



TOWN OF WATERTOWN
Zoning Board of Appeals
Administration Building
149 Main Street
WATERTOWN, MASSACHUSETTS 02472

Melissa M. Santucci Rozzi, Chairperson
David Ferris, Clerk
Christopher H. Heep, Member
John G. Gannon, Member
Kelly Donato, Member
Neeraj Chander, Alternate
Jason D. Cohen, Alternate

Telephone (617) 972-6427
Facsimile (617) 926-7778
www.watertown-ma.gov
Louise Civetti, Clerk to the ZBA

MINUTES

On Wednesday evening, September 28, 2016 at 7:00 p.m. in the Richard E. Mastrangelo Council Chamber on the second floor of the Administration Building, the Zoning Board of Appeals held a public hearing. In attendance: Melissa Santucci Rozzi, *Chair*; David Ferris, *Clerk*; Christopher Heep, *Member*; John G. Gannon, *Member*; Jason D. Cohen, *Alternate Member*. Also Present: Gideon Schreiber, Sr. Planner, Andrea Adams, Sr. Planner, Louise Civetti, *Clerk to the ZBA*. *Absent*: Kelly Donato, *Member*, Neeraj Chander *Alternate Member*.

Chair Santucci Rozzi opened the meeting at 7:05 p.m., introduced the board members and staff, explaining that alternate Member Cohen will be voting as a full member.

Chair Santucci Rozzi reviewed the agenda and asked staff to explain the continued case for Pleasant Street – TCA Variance. Andrea Adams, Planner stated that the petitioner's agent was to contact the owner of the property to discuss a matter. This has not been in front of the Planning Board yet. They are addressing a matter regarding the pole they want to attach the equipment to at the location of the Muse in Watertown. This approval is being put on hold until the underlying issue of the pole at Muse. The Extension Agreement is up-to-date for November.

Chair Santucci Rozzi swore in the audience and asked the members if they read the August minutes. No comments or changes were stated. Member Ferris motioned to accept the minutes for the August 24, 2016 meeting, as written. Member Heep seconded. Voted 5-0, approved.

Member Ferris read the legal notice for 32 Church Street:

*"Patrick Fortin, PNG, LLC, c/o Century 21 Commonwealth, 10 Michigan Drive, Natick, MA 01760, herein requests the Zoning Board of Appeals grant a **Special Permit with Site Plan Review** in accordance with Watertown Zoning Ordinance, §9.03-9.05, in keeping with §5.01(1)(g)(2), Four to Eight Row/Townhouses, so as to construct five (5) townhouse units located in the R.75 (Residential) Zoning District. The project will also raze the existing structure (former Masonic Building). ZBA-2016-13"*

Steve Winnick, Attorney for the petitioner, PNG, LLC. He introduced Patrick Fortin, Nick Patsios and George Patsios, Brokers with Century 21 Commonwealth. They are also developers. He introduced the development team, Chris Mulhern, Harrison Mulhern Architects; Al Geller, Geller/Simon Engineering; Jason Plourde, Traffic Engineer, Tighe & Bond. He said the statement he submitted was very detailed and they have already gone through the Historical Commission, where they were approved to raze the former Masonic Hall; a community meeting which showed widespread support; a developer's conference which detailed all of the technical issues and many preliminary meetings with Department Heads like DPW and the Planning Board and Staff, Police, Fire and Building Departments. The Masonic Hall is

located in a R.75 district which is adjacent to the Central Business district. They wish to redevelop the site to 5 townhouse units in two buildings with less than the 35' height allowed. Building A has 3 units fronting on Church Street and the smaller structure setback to the rear closer to Church Place has 2 units. He said because they have gone through so much, the team will present the case and he asked to have a last word after the presentation and before the board will vote.

Chris Mulhern, Architect showed a diagram with the existing building and the proposed buildings side-by-side. He said the entrance to the parking will be at the center of the street (Church Place). He detailed the two parking spaces for each unit as well as a private area at grade and private outdoor space above grade. DPW will provide two addresses on Church Place and three addresses on Church Street (as the front of the two units in the rear face the driveway from Church Place). They are flat roofed buildings with a front porch along Church Street. He showed depictions of several views of the property and a new landscape plan. They are adding 8 trees (Bradford pear, linden plains and red maple) at 25' tall at planting. They will maintain the existing pine. Each unit has a private outdoor space and a common outdoor space. The planning department asked for a solar study, which they provided December solstice and June solstice. There is very little impact (of shadows) on the adjacent properties however; this property is shadowed by adjacent properties.

Member Ferris asked where the 4' high lattice fence is located. Mr. Mulhern noted that it is located where the label, 'screen fence' is on the plan. It is 4' with the 2' lattice on top. He continued with the fence around the property which is a 4' high black, vinyl coated slats, chain link fence. It is 6' at the rear of the property which abuts a parking lot. There is a stone wall on one side that belongs to the neighboring property and drops down on their side; therefore, this is a safety fence.

Member Ferris asked about the double line on the plan at the rear of the property. Mr. Mulhern stated they will add a low retaining wall for grading purposes. They will flatten out the site for easier grading and provide a lower elevation for the walk out. He said the size of the private spaces are around 10'x16' and the spaces on the sides are actually in the setback. They are trying to respect the shared outdoor space rather than the private outdoor space.

Member Ferris asked about the trash enclosures. Mr. Mulhern said that each unit has an area to put their trash. He added that this is a private hauler as there are 5 units. He showed the area on the plans where the rolling totes can be located on the outside of the building.

Member Ferris asked about the healthy Cedars that offer screening on the north left side. Mr. Mulhern stated that they belong to the neighbor, are actually arborvitae and will be untouched. All of the existing "scrub" growth and fencing will be gone.

Member Ferris suggested low planting at the end of the entry drive from Church Place in front of the fence.

Member Ferris asked about the architecture on drawing A.1.0, he said there is a window that looks into the neighbor's private garden and should be taken out. Mr. Mulhern agreed. He further noted that on A.1.A, the long porch along the front will have individual owners. Therefore, he suggests adding a low rail division on the individual porches. Mr. Mulhern said they did a similar project in Winchester where they did not divide the porch but it is not a bad idea.

Member Ferris asked about the siding. Mr. Mulhern said the main body would be James Hardy 'lap' siding – there is a wide exposure and then a 4", narrow exposure on the bays base. PVC trim on the corner boards and the cornice at the top will be made of fiberglass and painted. Member Ferris noted the panel by the power rooms. Mr. Mulhern said the windows will be wood on the interior with clad on the exterior. The porch flooring will be decking and the infill panel will be Hardy flats or vertical boards – something to close it in. The gutters are kept to the sides of the buildings.

Member Cohen asked about the roof material over the front porch. Mr. Mulhern said the porch roof will be painted steel or galvanized. Member Cohen preferred painted and added there is a lot to like about

the project and complimented them on the design details. He said the project has all of the things the town wants to see - activating sidewalk, the front wall is close to it which helps with the public realm and the parking tucked behind the building is a nice touch. He asked about the bump out on the side elevation. Mr. Mulhern said it is a fireplace bay for a gas fireplace with a direct vent. Member Ferris added that he'd like to see anything but a galvanized steel square vent – something painted or more architectural.

Member Cohen said the panels on the sides of the bathroom window trim is going to be painted white; however, consider making those - Mr. Mulhern suggested the lighter gray for the larger panels.

Member Heep said the application looks great. One detail is the black chain link fence is a little incongruous to the rest of the project.

Member Gannon referenced plan A.1.0, commenting on fencing. Mr. Mulhern stated the 4' high black link fence is on top of the low retaining wall along Church Place then goes up to 6' at the rear along the abutting dumpsters and 4' along the other side. It is open from that point on Church Place to Church Street. They will pave the width of Church Place to the back of the property. They have all of their utility connections (except one) in Church Place so there will be a mess (of the street) and then they will fix it.

Member Gannon said the project is attractive and he is a neighbor. He likes the open porch concept vs. the separated porch.

Member Gannon asked about the tress being proposed. Mr. Mulhern stated that the trees will be planted at 4" caliper for the maples and 3" for the pears (around 20-25' high range at planting. To break up the front façade, there will be 4 trees at the front.

Member Gannon asked about the trash pick-up. Mr. Mulhern said the trash is required to have a private hauler – each unit has a designated spot where the barrels will be picked up and hauled off (all within the property not on the public way). Member Gannon suggested condition of trash pick-up times coinciding with the noise ordinance. Mr. Schreiber noted there is a condition regarding the trash which can be updated to include a timeframe.

Al Gala, Gala/Simon Associates, is the Civil Engineer on this project. He reviewed the existing conditions plan (Sheet C-0) including the lot size (17,000+ s.f.); and location (at the corner Church Place and Church Street); stating 11,000 s.f. is currently impervious. They will infiltrate runoff and keep it on site. They started with soil testing in May 2016 at three locations on the site (highlighted in red) and confirmed that the soil was adequate for infiltration. The plan also depicts the tree protection in the front and the silt sack to prevent any silt from going into the drainage system of the town. Erosion control is also highlighted (in yellow) on this drawing. He explained that an erosion control barrier prevents machinery from crossing into the neighboring property and maintains all of the silt on their site. He then showed plan C-1 with the two proposed buildings. Highlighted in green is the impervious area where there is 2,000 s.f. less of impervious land than the existing site. A network of catch basins at each driveway is highlighted in blue and they are connected to storm water filters. There is a storm water leaching field between the two buildings. All of the impervious surfaces will be infiltrated onsite except the walkways in the front. He added that these systems are also designed for the 100 year storm. He then explained the grading of the lot and the reason for the retaining wall at the rear of the property to create a flat area for the rear building. There is a high point (near the center) to create a path for the water to go on both sides. There are grass swales on the sides. The water service between the buildings will be cut and capped now and proposing a new water line from Church Street running parallel alongside the property (and Church Place) for 150' in length with a hydrant at the end. The 6" (water) main will have a 4" fire line and a 2" domestic water line. He added that Church Place has an existing sewer line and they will have each unit connected to it with a one manhole for the two rear units and one manhole for the front three units – based on discussion with DPW.

Member Gannon asked if Church Place was a public street or a private way. Mr. Gala said it is a private way. He then noted sheet C-3 has the construction details.

Chair Santucci Rozzi asked if the fire line is because they want to have sprinklers. Mr. Gala explained that they are required to have sprinklers. Chair Santucci Rozzi said it is not a requirement under the Building Code. Mr. Mulhern stated that the site is considered one although the units are in two buildings. Therefore, with 5 units, it is required to have sprinklers.

Chair Santucci Rozzi asked if an area drain is a mini catch basin. Mr. Gala explained that it is an area drain is like a 12x12 plastic box or a circular box 8" in diameter, shallow, used in patio areas. They have a couple of these at the rear of the site, labeled on the plan as 'MDS Sump boxes'. A mini catch basin is a roadway catch basin but smaller (3' in diameter with a 2' sump). Chair Santucci Rozzi asked for that to be added to the detail page. She asked about the infiltration – a leeching pit or chamber? Mr. Gala described the concrete pre-cast leeching pits – dry-well type with perforations around it. Chair asked about the stormceptor. Mr. Gala said this is a unit of itself – a proprietary system which looks like a catch basin but provides filtration of oils and sediment. He added that the mini catch basins will be connected to this unit and then discharged to the system. It is not used as a catch basin. He agreed that it is called a "450i" but it is a solid cover (on the manhole).

Member Ferris asked how tall the retaining wall is at the rear of the property. Mr. Gala stated the highest point is 4' in the upper corner and coming down to 1'. Member Ferris stated that the 6' high fence will be on top of that creating a 10' high wall at the rear.

Jason Plourde, Traffic Engineer, Tighe and Bond, said he was surprised to be involved in this project as five townhouse units do not generate a lot of traffic. He explained that the Institute of Traffic Engineers (ITE) and Mass. DOT both have similar standards where a project that will generate 100 vehicle trips or more, should have a traffic study completed. He said this project will generate 30 trips daily. They did a comparison to the existing Masonic use where this project generates less trips on each level. The church using the building also was measured as being less vehicle trips.

Chair Santucci Rozzi thought he would be presenting the site lines as Church Place is narrow. She asked if they looked at a vehicles pulling in and out and how will the landscaping or fencing will impact their site line. Mr. Plourde said he did not run any truck-turning templates to see if they were swinging in okay without driving over the curbs and added that he was sure the site was designed with that in mind. He then added that the site is developed to be safe and if they are not generating a lot of traffic, the next thing to look at is the site lines. They will make certain that the vegetation will not be higher than 3'. He said that a vehicle's site line is 3.5' off of the ground. They also used a guideline of a tree canopy not being lower than 8'. He said the site lines are 10' into the site to see the oncoming Church Place traffic. The paved width of Church Place is 20' Mr. Mulhern added that the fence stops 10' from the driveway.

Attorney Winnick said the Staff and Planning Board Report show conditional approval as this meets all of the requirements of zoning. He said one condition is that they will be paving from the edge of the Church Street and Church Place intersection to the back of Church Place where their property line ends. He said the Site Plan Review criteria is also met. He added that Member Cohen mentioned that the project meets the standards of the Comprehensive Plan and the new Design Review Guidelines. They have adopted the town's requirements. They request approval of the Special Permit with Site Plan Review.

Member Cohen asked about the 18 month construction period mentioned – it seems long. Mr. Mulhern said they are considering the winter months and will wait until March (2017) to start. They anticipate 10-11 months.

Member Ferris stated that the site plan fence is different than the perimeter fence and he wants to be certain they resolve that.

Chair Santucci Rozzi stated that she does not like the black vinyl chain link fence. Mr. Mulhern said they will change the fencing (he pointed to a drawing showing the rear side along Church Place) to match the fencing on the garden area at the unit level, stating that it would be a 4' high wood fence. He said there is a parking lot against the rear lot line with 8' dumpsters parked up to the property line. They did not want to put a wood fence there; however, Chair Santucci Rozzi commented that the people that will live there

will be looking at it. Mr. Mulhern said they are willing to make a change to a wood fence. It will be 6' high at the rear and a drop-off condition along the left side.

Chair Santucci Rozzi said there is a discrepancy in the Gala plan showing fencing along the front except at the walkways. Mr. Mulhern said that is the erosion control (temporary).

Mr. Mulhern said there will be 4' fencing (stopping at 10' before their driveway (coming down from Church Place) and 6' along the rear and then 4' along the left side. Chair Santucci Rozzi asked again about the fence being on top of the wall at Church Place. Mr. Mulhern said the fence is on grade at the property line and the retaining wall is inside the fence. Mr. Schreiber stated that the fence on top of the retaining wall cannot be higher than 6' tall in a residential zoning district. Mr. Mulhern said the fence is 6' high and sitting on existing grade. The retaining wall is inside of that and is lower. The grade on this property is lower. From the outside, you see fence. From inside you'll see retaining wall and then fence. Chair Santucci Rozzi said all of the fencing should match. Mr. Mulhern said he is happy with a condition stating that all of the materials should match – a wood board fence. A seamless board 4' fence with lattice on top around the garden areas (and solid 6' between the units). The rear will be 6' high solid fence and the sides will be 4' high solid fence). Member Ferris asked about the 4' fence at the sides – if they really wanted a solid fence and not something you could see through. Mr. Mulhern said the visual is the rear of two-family homes – it is not that nice. They planned to save some cost by using the slatted chain link but understand the board's perspective.

Member Ferris asked if the fencing is white. Mr. Mulhern said it will be a white stain for a wood look – the rendering is not consistent with this. Chair Santucci Rozzi asked about screening in the garden area in the rear units – did they consider landscaping instead of fencing. She feels the fencing is excessive – fencing around their private area and then fencing around the property. She commented that it feels closed in. Mr. Mulhern said they are trying to provide a private area and if the board wants them to take the back fencing out, they will. He said the plans say screen fence at the rear of the property but it is the 6' high solid fence and the 4' high with 2' lattice fence is at the rear garden area. He added that the labeling on the plan is not correct. He then showed the front left side garden fence is 4' high; the center is 6' and the right front is 6' high and the rear right is 4' high.

Member Ferris stated that units 2 and 3 could use the privacy but would units 1, 4, and 5 be effected detrimentally by not having a private fencing around their outdoor area. Nick Patsios said the private space is more requested than it is not – from a marketing perspective.

Chair Santucci Rozzi asked if the A/C units in the front are screened. Mr. Mulhern showed two on the rear left of the front building and one on the rear right side – all landscaped screened.

Chair Santucci Rozzi asked about the white trim and stated it needs something more. She requested dimensions. Mr. Mulhern said the cornice that sticks out is about 18" high and the freeze in the plane of the wall, is about 12". He said it would equal 2.5' of decorative trim on a 30' wall. He added that it projects out about 10-12" from the wall. He scaled the drawing to show the cornice at 24" and the freeze at 16" and the projection is 18".

Member Cohen talked about the cornice and freeze being sufficient for him and well proportioned. Mr. Schreiber said this was a project that was smaller in scale and the did not have a design review team but he did call them. He added that the design has changed multiple times and this iteration with the bays going all the way up, provides for a classic three-family look and emulates the history of the area. He said they encouraged them to bring the bays up and integrate them into the roof, consistent with the rest of the town. If it is shorter, it felt like it would recede. Member Cohen added that this is totally subjective – a matter of style rather than a wrong or right way. He agreed that it would have a more modern appearance if it had a different height but he would like to see that variation a bit more. Mr. Mulhern explained different approaches they have had to this building and he is comfortable with the cornice line being consistent around the top of the building – bays and all and it will solve the problem of having enough oomph...Chair Santucci Rozzi said it has to stand out. The dimensions he scaled make more sense to her. Member Ferris said he likes the bays undulating to help form interest on the elevation. He

is concerned with the lightness of the cornice. He said there is a good amount of siding between the window-head and the cornice on the elevation (not on the rendering). He would encourage the cornice to be a bit taller. Mr. Mulhern confirmed that there will not be rooftop equipment (only vent piping and spinners for bath exhaust fans) and a flat roof (no parapet) – a minor parapet only for the construction and the insulation. He also confirmed that the exhaust fans will be far in from the edge (of the roof). The trim goes around all 4 sides.

Member Cohen stated that the 8'6" height on the top floor is the ceiling height and asked what the additional 4' to the top of the cornice is for. Mr. Mulhern said there is 20" plus the roof insulation and the parapet is above that. He said the fiberglass bit will be half up and half down (about 1'). There is also duct work inside of that 4' area.

Chair Santucci Rozzi said if the privacy fencing is for marketability, she is fine with that. She reiterated that the drawings will be labeled correctly (for the fencing) with the lattice and screening, etc. She stated that the air conditioning units will be screened with plantings.

Chair Santucci Rozzi asked Mr. Plourde if he had any concerns with the backing out within the property (specifically the left unit in the front). Mr. Plourde said there is a turn-around area for the vehicle to back into and no one else is coming into that area except the left side rear resident. It is like any other parking situation. The only conflict would be if both units backed out at the same time (they have back-up cameras in vehicles...).

Chair Santucci Rozzi asked where the snow will be stored. Mr. Mulhern showed on the drawing the same area as the turn-around space but will be pushed off to the sides. Chair Santucci Rozzi requested they delineate the snow storage on the plan.

Member Ferris mentioned he requested to add a few shrubs at the end of the drive but he is concerned with the right, rear corner of the property and suggested a few evergreens to soften the 10' high wall.

Chair Santucci Rozzi suggested to eliminate the shrubs at the end of the drive as the snow will be pushed there, as well.

Mr. Mulhern asked if the board wants a revised site plan as part of the final documents or a condition. He said there are four items: fence change for the perimeter; snow storage on the plan; evergreens in the northeast corner; clarify the type of fencing for the private gardens on grade.

Chair Santucci Rozzi said she has other items to add. She wants to know how the porch and the fence will be screened; the fireplace flue, etc. She asked Member Ferris about the venting. He stated that they have come a long way with the venting and have created a smaller square that is less obtrusive. He doesn't think they can be painted. Some are better looking than others. Member Cohen doesn't want to see the galvanized steel venting on this property as the side elevation is visible from the street.

Chair Santucci Rozzi said the under the porches, it appears to be boards (panels). A response from Mr. Mulhern was not recorded.

Dennis J. Duff, 33 Spruce Street, requested the flat roof have a rooftop garden. Chair Santucci Rozzi asked if there is access to the roof; noting that a similar project in Watertown Square had a different setup – the mansard on Winter Street each unit has their own area with a common stair. Mr. Mulhern said there is no common access to the roof as these are townhouses stacked four over four. This would then be a different project, requiring accessibility (an elevator), etc.

Gabriel Nir owns 74-76 Summer Street where the driveway is in the rear (off of Church Place). He is concerned with the access on Church Place as it is narrow and you cannot have two cars going in the opposite direction at the same time. There is only room for one-way. The back building has 30

apartments...he said he just learned that he owns half of Church Place. He foresees a problem with the traffic coming in and out of the new project.

Chair Santucci Rozzi asked if the project could pave the entire width of Church Place – 23' vs. 20'. Mr. Mulhern said there is an encroachment from the Summer Street driveways that creates islands on the right-of-way by 2-3'. He added that the entire Church Place is paved except these islands. The narrow points are tricky. He added that Church Place on one side is the driveway entrances for the Summer Street homes and parked cars and access to the parking lot to the North West with a lot of cars parked there. There is a fair amount of ad hoc parking on the margins of Church Place due to the overgrown vegetation and collapsing fence on their side. He said parking cars on the street reduces the access to one direction. He said that will not be the case (he thinks) when this project is completed - it will look different and operate differently. He stated that the property is much more closed in now than when the project is completed. They will pave around the encroachments not over them. They will be digging up Church Place.

Chair Santucci Rozzi said to get rid of the islands. Mr. Mulhern said they do not want to take away any one's improvements but due to the excavation, it may not break anyone's heart. Chair Santucci Rozzi said the private way is to pass and repass – there should not be any protrusions in that area that impedes anyone's rights. Mr. Mulhern said they want to be the best neighbor they can be. They wanted the Church Place to be repaved.

Chair Santucci Rozzi encouraged them to pave to the extent they can – the 23' should be taken full advantage of.

Chair Santucci Rozzi closed the public hearing and declared the board is now in their business mode.

Member Ferris is in support of the project and liked the presentation. He mentioned that they talked about the exterior siding material and he did not know if the following items were meant to be conditions: the fireplace venting – there is a concern but are we regulating that. Chair Santucci Rozzi stated that if the board feels strongly about it the Staff could draw up language that supports this. Mr. Schreiber suggested that they not be requesting to go into building codes as the direct vent are required to be stainless steel but could be smaller.

Member Ferris continued and stated they spoke about trash pick-up times. Member Gannon said this should be a condition coinciding with the town's noise ordinance – the time could be 10 p.m. instead and no earlier than 7 a.m.. Chair Santucci Rozzi said this is a residential area and the trash should not be picked up at night. Mr. Schreiber said they pick up trash in the residential areas earlier than 7 a.m. although they are not supposed to. Member Gannon suggested 7 a.m. – 5 p.m. – the board agreed.

Member Ferris said there is a series of exterior elements discussion (panels not being white) but he doesn't know if they responded that they would treat them differently.

Member Ferris said they talked about snow storage (as a condition); a drawing to staff for the fencing and what type is where.

Chair Santucci Rozzi stated that all of the items will need to be on the drawings before the decision is issued.

Member Ferris continued – Church Place is to be paved 23' wide. He added that they discussed the cornice and the freeze but does not know if this is a condition or just a discussion and then evergreen planting in the North East corner of the site.

Chair Santucci Rozzi said the fencing, snow storage and adding of trees should be addressed on the site plans. The conditions should be updated with the restriction of the trash collection, venting for the fireplace and the paving of Church Place.

Chair Santucci Rozzi said she would like the traffic engineer to see how far the fencing is coming out along church place given the width of the layout and the abutter's concerns – the cars turning out of this location that people are not used to. She wants to be certain there are adequate site lines coming out of there. Mr. Schreiber suggested that there is a clear view triangle of 25' used in the town as a policy. If less than 25', the site line is 36" high. Then the fencing can then taper up. Chair Santucci Rozzi said the traffic engineer can calculate the site line for the fencing. She doesn't want to have them push it back if they don't have to (the fencing).

Chair Santucci Rozzi reviewed the Staff report and the Planning Board Report both recommending conditional approval. She went through the report stating there is a lot of information on the site plan criteria and there are the boiler plate conditions. She continued reading through the conditions stating the control documents will change; the demo conditions are to control that process; the traffic control plan is for Church Place and obstructions to that.

Ms. Adams said the traffic plan was to address concerns at the planning board that the construction would be 18 months or less and to assure a plan for the project proponents to be able to build the project and the residents to be able to get in and out of Church Place.

Chair Santucci Rozzi asked if they need Church Place to build this project and did not believe they would. She stated that they would be using Church Place for utilities – patch it and then final coat it when done. She added that they will also use details (police) when necessary. She continued stating that there are conditions for storm water, utility, landscaping –(evergreens in the rear will be a separate condition); time restrictions on trash and 23' paving on Church Street. She added that there isn't a plan for lighting – the condition reads, 'fully shielded and cut off'. Mr. Mulhern said there is down lighting on the porch and at the garage entrances. There is no other lighting.

Member Gannon asked if cell tower equipment is allowed on top of roofs. Mr. Schreiber said they are allowed anywhere. They are on residential buildings now (Waverley Road).

Member Ferris noted that they would also require a set of drawings will all of the revisions.

Chair Santucci reviewed the evening and asked for a motion.

Member Ferris motioned to approve the application for 32 Church Street for Special Permit with Site Plan Review with conditions and the conditions discussed this evening. Member Gannon seconded. Members Ferris, Gannon, Santucci Rozzi, Heep and Cohen voted in the affirmative (5-0).

Member Heep motioned to adjourn. Member Gannon seconded. All in favor (5-0). The ZBA meeting ended at 9:06 p.m.