



TOWN OF NORTHBOROUGH PLANNING BOARD

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Approved 4.9.19

**Planning Board
Meeting Minutes
March 5, 2019**

Members in attendance: Theresa Capobianco, Chair; Michelle Gillespie; Amy Poretsky; Kerri Martinek; Anthony Ziton

Others in attendance: Kathy Joubert, Town Planner; Attorney George Pember; Vito Colonna, Connorstone Engineering; Hugo Correa; Henry Squillante, 72 Crestwood Drive; Julianne Hirsch, 19 Smith Road; Millie Milton; Laura Ziton

Chair Theresa Capobianco called the meeting to order at 7:05pm.

Master Plan Steering Committee Update - George Pember mentioned that several members of the board and the audience had attended the last meeting of the Master Plan Steering Committee for the public forum. He explained that the Committee and consultant had set up different tables for the various topics and attendees were invited to circulate through the areas of most interest to them. He stated that the, due to the low turnout, those who did attend were able to spend more time in the areas they found most interesting. He also noted that participants were provided with small stickers and asked to use them to identify the topics/recommendations they felt were most important in order to help the committee develop a priority list.

Mr. Pember indicated that the Steering Committee will be meeting again on Thursday (March 7) where they expect to get feedback from the last meeting. Ms. Joubert noted that the meeting will be held at the library beginning at 7PM, and will include a review and summary of the previous public forum as well as finishing out the recommendations for the housing portion. Ms. Capobianco emphasized the importance of getting as much resident participation as possible.

Ms. Poretsky agreed with Mr. Pember's summary and voiced disappointment at the low turnout. She also noted that the public will be welcome to speak at the end of Thursday's meeting.

Ms. Martinek mentioned that she had attended and voiced her opinion that the session was quite well done. She indicated that she also would have liked to have seen more resident participation.

Upcoming Meetings

Next Planning Board Meeting – Ms. Joubert noted that the next meeting of the Planning Board is scheduled for April 2, 2019, with the agenda to include the continuation of the zoning discussion leading up to Town Meeting and a review of the site plan for 222 West Main Street. She explained that the applicant for that project has submitted revised plans that were provided to the board members tonight.

Ms. Gillespie discussed her inability to attend a meeting on April 2nd and asked about the possibility of moving it to April 9th. In response to a question from Ms. Capobianco, Ms. Joubert noted that Town Meeting starts on April 22nd.

Ms. Joubert explained that the Board is not required to schedule a public hearing for the project at 222 West Main Street as the zoning bylaw requires a public meeting. She noted that the applicant has submitted a plan for the construction of the three single family houses facing Lincoln Street that were part of his previous proposal. Members of the board agreed to a meeting on April 9th.

Ms. Poretsky asked if it is possible to meet before April 2nd to allow the Planning Board time to review the ZBA site plan approval application for 66 Lyman Street and provide input to the Zoning Board of Appeals (ZBA) before they meet on March 26th.

Next ZBA Meeting, March 26th – Ms. Joubert explained that the March 26th meeting of the ZBA will include consideration of the following:

- 329-333 West Main Street, continuation of the public hearing
- 24 Lancaster Road, proposal for an addition to the home
- 172 Bearfoot Road, use variance for a CrossFit business - Ms. Joubert noted that the site plan was already approved by this board but the classified use is not allowed in the industrial district.
- 66 Lyman Street, addition – Ms. Joubert explained that the applicant is seeking approval for an addition to the back of the building to allow them to better utilize the rail cars.

Ms. Martinek asked if the board can vote to continue the hearing for 222 West Main Street until there is an outcome on all five lots. Ms. Joubert explained that the other lots are not before the board. Ms. Martinek asked if the board can ask Town Counsel about the possibility of continuing the hearing until there is resolution on all 5 lots. Ms. Capobianco stated that the applicant is entitled to build the three houses as a matter of right. Ms. Martinek voiced her understanding that, by majority vote, the board can vote to continue a hearing. Ms. Joubert emphasized that the board could do so if they need additional information from the applicant but cannot do so simply because the applicant has an appeal before the board.

Ms. Gillespie asked if the existing house will be demolished in conjunction with the land clearing. Ms. Joubert indicated that she was not sure. Ms. Gillespie asked if the house is considered historical. Ms. Joubert explained that the historical review process will get triggered when the applicant applies for a demolition permit. She noted that the Building Inspector cannot issue a demolition permit until the applicant goes through the Historic District Commission process. Ms. Gillespie mentioned that there is an automatic 6-month waiting period for demolition of historic houses. Ms. Joubert explained that such waiting period can be imposed but the Historic District Commission can opt not to do so or can impose a shorter waiting period.

Ms. Capobianco suggested that the board move on to the public hearing and come back to this discussion afterwards.

Public Hearing for 343 Hudson Street Special Permit for Two-Family Dwelling Unit and Special Permit Site Plan Approval

Applicant: E&G Home Improvement
Engineer: Connorstone Engineering Inc.
Date Filed: February 8, 2019
Decision Due: 90 days from close of hearing

Attorney George Pember appeared on behalf of the applicant to discuss the proposal to convert what is currently an eyesore into something nice. He explained that the home was built in 1800, has had many occupants over the years, and records show that it was used as a multi-family dwelling in the past.

Mr. Pember stated that his client has stripped the yard, removed concrete and the driveway, and completely gutted the inside of the house. He explained, given the degree of work, the only way this project is viable is if his client can get approval for a two-family dwelling. He mentioned that there are other multifamily dwellings in the neighborhood and Hudson Street is zoned for them, so the proposed project does fit. He also noted that Fran Bakstran from the ZBA had commented that this is a two-family dwelling that she would like to see.

Mr. Colonna discussed the proposed plans to renovate the existing structure that currently has two curb cuts out onto Hudson Street, one with inadequate sight distance, an additional curb cut on Overlook Park and a two-car garage. He explained that the applicant plans to remove the garage, all pavement and existing curb cuts and move them to the other side of the building. In addition, he noted that the front of the building will be flipped and new access will be provided via Solomon Pond Road to allow for better access and improved sight distance in both directions. He also indicated that the three existing curb cuts will be consolidated into one and the parking area will be improved.

Mr. Colonna stated that drainage and stormwater runoff will be mitigated, with both a decrease in impervious coverage (removal of 1620 square feet) and provision of roof drains on the structure and infiltration for the parking area. He also mentioned site improvements including landscaping and

plantings around the buildings and the addition of some low height screening in the back to provide a bit of privacy. He noted that the site has existing town water and sewer in the public way.

Ms. Capobianco noted that there was a question during the meeting of the Groundwater Advisory Committee about ownership of Overlook Park. Mr. Pember reiterated that access will be from Solomon Pond Road and not through the Overlook Park property. Ms. Capobianco asked if the square footage from Overlook Park is included in the lot area calculation. Mr. Colonna confirmed that it is not.

In response to a question from Ms. Poretsky about any changes to the building footprint, Mr. Colonna indicated that plans include the demolition of a small area of the front of the building and the addition of two decks with a small additional space between them on the back of the home, resulting in a small net increase. Ms. Poretsky asked about the height of the proposed bushes. Mr. Correa indicated that they will be short enough to allow for adequate sight distance.

Ms. Gillespie explained that she is the Chair of the Design Review Committee, who supports the proposal and voiced her desire for the board to approve it.

Mr. Zitton expressed appreciation for the efforts to clean up the site, and noted that this corner on Hudson Street is quite dangerous. He voiced concern about adding even a small amount of increased density, but reiterated that the proposed project is a positive improvement for the site.

Ms. Martinek noted that she had attended many of the DRC meetings and saw the transformation and amount of work that was expended to come up with a nice plan.

Ms. Joubert recalled that one of the variances granted by the ZBA was about lot area because the applicant was uncertain about the actual lot size, and asked if that issue has been resolved. Mr. Pember indicated that it has not. He stated that the applicant contends that their property includes the Overlook Park portion but clear records associated with some of the conveyances do not exist. Ms. Joubert indicated that town staff would like the applicant to resolve the question as to the exact lot lines.

Ms. Capobianco noted that the plan shows a lot size of 21,346 square feet and asked what area that reflects. Mr. Colonna confirmed that it includes everything exclusive of Overlook Park. Ms. Joubert reiterated that the issue needs to be resolved. She also noted that the review letter provided by the Town Engineer requested additional information to be added to the site plan along with sight distances.

Ms. Joubert explained that the DRC worked with the applicant to determine where would be the best location for the driveway, given the challenges of the site, and what is being presented tonight came about as a result of that discussion. She also noted that the Town Engineer had provided several other comments that were very specific in his review letter (copy attached).

Ms. Joubert indicated that the ZBA has already granted the variances required for the project. She noted that this is a unique situation that requires Site Plan Approval by both the ZBA and the Planning Board, and she will look to change the bylaw going forward since the objective is not to require applicants to have to go through such redundancy. She explained that the applicant is currently before the Planning Board for a special permit for the duplex and special permit site plan approval.

Henry Squillante, 72 Crestwood Drive, asked for and received clarification on the driveway location. He also asked about the duplex design, which Mr. Colonna stated will be side-by-side.

In response to a question from Ms. Capobianco about changes to the height of the building, Mr. Correa confirmed that there is none proposed. Ms. Poretsky asked if the board must continue the hearing since the Town Engineer & Ms. Joubert have questions that need to be answered. Mr. Pember voiced his opinion that they would not, as Fred has provided all requirements in his review letter and they will need to be addressed to his satisfaction before a Certificate of Occupancy can be issued.

Ms. Capobianco mentioned that the ZBA has already granted a variance for the diminished lot size and they have a firm number for that based upon a lot that does not include Overlook Park. She indicated that it is up to the Planning Board to decide about the duplex and that does not require consideration of the lot size since that has already been decided by the ZBA. Ms. Poretsky cautioned about Ms. Joubert's concerns about needing accurate information about the lot size. Ms. Joubert stated that the applicant can be required to provide that information as a condition in the decision. Mr. Correa noted that he has been granted approval for the smallest possible lot size and he believes that his parcel is actually larger. Ms. Joubert reiterated her desire for the records to be as accurate as possible. Ms. Capobianco stated that the title issues will not be resolved quickly, and suggested that the board require the applicant to provide a definite plan of the lot that was considered by the ZBA and by this board this evening. Mr. Colonna agreed to do so. Ms. Capobianco indicated that this will be a condition in the decision.

Ms. Poretsky stated that she was pleased to see that the proposed duplex will be in the same footprint and she agreed with Ms. Bakstran's comments that this is a good place for it.

In response to a question from Mr. Martinek about whether the board must review each of the criteria for a special permit as part of their deliberation, Ms. Joubert indicated it would be advisable to do so. Ms. Poretsky asked whether the board should review the criteria before or after closing the hearing, Ms. Capobianco indicated that it would be better to do so before as it allows for questions that may arise to be addressed.

Members of the board addressed each criteria individually and agreed that the project meets all of the below criteria for a special permit, as detailed in Section 7-03-040, subsection C:

- The proposal is in substantial harmony with the Northborough Master Plan and other plans approved or amended from time to time by the Northborough Planning Board, and with the purposes of this bylaw;

- The proposed site is an appropriate location for such use;
- The use as developed will not adversely affect the neighborhood;
- There will be no nuisance or serious hazard to vehicles or pedestrians;
- Adequate and appropriate facilities will be provided for the proper operation of the proposed use;
- The proposed use will conform to any special requirements of the special permit granting authority as stated in its written decision; and
- The proposal could not reasonably be altered to reduce adverse impacts on the natural environment, to be compatible with historic development patterns of the town, or to preserve historically significant buildings.

Ms. Capobianco discussed conditions to be included in the decision as noted in Mr. Litchfield's comment letter and asked if the applicant has any issues with complying. Mr. Pember indicated that there are no issues. Ms. Capobianco reiterated that the board would also seek to include a condition requiring submission of a revised site plan showing the specific lot area. Ms. Martinek asked if the board needs to include a condition about the landscaping. Ms. Joubert stated that this is part of the DRC comment letter and is reflected on the plan, which will be referenced in the decision.

Members of the board also agreed that the project meets the criteria for site plan approval.

Michelle Gillespie made a motion to grant a special permit site plan approval and a special permit for a two-family dwelling with the conditions as requested by the DRC and the Town Engineer's comment letter (copies attached) as well as the requirement that the applicant must provide a definite plan of the lot that was considered by the ZBA and by this board. Kerri Martinek seconded; motion carries by unanimous vote.

Michelle Gillespie made a motion to close the hearing. Amy Poretsky seconded; motion carries by unanimous vote.

Public Hearing RE: 2019 Proposed Zoning Amendments

- **Section 7-03-040 Special Permit, C. Criteria by deleting "shall" and replacing it with "may"**
- **Section 7-03-060 Design Review, E. Appointment of the Design Review Committee by amending composition of the Design Review Commission and adding three year terms**
- **Section 7-05-020 Classification of Uses, G. Business Uses, (1) Trade by adding definition for "temporary outdoor sales of holiday trees, wreaths, or similar horticultural products"**
- **Section 7-05-030, Table of Uses Table 1, Table of Uses, Part B. Commercial and Industrial Districts by adding "temporary outdoor sales of holiday horticultural products" as an allowed use in the business and industrial districts**
- **Section 7-08-020, Special permit required; A. nonconforming use, by deleting the text shown in strikethrough and adding the text shown underlined**

• **Section 7-09-040 Signs B. Definitions; D. Basic requirements; G. Signs in Business Districts; and H. Signs in Industrial District all relating to the addition of “electronic message center” with associated text**

Ms. Joubert noted that she has provided the board with the draft language for the warrant articles, which is also posted on the town website.

Section 7-03-040 Special Permit, C. Criteria by deleting “shall” and replacing it with “may” –

Ms. Joubert read aloud the proposed language and noted that the word “may” is what is used elsewhere in the bylaw and in the Planning Board’s Rules and Regulations.

Henry Squillante, 72 Crestwood Drive, suggested that the term “may” is weaker than “shall”.

Ms. Capobianco explained that the new language changes the intent from a mandate to a permissive. Ms. Joubert noted that special permits are discretionary.

Section 7-03-060 Design Review, E. Appointment of the Design Review Committee by amending composition of the Design Review Commission and adding three year terms – Ms.

Joubert noted that the revision pertains to the section about the appointment of the committee. She discussed the revision to add the stipulation “...with a preference given to the following disciplines for three year terms”. She also noted changes to the language to state “one resident of the town with a related background”.

Ms. Gillespie recalled that the Planning Board had discussed at length about what to do with the resident appointee and came up with “one resident of town with related background” but members of the DRC have asked to add “...with related background in interior design, graphic design, lighting design, or building construction”. She emphasized the importance of doing so as it will prove valuable information moving forward. Ms. Joubert noted that members of the DRC felt that “related background” needs to be defined.

Amy Poretsky mentioned that she would like input from other board members who have attended DRC meetings in the past as she has not. Ms. Martinek appreciated the valuable feedback and noted that this board had previously discussed concerns about the language being too restrictive. She voiced her opinion that the Planning Board can determine what qualifies as related background.

Ms. Martinek discussed research she had done on licensed architects and noted that there are only eight of them in town, which she feels could be problematic. She suggested that perhaps a retired architect that might reside in town could also be a viable candidate for the DRC. Ms. Joubert noted that Ms. Martinek had previously asked about different levels of architects, and she has learned that the only other level is an interim architect (before licensure). Ms. Gillespie asked about appointing a retired architect to the DRC, as suggested by Ms. Martinek. Ms. Capobianco asked if the bylaw can stipulate retired or active architect. Mr. Ziton noted that,

with only 8 licensed architects in town, the board could be painting themselves into a corner with such a stringent requirement. Ms. Capobianco voiced her opinion that the phrase “with a preference given...” allows that board to use discretion if they find themselves unable to find 2 licensed architects. Ms. Martinek stated that she does not see the point of confining it to licensed architects. Ms. Gillespie indicated that she would be comfortable with “degreed architects”. Ms. Poretsky agreed.

Henry Squillante, 72 Crestwood Drive, stated that he does not see language in the bylaw requiring appointees to be town residents. Ms. Joubert suggested that this may be covered in the general code.

Members of the board agreed that the language should stipulate “2 degreed architects”.

Mr. Zitton agreed with the DRC’s desire to be more specific about related background, as leaving it broad-based is problematic. He voiced support for the defined background language recommended as it is ambiguous enough for the board to be able to find appointees. In response to a question from Ms. Martinek about whether the board should consider other types of experience to include, Ms. Joubert noted that the DRC had discussed this and arrived at a list that they felt represented a good selection of people suitable for the board. Ms. Gillespie discussed the importance of the background criteria stipulated in the DRC’s memo. Ms. Martinek voiced concern that residents who did not think they qualify would not seek to serve on the DRC. An audience member suggested revising the language to state “...related background *such as but not limited to*”. Ms. Martinek suggested “...related background *or similar*”. After much discussion, members of the board agreed to the following revised language

“resident of the town with a related background such as real estate development, interior design, graphic design, lighting design, or building/construction; or
(d) A balance of representation as close as possible to this mix

Section 7-05-020 Classification of Uses, G. Business Uses, (1) Trade by adding definition for “temporary outdoor sales of holiday trees, wreaths, or similar horticultural products” and Section 7-05-030, Table of Uses Table 1, Table of Uses, Part B. Commercial and Industrial Districts by adding “temporary outdoor sales of holiday horticultural products” as an allowed use in the business and industrial districts - Ms. Joubert explained that this revision came about as the result of a request from the Building Inspector to provide him with a means to check up on these temporary operations. She explained that there are two articles to be considered; one to define it and a second article to add it to the Use Table. She also noted that such use is to be allowed in all business districts and the Industrial district. Members of the board agreed to the draft language as written.

Section 7-08-020, Special permit required; A. nonconforming use, by deleting the text shown in strikethrough and adding the text shown underlined – Ms. Joubert noted that the proposed

change is designed to ensure that a new nonconforming use is to be a similar or less detrimental use. She confirmed that the revised language has been reviewed and approved by the ZBA.

Ms. Poretsky noted that the revision to the zoning bylaws have not yet been reviewed by Town Counsel. Ms. Joubert explained that the Town Administrator will send the warrant to town counsel for review after the BOS warrant close the warrant. Ms. Poretsky asked if they will do it in time to allow the board to make changes if needed. Ms. Joubert stated that the reason she suggests that the board keep the hearing open is so that any needed changes can be addressed. Mr. Ziton asked why the Planning Board cannot require that applicants seeking a change in nonconforming use to return to a conforming use. Ms. Capobianco noted that the proposal allows a change in nonconforming use to a similar or less detrimental nonconforming use, and that going back to a conforming use would not require a special permit.

Section 7-09-040 Signs B. Definitions; D. Basic requirements; G. Signs in Business Districts; and H. Signs in Industrial District all relating to the addition of “electronic message center” with associated text – Ms. Joubert explained that this article adds a new definition and inserts language around that definition, as well as a formula for how to determine the brightness of a sign and where these electronic message center (EMC) signs can be located (Highway Business and Industrial districts only).

In response to a question from Ms. Martinek about whether the board must specifically prohibit EMC signs in other districts, Ms. Joubert confirmed that it does not. Ms. Martinek asked if an applicant has the ability to seek a variance to have an EMC sign in a district other than where they are allowed. Ms. Joubert indicated that they do. Ms. Martinek asked how that can be prevented if the board only wants to allow them in the Highway Business and Industrial areas. Ms. Capobianco mentioned that the criterion for a variance is hard to overcome. Ms. Poretsky asked what type of variance an applicant could seek if not a use or dimensional variance. Ms. Poretsky wondered if including a prohibition in the bylaw might be a helpful deterrent. Ms. Joubert voiced concerns about listing what is prohibited as neglecting to mention something would result in it being allowed. She noted that courts have upheld that if something is not in the zoning bylaw, it is not allowed. Ms. Poretsky noted that the bylaw does include language that states that billboards and similar signs are specifically prohibited and asked if it is possible to add that EMC and similar signs are specifically prohibited in the Business East, Business West, and Downtown Business districts.

Ms. Joubert indicated that she can add a new basic requirement to list where these signs are not allowed. Ms. Gillespie voiced a preference to list where they are allowed. She also asked if the board can get clarification about how a variance for a sign can be obtained. Ms. Poretsky suggested that specifically prohibiting them will deter people from seeking a variance. Ms. Capobianco suggested asking Mr. Frederico which he prefers. Members of the board agreed.

Henry Squillante, 72 Crestwood Drive, asked about the Lion's Club sign in downtown. Ms. Capobianco explained that sign would be grandfathered.

Julianne Hirsch, 19 Smith Road, asked if the proposed bylaw allows electronic signs in the industrial area. Ms. Capobianco confirmed that it does. Ms. Hirsch noted that one of the industrial areas in town is near a residential area and voiced concerns about the impacts to surrounding homes. Ms. Capobianco stated that the change to the bylaw contains illumination standards to keep lighting impacts minimal and provides a formula for how to measure a sign's brightness. Ms. Capobianco explained that the bylaw also requires illumination to be turned off between the hours of midnight and 6AM. In response to a question from Mr. Ziton about whether she is referring to a specific area, Ms. Hirsch confirmed that she is concerned about the area at the Berlin end of Whitney Street and Bearfoot Road. Mr. Ziton stated that he is not overly concerned as the businesses in those areas are mostly warehouse operations where the likelihood of using this type of sign is minimal.

Michelle Gillespie made a motion to continue the hearing to April 9, 2019 at 7:15PM. Anthony Ziton seconded; motion carries by unanimous vote.

Returning to the discussion about the March ZBA meeting, Ms. Capobianco reiterated that the March 26th meeting will address a hearing for special permit site plan approval for 66 Lyman Street and, under the bylaw, the Planning Board has the ability to comment on the proposal. Ms. Joubert noted that the applicant is proposing an addition to the side of the building along the railroad tracks to help them better utilize the rail. In response to a question from Ms. Gillespie about whether the applicant will be required to come to the DRC, Ms. Joubert stated that they will not because it they are not proposing a new use. Ms. Gillespie asked for clarification about the rail. Ms. Capobianco explained that the railroad runs along the property and the applicant has the ability to bring rail cars in to offload/load them. Mr. Ziton emphasized that the proposal involves a fairly large addition.

Ms. Capobianco indicated that, if the board were to hold another meeting for the purpose of discussing this, it would need to be on March 19th. Ms. Gillespie stated that she is unable to attend a March 19th meeting. Ms. Poretsky mentioned that she is unable to comment yet as she has not had the ability to review the application. Ms. Joubert asked if the applicant is scheduled to appear before the GAC. Ms. Capobianco stated that she has not seen anything about them doing so, and Ms. Joubert suggested it may not be required since it is the same use. Mr. Ziton expressed surprise that a proposal for a 38,000 square foot addition would not be required to appear before the GAC. Ms. Joubert explained that, since the use is the same and the applicant is not seeking to increase any chemical storage onsite, it is not required.

Members of the board agreed to ask the applicant to come to next meeting to discuss the proposal.

Appeal for 222 West Main Street - Ms. Martinek noted that the board has not yet received a memo from Town Counsel regarding the appeal and asked if it is possible to ask him to come to an upcoming

meeting to discuss the matter. Ms. Joubert explained that Town Counsel has indicated that there isn't anything for him to discuss with the board at this time but he plans to do so when he has something specific, likely sometime in the spring. Ms. Joubert noted that Town Counsel did indicate a need to file a Notice of Appearance in Superior Court, which is what he will do next. Beyond that, she emphasized that the board should have no further discussion at this time.

Ms. Martinek voiced a desire to have an executive session at the board's next meeting to discuss this matter. Ms. Joubert explained that it should not be done without Town Counsel. Ms. Martinek stated that she did not think Town Counsel's participation was required. Ms. Joubert reiterated that the board should not be discussing an appeal without Town Counsel being present. Ms. Martinek requested that the board discuss whether to ask Town Counsel to attend an executive session. Ms. Joubert explained that she has already requested this. Ms. Capobianco noted that the board can agree to make that request, but the matter then goes to the Town Administrator who makes a determination about whether or not to expend town funds. Ms. Joubert indicated that she has already spoken to Town Counsel, who has agreed to meet with the board in executive session when it is the appropriate time to do so. She mentioned that, in the meantime, she has asked him to provide a memo so the board knows what to expect. Ms. Martinek stated that she merely wants a forum where she can ask questions, and she was concerned about the fact that the memo has not yet been provided. Mr. Zitton asked if the board can expect the memo before the next meeting. Ms. Joubert reiterated that Town Counsel has agreed to provide a memo and schedule an executive session sometime in the spring.

Consideration of Minutes –

Minutes of the Meeting of January 15, 2019 - Ms. Joubert noted that she had provided board members with copies of edits requested by Ms. Poretsky and Ms. Martinek. Ms. Poretsky recalled that there were people present at the meeting that are not reflected in the minutes. Ms. Joubert explained that there is no way to capture the information if people fail to sign in, but if the board can provide names of others that were present she will be happy to add them.

After much discussion about the draft minutes and proposed edits, members of the board agreed to the revisions to be included. In response to a comment from Ms. Poretsky about the inaccuracy of a statement attributed to Attorney Gould pertaining to previous hazardous waste operations on the site at 329-333 West Main Street, Ms. Capobianco noted that statements that were made, even if inaccurate, will be included in the minutes. She explained that the time to correct inaccurate statements is during the meeting at which they are said.

Michelle Gillespie made a motion to approve the Minutes of the Meeting of January 15, 2019 as amended. Kerri Martinek seconded; motion carries by unanimous vote.

Minutes of the Meeting of February 5, 2019 – Members of the board discussed proposed edits to the minutes. Ms. Gillespie recalled that there was a good discussion about the duplex waiver and the possibility of an applicant seeking a variance from the ZBA in the event a waiver is denied. She noted

that Mr. Frederico and Ms. Joubert provided valuable information to the board, including their opinion that an applicant would likely not seek a variance. She explained that this information helped the board reach their decision to keep the waiver, and she would have liked to see that degree of detail included in the minutes.

Members of the board had a lengthy, spirited discussion regarding board members' conduct pertaining to what should be cited in the minutes. Ms. Capobianco asked Ms. Joubert to ask the Town Clerk about comments being excised from minutes. Ms. Gillespie suggested that the Minutes of the Meeting of February 5, 2019 be addressed at the next meeting.

DRC – Ms. Gillespie mentioned that a member of the DRC is stepping down and that she had received an email from Tony Abu and will forward it to Ms. Joubert. Ms. Gillespie expressed a desire to discuss the matter at an upcoming meeting, especially given changes that are being proposed. In response to question from Ms. Gillespie about process, Ms. Joubert clarified that the candidate would come before the Planning Board.

Respectfully submitted,

Elaine Rowe
Board Secretary