

Department of Planning & Community Development

Zoning Board of Appeals

1 JFK Memorial Drive
Braintree, MA
www.braintreema.gov



Charles C. Kokoros
Mayor

Zoning Board of Appeals (ZBA) Meeting Minutes January 27, 2020

IN ATTENDANCE:

Stephen Karll, Chair
Michael Ford, Member-Absent
Richard McDonough, Member
Gary Walker, Associate

ALSO PRESENT:

Christine Stickney, Director-Planning & Community Development
Melissa SantucciRozzi, Assistant Director-
Planning & Community Development
Connor Murphy, Zoning Planner
Attorney Carolyn Murray

Pursuant to notice duly published in a newspaper in general circulation and posted at Town Hall, and by written notice pursuant to G.L. Chapter 40A, Section 11, mailed to all parties in interest, a public hearing was held by the Zoning Board of Appeals at Town Hall, One JFK Memorial Drive, Braintree, MA on September 25, 2019 at 7 p.m.

Chairman Karll calls the meeting to order at 7:00 PM and explains the process for hearing petitions before the Zoning Board of Appeals. Chairman Karll explains it is a lengthy agenda tonight, and we are going to take matters out of sequence. There are several continuances and several very brief matters to take up first. The first matter will be Petition #20-04, 530 West Street.

NEW PUBLIC HEARINGS:

**Petition #20-04
530 West Street**

The first matter will be Petition #20-04, 530 West Street. We will open the hearing and then take a motion to continue it. Chairman Karll reads the public notice into record.

Kevin Petrovic, Ready Spaces, 530 West Street, Braintree, MA 02184 for relief from Bylaw Requirements under Chapter 135-102, 202, and 601 to Appeal the determination of the Building Inspector that the use classified for the business is Warehouse (Use By Right in a Commercial Zone) and not Modular Storage (Use requires a Special Permit in a Commercial Zone). The property is located at 530 West Street, Braintree, MA 02184 and is zoned Commercial Watershed District, as shown on Assessors Map 2049 Plot 3 with a land area of approximately 19.5 +/- Acres.

The Petitioner has requested this matter be continued.

Member Ford **MOTION** to approve the request to continue this Petition until the Zoning Board Meeting on February 24, 2020; seconded by Member McDonough; unanimously voted 3:0:0. (Karll, Ford, McDonough).

CONTINUED PUBLIC HEARINGS

Chairman Karll announces the second matter being taken up is petition #19-37; this was a continued hearing. The Petitioner has submitted a request to withdraw the petition without prejudice. The Zoning Planner confirms that the members sitting on this petition were: Chairman Karll, Member Ford and Member McDonough.

Petition #19-37

219-221 Shaw Street

219-221 Shaw Street LLC, with a business address of 168 Franklin Street, Braintree, MA 02184 property owner of 219-221 Shaw Street, Braintree, MA 02184 for relief from the Braintree Zoning Bylaw requirements under Chapter 135-402, 135-403, and 135-701 to demolish a pre-existing non-conforming Two-Family Dwelling and reconstruct a Two-Family Dwelling with a footprint of 1,872 Square Feet. The Applicant proposes to reconstruct the Two-Family Dwelling on a Non-conforming lot as 15,000 Square Feet is required and 12,694 Square Feet is provided. The project includes associated landscaping, parking and utilities for the Two-Family Dwelling. The Applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 219-221 Shaw Street and is zoned General Business District as shown on Assessors Map 3010 Plot 9A with a Land Area of 12,694 Square Feet.

Member Ford **MOTION** to allow the Petitioner to withdraw this Petition without prejudice; seconded by Member McDonough; unanimously voted 3:0:0. (Karll, Ford, McDonough).

CONTINUED PUBLIC HEARINGS

Chairman Karll announces that the third matter is:

Petition #19-40 –

48 Newton Avenue

Paul Segota and Claire McCormick, 48 Newton Avenue, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135- 403,407 and 701 for 48 Newton Avenue (Plot 103) and proposed adjacent land (Plot 35), which are combined for zoning purposed due to common ownership and can be separate lots with zoning relief. Plot 103 (#48 Newton Avenue) would be 6,590 SF and maintain the existing single family dwelling. Plot 35 (vacant land) would be 6,443 SF and provide a new two story, single family dwelling (+/- 925 SF building footprint with 144 SF deck). The existing and proposed lots are deficient with regard to lot size, width and front yard setback. The applicant seeks a permit, variance and /or finding that the proposed project is not

substantially more detrimental to the neighborhood. The properties are located at 48 Newton Avenue and Plot 9, Braintree, MA 02184 and are within a Residence B Zoning District, as shown on Assessors Map 3050 Plot 103 and Assessors Map 3052 Plot 25, and contains a combined land area of +/- 13,039 SF.

Chairman Karll states the Petitioner has requested to continue this matter. As this petition was opened at a prior meeting, the public notice has already been read.

Member Ford **MOTION** to approve the request to continue this Petition until the Zoning Board Meeting on February 24, 2020; seconded by Member McDonough; unanimously voted 3:0:0. (Karll, Ford, McDonough).

OTHER BUSINESS

Chairman Karll announces that the fourth matter being taken up is:

Petition #19-36

107 Hancock Street and 99 Hancock Street

Arista Development LLC is seeking relief from the Zoning Bylaw Sections 135-407, 135-701 and 135-705 to construct a 4-Story, 35 Unit Residential Building on a 50,857 Sq. Ft. Development Site. The Residential Building and Site will not comply with the Density or Open Space requirements pursuant to 135-705 or the Maximum Number of Stories pursuant to 135-701. The Applicant seeks variance(s) to exceed these zoning requirements. The property owned by Hancock Realty Trust at 107 Hancock Street is 44,050 Sq. Ft. is zoned General Business and is shown on Assessors Map 1009 as Plot 68. The Property owned by B & F Hancock Street LLC at 99 Hancock Street is 6,807 Sq. Ft. is Zoned General Business and Residence B (See 135-306) and is shown on Assessors Map 1009 as Plot 64.

Chairman Karll announces that he received an email with a copy of a letter indicating that the original petition has been amended to reduce the units to 30 units and to make it an age restricted residence of 55 and over. That being the case, as Chairman Karll indicated several times prior, should this be amended Chairman Karll would reopen the public hearing for public comments. Chairman Karll believes that is what should happen.

Attorney Carl Johnson is representing Arista Development. With him this evening is Mr. Scott Weymouth, who is a principal of Arista Development. Attorney Johnson believes two things. Petition 19-36 is essentially request for zoning relief for the number of units, and the request is consistent with the number of units granted by the Zoning Board in the past. Any residential development is required to file for zoning relief for the number of units due to the restrictive and prohibitive language of Section 135-705 for multi-family units, particularly in a General Business District. Chairman Karll submitted a memo on January 2, 2020 to the Zoning Board in its deliberation phase which contained evidence on precedent with examples on what the Board's decision had been in those cases. Attorney Johnson states the Board had the right to condition any relief by reducing the number of units, impose conditions of use, mandate participation in inclusionary housing, which was put in the initial application. On January 16, 2020, Attorney Johnson submitted a memo concerning the conditions that would reduce the number of units and make the project age restricted to 55+ consistent with both state and federal law. Arista's position is that these are suggested conditions that they feel are reasonable, and they acknowledge that the Board can determine the number of units and restrict occupancy to 55+ on its own. In essence, Arista does not believe they amended the application, but Attorney Johnson understands what the Chairman is saying.

Arista's position is, given the 2+ years of working with the town administration and the Planning Department, to develop a project that is unique, with the quality of its building, the way it is cited, that it meets all other space conditions, these are conditions that are better dealt with in the Special Permit process. But, as we know, the less number of units that receive zoning relief, they cannot file for a Special Permit. With that said, Arista asked Attorney Johnson to seek an opinion of Town Solicitor whether or not the suggested conditions meet the mandate of the re-opening of the public hearing. The Petitioner understands that this is rather unusual, and the Board did discuss that was their position. Attorney Johnson thinks the Board has two options: they can either approve it with conditions or deny. That is what Arista has asked Attorney Johnson to state this evening.

Chairman Karll understands the Petitioner's opinion; he just doesn't agree with it. If the Zoning Board denies their Petition, the Petitioner has the right to appeal or they can wait two more years to come back. Attorney Johnson states, the fact is, Arista will be out of contract. They have been carrying this project, and other parts of it, for more than two years. They have expended \$100,000's, and at some point they need to make a decision as far as continuing or not. Attorney Johnson has been instructed to explain to the Zoning Board that the Applicant is not able to continue for another public hearing. Chairman Karll states Attorney Murray will be late for this meeting, but he would be glad to ask her opinion. Chairman Karll's opinion is pretty strong that the change of use, as far as age restriction, and the change of the number of apartments, is enough to require a new public hearing. Attorney Johnson would like to point out one difference. As far as the change in use, the change is not in use. It is still a multi-family in a General Business zone, which is allowed by a Special Permit. What this does is limits the number of units, and, just as inclusionary housing is a condition, age restriction would be a condition. That is Arista's opinion, and they have recently been under contract in Canton for the redevelopment of the Plymouth Rubber project. They are putting in 60 age restricted units, and they have found that there is a significant demand for that, and they believe this would be successful here. That is why, at this point, they are proposing this. Chairman Karll states he is all for the 55+ community because he is well over 55. He thinks it is a good use, but it's a change, and he still believes it should be re-opened for a public hearing, which he would put on for next month's date. Chairman Karll would be glad to wait for Attorney Murray to arrive and seek her opinion.

Assistant Director SantucciRozzi clarified that, while we can ask Attorney Murray anything, she isn't on this particular case. The Assistant Director would remind the Board that, while they have originally filed for 35 units and reduced that to 30 units, they can approve whatever number they feel is appropriate there and to condition the project. If the Board does decide to do something like that, the staff would recommend some conditions be included that this Board's vote would be conditional upon them receiving a favorable approval of a Site Plan Review and Special Permit and they would need to meet that criteria and further satisfy those requirements, which is a little bit different than what the Board has in front of them tonight. Chairman Karll states that is all well and good, but he feels it is still a change that should be opened.

Attorney Johnson states, if there is going to be counsel here tonight and you wish to run it by her, we would think of taking this out of order. Chairman Karll asks, if we were thinking of going forward, are you saying we could put any restrictions on it. Attorney Johnson states he thinks the law gives the Board that ability. You can even put the restrictions as far as time, and so forth, which the Planning Board cannot do under a Special Permit process. The Special Permit process is allowed to give bonuses; they are allowed under 40A, Section 9. Under the statute that authorizes the Zoning Board to grant variances, it is very clear in our bylaw in 403 it says "in your determination". You have a lot of authority in that respect. Chairman Karll would be glad to wait for Attorney Murray.

Attorney Johnson states he didn't mean to bring this on; this has been something that has been discussed; again, it goes to conditions and number of units. It is always within the Zoning Board's jurisdiction to grant a number of units that are reasonable and you feel comfortable with.

This matter is being tabled until later in the evening when Attorney Carolyn Murray arrives.

New Public Hearing

Petition #20-01

121 Pearl Street

Chairman Karll reads the Public Notice into record:

Anna Haluch of Pro Sign Graphics, 65 Belmont Street, South Easton, MA 02375 for relief from Bylaw requirements under Chapter 135-407, 904.2 and 905 for the installation of a 4' X 14.3' 57.3 Sq. Ft. additional wall sign within the existing Shopping Plaza. The applicant seeks a variance for the proposed sign that exceeds the requirements for wall signs in a Highway Business Zone. The property is located at 121 Pearl Street, Braintree, MA 02184 and is zoned Highway Business District, as shown on Assessors Map 1030 Plot 9, and contains a land area of +/- 8.86 Acres.

Sitting on this case for the Zoning Board of Appeals will be: Chairman Stephen Karll, Mike Ford and Gary Walker. Mr. McDonough will be the alternate. Staff recommendation is that they look favorable on your application with a condition that will limit the hours of illumination. Chairman Karll is satisfied that the abutters and the abutters to the abutters within 300 feet have been duly notified.

Anna Haluch from Pro Sign Graphics is looking for the Zoning Board's approval on the secondary wall sign. The primary sign, which has been permitted already, is located above the main entrance of that building. The way that it's laid out, the main entrance actually faces the parking lot rather than Pearl Street. They are requesting a secondary wall sign to be installed on the side elevation. This mainly allows them to see the building and know what it is before they pull into the parking lot. They will be able to see it from the street rather than staring at a blank wall. The secondary wall sign is going to be the same dimensions as the primary one, and it is the same elevation. Ms. Haluch knows the staff brought up the hours of the illumination, and this is equipped with a timer so we can control what hours it will be illuminated.

Chairman Karll asks if there are any questions. He asks the public if there is anyone in favor or opposed. Seeing none, he closes the public hearing and open it for discussion. Member Ford states this is a good spot for a sign actually.

Member Ford makes a **MOTION** to approve based on staff's recommendation with restriction on the hours of illumination the same as the shopping plaza; seconded by Member Walker; voted 3:0:0. (Karll, Ford, Walker) Ms. Haluch believes that the sign cannot be illuminated between the hours of 1:00 AM and 5:00 AM.

New Public Hearing

Petition #20-02

297 Quincy Avenue

Chairman Karll reads the Public Notice into record:

Anna Haluch, Pro Sign Graphics, 65 Belmont Street, South Easton, MA 02375 for relief from Bylaw requirements under Chapter 135-407, 904.1, 904.5 and 905 for the Installation of a Wall Sign (1.5' X 6' 9 Sq. Ft.), 3 Channel Letter Canopy Signs (2.6' X 8.82' 23.52 Sq. Ft./Sign, 70.57

Total Sq. Ft.) and a Free Standing Ground Sign (20' X 7.5', 150 Sq. Ft) for the Existing Gasoline Station. The applicant seeks a variance for the proposed signage that exceeds the requirements for Gasoline Service Station in a General Business Zone. The property is located at 297 Quincy Avenue, Braintree, MA 02184 and is zoned General Business District as shown on Assessors Map 3044 Plot 2, and contains a land area of +/- 26,364 Sq. Ft.

Sitting on this Petition for the Zoning Board of Appeals are Chairman Stephen Karll, Mike Ford and Richard McDonough. The alternate will be Gary Walker. Chairman Karll is satisfied that the abutters and the abutters to the abutters within 300 feet have been duly notified. Staff recommendation is that they recommend favorably on the application; however, the department would like the Board to weigh in on the hours of illumination of the gas station, as a condition of approval. Staff recommends that the Zoning Board require a condition that all accessory signage, including banners for products and digital signage not authorized under this petition, be removed.

Anna Haluch from Pro Sign Graphics is asking for the Zoning Board's approval to update the signage on the freestanding sign and the canopy. On the freestanding sign, they are going to be using the existing post and frames. Only the faces on those frames are going to be removed and replaced with a new logo. For the gas price changer, they are looking to update that to a digital one. Since they are using the existing frames, the square footage will not increase on that free-standing sign. For the canopy sign, there is currently three channel letter sets on the canopy. They are looking to remove all the channel letters and a few decals. The new channel letters will be installed, which is the new logo that is also on the freestanding sign. The Applicant is asking for the channel letter sets to be on the three elevations because you can see that canopy from Quincy Avenue, Harbor Villa Avenue and Wainright Street. You can see in the plans that there is also a wall sign that they will be replacing. It is only 9 square feet, so it is well below the square footage, but it is part of the sign package. That is their main goal. The reason they are looking to get the Zoning Board's approval is so that they can update this location and give it a modern, clean look, which she thinks they can accomplish with these signs.

Chairman Karll asks the Board Members if they have any questions of Ms. Haluch. There are none. Chairman Karll asks what the hours of operation of the station are. The owner of the gas station states the hours are 5:00 AM to Midnight. Chairman Karll reminds the owner about some of the banners and things that Planning Staff states should not be there, and he asks the owner to take them down. The owner agrees.

Chairman Karll asks if there are any questions. He asks the public if there is anyone in favor or opposed. Seeing none, he closes the public hearing and open it for discussion.

Member Ford states that he has had interaction with Mr. Bougasian (the owner), and states that he is a great business owner in the Town of Braintree. He is an asset to the Town of Braintree. Mr. Ford passes by this gas station multiple times a day, and we are lucky to have a businessman like Mike in town.

Member Ford **MOTIONS** to approve the Petition, based on Staff's recommendation with the time limitations on lighting being turned off at midnight; seconded by Member McDonough; voted 3:0:0 (voting: Karll, McDonough, Ford).

New Public Hearing
Petition #20-03
77 Armstrong Circle

Chairman Karll reads the Public Notice into record:

Minh Van, 50 Stonecrest Drive, Braintree, MA 02184 for relief from Bylaw requirements under Chapter 135-402, 403, 407, 609 and 701 to construct a new 16.8' X 26' (436.8 Sq. Ft.) addition and a full second story addition over the existing dwellings footprint of 1,548.27 Sq. Ft. The existing lot is deficient in regards to Lot Size and Lot Width. The Applicant seeks a permit, variance and/or finding that the proposed project is not substantially more detrimental to the neighborhood. The property is located at 77 Armstrong Circle and is Zoned Residence B Watershed as shown on Assessors Map 1069 Plan 29 with a land area of +/- 7,500 Sq. Ft.

Sitting on this case for the Zoning Board of Appeals were: Chairman Stephen Karll, Mike Ford and Gary Walker. The alternate will be Mr. McDonough. Chairman Karll is satisfied that the abutters and the abutters to the abutters within 300 feet have been duly notified. Chairman Karll advises that we will hear from the Petitioner and/or his representative.

Jim Chen, Architect for JCBT Architects located at 585 Washington Street, Quincy, is with Minh Van, the property owner. The subject property, 77 Armstrong Circle, was originally a single-family, single-story with approximately 1100 square feet. What they are proposing was to have an addition at the rear of the property approximately 16.8' X 26' with a square footage of 436 square feet and a full second story addition on top of the existing footprint and the new addition portion. This is an existing non-conforming lot, which is deficient on the lot size and lot width. Their proposal is a 4 bedroom, 2.5 bathroom, 2.5 story dwelling. They are in compliance with all of the dimensional requirements and setbacks on this new proposal within this existing non-conforming lot. The Petitioner received a Building Permit to construct this exact proposal, but during construction, the crew removed most of the roof and the ceiling joists. When the Building Inspector came out to inspect the foundation, he is considering this a new construction because of the portion of the demolition exceeds the existing house requirement. The Building Inspector recommended that the Petitioner go to the Zoning Board of Appeals for this proposal. Since they met all the required setbacks and dimensional requirements in this existing non-conforming lot, Mr. Chen hopes the Zoning Board considers granting this proposal tonight.

Chairman Karll states the staff advised that we need to make a Finding that it is not more detrimental to the neighborhood than what already exists. There is deficiency in lot size and lot width. Staff recommended that it is not more detrimental to the neighborhood. The attic is to be used for storage and not habitable space. The Petitioner will provide an As-Built Plan when the project is completed. So, staff was acting favorably toward the plan.

Member Walker clarifies that this is already under construction. Mr. Chen advises that the Building Inspector had already issued a Building Permit, and when he came by for the foundation inspection, he noticed that the construction crew had removed most of the roof and ceiling joists. Member Walker asks if there were changes made to the plan; Mr. Chen states there were not. Mr. Walker mentions that the Building Inspector must have seen something that was a change in his mind.

There are no questions currently from other Board Members. Chairman Karll asks if there is anyone in the audience in favor. There is no one. Chairman Karll asks if there is anyone opposed.

Dan Morrissey, 39 Armstrong Circle, has concerns about the size of the footprint and the water absorption, water table and water runoff. This is located four houses up from the bottom of Armstrong Circle. Mr. Morrissey showed an estimation of the grade by an angle of his arm. He states that he and some other neighbors are at the bottom. As it is right now, when they have a substantial rain and even worse when there is a heavy downpour, they have runoff through the

yards. The amount of runoff will wash out everything under fences, his toolshed and in the back of his yard along the common property line behind his house.

Mr. Morrissey states that at the common property line, you can see whitecaps – almost like rapids when there is a heavy rain. At the bottom of the street, the runoff is significant. The town is aware of this because there are two sewers within six feet of each other on the opposite side of the street at the end. There is also one at Mr. Morrissey's common property line. There are 3 sewers within 20-30 feet of each other. There is that much runoff. Because there is so much on-street parking, there are gullies from all the runoff on the street. When Mr. Morrissey's neighborhood has heavy rain, they have boulders and piles of sand that require street sweepers to clean the street. The runoff from more construction is a huge concern. It's only a house, but if the footprint is big, it is going to be even less water absorption into the ground. It will be coming down in downspouts, concentrated and adding to the problem they have. Chairman Karll states the footprint is not any bigger. They are going up, and in the back they are squaring it off. Mr. Morrissey states he has seen the foundation, and it is huge. Chairman Karll states he is looking at the plan he has, and in the back they are squaring off the jog in the house. From what Chairman Karll can see on his plan, the footprint isn't any bigger. Mr. Morrissey states it is much bigger than the original house; they added onto the foundation significantly. Mr. Morrissey states on that part of the street the houses are "cookie-cutter" with all identical foundations. Mr. Morrissey has done an addition. He went up, but he had to keep the footprint. In Mr. Morrissey's opinion, it is significant. Chairman Karll states the Zoning Board notes didn't mention an extension of the foundation, but they will ask.

Leanne Sorensen, 102 Armstrong Circle, lives kitty-corner across the street from where this new house is going up. To reiterate, the houses are all the same on this street. They are single-story ranches that some people have gone up on. Some people have put small additions in the back that may be a den. The new footprint to this house is not only that small addition, but it goes down the length of the house. It is a huge house that is going up – almost 4000 square feet. Most of these houses are 900-1100 square feet. It is a huge addition in a very small neighborhood that cannot accommodate this type of house. The home next to Ms. Sorensen was allowed to build an in-law apartment, which is technically a two-family house now. There are 8 cars that park there. Chairman Karll asks if Ms. Sorensen has contacted the Zoning Enforcement Officer. Ms. Sorensen states "no" – she is just here because there is no place to go on this street. Chairman Karll states she should contact the Zoning Enforcement Officer if it is a two-family. This new house will be directly across the street from the two-family house. The cars now are parked in front of the fire hydrant and all up and down the street. In front of Ms. Sorensen's yard is gullied. The water runoff is unbelievable because there is nowhere for anyone to go, as the street is so small. Ms. Sorensen states this house is too big; she has nothing against them and understands they want to put up a beautiful home and it will beautify the neighborhood, but the 4000 square feet home in this neighborhood is much, much too large. They cannot accommodate it; they don't have the room.

Chairman Karll discusses with Mr. Morrissey the foundation extension in the rear of the home for the rear addition. He mentions in the residential zone, you are supposed to be 30 feet from the rear lot line. They are 47.8 feet; so, they meet most of the dimensional requirements, except for the size of the lot and the width of the lot. Mr. Morrissey states, with his house in particular, he sealed up basement windows with silicone to prevent flooding in basement. He has four 55 gallon rain barrels to ease water runoff. His concern isn't size of addition, but roof is going to concentrate the water flow. Years ago, Mr. Morrissey inquired about adding a garage and was told he would be covering up to much ground.

Chairman Karll suggests that Mr. Morrissey notify the Mayor; perhaps something could be done through DPW to ease water issues. When Mr. Morrissey phoned to see if the gullies could be filled, he was told “they’re only going to get washed out in the next rain storm”.

Chairman Karll states, maybe with today’s engineering, some could be done; it is worth a phone call. Mr. Morrissey states he will start the communication again.

Zoning Planner, Connor Murphy, discusses the Stormwater Division and states they review Building Permits. If there is a threshold that a development triggers, they are required to go to the DPW before the Stormwater Division, and essentially do a plan review and go over the amount of rainfall that is expected, are they capturing that, where is it going, etc. So, there are in place guards to mitigate some of these concerns. The addition itself, with the new foundation, is 436.8 square feet, and Mr. Murphy believes it does not trigger the threshold with the Stormwater Division, but if it did, it would have been reviewed as part of that process during the Building Permit application.

Member Walker feels Mr. Morrissey’s pain, as far as the water goes. He explains that he deals with the same issues at his home location. He doesn’t see how this project is going to either harm or add to the existing condition. Member Walker agrees with Chairman Karll about talking to the DPW Engineering Department.

Member Ford comments that he knows there is a new Stormwater Management Division in town, and the size of the new foundation does not trigger the review. Member Ford asks if the trigger is based on the square footage or the percentage of the lot. This being a smaller lot, the foundation is larger percentagewise. Mr. Murphy states it is based on square footage and area of disturbance. The square footage of the area of disturbance is what triggers the threshold, and he believes it is not done in comparison to the lot. Member Ford suggests that moving forward we can look at the percentage of the lot disturbed, as opposed to the size of the foundation or the size of the lot disturbed. Member Ford discusses the new fee for Stormwater, and it seems to him that there is not a better area in town, by the sounds of things, that could use the funds generated from that new fee. That being said, Member Ford doesn’t know how denying this as being more detrimental would alleviate the condition in Armstrong Circle.

Chairman Karll asks Mr. Chen if there is anything he can do to help mitigate the runoff from the roof to the street with the understanding that, according to prior testimony, we get 100 Year Storm every 100 years. However, Chairman Karll thinks we are getting it now three times a year. Mr. Chen states they could consider installing a small Cultec system where the roof water would drain into it and it would slowly drain into the soil. Chairman Karll states anything that the Applicant could do to try and alleviate the runoff would be appreciated by the Town, by the Board and he is sure by the neighbors. Chairman Karll states, as his colleague stated, he just doesn’t see how denying this petition is going to make the condition any better there, and he doesn’t think by allowing it is going to make it any worse.

Member Ford states, if the builder is offering to put something in that is going to mitigate some of the runoff, Member Ford thinks we can condition that and put that in as part of the approval. Director Stickney provides a suggestion that the gutters and downspouts should all go into a small leaching area from the roof, so it is not going across the surface, it is infiltrating down into the ground. Chairman Karll states “you mean going into a drywell”. Director Stickney says “yes-just a small drywell for all the new areas and gutters”. Mr. Chen states he could do that.

Chairman Karll asks if there is anyone else opposed. Seeing none, Chairman Karll closes the hearing and opens it to discussion by the Zoning Board. Chairman Karll states if the Applicant complies with Director Stickney's suggestion that would be helpful.

Chairman Karll states that Member Ford had a good suggestion about the funds available to help alleviate the issue at Armstoring Circle.

Member Walker agrees with the discussion; he feels a good solution is to install the drywells. Member Ford is in agreement with that, especially where the builder has offered to install the drywell. This should alleviate some of the issues; it will certainly alleviate the water that is generated from the new part of the roof area.

Member Ford makes a **MOTION** to grant a Finding that it is not more detrimental to the neighborhood, based on the conditions as discussed (specifically drywells be used to alleviate drainage); seconded by Member Walker; voted 3:0:0 (voting: Karll, Ford, Walker).

OTHER BUSINESS

Now that Attorney Carolyn Murray has arrived, Chairman Karll is taking the following matter back up:

Petition #19-36

107 Hancock Street and 99 Hancock Street

Chairman Karll thanks Attorney Murray for her attendance and asks if she has been informed of the issue. Attorney Murray states a few people have been kind enough to provide a brief update as to the question that was presented. Chairman Karll states the petition on Hancock Street has been amended somewhat to reduce the size to reduce the size from 35 units to 30 units, with an age restriction of 55. Chairman Karll thought that was a big enough change, in his opinion, to open up a public hearing on that matter. In Chairman Karll's opinion, it was significant enough. Attorney Johnson did indicate that we did have the authority to reduce some of the units and to put some conditions on restrictions. Therefore, Attorney Johnson felt we could go forward, and he suggested that we wait and see if Attorney Murray had an opinion on that, so that's what we did.

Attorney Johnson states the distinction is that these are conditions, the same as a condition for inclusionary housing. It would be the same for age restricted units. Attorney Johnson pointed out that the Zoning Board has inherent authority to reduce the number of units in a request for zoning relief under Section 135-705, multi-family dwellings. Attorney Johnson doesn't believe the use has been changed. The other fact that is a distinction is that this is required to get a Special Permit before the Planning Board. Seeking relief from the number of units is really the essence of the whole application. The fact that it would be use restricted is just a condition, as was inclusionary housing.

Attorney Murray states she has not been involved in this project from the beginning, so she hasn't seen the original application. Attorney Murray asks if they are asking for any different type of relief – in other words is there a variance that is now being requested or a Special Permit that wasn't originally requested? Chairman Karll does not believe so; they are reducing the number of units and putting an age restriction on it. Attorney Murray states that the nature of the relief remains the same as the original application. In Attorney Murray's opinion, the Zoning Board could consider a modification, whether it be as a condition or modification, to something less than requested. You certainly could not grant something arguably more because that might have

different impacts to the neighborhood, increasing the size of it. It doesn't appear that you are changing the nature of the relief requested or the nature of the use of the property, and certainly there have been instances where an applicant has come in and this Board has, perhaps, not liked the size or asked for something to be slightly reduced. That relief has been done in the course of the public hearing process, but if the Board feels that, not the reduction in the number of units, but the change of use in being age restricted somehow was going to have a different impact on the neighborhood, Attorney Murray thinks the Board would be well within their rights to say that this is a substantial enough deviation from the original application that you could require it to start over. At the same time, Attorney Murray also thinks going from 35 units to 30 units is still within the scope of what they applied for, putting an age restriction of 55+ could be done by this Board by the imposition of a condition, similarly to something mentioned earlier tonight related to lights shut off by a certain time. Attorney Murray thinks the Board has some discretion here. Chairman Karll mentions at one of the last hearings they mentioned that they weren't going to re-open the public hearing, so he has another option. He makes a **MOTION** to reconsider the Zoning Board's last decision to re-open the public hearing. Director Stickney thinks we would have to re-advertise the petition. Chairman Karll then determined that he would like to consider it a change of use that could affect the aspects of the neighborhood. Chairman Karll thinks it should be opened for the public. That is the way he feels, and he can be corrected or out voted.

Member Walker agrees, and he does appreciate the fact that the developer has made some changes that are trying to appease the Zoning Board. But he would still like to hear from residents that had concern prior to this. Member Walker hopes it would also appease them.

Member Ford doesn't mean to make light of this, but he would be uncomfortable taking a vote any other way without seeing a plan. We can talk factually about dropping the number of units, but without seeing the plan, Member Ford would be uncomfortable with moving this forward.

Attorney Johnson states the plan that the Zoning Board Members see meets all the other requirements for variances for anything relative to the building. It provides 30% when only 10% is required for open space. The fact is, as Mrs. SantucciRozzi said, the plan is going to be fixed by a Special Permit process and Site Plan Review. What is typically done, and this Board has done it before at the South Shore Plaza whenever we have anything that comes in that needs relief, the plan comes back if it's passed from the Planning Board to provide a second look to ensure it complies with what was submitted. The plan is perhaps the worst case; because we are going to be reducing units, we are going to be reducing the footprint, as well. Attorney Johnson states they don't have the luxury of continuing this to another date. Attorney Johnson needs to speak to his client and asks if this is going to be on at the end of the Agenda this evening. Chairman Karll states we can put it on at the end.

Member McDonough agrees with Board Members – the reality is about having public input when there is a change. Any change would require the re-opening, and he doesn't think we can do that without re-advertising. Member McDonough would not be comfortable approving anything without seeing the plans. Member McDonough feels this is a change.

Attorney Johnson feels this is not a change in the application. It is merely making some suggested conditions; the Board is free to do what it wants with conditions on this. Attorney Johnson knows it is not usually done this way. This is what the Special Permit process and the Site Plan Review is for.

Chairman Karll suggests that Attorney Johnson speak to his client, and Chairman Karll asks where we are in the timeframe of this petition. Assistant Director SantucciRozzi states we have

an extension until today, and Attorney Johnson confirms that they waived the 100 day period. Chairman Karll believes we would still need a mutual extension. Assistant Director SantucciRozzi states that is if the Board wants to vote on this reduction. Chairman Karll is grateful for the reduction in units and age restriction because this Town needs something with an age restriction.

Attorney Johnson states the Chairman is very clear on his position.

New Public Hearing

Petition #20-05

175 Campanelli Drive

Chairman Karll reads the Public Notice into record:

Stephen Musser, EdgeGen and David Kelly, Kelly Engineering Group, 0 Campanelli Drive, Braintree, MA 02184 for relief from Bylaw Requirements 135-407, 609, and 701 to construct two generators (approximately 18,000 Sq. Ft. in total) to provide service to the existing Warehouse and Manufacturing Facility. The proposed generators will increase the Non-Conforming Building Coverage on site. The Applicant seeks a Variance. The property is located at 175 Campanelli Drive, is zoned Commercial Watershed as shown on Assessors Map 1034 Plot 1 with a land area of approximately 20.8+/- Acres.

Sitting on this case for the Zoning Board of Appeals were: Chairman Stephen Karll, Richard McDonough and Gary Walker. There will be no alternate. Chairman Karll is satisfied that the abutters and the abutters to the abutters within 300 feet have been duly notified. Chairman Karll advises that staff has recommended favorable action on this petition stating the Petitioner has demonstrated that the site has unique hardships, that the proposed increase in building coverage is minor and allows for a more successful operation of the business and area as a whole. Chairman Karll states we will hear from the Petitioner and/or their representative.

Petitioner David Kelly, Kelly Engineering Group, is here with Steve Musser with EdgeGen (or the Applicant). Mr. Kelly states this is a property that you are familiar with. You have seen it many times, most recently last spring. It is about a 21 acre parcel, long and narrow, running north to south, occupied by approximately a 438,000 square foot building. The last time they were before the Board, they sought variances and findings related to a component of a need that the new tenant had. That tenant was Fireking, a bakery, moving from another property on Campanelli Drive into this property at 175 Campanelli Drive, which is located at the end of Campanelli Drive. At that time, if you remember, they were adding a flour silo, which was necessary for the operation of the business. The northerly portion of the building is now occupied. The southerly portion is still vacant. You might recall that was the subject of an Amazon re-use, which has not happened. Fireking are in the building, and they are operational and successful by all accounts.

Mr. Kelly advises that this petition is the next minor phase in the redevelopment of this property. This property has been vacant for a number of years. It consists of the installation of two emergency back-up generators. They are not small generators; they are larger generators. Fireking is a large electric user. This electric generator system will provide backup power to Fireking during times of power outages, but also, and importantly, it will provide additional power to the Town of Braintree when the power is on but in high demand (such as summer time when air conditioners are running). Chairman Karll asks what powers the generators. Mr. Kelly advises that they are powered by natural gas. The natural gas line was installed in Campanelli Drive and currently extends into the property. They are approximately 57 feet long, 15 feet wide and 15 feet high. There are two of them. They will sit within the existing paved parking area of the building.

Mr. Kelly explains that the exhibit on his right shows the property in green, the building is a pink or magenta line and Mr. Kelly is going to point out the location of the generators. It is in an area that contains surplus parking spaces that aren't needed for the Fireking use and aren't needed for zoning. There is no change in impervious coverage, no change in runoff, no change in lighting or any of the other site characteristics. The Building Inspector determined that these utility structures were structures, and since the building currently is non-conforming, the Petitioner would need findings and variances to essentially construct these generators.

Mr. Kelly advises that the total square footage, as noted in the legal advertisement, is 1800 SF. Each of them is approximately 900 square feet. They are located in-board of the property, inside the existing truck access to the northerly portion of the site. They will benefit from the existing swale that exists between this property and the neighboring property, which is also located within the industrial zone. It is a pretty simple project. The Petitioners feel that it meets all of the criteria you would look at to grant a variance. As the Board has noted and the Petitioner has noted and staff has noted, the site is unique. It is long and narrow. It is constrained on the northerly side by Farm River and its associated wetlands and river front. There is floodplain on the site. The site has very flat topography, which results in the wetlands that take up quite a considerable portion of the site. The building itself is existing 41.4% coverage on the site. These structures cannot be put inside the building. There is nowhere else to put them except on the site within the existing paved area. The coverage on the site would go from 41.4% building coverage to 41.6% building coverage. Not granting the relief would result in a substantial hardship to the applicant. Fireking put an extensive investment into this building that was vacant for some period of time and certainly underutilized for many years. This emergency generator facility will provide the backup power that is necessary for their operations. Mr. Kelly reminds the Board that when they were here last and the Board met with Mr. Greg Acerra of Fireking, he noted that this is a 24-hour essential operation, and they cannot shut the operation down. At times of power outages, it is really important for them to have these generators. The Petitioners feel that relief could be granted without a substantial detriment to the public good and without nullifying or denigrating from the intent of the bylaw. In fact, they would argue that the opposite would be true. Not granting would not be in the spirit of the bylaw. In addition to providing a necessary component of this development that is allowed "by right" in this zoning district, not granting it would eliminate the important benefit that it would provide to the Town during times of high electric usage. Mr. Kelly concludes his remarks.

Member Ford, who is not sitting on this Petition, states he has been working in this area for quite a while on this project in his capacity working with Braintree Electric Light Department. In as much as Mr. Kelly has said that emergency generation for Fireking Bakery is needed, which is true, this is an asset for the entire Town. This is one of the things they put in place and is the future in generation of micro-grids. This is one of the components that BELD uses to keep rates down in Braintree. This is an important aspect. The reason that it is being pushed through for Fireking is that BELD is using that property, and to get this in that general area BELD said "why don't we give them emergency generation in the instance where they may be an outage" like there was last week with a car/pole accident on Granite Street. This is really an asset for the entire Town. Member Ford explains that, when Fireking Bakery loses power for more than 15 minutes, it is a six figure loss to them. This is really a win/win, not just for that company that is presented here, but for the entire Town of Braintree to keep our rates low and our power consistent.

Chairman Karll confirms with the public that there is no one in the audience in favor. He then asks if there is anyone opposed.

Richard Wentzel, Spring Street, is seeking clarification. Mr. Wentzel thought Mr. Kelly had said 1800 square feet, but elsewhere on the printed document it says 18,000 square feet.

Mr. Kelly clarifies that it is 1,800 square feet; each generator is 57 feet long and 15 feet wide, so each is approximately 900 square feet. That answers Mr. Wentzel's question, and he is not in opposition.

There being no one in opposition, Chairman Karll closes the public hearing and open it up for discussion by Members.

Member Walker certainly agrees that a company like Fireking Bakery needs to have this backup system, and he does appreciate that Fireking has moved to Braintree and probably provides good jobs for residents and taxpayers.

Member McDonough makes a **MOTION** to approve this Petition subject to plans and staff recommendation; seconded by Member Walker; voted 3:0:0 (voting: Karll, McDonough, Walker).

OTHER BUSINESS

Chairman Karll asks Attorney Johnson if he is ready to discuss this matter further.

Petition #19-36 107 Hancock Street and 99 Hancock Street

Attorney Johnson has been instructed by Erista that they need the Zoning Board of Appeals to either proceed with conditions or deny the matter. They cannot proceed any further; they are out of contract.

Chairman Karll is reminded that the members sitting on this matter are Chairman Karll, Member Ford and Member McDonough. Mr. Walker was the alternate.

Chairman Karll states, seeing that they want to go forward with the changes that they recommended, and we do not have a copy of an amended plan, as far as the height of the structure. Attorney Johnson states they have the original plans and the height of the structure is 40 feet and .15. As you may recall, there is parking under, which elevates the structure due to groundwater conditions. They submitted affidavits. Attorney Johnson states this is a deliberation period, and he can hit the high points.

Chairman Karll states we don't have to go over that again.

Attorney Johnson states, if the Board Members have any questions about how changes would be made, they could pose a question to the Petitioner. Scott Weymouth would describe what would be done to reduce the number of units and, perhaps as Mr. Ford said, you want to know what the content is of the building. If you have a specific question, the Petitioner can answer it. The height of the building is not a problem; Attorney Johnson explains how it would be 3.5 stories in the back but just 3 stories in the front. Attorney Johnson states, again, the condition is the Zoning Board makes a determination on what is reasonable in terms of units. They acknowledge that they are not able to meet 705 at that site. It is prohibitive; it is economically impossible to do so. Mr. Weymouth advised that technically it could be reduced to 29 units, but it reaches a point where, if the Board feels that a lesser number of units, that is within your purview. The inclusionary housing was submitted in the original proposal. Although, it was at 10%, and he knows there was an issue at the last hearing on what percentage would be inclusionary housing. Attorney Johnson states that is where they are and he will answer any specific questions.

Chairman Karll asks if any units are going to be affordable. Attorney Johnson clarifies that in the inclusionary housing it is really not up to the Applicant. There is a procedure in place that the Planning Board has set out that, since these are all two bedroom units, they would be blended throughout the building. This is not a 40B where you would have to have one or three-bedroom units. This is attractive to age qualified. In the original application it is designed to be for people that are leaving a larger house and want to move into a condominium, which is another form of a house. This is home ownership; this is not apartments. It is relatively within the application; they are not adding to anything. However, it is up to the Board to determine the number of units that they feel is reasonable for this development, if any.

Member Ford sat across from the lot today trying to visualize it. Based on discussion, he either votes for it to move it on or deny it. Without seeing what the scope actually is, and he knows he can ask specific questions, he would be inclined to vote for denial on this. Chairman Karll inquires as to what Member Ford means by "scope". Member Ford explains that, as he looked lot today, and he clarifies that he thinks there is a lot of good to this project. He really liked the design of this project. He thinks the size of this building is really just too large. Without seeing a plan in front of him, if he needs to take a vote tonight, he would vote to deny.

Member McDonough has just a couple of questions to follow-up. On the affordable housing, initially because of the way that it was proposed, there were going to be 4-5 units that were affordable. Staff recommended 5 units. The Petitioner initially thought it would be 10%, similar to what was done up the street, but that was a nursing home conversion. The staff is up to 15%. Member McDonough confirms, that because of the change the Petitioner is proposing, they would still have inclusionary housing. Member McDonough's other question was related to height. Member McDonough was going in through the lot at Braintree Manor, and he asks, with this new proposal, is it going to be 3 stories or 4 stories? Attorney Johnson asks for Mr. Weymouth to speak on this matter.

Scott Weymouth, Principal of Arista Development, the idea would be to eliminate the top floor on Hancock Street. So, that building would be lowered by 8 feet. If you look at your plans, the back part of the building would get reduced by about 20 feet X 80 feet. So you have about 12,000 square feet that is being taken off the structure. It is a very simple visual; 30 units fit in the remaining footprint.

Member McDonough is not comfortable voting without a plan, and he would be inclined to deny the project if they had to vote on the information they have received to this point.

Chairman Karll's position is that he appreciates the amended proposal and he appreciates the age restriction on it. Based on those major changes, he would want to open it up, and he is sorry that the Petitioner feels that the Board either has to vote for it or deny it.

Attorney Johnson doesn't think, at this point, that they have an option. Chairman Karll states they are more in favor of the second proposal than the first. If the petitioner could get an extension on it so that the Board can get some public input on this. Chairman Karll really feels strongly about public input. Based on that, Chairman Karll would join his colleagues and have to deny it.

Attorney Johnson would point out that if you look at the site you are just seeing a portion of the site because of the wooded area in the back. Secondly, up until December 10th, they were still under the restrictions of having the advertised Comprehensive Zoning matter, which did this by FAR. This was designed in cooperation with the Town. Right now, the roof is at 40 feet. Attorney Johnson understands the Board's position.

Member Ford makes a **MOTION** to deny this Petition; seconded by Member McDonough; voted 3:0:0. (voting: Karll, McDonough, Ford).

Chairman Karll states, with all due respect, he hopes that if the Petitioner can get an extension on his contract that he can come back with a new filing. That being said, the matter is denied.

Chairman Karll explains that leaves us with the Comprehensive Permit.

OTHER BUSINESS

Comprehensive Permit Application (Chapter 40B) that includes an Approval Not Required Subdivision Plan from 383 Washington Street LLC. The Applicant is proposing to construct a 70-Unit Multi-Family Residential (Rental) “Parkside Apartments” building along with associated drainage, utility, parking, access, landscaping and lighting improvements on a proposed lot of 93,866 Square Feet. The properties at 383 Washington Street, Storrs Avenue and the way known as “Alves Avenue” are all Zoned General Business within the Village Overlay District and are identified on Assessor’s Plan 2028 as Plot 31 and 32-A.

Comprehensive Permit Application (Chapter 40B) that includes an Approval Not Required Subdivision Plan from 383 Washington Street LLC. The Applicant is proposing to construct eight (8) Townhouse Style Residential Units (Ownership) “Parkside Condominiums” in two (2) buildings along with associated drainage, utility, parking, access, landscaping and lighting improvements on a proposed lot of 20,327 Square Feet. The properties at 383 Washington Street, Storrs Avenue and the way known as “Alves Avenue” are all Zoned General Business within the Village Overlay District and are identified on Assessor’s Plan 2028 as Plot 31 and 32-A.

Chairman Karll explains that leaves us with the Comprehensive Permit. He is going to take a 3 to 4 minute recess. It is Chairman Karll’s understanding that they are voting on the 70-unit rental unit portion of the proposal tonight.

Assistant Director SantucciRozzi states if the Chairman wants to take a short recess both she and counsel are recommending that no votes be taken tonight. They would like the Zoning Board to start to deliberate over the decision and hear if there are any additional findings from the Board and they would like the opportunity to do a final proofing. It is quite a comprehensive document, and they want to make sure that the findings are touching on all the points made during the hearing and that those are in the most proper format before this decision is filed.

Chairman Karll states we are going to take a 3-4 minute recess.

Chairman Karll calls the meeting back to order. Chairman Karll explains that Staff has indicated that they would like to postpone the vote tonight so that they can again go over their draft decision before the Zoning Board takes a vote on it. Assistant Director SantucciRozzi thought it may be helpful if we run through some sections of the decision if there are any comments from the Board Members, anything that you would like added to the findings or something that we missed. The Assistant Director states there is quite a bit of material here; we have 25 pages or so, including all the timelines, the procedural history, all of the reports submitted both by town departmental and our Peer Review Consultants, as well. We have a section noting all of the public comment that has been received. That section also might be amended. We did receive quite a few comments during the eligibility period that have not been included in this draft.

Assistant Director SantucciRozzi states we have an extensive listing of about 5 or 6 pages of all the different materials submitted by the Applicant in support of their application, including all of their revisions. On page 13 is where we get into the meat of the decision, which is the findings. We have some jurisdictional requirements that Attorney Murray has included, which talk about the Comprehensive Permit Law and what has been done to satisfy meeting those requirements under the Comprehensive Permit Law. We have our section about the Statutory Minimum where we detail our pursuing our Safe Harbor of the 1.5. We have the General Land Area Minimum and what has happened with that including the HAC proceedings, as well as the Denial of our Motion for Reconsideration. Then we get into the civil engineering site design and building design findings, and she would ask the Board if they have anything that they would like to add to that section or anything that should be revised in that section. We also have the Stormwater Management findings, which are relatively short. As the Board knows, we had the Peer Review Consultant that worked with the Applicant's consultant to really fine-tune the drainage plan. Then we get into findings for transportation, circulation and pedestrian and vehicular safety and fire access. This section is about 2.5 pages, and this is the section that we want to make sure accurately reflects the proceedings and the Board's position relative to those issues in which the Board was most vocal on stated their concerns relative to those particular aspects of the project. We have landscaping design, and then we go into a whole section where we denote all of the waivers that were sought and how the Board granted those. If the Board wants to talk about any of these sections, we can go over them. If the Board has comments about these sections, we can discuss those as well. That is basically where we are at right now. There is no draft for the townhouse development. We had this hearing and talked about these together, but they are two separate, distinct project, with two filings, and they will need two separate, distinct decisions. The Assistant Director will continue to draft that document and will have a draft prepared for February 10, 2020. This decision is far more comprehensive and lengthy. Understanding, the Assistant Director just sent this out on Friday, the Board may need more time, and of course they can always contact her directly with their concerns or any questions they might have pertaining to the draft.

Chairman Karll would prefer not going over it tonight, because it is quite lengthy. If we have any concerns or questions, we can contact Assistant Director SantucciRozzi or Attorney Murray. The Zoning Board Members are in agreement with that.

Peter Freeman, Attorney representing the Applicant, was not here at the last hearing when the hearing was closed. He believes that it was the last hearing or maybe the Monday night hearing that the ANR Plan dividing the two lots was approved, and there was a mylar presented by the Applicant. Attorney Freeman wonders if that has been signed. Chairman Karll doesn't think it has been signed, as he hasn't signed it. Assistant Director SantucciRozzi clarifies that she was reviewing the draft minutes that they had put together, and we discussed it but we didn't actually have a vote of the Board. She was looking through her notes, and she thought Member Ford made a Motion. There is no issue with the ANR; it is pursuant to the Subdivision Rules and Regulations and the Subdivision Control Law. The Board can make that motion this evening, if they would like, and we can bring the plan to the next meeting.

Chairman Karll would like to close that tonight.

Member Ford **MOTIONS** to approve the Approval Not Required Subdivision of the two lots in question; seconded by Member McDonough; voted 3:0:0 (voting: Karll, Ford, McDonough).

Chairman Karll states our next meeting is on Monday, February 10, 2020. That will be the only thing on our Agenda, and Assistant Director SantucciRozzi states we will be voting on both projects that evening.

Staff explains that they are holding off on Approval of Meeting Minutes for ZBA Meetings on August 1, 2019, September 23, 2019, October 7, 2019 and October 23, 2019.

Member Ford **MOTIONS** to adjourn the meeting; seconded by Member McDonough; voted 3:0:0 (voting: Karll, Ford, McDonough). The meeting adjourned at 9:05 PM.

Respectfully submitted,
Louise Quinlan,
Planning and Community Development