right of way 4.5', making the on-site length substandard length and locating the space within 0' of the Knoll side property line (Code on-site length: 19', Knoll setback 12'). (staff person: Wight)

Planning Director Wight introduced the staff report. Ms. Wight said that staff considers the ceilings to be too high, in addition to the roofline, that cause the house to appear too tall and out-of-scale with the neighborhood. However, Ms. Wight noted that special circumstances exist to allow the parking variance and she said that the design review aspect of the project could be supported if the roofline were lowered.

Ms. Wight confirmed various aspects of the project in response to Commissioner Sisich.

Ken Mayer, applicant, provided background information on the property. He described how they have lessened the impact of the project on neighboring properties, and he said that an attractive craftsman home has been designed. Mr. Mayer said that he has spoken to many of his neighbors, who did not express opposition to his project, and he believes that the mass is similar, or smaller, to other houses in the neighborhood. He presented materials to support this opinion.

Ben Berto, speaking on behalf of the applicant, said that he concurs with the variance analysis, and that they have modified their plans after direction from staff. Mr. Berto said that the variances are necessary due to the shape, topography and surroundings of the lot, which he explained in further detail. Mr. Berto described the difficulties in designing the house. He noted that there are no neighbors above the lot and thus they have positioned the house at the back of the lot to minimize mass and bulk. He addressed the easement, and he said that they have designed the garage in the most logical location. Mr. Berto spoke further on the variances in respect to the neighbors on the south side, and the side yard setbacks. He believes that the house is of a compatible design and fits within the neighborhood.

Larry Walter, architect, discussed the design in further detail, and described other designs they had considered and then rejected. Mr. Walter noted that the roof design has been scaled down since the original plans were drawn up and he spoke further on the plate height. He went on to discuss the setback variances and the reasons that they are necessary. Mr. Walter noted that the colors are dark and he said that off-haul has been reduced by using it on landscaping.

Mr. Mayer elaborated on the color pallet.

Commissioner Sisich and Mr. Walter discussed the Dutch hip roof. Mr. Walter said that it had the desired effect of lowering the roof height. They spoke further on a bedroom window, which Mr. Walter did not think would be of obscure glass, and the roadway.

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Planning Director Wight commented on the revised plans, and she noted that staff recommends the roofline be lowered further.

Lujza Mehling, 14 Knoll Road, said that she had originally been able to support the project, but is no longer able to do so. She said that the applicant is comparing his home with the largest house in the neighborhood which, itself, is too large and out-of-place. She quoted from the General Plan about the need for a house to integrate with its surroundings in scale and design, and she believes that this house is a little too big, which is the reason it needs to be placed closer to Cypress Avenue. Furthermore, Ms. Mehling is opposed to the parking variance, since she believes the parking location is hazardous to those driving down the hill. She said that the road needs widening and expressed concern about the removal of a eucalyptus tree. Overall, the house should be smaller, moved further down on the lot, and another parking area should be considered. She also commented on the date the plans were submitted.

Herman Mehling, 14 Knoll Road, said that a smaller house would render the variances unnecessary. He commented on the staff report, and said that the house should be moved back further from the creek. Mr. Mehling also commented on the parking plan, which he believes is a safety hazard. He would like taller shrubs to be planted on Knoll Road to provide screening.

Mark Brooks, 146 Sequoia Drive, said that the house will block their view, and that a house that was smaller and not as tall would be preferable. Mr. Brooks referred to a letter Mr. Mayer had written to staff in which the owner of 146 Sequoia Drive is misquoted.

Brian Clark, 190 Scenic Avenue, supports the project. He said that it is a modest house and he asked that the Commissioners facilitate the process of approval.

In response to the various comments, Mr. Mayer said that he believes his house is not all that large in comparison to others, and he referred to another house on Knoll Road that is taller.

Mr. Berto noted that just one corner of the house will encroach the rear setback. Furthermore, the distance between the driveway and Knoll Road is adequate and he noted that they are making certain changes to accommodate the Fire Department. Mr. Berto said that they would be willing to discuss drainage issues, which he believes will cause a more probable impact than the creek.

Mr. Walter explained how he could reduce the roof height.

Commissioner Sisich said that the house is of modest size and noted that some houses in the area are smaller, whilst others are larger. He does not care for a hipped roof and he does not believe that parking will be an issue because it is not in the right-of-way. Commissioner Sisich said that there is a reasonable distance between this house and the neighboring properties. He favors the lighter color pallet and the removal of the eucalyptus tree. He would support the house if it were lowered 2' without the Dutch-hipped roof.

Commissioner Krebs likes the design and he said that an effort has been made to be sensitive towards the neighbors. The lot is unique and the storm drain limits the area on which the house can be built. He favors a reduction in the height of the roof by 2', and then he will support the project.

Chair House likes the original design and agrees with staff's recommendation that the roof be lowered another 2'. However, she prefers a gable roof.

General discussion ensued between staff and Commissioners regarding a change in roof height.

M/s Sisich/Krebs and unanimously passed (3-0) to continue the item to the meeting of 21 February, 2006, when plans will be presented showing a reduction to the roof height of 2'.

Chair House reminded the audience of the 10-day appeal period.

E. ITEMS FROM PLANNING COMMISSION

Ms. Wight reported that there are applicants for Planning Commission positions.

F. ITEMS FROM STAFF

29 Grove Lane has been appealed to the Town Council.

G. ADJOURNMENT TO THE SPECIAL MEETING OF TUESDAY, FEBRUARY 21, 2006.

The Meeting was adjourned at 11.05pm.

**JOANNE O'HEHIR
SENIOR ADMIN. SERVICES ASST.**