

# MEMORANDUM

**TO:** Gary Goeschel, East Lyme Town Planner  
cc: Jen Lindo  
Paul Geraghty, Esq.

**FROM:** Kristen Clarke, PE

**DATE:** July 25, 2020

**RE:** Re-Subdivision – Nottingham Hills Lots 19 & 21

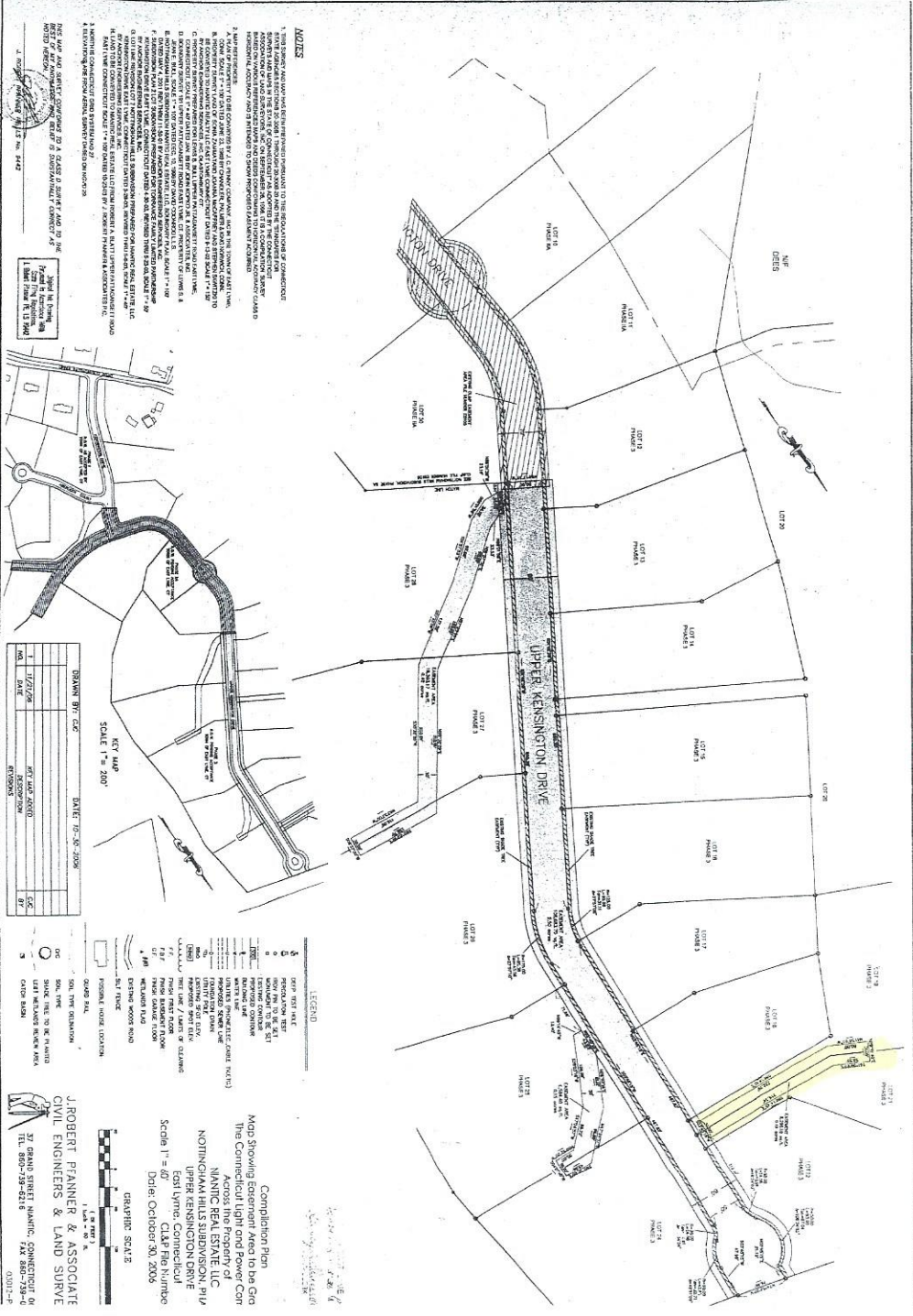
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Enclosed please find the following submissions for the above referenced application:

- Exhibit II:** Map entitled “compilation plan, map showing easement to be granted to the Connecticut Light and Power Company across the property of Niantic Real Estate LLC, Nottingham Hills Subdivision Phase 3 Upper Kensington Drive, East Lyme, Connecticut recorded Dr. 6 #441
- The utility easement on existing lots 19 and 21, 30’ in width and 302’ in length is highlighted in yellow
- Exhibit JJ:** Map entitled “lot line revisions Nottingham Hills Subdivision lots 19, 20, 21 & 32 recorded in the East Lyme Land Records, Dr. 8 #118.
- Exhibit KK:** Map entitled “grading and E&S plan, lots 18, 19, 21, 22 & 24 Nottingham Hills subdivision Phase 3 sheet SD7 recorded in the East Lyme Land Records.
- Exhibit LL:** Plan entitled “improvement location survey prepared for Wayne Falco, 26 Upper Kensington Drive, East Lyme, Connecticut dated 12-29-12 on file with the Town of East Lyme Building Department.
- Exhibit MM:** Amended design report dated July 25, 2020.
- Exhibit NN:** Letter from East Lyme Land Trust, Inc. regarding acceptance of open space.

# EXHIBIT II

Exhibit II



**NOTES**

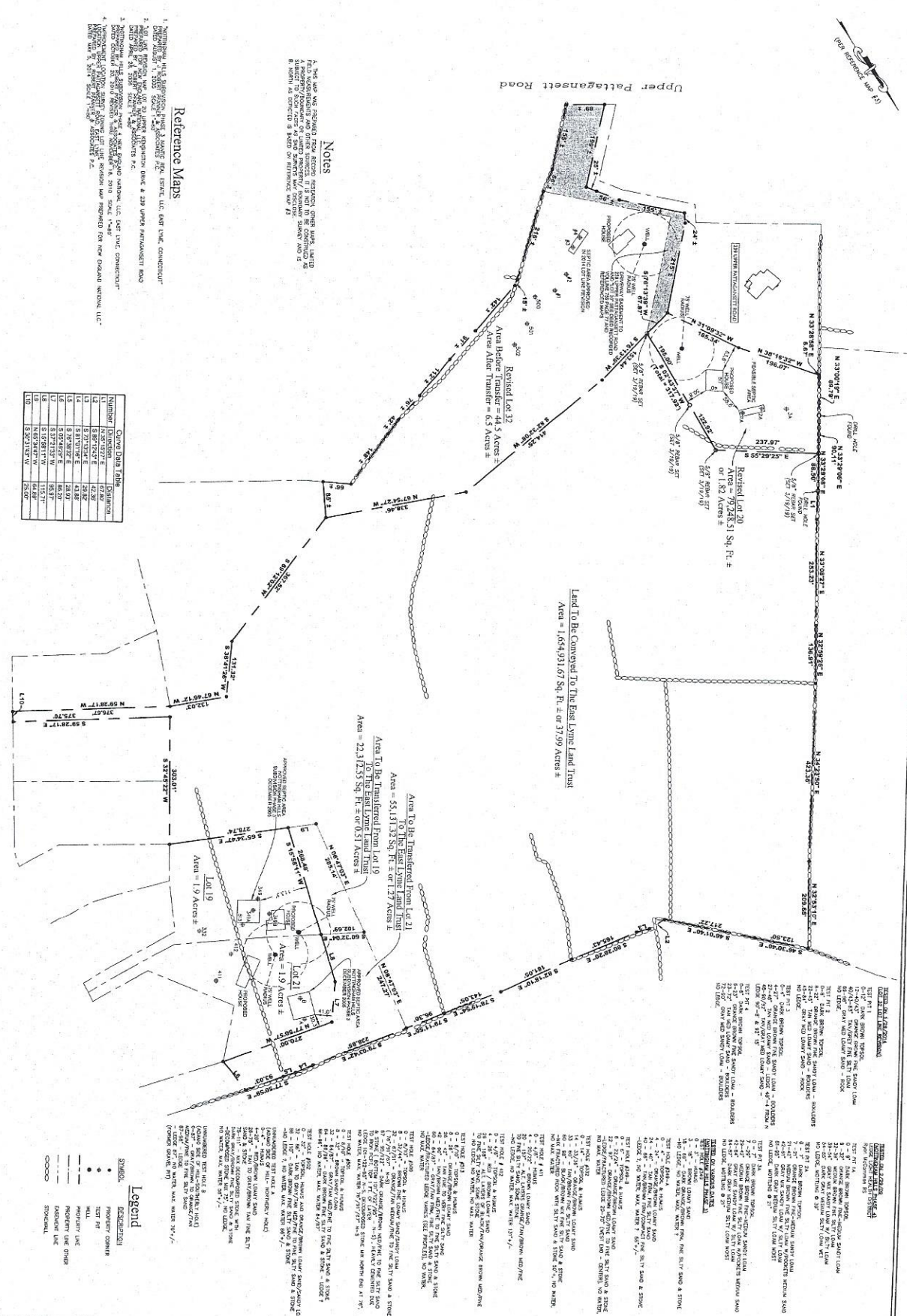
1. THIS PLAN IS THE PROPERTY OF J. ROBERT PFANNER & ASSOCIATE, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF J. ROBERT PFANNER & ASSOCIATE, INC.
2. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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NO.	DATE	BY	DESCRIPTION
1	1/17/2008	JRP	PRELIMINARY PLAN
2	1/17/2008	JRP	FINAL PLAN

- LEGEND**
- 1/2" = 1' DRIVE
  - 1/4" = 1' DRIVE
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# EXHIBIT JJ

Exhibit JJ



- Reference Maps**
1. NOTTINGHAM HILLS SUBDIVISION LOTS 19, 20, 21 & 32 CONVEYED TO THE FIRST LYME LAND TRUST BY DEED DATED 08/28/2012.
  2. NOTTINGHAM HILLS SUBDIVISION LOTS 19, 20, 21 & 32 CONVEYED TO THE FIRST LYME LAND TRUST BY DEED DATED 08/28/2012.
  3. NOTTINGHAM HILLS SUBDIVISION LOTS 19, 20, 21 & 32 CONVEYED TO THE FIRST LYME LAND TRUST BY DEED DATED 08/28/2012.
  4. NOTTINGHAM HILLS SUBDIVISION LOTS 19, 20, 21 & 32 CONVEYED TO THE FIRST LYME LAND TRUST BY DEED DATED 08/28/2012.

**Notes**

A. THIS MAP WAS PREPARED FROM RECORDS, FIELD NOTES, LOTS, AND A RECONSTRUCTION OF THE ORIGINAL SURVEY AS SHOWN ON THE RECORDS AND FIELD NOTES. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE LAND AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE RECORDS AND FIELD NOTES.

NUMBER	DESCRIPTION	BEARING	DISTANCE
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**Legend**

SYMBOL	DESCRIPTION
...	PROPERTY CORNER
...	WELL
...	PROPERTY LINE
...	PROPERTY LINE OTHER
...	SYMBOL

Scale: 1" = 100'

**Lot Line Revisions**  
 NOTTINGHAM HILLS SUBDIVISION LOTS 19, 20, 21 & 32  
 Property Owner: English Harbour Asset  
 Management LLC  
 c/o Kristen Clarke P.E.  
 375 N. Bond Drive  
 Manchester, NH

**GESICK & ASSOCIATES, P.C.**  
 SURVEYORS & APPRAISERS & PLANNERS  
 12 CEDAR STREET, SUITE 200  
 CLINTON, CONNECTICUT 06413  
 OFFICE: 560-669-7799 FAX: 860-669-5833  
 www.gesicksurveyors.com

To the best of my knowledge and belief this map is a true and correct representation of the land shown hereon.

I certify that I am a duly Licensed Professional Surveyor in the State of Connecticut and that I am duly qualified to perform the services herein shown.

*[Signature]*  
 Kristen Clarke P.E.  
 No. 000,000

By the State of Connecticut  
 State Seal  
 State of Connecticut  
 Department of Transportation  
 State Seal  
 State of Connecticut  
 Department of Transportation

# EXHIBIT KK



# EXHIBIT LL

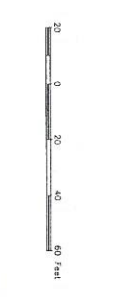


Exhibit A

ERIC SETZ LAND SURVEYING, INC.  
 100 8th Ave  
 1st Floor  
 New York, NY 10013  
 Tel: 212-697-1122  
 Fax: 212-697-1123  
 www.ericsetz.com

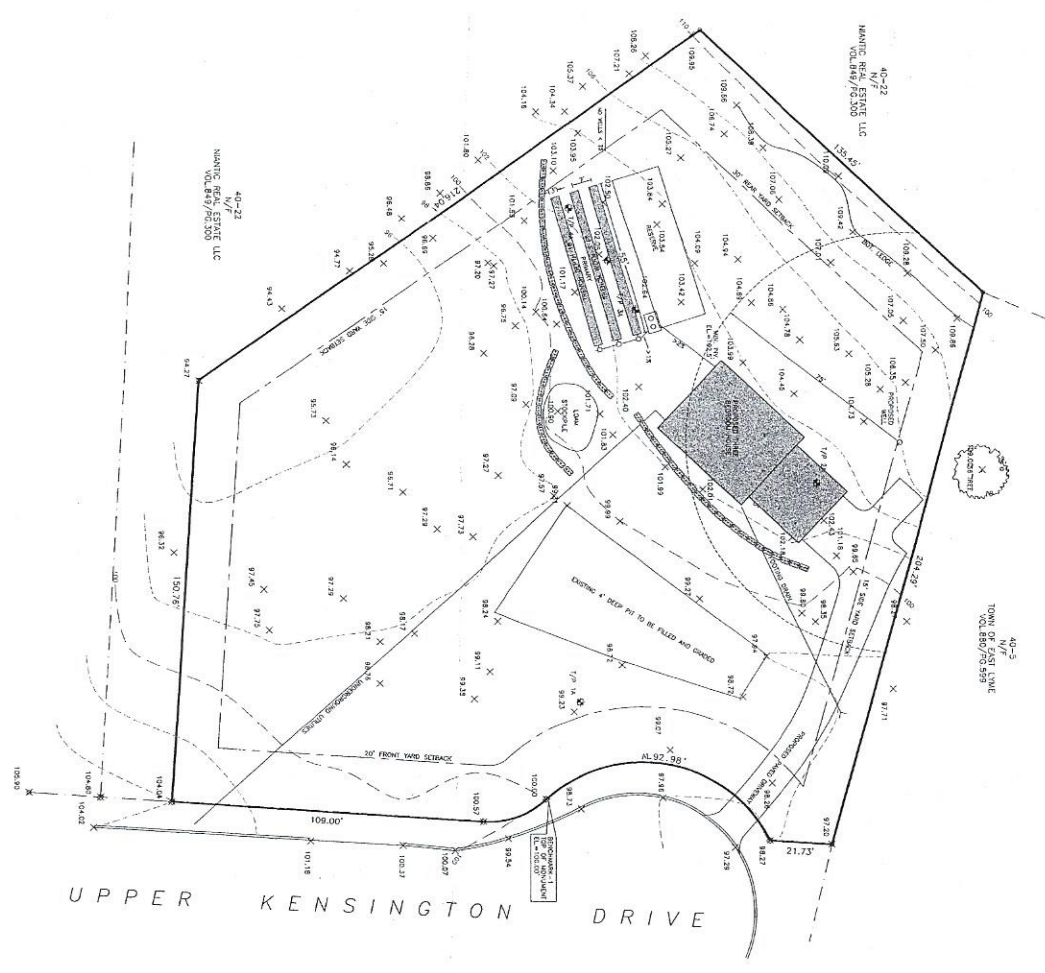
**LEGEND**

TESTIMY  
 PERC. HOLE  
 INDEX CORNER  
 SPOT ELEVATION  
 HUBS/BALES

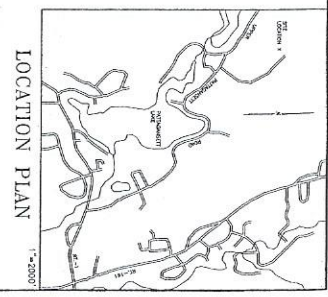


To my knowledge and belief, this map is substantially correct as noted herein.  
 ERIC SETZ, Surveyor  
 12-21-12  
 #1885

ASSESSOR'S MAP-40 LOT-21  
 IMPROVEMENT LOCATION SURVEY  
 PREPARED FOR  
**WAYNE PALCO**  
 98 EAST KENSINGTON ROAD  
 EAST LIME CONNECTION  
 SCALE 1" = 20' DECEMBER 2012  
 SHEET 1 OF 2



PER REFERENCE MAP-1



**NOTES:**

- This survey has been prepared pursuant to the Regulations of Connecticut State Agencies Sections 50-302a-1 through 50-302a-20 as amended by the Commission's Order in the State of Connecticut on September 26, 1996.
  - Survey Type: IMPROVEMENT LOCATION SURVEY
  - Boundary Determination Category: DEPENDENT BE-SURVEY
  - This survey conforms to a Class 7-2 "2" horizontal accuracy
  - VERTICAL DATUM IS ASSUMED TO BE NAVD83/83/107
- Reference need to locate project 04.884/75.107
- None
- This survey is based on a single set of recorded interests of recording notices and does not express any opinion regarding the existence or validity of any unrecorded and/or divided rights that may result from adverse possession, adverse use, prescription, abandonment, induction, tenancy, estoppel, or any other principle of law or judicial interpretation that may apply to the property. The survey is not intended to determine the rights and other instruments that form the basis of this survey. Similarly, the inclusion or omission in this survey of any reference, description, or other information is not intended to constitute an opinion as to the legal significance or importance of any such reference, description, landmark, structure, object, or other physical feature.

**REFERENCE MAP:**  
 KENTWOOD HILLS SUBDIVISION PHASE 3 MANIC REAL ESTATE LLC  
 ERIC SETZ LAND SURVEYING, INC. MAP-40 LOT-21  
 J. ROBERT FRANKEN & ASSOCIATES

**ASSISTANT:**  
 HANLEY WILSON ROAD  
 850-721-8851

# EXHIBIT MM

**AMENDED DESIGN REPORT  
JULY 20,2020  
3 LOT RE-SUBDIVISION  
LOTS 19 & 21  
UPPER KENSINGTON DRIVE  
EAST LYME, CONNECTICUT**

This re-subdivision will separate the subject properties from two (2) into three (3) lots.

The subject property is a part of the Nottingham Hills Subdivision land assemblage and represents the 5th re-subdivision of the Nottingham Hills Subdivision property.

More specifically, the plan separates current lots 19 and 21 into three lots. It should be noted that approximately one acre will be deeded to the East Lyme Land Trust, Inc in Fee Interest and Conservation Easement for additional Open Space and will be further subject to a Conservation Easement to be held by the State of Connecticut Department of Energy and Environmental Protection upon the filing of the mylars of this re-subdivision

Accessible Road frontage to each of the lots will be from Upper Kensington Drive having a total of fifty (50) feet of frontage. Access to each of the lots will be from a common driveway 235 feet in length from the two existing curb cuts. The applicant is proposing this to further reduce impervious surface areas.

### **INLAND WETLANDS**

There are inland wetlands on the subject property lots 1 and 2. In both instances the inland wetlands are within already protected by front, rear and side yard building setbacks. It is important to note though however that there is no activity proposed in either the inland wetlands or the 100' upland review area on any of the proposed lots. An Application for Determination of Non-Regulated Activity was been filed with the Town of East Lyme Inland Wetlands Agency ("IWA"). Ex. A. The IWA reviewed the plans and determined there was no regulated activity occurring at their June 6, 2020 meeting.

### **OPEN SPACE**

Open space totaling 41.35 acres has already been provided by deed or conservation easement to the Town of East Lyme for the Nottingham Hills Subdivision totaling 38.35% of the total land in all phases of the subdivision vs. the required 30%.  
Ex. B.

**YIELD PLAN**

A Conventional yield plan has been provided as part of this application which demonstrates at least four lots could be developed on this property.

**SEWAGE DISPOSAL REPORT**

Proposed lots 2 and 3 have already been reviewed for septic feasibility. No changes have been made to require further review outside of a B-100, Ex. C, which has been filed with Ledge Light Health District. Both of lots 2 and 3 have system areas located outside of the 15-foot buffer required by the State of Connecticut Health Code. Lots 1 utilizes test hole data from the Nottingham Hills subdivision Phase 3 plans (Test Hole 332) to demonstrate no ledge, no high groundwater and no MLSS and therefore the septic feasibility required by the East Lyme Subdivision regulations. An Application For Subdivision Feasibility review was been filed with the ledge Light Health District for Lot 1. On March 17, 2020 Ex. C.

**WATER SUPPLY REPORT**

The existing and proposed new lots will all be served by well water. Health Code compliant locations for each of the wells are depicted on the submitted plans.

**STORM WATER MANAGEMENT PLAN**

Drainage from the properties will actually decrease under the proposed re subdivision when compared to the existing approved plan. Each of the lots will share a common driveway for all but 80 feet of a proposed 10' wide driveway (800s.f.). The homes will have a roof surface area of no more than 2000 s.f. . Drainage from all driveways, gutter down spouts and footing drains will be directed to the proposed rain garden from each of the homesites. Pursuant to the original design of this subdivision, stormwater will ultimately and easily be disbursed and or absorbed into the provided for 12 acre (552,720 s.f.) drainage area.

	<u>CURRENT</u>		<u>PROPOSED</u>	
Lot 19 (Lot 1)	Driveway 460'x15' =	6,900 s.f.	140'x10' =	1,400 s.f.
	House Footprint 70'x30' =	<u>2,100 s.f.</u>	56'x30' =	<u>1,680 s.f.</u>
		9,000 s.f.		3,080 s.f.
Lot 21 (Lot 2)	Driveway 460'x15' =	6,900 s.f.	190'x10' =	1,900 s.f.
	House Footprint 70'x30' =	<u>2,100 s.f.</u>	56'x30' =	<u>1,680 s.f.</u>
		9,000 s.f.		3,580 s.f.
Lot 3	Driveway	N/A	200'x10' =	2,000 s.f.

House Footprint	N/A	56'x30' = <u>1,680 s.f.</u>
		3,690 s.f.
Common Driveway 234'x18'	<u>N/A</u>	<u>4212 s.f.</u>
Totals	18,000 s.f.	14,562 s.f

### **ROAD CONSTRUCTION/PUBLIC IMPROVEMENTS**

There is no road construction or public improvements required. Utilities (Electric, Cable and Telephone) are stubbed to the entrance on Upper Kensington Drive and there is an existing thirty foot (30') wide, three hundred two foot (302") long utility easement on the property which is recorded in the East Lyme Land Records at Dr. 6 #441.

### **NATURAL & CULTURAL RESOURCE MAP**

Provided to the East Lyme Planning Commission as part of the Nottingham Hills Subdivision Phase 1 and incorporated herein.

### **ARCHEOLOGICAL SURVEY**

Provided to the East Lyme Subdivision as part of Nottingham Hills Subdivision Phase 3 and incorporated herein. There are no Archeological issues to address that need to be addressed.

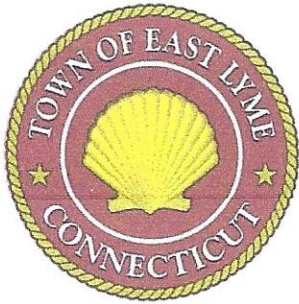
### **CONSTRUCTION ACTIVITIES**

This property is being sold AS IS in its undeveloped state to Pazz & Construction, LLC. The current owner has not been provided with Start or Completion dates. The information provided in the proposed re-subdivision plans demonstrates feasibility of all required improvements. Sequencing and detailed erosion control will be provided by the final site plans to be submitted at the time of building permit application(s).

### **CONSTRUCTION SEQUENCE REPORT**

The paving of the existing common driveway and the construction of the Rain Garden will occur during the construction of the first house to be built.

# EXHIBIT A



Office Use Only/Date of Receipt (Stamp)

# APPLICATION FOR DETERMINATION OF PERMITTED/NON-REGULATED ACTIVITY

1. SITE LOCATION (Street) and Description: Upper Kensington Drive  
Assessor's Map 40.0 Lot # 23&22

*Note: It is the applicant's responsibility to provide the correct site address, map/lot number for the legal notice. Provide a description of the land in sufficient detail to allow identification of the inland wetlands and watercourses, the area(s) (in acres or square feet) of wetlands and watercourses to be disturbed, soil type(s), and wetland vegetation.*

2. APPLICANT: Kristen T. Clarke P.E.  
Address: 20 Risingwood Drive Phone: 434-409-9515  
Bow, NH 03304 Fax: \_\_\_\_\_  
Business: \_\_\_\_\_ Cell: \_\_\_\_\_  
Email: kristentclarke@gmail.com  
Applicant's interest in the land: professional engineer

*\*\*If the applicant is a Limited Liability Corporation or a Corporation provide the managing member's or responsible corporate officer's name, address, and telephone number.*

3. OWNER: English Harbour Asset Management LLC  
Address: 20 Risingwood Drive Phone: 434-409-9515  
Bow, NH 03304 Fax: \_\_\_\_\_  
Email: \_\_\_\_\_ Cell: \_\_\_\_\_

*\*\*As the legal owner of the property listed on this application, I hereby consent to the proposed activities. And I hereby authorize the members and agents of the Agency to inspect the subject land, at reasonable times, during the pendency of the application and for the life of the permit.*

Owners Printed Name: Kristen T. Clarke P.E.  
Owners Signature: Kristen Clarke Date: \_\_\_\_\_

4. Person Responsible for Compliance: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

5. Describe the Activity and Purpose: re-subdivision plan

6. Describe mitigation measures such as erosion controls, added wetlands plantings, infiltration and run off: n/a

7. Is the property within 500 ft of an adjoining town?  Yes  No

8. Inland Wetland/Watercourse Information:

Area of wetland to be disturbed 0 sq. ft.

Area of watercourse to be disturbed 0 sq. ft.

Upland Review Area to be disturbed 0 sq. ft. (area within 100' of wetland)

Will fill be needed on site?  Yes  No

If Yes, how much fill is needed? n/a cubic yards

Will material be removed from site?  Yes  No

If Yes, how much will be removed? n/a cubic yards

The property contains (circle one or more) WATERCOURSE WATERBODY WOODED-WETLAND SWAMP

Name of Soil Scientist and date of survey Don Fortunato-August 1, 2005

9. Site Plan Title, Date, Engineer/Surveyor Name: Conservation Design Development  
Nottingham Hills Subdivision  
4 lot re-subdivision of lots 19&21

The undersigned owner hereby consents to necessary and proper inspections of the above mentioned property by the Commission or agent of the Commission, at reasonable times both before and after a final decision has been issued by the Commission. The undersigned also swears that the information supplied is accurate to the best of his/ her knowledge and belief.

Kristen Clarke  
Signature of Owner (s)

\_\_\_\_\_  
Date



# EXHIBIT B

OPEN SPACE CALCULATIONS  
NOTTINGHAM HILLS SUBDIVISION

Phase I

<u>Lot #</u>	<u>Acreage</u>
1	1.71
2	.92
3	1.25
4	1.39
5	1.23
6	1.21

Phase II

6	1.34
8	2.21
9	3.09
10	1.95
11	1.71
30	1.29
31	1.34
48	2.96
49	2.11
197 Upper Patt	2.68

Phase III

12	1.06
13	1.34
14	1.17
15	1.27
16	1.35
17	1.0
18	.93
19 (rear)	2.45
20	Phase IV
21 (rear)	3.12
22	1.30
24	1.73
25	1.78
26	2.58
27	2.91

28 4.36

**Phase IV**

20 33.0

29 3.05

32 15.03

**Open Space**

Aunt Ruth Turnpike	23.2
Phase I	.32 (south side Kensington Drive)
Phase II	4.24 (Conservation Easement)
Phase III	N/A
Phase IV	10.63 (Conservation Easement)
	2.96 (Conservation Easement)

**TOTAL ACRES**

LOTS: 107.82

OPEN SPACE: 41.35

# EXHIBIT C

**ENGLISH HARBOUR ASSET MANAGEMENT, LLC**  
**1712 Pioneer Avenue , Suite 1939**  
**Cheyenne, Wyoming 82001**  
**(307) 256-7229**

March 17, 2020

Danielle Holmes  
Ledge Light Health District  
216 Broad Street  
New London, CT 06320

Re: Lot Line Revision and Re-Subdivision Nottingham Hills Lot 19  
AKA 22 Upper Kensington Drive and Lot 21  
AKA 24 Upper Kensington Drive

Dear Danielle:

Enclosed please find a B-100 for revised lots 19 & 21 together with an Application for Subdivision Feasibility for the two new proposed lots. I have also enclosed the following;

1. One (1) 24" x 36" and one (1) 11" x 17" plan titled "Conservation Design Development, Nottingham Hills Subdivision, 4 Lot Resubdivision of Lots 19 & 21".
2. Sheets SD1, SD 2, SD 5 and SD14 of the final approved Nottingham Hills Subdivision Phase 3 plans recorded in the East Lyme Land Records on December 16, 2005 beginning at Drawer 6 # 287. Ex. 1.

I have highlighted the test hole results on sheet SD 14 that we have used in the preparation of this re subdivision plan as follows:

- Proposed Lot 1: Test hole data for #332 highlighted in yellow.
- Proposed Lot 2: Test hole data for #'s 513, 349 & 349A and perk test results highlighted in blue. (Existing Code Compliant Septic Area)
- Proposed Lot 3: Test hole data for # B and the perk test results highlighted in orange. (Existing Code Compliant Septic Area)
- Proposed Lot 4: Test hole data for # A highlighted in green.

**PLEASE NOTE LOT #4 WILL BE CONVEYED TO THE EAST LYME LAND TRUST, INC. FOR PUBLIC OPEN SPACE AND WILL BE SUBJECT TO A CONSERVATION EASEMENT. ACCORDINGLY THIS LOT SHOULD BE REVIEWED FOR FEASIBILITY AS A ONE BEDROOM SYSTEM ONLY. PLEASE SEE ATTACHED EX. 2.**

Please feel free to contact me at 434-409-9515 or [kristentclarke@gmail.com](mailto:kristentclarke@gmail.com) should you have any questions or need to discuss this matter further.

Sincerely,

A handwritten signature in cursive script that reads "Kristen Clarke".

Kristen T. Clarke

cc: Paul Geraghty, Esq.  
Jason Pazzaglia



App No. _____
Check No. _____
Receipt No. _____
<b>REVIEW FEE: \$25.00</b>
<b>w/site visit or soil test: \$50.00</b>
Make check to LLHD or pay online
at <a href="http://www.LLHD.org">www.LLHD.org</a> rev 4/30/17

Promoting  
healthy  
communities

**B100a: Application for Building Addition, Change in Use, Accessory Structure, or Lot Line Change**

**Note: Please include the following with your application:**

1. A scaled site plan of your property showing property lines, existing buildings, septic system (s), water line (s)/ well (s), and proposed building addition or accessory structure.
2. For additions of living space: existing and proposed floor plans.
3. Soil testing information, if available.

Date: \_\_\_\_\_ Property Address: builder lots 19&21 Upper Kensington Dr Town: East Lyme  
 Applicant Name: Kristen T. Clarke, P.E. Phone: 434-409-9515  
 Email: Kristentclarke@gmail.com

Applicant Address (if different from above): 20 Risingwood Dr., Bow, NH 03304

Property Water Supply:  Well (s)  Public Water  Both

Type of Application:  
 Building Addition (e.g., adding rooms or 2nd floor, finishing attic or basement); additional bedrooms \_\_\_\_\_  
 Building Change in Use or Conversion (e.g., office or retail to food service; home winterization)  
 Accessory Structure (Garage, Shed, Deck, Pool, etc.)  
 Lot Line Change

Please provide a brief description of the proposed project: Lot line revisions of Nottingham Hills Subdivision lots 19 & 21 to accommodate 2 new lots one of which be dedeed for OpenSpace (Lot #

Signed: \_\_\_\_\_ \* Applicant attests that project information is the same as that supplied to the Building Department (if applicable).

Reviewed by: \_\_\_\_\_ Title: \_\_\_\_\_  Approved  Denied

Signed: Kristen Clarke Date: \_\_\_\_\_

Comments: \_\_\_\_\_



App No. \_\_\_\_\_  
 Check No. \_\_\_\_\_  
 Receipt No. \_\_\_\_\_

**REVIEW FEE: see application**  
 Make check to LLHD or pay online  
 at [www.LLHD.org](http://www.LLHD.org) rev 4/30/17

Promoting  
 healthy  
 communities

### Application for Septic Plan Review

**Notes:**

1. Please provide a scaled site plan of the property with an accurate parcel address – one copy, two copies if state review is required.
2. If requesting a septic design plan review, please submit building plans including floor plans of all levels and all structure.
3. If requesting subdivision plan review for a town commission approval, please provide the date of the commission meeting under "Additional Information" below.

Date: 3/2/2018 Property Address: builder lots 19&21 Upper Kensington Dr. East Lyme Town: \_\_\_\_\_

Applicant Name: Kristen T. Clarke, P.E. Phone: 434-409-9515

Email: kristentclarke@gmail.com Fax: \_\_\_\_\_

Applicant Address (if different from above): \_\_\_\_\_

Property Water Supply:  Well (s)  Public Water  Both

Type of Review Requested:

- Septic Design Plan - Single Lot (Fee: \$155 – includes 1 revision)
- Revision of Septic Design Plan (beyond one revision) (Fee: Half of Plan Review Fee)
- Subdivision Feasibility / commission review. Number of lots: 2 (Fee: \$150 per lot)
- State DPH review (e.g., septic systems >2000 gpd; request for State exception) (Fee: \$100)

Additional Information:

\_\_\_\_\_  
 \_\_\_\_\_

Signed: Kristen Clarke

Assigned to: \_\_\_\_\_ Title: \_\_\_\_\_

Date Received: \_\_\_\_\_



# EXHIBIT NN



PO Box 831  
East Lyme, CT 06333  
eastlymelandtrust.com

July 22, 2020

Kirk Scott, Chairman  
Town of East Lyme  
Planning Commission  
108 Pennsylvania Ave.  
Niantic, CT 06357

Re: Nottingham Hills Subdivision Lots 19 & 21

Dear Mr. Scott:

Please accept this correspondence as notice of the East Lyme Land Trust's commitment to accept the fee interest and conservation easements which will be identified on the final plans as part of the re-subdivision of the above referenced property. As of today's date we are awaiting the approval of the proposed septic system areas by Ledge Light Health District before we can finalize the conservation easement portion of the donation.

The properties subject to the donation, both fee interest and conservation easement, abut land we will be acquiring shortly and will provide us with an additional protected area in perpetuity.

Sincerely,

A handwritten signature in cursive script that reads "Ronald Luich".

Ronald Luich

A handwritten word in cursive script that reads "President".