NEEDHAM PLANNING BOARD MINUTES

July 17, 2018

The regular meeting of the Planning Board held in the Charles River Room, Public Services Administration Building, was called to order by Paul Alpert, Chairman, on Tuesday, July 17, 2018, at 7:00 p.m. with Messrs. Owens and Jacobs and Mmes. McKnight and Grimes, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Request to Authorize Director to authorize Temporary Occupancy Permit: Major Project Site Plan Special Permit No. 2016-03: Town of Needham, 500 Dedham Avenue, Needham, MA, Petitioner (Property located at Rosemary Street (adjacent to Rosemary Lake), Needham, MA).

Ms. Newman noted the pieces of the construction are coming together. She would like the Board to authorize her to issue a temporary Certificate of Occupancy, outside of a meeting, once she has received all components. Mr. Alpert asked when the pool will open. Steven Popper, of the PPBC, stated the pool will open on August 4. Ms. Newman stated she is comfortable with issuing a temporary permit. If there are any issues this will come in front of the Board at a subsequent meeting. Mr. Popper noted the site work is mainly done. The landscaping may not be complete. The building is ready for an occupancy permit now.

Upon a motion made by Mr. Jacobs, and seconded by Ms. McKnight, it was by the five members present unanimously:

VOTED: to authorize the Planning Director to issue a temporary Occupancy Permit upon completion of the conditions the Planning Director cited.

Decision: Major Project Site Plan Special Permit No. 2018-03: Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioner (Property located at 88 and 66 Chestnut Street, 89 School Street, 43 Lincoln Street, Needham, MA), regarding Police & Fire Headquarters.

Ms. Newman noted she has the first draft of a proposed decision, a red lined version with proposed changes by the Petitioners, comments to those changes and an email from Ms. McKnight. There is also a further red lined version. Mr. Alpert noted on page 4 of the decision, there is a correction of street numbers. In Section 1.4, there is a reference to a 120 foot radio antennae monopole that will be requested at some point but is not part of this Special Permit. In Section 1.15, some changes were made to reflect that the Town has closed on the purchase of 43 Lincoln Street and agreed to put together a consolidation plan. Ms. McKnight noted on page 7, Section 1.17 at the end there should be a ":" then a small "a". Mr. Jacobs noted in 1.7 there is a discrepancy in the language. It should be the By-Law language. Section 1.12 needs to use the 1.7 language that requests the Planning Board to recommend a number of spaces based on the ITE Parking Generation Manual. This has not been done.

Ms. Newman stated on page 1 she needs to correct the numbering of the streets and on page 4, Section 1.1, the street numbers change. Page 7, Section 1.15 now describes the situation where 43 Lincoln Street has been purchased and on page 11 a reference has been corrected. On page 12, introduce the word "exhibit" before the word "one". In Section 3.7, the number of spaces available during the phases has been added. During Phase 1 there will be 46 spaces on site and during Phase 2 there will be 23 spaces with 7 on site and 16 on abutting lots.

Ms. Newman noted on page 13, Section 3.10, the current language is all deliveries are 7:00 a.m. to 4:00 p.m., Monday through Friday. The Town has asked to change this to "primary deliveries will be 7:00 a.m. to 6:00 p.m. Mr. Alpert stated he is against this change. The hospital is limited to 4:00 p.m. Mr. Jacobs agreed. Ms. McKnight feels it should be all deliveries but she is not sure there is much difference between 4:00 and 6:00 for disturbances to abutters. She is not sure 2 hours makes much difference but is inclined to go along. Mr. Owens agrees it should be all deliveries. He has no thoughts on the time. Ms. Grimes agrees but would like the time to be the same at 4:00 p.m. Mr. Alpert noted the hours should be 4:00 p.m. to be consistent with the others. All agreed.

Ms. Newman noted the Town asked to remove the trash removal provision and wants 5:00 a.m. to 6:00 p.m. in Section 3.25. Ms. Grimes stated 5:00 a.m. is too early. Trash removal should not be allowed before 7:00 a.m. Ms. McKnight agreed. Mr. Jacobs commented the earliest the Board has gone is 7:00 a.m. Christopher Heep, representative for the Board of Selectmen, stated he meant to put 5:30 a.m. to 6:30 p.m. as this is the current requirement. This is by necessity before rush hour and is early by design. Ms. Newman stated there are no hours in the current permit. Ms. Grimes stated the Board does not allow trash pickup that early as there are homes behind. Mr. Heeps stated the noise the trucks make could be minimized. Ms. McKnight suggested the hospital permit be checked. She is sure it is 7:00 a.m. Ms. Grimes is not in favor of 5:00 or 5:30 a.m. All agreed 7:00 a.m. would be preferable. Mr. Alpert noted in Section 3.4 the hours are 7:00 a.m. to 6:00 p.m. and in Section 3.25, the additional language comes out. Ms. Newman noted the numbers have been readjusted. In Section 3.31 she added "normal" before the hours and noted construction hours until 6:00 p.m. Ms. Grimes stated the hours should match other projects. Mr. Alpert noted 7:00 a.m. to 5:00 p.m. Ms. Newman clarified Section 3.34 on page 17. Ms. McKnight stated it should be "Construction Logistics Plan" with all caps.

Mr. Jacobs noted Section 1.12 and 1.7. Section 1.12 explains the recommendation. Section 1.7 explains what the recommendation shall be based on. He has no problem with the number but it needs to be justified. On page 8, Section 1.19(b), says "site drive at both School Street and Lincoln Street." He asked if "driveway" could be inserted instead of "drive." This was agreed. Mr. Jacobs noted on page 10, Section 1.25, nothing talks about loading. It should say how "loading spaces" is dealt with location. It should say something if delivery vehicles come through the general entrances without separate loading bays. All agree.

Ms. McKnight noted that on page 7, Section 1.17, at the end should be ": a special permit." On page 13, Section 3.11 should be "Construction Management and Staging Plan" and on page 15, Section 3.31(b), that required excavation, insert "which" and it is "Construction Logistics Plan." At the top of page 13, Section 3.7, remove "that" from the last line.

Upon a motion made by Mr. Jacobs, and seconded by Ms. McKnight, it was by the five members present unanimously:
VOTED: with the changes discussed, to approve the decision.

Upon a motion made by Mr. Jacobs, and seconded by Ms. McKnight, it was by the five members present unanimously:
VOTED: to grant, in the form of the decision just approved, the requested Major Project Site Plan Special Permit Review Special Permit under Section 7.4 of the By-Law and, (2) the requested Special Permit under Section 5.1.1.5 and Section 5.1.1.6 of the By-Law to waive strict adherence with the requirements of Section 5.1.3 (Off-Street Parking Requirements), Subsections 5.1.3(j), and (k) to the extent necessary to enable the parking area to be utilized as shown on the Plan, as modified by this decision; subject to and with the benefit of the following Plan modifications, conditions and limitations as set forth in the Plan.

Amendment to Major Project Site Plan Review No. 98-6: Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioner (Property located at Existing Municipal Parking Lot on Chestnut and Lincoln Streets, Needham, MA).

Mr. Jacobs noted on page 2, Exhibits 7 and 8 were submitted after the close of the hearing. He asked if the hearing should be reopened to take them in. Ms. Newman stated the Board cannot reopen the hearing without advertising a public hearing. She stated the decision could be modified to show what is in Sheet 7 through a plan modification or she could reference the plan that is approved. Mr. Alpert stated it is just an Exhibit and not part of the Plan. He does not feel it needs to be referenced in the decision. He thinks Exhibit 8 should be taken out and Exhibit 7 should be a plan modification.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the five members present unanimously:

VOTED: to grant the requested Major Project Site Plan Review Special Permit Amendment for the existing use at the Lot under Section 7.4 of the By-Law, subject to plan modification implementation in the decision and accept the decision with the changes discussed.

Decision: Major Project Site Plan Special Permit No. 2018-05: Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioner (Property located at 28 Glen Gary Road, Needham, MA), regarding temporary location of Police & Fire Headquarters.

Ms. Newman noted on page 4, Section 1.7, she corrected 84 spaces to 85 spaces. There should be 46 in the lower lot and not 45. The staffing at the Fire Station is presently 6 and there is a proposal for a maximum of 8. On page 5, Section 1.11, the number of spaces needs to be corrected. Mr. Jacobs noted language should be added to state no technical source was found so the Board is doing it this way. Ms. Newman noted on page 7, Section 1.20, the construction schedule will be updated to October 2019 through April 2021. On page 8, change parking spaces to 85 from 84; page 9, there is a correction to zoning table with updated to reflect 85 spaces and on page 10, insert in paragraph 3.4, Exhibit 12 and in Section 3.6, number of spaces is corrected. On page 13, Section 3.33 and page 14, Section 3.34, construction deliveries are extended from 4:00 p.m. to 6:00 p.m. Ms. Grimes feels the hours should be put back to 4:00 p.m. with the same in Section 3.27. The hours should be the same as the hospital hours for deliveries and trash. Ms. Newman noted the hours are to 6:00 p.m.

Ms. Newman noted on page 14, Section 3.35(a), hours of construction are to 5:00 p.m. Mr. Jacobs noted on page 9, Section 2.0, no plan modification is required and Section 2.9 says the site plan shall be revised. Ms. Newman noted the red-lined version shows the correction. Mr. Jacobs noted in Section 3.11, the word "following" should be removed. In Section 3.10, where does the 300 hours come from in the second sentence? Ms. Newman noted it was standard for emergency generators.

Ms. McKnight noted on page 6, it says Exhibit A in Section 1.15 but it is listed as Exhibit 10. Mr. Alpert noted it should say "see Exhibit A attached to Exhibit 10." Ms. McKnight noted on page 10 and 11, Section 2.8(a), is the same thing. On page 7, Section 1.19, remove "following" and Section 1.24 has regulations for handicap, minors and elderly. Mr. Alpert noted that is part of the Planning Board criteria.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the five members present unanimously:

VOTED: to grant (1) the requested Major Project Site Plan Special Review Special Permit under Section 7.4 of the By-Law; and (2) the requested Special Permit for the temporary Police & Fire Station under Section 5.1.1.5 of the By-Law to waive strict adherence with the requirements of Section 5.1.3 (Off-Street Parking Requirements), Subsections 5.1.3(k) and 5.1.3(l), to the extent necessary to enable the parking area to be utilized as shown on the Plan, as modified by this Decision; subject to and with the benefit of the following Plan modifications, conditions and limitations in this decision and the decision discussed tonight and to approve the form of the decision with the changes discussed.

De Minimus Change and Request to Release Lot for Occupancy and Reduce Surety: Rockwood Lane Definitive Subdivision: Wayside Realty Trust, Chris Kotsiopoulos, Owner and Trustee, 36 Rockwood Lane, Needham, MA, Petitioner (current owners: Hillcrest Development, Inc. and Elite Homebuilders, LLC), (Property located at 36 Rockwood Lane and 5 adjacent parcels, Needham, MA, Assessors Plan No. 17 as Parcels 22, 23 and 24 and Plan No. 20 as Parcels 57, 60 and 61).

Mr. Alpert noted the following correspondence for the record: a letter from Janet Carter Bernardo, of the Horsley Witten Group, dated 7/11/18, with a review; an anonymous email with issues regarding Ms. Grimes participation in the hearing; an email dated 7/10/18, from Steven Venincasa regarding the sump pump at 131 Bird Street; a letter, dated 7/16/18, from Kurt and Jodi Lockwood with concerns and objections; an email, dated 7/17/18, from Kurt and Jodi Lockwood with responses to the Bernardo report; a letter, dated 7/16/18, from Alton Engineering with responses to issues raised and a series of emails from Stacy Blasberg, dated 7/13/17 and 7/16/18 requesting the neighbors be allowed more time to review the Bernardo report.

Ms. Grimes commented, as to the assertion that she has had a part in representing the builders, so there is a conflict of interest and she should not be part of this hearing, that she has never represented Hillcrest Development or Elite Homebuilders and never will. She reached out to Town Counsel and there is no conflict. Neither she, nor any member of her firm, will ever represent the builders. Mr. Venincasa reiterated Ms. Grimes has never represented him or any of his associates.

George Giunta Jr., representative for the applicant, stated there are 3 action items. One is for a deminimus change for the subdivision. While it was substantially and materially built as designed there are some deviations. The second action item is for a release or reduction of the bond amount and the third action item is for a Certificate of Occupancy for the final home. The closing is scheduled for August 1 and there is no meeting for several weeks after that. There is a discrepancy, but he feels it is minor and does not affect the overall function or performance of the stormwater drainage system. It will take time to work through this. The applicant is asking for a release of the lot. The Board is still holding \$380,000 in the Performance Bond. That amount far exceeds any likely cost.

Alton Stone, of Alton Engineering, commented that the revised model he gave of the existing predevelopment conditions and the results Samiotes gave for the proposed system coincide. The system, as built, shows a significant decrease in water runoff. He was asked if predevelopment means before the trees were taken down or after. This is an important point that was part of the discussion during the hearing process. Mr. Venincasa stated the site was not clear cut although a substantial amount of trees was cut.

Mr. Stone stated, in his opinion, while some areas vary the overall objective is satisfied with the landscaping because the entire property is landscaped. The area is well landscaped, has a great deal of mulch, a great deal of planting beds and is well constructed. There are minor differences in the water that goes into the municipal drainage system. Mr. Alpert stated the plans approved by the Planning Board projected post-development peak runoff. The Board has been presented with the actual existing runoff. The question for the Town Engineer and the abutters is if they agree with the numbers. With the differences, are they substantial enough to raise a concern for the neighbors? Ms. Bernardo has not had a chance to look at the 7/16/18 letter and he is not sure the Town Engineer has had a chance to review it.

Mr. Stone stated engineering standards will compare the pre-development versus the post-development, which is the law. Mr. Alpert stated the runoff was the major concern of the Board. He hopes the Town Engineer goes beyond what the state requires. Mr. Jacobs stated the built system needs to work at least as well as the system the Board approved. Ms. McKnight agreed and commented that the Board needs to see if what was installed is at least as good as the "innovative" system the Board approved. Ms. Newman has reviewed the relief being requested;- the question is if work needs to be done, would retaining the bond be enough. The Board needs to give time for a review, if they agree, if there is anything that needs to be done and if there is enough money with the bond being held. Mr. Stone stated the "innovative" system was installed. Only the landscaping is different. Ms. Grimes stated the system installed was what Beta reviewed.

Mr. Venincasa noted the cost of the landscaping was \$10,000 to \$16,000 per lot. Everything was approved by Beta. There was no specific number of plantings on the plan. He added they stuck with every approved plant in the chart.

Beverly Schwartz, of 67 Richard Road, stated she used to look at woods and now looks at someone's backyard. The agreement was a substantial number of trees would not be cut. The property was clear cut and this has caused her trees to die. The runoff was like a river today. She has had to live with horrible noise for 4 years. She pays taxes like everyone else but the Town did not care. The abutters' needs were not taken into account.

Bonnie Shuer, of 37 Richard Road, stated she sat through all the meetings in 2014 and spent money to get her concerns across. Many people have moved as it is untenable to live there. The problem is the Town agreed to monitor this and she claims that did not happen. Legally the applicant needs to be held to what the Board approved they could do. The abutters should not have to argue or represent themselves. The applicant did not follow what was approved. She is shocked that she is sitting here and is hoping the Board will do right by the abutters.

Stacy Blasberg, of 59 Richard Road, stated Janet Bernardo did represent them in 2014 and did a wonderful job. She does not represent them in this regard. Ms. Bernardo has been retained by the developer and has raised some other issues. She would like those issues addressed. She has not spoken with Ms. Bernardo as she is independent. The water is not being directed into the swale and is running down Rockwood Lane.

Jodi Lockwood, of 131 Bird Street, stated all her concerns are about runoff and surface water that never ran down the hill before. The numbers have improved from when it was a clear cut pile but there was no water prior to the cutting. She commented their homes should be protected and stated she had taken a video today. Mr. Jacobs requested to see the video taken. Ms. Lockwood will put the video on a flash drive and get it to the Planning Director.

Herbert Shuer, of 37 Richard Road, stated he is a 38 year resident and his kids went to school in Needham. He would like to travel but cannot think of doing that now. The trees protected them. His sump pump was on one or 2 times per year. Now there is substantial runoff and underground water. Someone should not have to put in a $6,000 to $8,000 generator just to help the developer. The abutters are seeing water where they never had before. A woman from 70 Richard Road, stated she attended most of the meetings in 2014. There were a lot of promises including a full time engineer on site and an inspection procedure. She cannot remember everything but asked if that is a public record that people can see. She asked who was in charge.

Ms. Grimes stated the Board requested a third party consultant who was monitoring and submitting weekly reports. The developer had to pay hundreds of thousands of dollars for this. Everything that is underground was fully vetted by Beta. Beta was not involved with landscaping. The underground system was the crux of what made it work. Mr. Stone stated he will look at doing some regrading between the road and swales to make sure the water really goes into the swale and does not divert back to the road. Mr. Venincasa stated he was there with Beta and the system was built to design. They will regrade the berm so all water goes into it.

Mr. Jacobs asked Michael Shea, of Elite Homebuilders, how long it would take for him to change the landscaping back to what was on the plan. Mr. Shea stated it would be about 1½ days per lot and there are 5 lots. Mr. Jacobs stated whatever is proposed should be run by the Town Engineer for approval. Mr. Stone stated 2 feet of drainage sand was put across the entire lot. He will check and provide the curve number for the Board. He feels the curve number for grass or garden mulch beds are the same. The issue is to make sure the water is going down to the swales.

Mr. Owens stated he appreciates Mr. Stone's expertise but Mr. Stone does not understand that coming up with a formula does not solve the problem. He hears there was no problem before the project and now there is. Whoever started this left them with a big mess for Mr. Stone and the abutters. The applicant did not build to the plan. His feeling is even if it had been built to plan it would still not meet the numbers. The issue is not a technical issue. How can we make it better than it is today? He feels this project should never have been built. He wants to focus on how to resolve this and make it better. He stated he was impressed the developer hired the residents' engineer to get another opinion. He feels all need to sit down to figure this out. He knows the developers are doing the best they can. He is willing to release the lot, but hold the bond and not give approval for the deminimus change.

Ms. McKnight asked if the developer holds the easements upon the front of those lots to maintain the drainage system in the future. Mr. Venincasa stated they do. He commented he hears the Board loud and clear. He did not do this before because he met and exceeded the letter of the law. Mr. Jacobs stated it seems it would be easiest for the developer to do everything according to the plan. Mr. Owens would suggest they not do anything without coming back to the Board with a plan.

Judy Lamenza, of 32 Rockwood Lane, asked who is responsible for the Rockwood Extension and clearing storm drains. If something happens next year who do we talk to? Ms. Grimes noted it was put in the Homeowners

Association documents responsibility for yearly reports showing all works with yearly inspections to the Planning Board.

Mr. Venincasa stated he will correct the swale to the plan by the 8/7/18 meeting. Mr. Owens stated he wants the developer to understand that fixing the swale does not mean it will be approved. Mr. Venincasa stated he was under the impression at the last meeting that if he hired Ms. Bernardo he would get the lot release. The Board will continue this to the 8/7/18 meeting.

Decision: Major Project Site Plan Special Permit No. 2018-04: Town of Needham, 1471 Highland Avenue, Needham, MA, Petitioner (Property located at 707 Highland Avenue and 257 Webster Street, Needham, MA), regarding replacement of Fire Station 2. Please note: this hearing has been continued from the May 22, 2018 meeting of the Planning Board.

Mr. Alpert recused himself from this hearing and Vice-Chairman Jacobs became Acting Chair.

Ms. Newman stated, on page 5, Section 1.9, she got information from the developer regarding the setback for the parking lot on the south side and clarified the setback. On page 6, Section 1.15, it clarifies 6 firefighters and no more than 8 at a time. Page 9 clarifies the extent of the waivers requested under FAR and lot coverage. Page 11, Section 3.7, the delivery times and location have been clarified and on page 13 the hours have been extended from 5:00 p.m. to 6:00 p.m. Mr. Jacobs stated that page 4, Section 1.4 and 1.8, refers to ITE parking, which is the same issue as before. He did not find anything in the ITE or alternate technical source. The language in Section 1.4 needs to be dealt with in Section 1.8. A sentence needs to be added. Ms. McKnight noted on page 5, Section 1.10, put a ":' after "as follows" and on page 11, Section 3.8, it should be "Construction Management and Staging Plan."

Upon a motion made by Ms. McKnight, and seconded by Mr. Owens, it was by the four members present unanimously:

VOTED: to grant (1) the requested Major Project Site Plan Special Review Special Permit under Section 7.4 of the By-Law for Fire Station 2 on Highland Avenue; (2) the requested Special Permit pursuant to Section 4.2.4 footnote (h) of the By-Law to increase the floor-area ratio above to 0.30 to 0.43; (3) the requested Special Permit pursuant to Section 4.2.4 footnote (i) of the By-Law to increase the lot coverage above 15% to 17%; (4) the requested Special Permit under Section 4.2.14.4 of the By-Law, to waive strict adherence with the requirements of Section 4.2.14.1,so as to allow a reduction in the width of a required Transition Area as detailed in Section 1.9 of this Decision; and (5) the requested Special Permit under Section 5.1.1.5 of the By-Law to waive strict adherence with the requirements of Section 5.1.3 (Off-Street Parking Requirements), Subsection 5.1.3 (k), to the extent necessary to enable the parking area to be utilized as shown on the Plan, as modified by this Decision: subject to and with the benefit of the following Plan modifications, conditions and limitations with the changes discussed tonight and the form of the decision as discussed tonight.

Mr. Alpert returned to the meeting.

Discussion of Zoning Article for the October Special Town Meeting.

Christopher Heep, of Miyares and Harrington, stated he provided the Town with a proposed set of zoning amendments to allow the permitting of a public safety communication system. The Board of Selectmen is pursuing 4 locations – the Police and Fire Headquarters downtown, a 199 foot lattice tower at the Recycling and Transfer Station (RTS), co-location of the existing American tower at Needham Crossing and a new tower on state owned land near the prison in Dedham. The Zoning By-Law does not allow this use He is proposing a set of amendments that will allow specific uses.

Mr. Heep stated this proposal is adding 3 categories of uses in Section 6.7.3.3. He reviewed his letter and described the requests. 1) municipal wireless that would be co-located on existing monopoles or lattice towers and would be a special permit use; 2) freestanding monopoles owned and operated by the Town at the Police and Fire Headquarters as a special permit use; 3) freestanding monopoles and lattice towers on municipal land in the wireless overlay district up to 199 feet high; 4) amend the definition of 6.72, wireless communication equipment, to clarify municipal public safety equipment qualifies; 5) create a distinction in 6.7.3.3 that existing use category is just existing wireless services; 6) make clear only a couple of examples where lattice style towers are allowed and one is 6.7.3.3(k); 7) under Section 3.7.2 b.2, to make a fall zone setback applicable to towers; and 8) amend 3.7 (b) to add language to make clear these are personal wireless services towers only.

Mr. Alpert noted in number 4 at the end remove "for purposes of this section 6.7." The other is his feeling that 3.7.3.2 b should apply to towers for the Town. Number 5 does not apply and should not apply. The overlay district is not just near the RTS but is also most of the area between 128 and the Charles River. He is concerned about not having those areas as requirements. Those criteria should apply. Ms. Grimes stated she needs time to digest this. She did not have time to review and has a lot of questions. She would like to look at the overlay district and see a map of it.

Mr. Heep stated the Selectmen held a neighborhood meeting about one year ago, another in February and one in March 2018. Another meeting is scheduled for 8/28/18 for the neighborhoods. Dan Matthews, Chairman of the Board of Selectmen, gave an update. He stated the Board has been very clear with what they are doing and trying to keep all informed. The Selectmen are looking at a 120 foot monopole but are asking for 130 feet so they do not have to come back. He has been trying to pull together a date to get all together. A current tentative date is 8/28/18. The goal is to have a public hearing in August. Ms. McKnight stated she is intrigued with the idea of working with the Commonwealth to put a tower by the jail. Selectman Matthews stated the goal is to rent space from American Towers to get the north side and to get this done and have the jail coverage for the south side. This would be for 2021 so there is time. A discussion ensued. It was agreed to continue this to the 8/7/18 meeting. Ms. Grimes requested it be first on the agenda.

Release of Roadway Construction and Maintenance Bond: Sachem Road (Pandolf Lane) Subdivision.

Ms. Newman noted the subdivision issues have been resolved and the way has been accepted as a public way at Town Meeting.

Upon a motion made by Mr. Jacobs, and seconded by Ms. McKnight, it was by the five members present unanimously:
VOTED: to release the bond.

Board of Appeals – July 19, 2018.

Karen and Marie Frascatore – 42 Petrini Circle.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the five members present unanimously:
VOTED: "No comment."

Donald Hollings – 1 Wellesley Avenue.

Ms. McKnight asked what the primary use of the property was. She asked whether a nursery/greenhouse continued to be the primary use or was the greenhouse merely accessory once the landscaping use went in.

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the five members present unanimously:
VOTED: to refer to a recent case and suggest the Zoning Board focus on whether the primary use changed when the landscaping went in or whether a nursery/greenhouse continued to be the primary use.

Minutes

Upon a motion made by Ms. McKnight, and seconded by Mr. Jacobs, it was by the five members present unanimously:
VOTED: to accept the minutes of 3/27/18 with the deletion of the word "is."

The Board members passed in comments on the other sets of minutes.

Report from Planning Director and Board Members.

Ms. Newman noted a copy of an email regarding Trader Joe's with the construction schedule. She noted that Bertucci's wants to host a neighborhood block party in its parking lot on 9/8/18 from 3:00 p.m. to 6:00 p.m. She asked what the process should be. She will have them send a letter with the proposal. Then the Planning Board can decide if they are ok with it.

Upon a motion made by Mr. Owens, and seconded by Mr. Jacobs, it was by the five members present unanimously:
VOTED: to adjourn the meeting at 11:15 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Martin Jacobs, Vice-Chairman and Clerk