

May 1, 2009

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I have looked over the "tentative-tentative agreement" and I am disappointed that this is the best XXXX could do in over a year. I am also disappointed that it came after the DPC meeting and less than a month before the hearing.

It has the general points for which I was looking (I think if I read between the lines), but the specific wording is abominable and the qualifiers are not acceptable.

I have no idea if a "lot" means "unit"(makes a difference), the plan to which it refers was not complete (does not even have a landscape plan), and - Agreement item 3- is not anywhere acceptable and never part of any discussion. We never agree to accept any change without review. That was the way it was done with BT and the Quarry agreements. It is not that we do not trust developers, but we do not from experience.

While I realize the Shapiro committee did its best to get an agreement with the owners, the result, and timing, indicates to me that the Shapiro people are not serious in reaching an acceptable understanding. I think the work of the committee is over. There just is not enough time to make things right before the hearing which would be the last step before permits were issued.

Accordingly, I think our last act is to inform XXXX that the "agreement" is not acceptable and we (OCGS if not PGCC) will reserve our right to oppose any and all aspects of the development, including the development in its entirety and to seek such further modifications as we feel are desirable and appropriate.

With regret,
Larry Carton
Secty OCGS and PGCC representative