



Chelmsford Planning Board

Town of Chelmsford
50 Billerica Road
Chelmsford, MA 01824

Town Clerk Stamp



MEETING MINUTES **May 25, 2022**

TIME: 7:00 p.m.

LOCATION: McCarthy Middle School

ROOM: Auditorium

Members Present: Michael Raisbeck, Chair
Deirdre Connolly, Vice Chair (via Zoom)
Nancy Araway, Clerk (via Zoom)
Michael Walsh
Annita Tanini
Tim Shanahan (via Zoom)
Paul McDougall

Others Present: Evan Belansky, Community Development Director

Chairman Raisbeck called the meeting to order at 7:00 p.m.

PUBLIC INPUT

No one from the audience, nor Zoom, spoke.

ADMINISTRATIVE REVIEW

- 1) Off Billerica Road – Map 98, Block 271, Lot 1 – CEIOD applicability
*** REQUEST TO CONTINUE TO JUNE 8TH ***

Motion: by Mr. Walsh to continue the Public Hearing to June 8th. Seconded by Ms. Tanini.
Motion carries, unanimously, 7-0.

NEW PUBLIC HEARING(S)

- 1) 47 Chelmsford Street – Bhavensh Khurana Company – request for a Special Permit per the Village Center Overlay District (VCOD)

Kasey Ferreira, from Howard Stein Hudson, representing the Applicant/property owner Mr. Khurana. Submitting a site plan for review and approval for a special permit within the VCOD. The special permit would allow reduced parking by 50% within the VCOD, not having a 5-foot landscaping buffer strip between the road and the parking lot area, and a non-conforming parking space. The existing two-story

commercial building historically had a floral shop and other small businesses. They are not proposing any changes to the building itself, other than the use; the first floor will remain commercial retail and changing the second floor into 3-bedroom apartment. They are also proposing to redesign the parking lot for 9 conforming parking spaces and 1 non-conforming space (16-feet long instead of 19-feet, which is typical of a compact parking space). Currently the entire site is paved. Any area of the site that is not required for parking conformance will have the pavement removed for landscaping purposes. The project will also include the installation of a bike rack. There will be no changes to utilities (sewer, water, electric, and gas)

The reason they need special permit with no landscape buffer strip is due to the fact that the access to parking area is all along the curb-cut along Wilson Street. Due to the building's proximity to the street right-of-way, there is not way to create the required buffer strip.

The Applicant agrees to Fire Prevention Office's comment letter to add in a water line for fire protection.

Board Discussion:

Ms. Tanini commented that she thinks this is a great proposal for this building. She likes the fact that the second floor is proposed as a 3-bedroom dwelling for the owner's family versus potentially turning it into two rental units. Chair Raisbeck and Ms. Connolly agreed. Mr. McDougall and Mr. Walsh had no comment or questions.

Ms. Araway asked how the new landscaped areas will be surrounded/protected so that people do not drive over them. Mr. Ferreira explained pavement will be saw cut and filled with mulch. The mulch will act as the buffer to the plants. Ms. Araway expressed concern that the area is limited in space therefore the project should include some kind of rise to the landscaped areas to prevent the cars from driving onto them. Suggested included 6-inch asphalt berm or raised landscaping beds. She also asked if the proposed American elm trees were the elm disease resistant cultivar, which is preferred. Mr. Ferreira did not know but is willing to coordinate with Ms. Araway before the mylar plan is finalized.

Overall, Ms. Araway likes the proposal. She is happy to see this distressed vacant building will be getting reused and that it will be landscaped and maintained.

Mr. Shanahan is also happy to see this property revised. His question was whether there is also car access from Chelmsford Street in addition to Wilson Street. Mr. Ferreira confirmed. Mr. Shanahan and Ms. Araway both expressed concern with car backing up from parking spaces onto oncoming traffic. Ms. Araway was also concerned what would happen if the Town were to place sidewalks along this side of Chelmsford Street. Mr. Ferreira stated the Town/DPW would need to coordinate with the owner. Mr. Belansky stated that there is a sidewalk currently on the opposite side of the road, so he does not believe that will become an issue.

Chair Raisbeck reviewed the letters submitted through departmental review. Board of Health and Center Water Department had no concerns. The Fire Prevention Office letter was read into the record.

Public Comment:

Badhri Uppiliappan, 5 Jerridge Lane, Precinct 11 Representative and member of Clean Energy and Sustainability Committee suggested to the Applicant to consider an electric vehicle charging station and solar panels on the roof to make the building greener. Mr. Ferreira commented that because the purpose

of the new business is a convenience store which is quick use, he does not know that an electric vehicle charging station would be appropriate to have on sight since that would take up long-term use of one of the parking spaces onsite. Applicant Mr. Khurana “Bob,” greeted the Board and stated that he is willing to do whatever the Board requires of him. This is a long-term property for him; for business and living space. He has no intention of selling it. Chair Raisbeck commented that he thinks this property is too small to put any special conditions of this sort on it, Mr. Walsh agreed.

Mr. Walsh suggested that the Board have a working session regarding sustainability criteria implementations for future projects. This is one of the smallest properties/projects the Board has reviewed in a while, and he does not believe it’s appropriate to require an electric vehicle charging station on such a small property with only 8 parking spaces. Mr. Uppiliappan clarified that he was making suggestions to the owner/applicant and was not asking the Board to make his suggestions requirements to this proposal. He is full support of this project and appreciative that Mr. Khurana is open to the suggestions now and/or in the future.

Motion: by Ms. Tanini to continue the Public Hearing for 47 Chelmsford Street.
Seconded by Ms. Walsh. **Motion carries, unanimously, 7-0.**

Motion: by Mr. Walsh to APPROVE VCOD Special Permit for 47 Chelmsford Street as presented and discussed. Seconded by Ms. Tanini. **Motion carries, unanimously, 7-0.**

CONTINUED PUBLIC HEARING(S)

1) The Davis Companies on behalf of DIV Riverneck, LLC, for properties located at 191, 195, 199-201 Riverneck Road for the demolition of the existing structures and construction of a 247,860 +/- square feet industrial warehouse building with integrated surface parking, loading facilities and on-site infrastructure improvements.

The site is in the IA and RB zoning districts and is shown as parcel Id Map 64, Block 275, Lots 4, 5, 7 and 16 and consisting of approximately 21.03 acres. The applicant requests approval under Article XXIV, Route 129 Business Amenities Overlay District (BAOD) and Article XXI, Community Enhancement and Investment Overlay District (CEIOD) sub-sections 195-111 D, 195-115, 195-116, and associated Special Permits per Article XIV Aquifer Protection District, sub-section 195-74, Article XV Floodplain District, sub-section 195-82, Article XI Major Business Complexes, and any other permit relief, including but not limited to Articles V and IX, as may be required under the Chelmsford Zoning Bylaw to allow the proposed use/project.

Attorney Robert Buckley represented this project proposal. His goal tonight is three-fold: 1) summary where they are with the proposed project, 2) present/discuss site plan which was not fully presented to the Board, and 3) to acknowledge and thank the Board for the hearing continuances approved thus far. These were needed for the following reasons: the Town lost its previous Town Engineer, the project went out for peer review, and they needed time to review and respond to the peer review. There remain some outstanding issues, as they have received more comments yesterday. This time was to focus on Board comments, concerned citizens, and do some outreach to potential users of the site to discuss the concerns. Atty. Buckley is not at liberty to discuss who the potential users are.

As a sign of his genuineness, the owner is willing to put a covenant on the property to prohibit the principal use of a so-called “last mile distribution center.” Even though that is not what was proposed.

The presentation slides were discussed to recap the project. In conclusion: “We are in agreement with conditions, which include contributions to the Town and infrastructure improvements.”

Kevin McCushin, with Tighe & Bond Engineering, discussed the site design and improvements since the initial filing. These include reduced loading docks from 52 to 42, upsized stormwater infiltration to include building roof and parking areas, increased landscape buffer to reduce sightlines from neighbors, new sidewalk along Riverneck Road and driveway, electric vehicle (EV) charging stations, and bike racks.

Atty. Buckley stated that the reduced 42 loading docks are proposed for marketplace value in attracting prospective building tenants. However, he believes the final number of docks will be adjusted based on the final tenant, which will likely need less loading docks. The owner would like to maintain flexibility.

Phil Paradis, peer reviewer from Beta Group, Inc., submitted a new memo dated May 24, 2022 after reviewing the project for the second time. He believes the applicant is doing a good job addressing all of the peer review comments/concerns. There are four remaining issues as outlined in the memo, along with suggested special conditions that are recommended for this special permit.

Atty. Buckley stated that he believes they will be able to adequately address all of the peer review concerns.

Board Discussion:

Mr. Belansky provided a summary to the Board: The applicant is volunteering to place a covenant on the property prohibiting “last mile distribution center.” This is something the Board may want to explore. The technical traffic issues are well documented through the Traffic Report which was completed to address resident concerns. From a technical perspective it appears all of the engineering concerns have been addressed and resolved through peer review and the applicant’s revised plans. Usually, the Board has questions about the site plan details (retaining walls, landscaping, etc.), and may want to continue the hearing.

Chair Raisbeck does not want to spend a lot of time on the traffic topic this evening. However, he does want to continue this hearing in order to allow more time to address traffic concerns for the public.

Mr. Walsh asked about the proposed hours of operation and how that will contribute to traffic concerns. Atty. Buckley stated that he not he has not had that discussion with potential tenants yet. It is tied into traffic and will be dependent on the tenant. However, that is something they realize is of concern and they are willing to work with the Board on this.

Ms. Tanini is curious about the owner’s definition of “last mile distribution center” and would like the applicant to provide their definition to the Board. Other Board members commented that Town Counsel needs to give input on that request. In addition to the overall traffic concerns, the other big concern she has heard from residents is the main truck access being located directly across from a large school bus stop location. She has not seen that concern addressed at all. In addition, she believes the hours of operation should also be added to the property covenant, and the Board should not approve this project without that. Ms. Tanini also asked the applicant how long does The Davis Companies typically own a

property before selling it. Atty. Buckley that is dependent on several factors, business performance being one of them.

Mike Cantalupa, lead of development operations with The Davis Companies, stated that they are a fund company. Therefore, they capitalize with funds raised from investors. It is a closed end fund with a lifecycle of 5-7 years. At this scale of a development, this property would likely be sold to a high-quality institutional investor that would potentially keep The Davis Companies on board to maintain the property as their property managers. If not, the new owners would acquire another high-quality property manager. Ms. Tanini expressed concern that their company charter is to make profit for their investors through purchasing and selling properties; their intention is not to stay in Town as a long-term landowner/landlord.

Mr. MacDougall did not have any questions or comments.

Ms. Connolly expressed concern with the number of truck loading bays. She understands the company prefers to maintain landlord flexibility for potential tenants but still does not understand the need for 42 loading docks for anything other than constant truck loading purposes. Ms. Connolly asked the peer reviewer if he thought there were a lot of contentious unresolved issues. Mr. Paradis said that for a project of this scale, he thinks the engineer has done a good job and it's not unusual in any way. The one main lingering concern is the stormwater management.

Ms. Connolly also expressed concern regarding the uncertainty of the property use with regard to the sewer moratorium and water usage. She is not comfortable with approving a project without knowing the project use and how it may impact water and sewer usage.

Ms. Araway questioned whether or not Board should require the applicant to include other types of truck distribution uses in the covenant in addition to "last mile" usage. Perhaps the Board wants to broaden the covenant of prohibited uses. Chair Raisbeck concurred that if the Board wants to exclude a heavy truck loading usage for the property, the covenant should be broadened to include trucking transfer facilities and not just "last mile" distribution centers. Ms. Araway also expressed concern that the proposed large building could invite transfer station facilities to the area which have just as heavy truck traffic. Atty. Buckley stated that he will take that into consideration when drafting the covenant. Their intention stating "last mile distribution centers" was to avoid the heaviest truck usage to the building which is delivers truck loads to the site by night and distribution trucks during the day hours.

Chair Raisbeck summarized the main concern is the traffic impact on the neighborhood. When looking at the proposed 42 loading docks leads to imagining a lot of daily traffic. Reducing the number of bays is one way to manage the excessive traffic potential, as well as reducing the hours of operations. Perhaps changing the property use is the most important one to change. Without having all of these factors well-defined in the permits or the covenant results in the Board being at a loss in fully understanding what the proposal is and just how bad the traffic may end up being. The Board wants to approve a project that is not going to drastically increase the truck traffic.

Mr. Cantalupa clarified the site proposal is for the location of loading docks/doors. It is to create a spread of where the doors may be located to potential tenants versus offering that many doors. The intention is to allow future tenants the ability to locate the significantly reduced total number of doors within the back side of the building to allow access based on the needs of the tenant's internal circulation needs. He

suggested that perhaps the Board may establish a ratio of doors to square footage of the building, instead of having a final building plan that locks in the location of the loading docks.

Chair Raisbeck stated that they need to involve Town Counsel to review the final document drafts before anything is finalized.

Mr. Shanahan does not have any specific questions at this time. He also has concerns with the proposed number of loading docks and traffic impact. He looks forward to reviewing future document submittals and plan revisions.

Ms. Tanini suggested a noise study be conducted. She pointed out that a lot of noise is produced at the UPS site in Town and thinks that this should be taken into account due to the proximity this site has to the residential neighborhood. She is concerned that the applicant has returned with only a small revision to the number proposed loading docks but have yet to address the traffic impacts to the neighborhood, the school bus stop and the truck lane.

Public Comments:

Seung Kim, 36 Monmouth Street – Concerned that it’s already difficult to walk or bike along Riverneck Road which is very narrow. Concerned for pedestrian and pet safety with potential truck traffic. Suggested that there be a permit mandate requiring the new business install a sidewalk along Riverneck Road. Chair Raisbeck explained that this may be difficult due to the narrow width of the road. Ms. Araway asked if contributions to the Town’s sidewalk fund could be discussed. The Chair commented that this would be discussed later on in the process.

Joel Luna, 10 Carter Drive – Distributed his own hardcopy slides and letter to the Board. Mr. Luna is a former member of the Zoning Board of Appeals (ZBA). He was asked to look into the bus stop concern. He proposes that the Board has the authority to deny this project as proposed based on adverse effects to the neighborhood, as written in the Zoning Bylaw. When looking into traffic impacts, there are different things to consider. There is truck traffic but there is also total traffic. In the case of a sorting warehouse. There will be less overall truck traffic than a distribution center, but the total traffic for the employees will be greater. Mr. Joel has two main areas of concern. The first is Riverneck Road. The homes along that roadway are close to the road, so they will definitely perceive that truck traffic. The second is Golden Cove Road, which already has worse levels of service as it is right now. Safety is always a concern. If the proposed warehouse produces four times the level of current traffic, cars will be driving through the neighborhood streets as short-cuts as they already do. Overall, there isn’t a well-defined way of relating the site plan characteristics to the actual use which creates a great deal of uncertainty. If approved, there is no way to control/execute a number of factors as they are not well-defined. Mr. Luna asked each Board member to ask themselves before approving with conditions, can you be sure that the benefits will outweigh the adverse effects. Not only by what it is, but also where it is located. Perhaps this project is better located elsewhere in Town.

Ms. Tanini asked that Mr. Joel’s letter and hardcopy slideshow presentation be added to the record and attached to the meeting minutes.

Judy Clark, 21 Carter Drive – Read the mission of the Planning Board into the record: “The Planning Board strives to guide land use management that preserves the character and integrity of the town”. She does not believe that this project preserves the character and integrity of the Town, as stated in the mission

statement. The area residents have made it well-known that this is not what they want their neighborhood. The applicant is not requesting a few minor variances for this project, rather many. It doesn't make sense if the Town accepts projects that are not in compliance with so many zoning laws that were created to maintain the character of the community. The cost-benefit standpoint to the community does not benefit the town: potential low-paying warehouse jobs, or jobs replaced by robotics – all assumptions because we don't know the actual building use as proposed; major wear-and-tear of our roads; safety issues regarding narrow, winding roads, and the school bus stop; risk of toxic spills may increase, etc. To summarize, there is just far too much uncertainty and risk to changing the neighborhood characteristics.

Chris Lavalley, Precinct 10 Town Meeting Representative – His concern was already mentioned by someone else: based on the current proposal, there would be 150 truck trips per day. In addition, he would also like to point out that there is a massive tractor trailer parking lot proposed for this project. It could easily double the number of tractor trailers onsite to the number of loading docks. Based on the dimensions, there could be 40-50 trailers in the parking area. Mr. Lavalley feels that there are two remaining traffic concerns that have not been addressed by the Applicant nor the Board. The first is the other side of Riverneck Road having been excluded from traffic study. The second is fulfillment center traffic code. Based on their proposal of 150 truck trips per day, which is a significant impact to the current traffic to the area. Since the actual usage is unknown, is there any plan to limit hazardous materials coming in and out of the site? Will a hazardous materials emergency spill plan be required given the proximity to the residential and wetlands areas? Will the loading dock area be a “no idling zone” to reduce the amount of noise and pollution? The proposed loading dock area drains into a raingarden. What if there is a truck or material spill, how is that addressed because it will drain into the raingarden? The proposed construction entrance is very close to Clark Street residences. Lastly, if the company occupying the building subcontracts the truck drivers, will there be any language in the permit to hold those independent contractors accountable? There was just a television episode aired recently, “Last Week Tonight” by John Oliver, which highlights this exact concern that companies are strategically hiring independent contractor drivers to avoid general liability and covenant limitations.

Katie Melville, 6 Monmouth Street, and Precinct 10 Town Meeting Representative – Asked how are the hours of operation limited, on the deed or the special permit? Chair Raisbeck stated it is spelled out in the approved decisions, special permit and/or variances.

Mr. Belansky pointed out that there are no requests for variances in this proposal. The proposal is an allowable use within the zoning district. The requested special permit is for a major business complex. It is important that the Board make that distinction, because there has been a lot of testimony tonight using the term variance. It is critical that the public understands the difference. Particularly because we are multiple meetings into this process. Mr. Belansky requested that the Board correct the record when the term is misused, otherwise he is placed in an awkward predicament to do so himself. If the Board needs assistance or feels the community needs assistance to understand, Mr. Belansky urges the Board to bring Town Counsel into this public hearing process as soon as possible. Particularly if it is discussing conditions and there are notions that conditions cannot be enforced, or cannot trust enforcement authorities, and if the Board is contemplating a denial decision. The Board is months into review of this project and needs to clarify what is authorized, what is not, who enforces the covenant and special conditions, etc. Regardless of how the Board proceeds, the decision needs to be defensible.

Mr. Belansky further stated that the Applicant came before the Board with an update and plans to come back with more information. It is difficult to have a detailed conversation when the public and the Board do not have all of the information needed. The logical thing to do is continue this hearing in order to for the applicant to submit more information, then a detailed conversation can take place.

Chair Raisbeck agreed but also wanted to allow the proponent to hear some of the public's concerns are in order to properly address the issues when returning with further information.

Ms. Melville reminded the Board that the last time the applicant was here they stated they wanted to make this project "as palatable as we can." She believes they know it is an ugly project, they know that neighborhood doesn't want it, it does not benefit the Town, and there are over 1000 town resident signatures opposing it. It is not that the residents are resistant to change, as also stated at a previous meeting. That is just not true. In fact, they are in favor of R&D or elderly housing. However, this is not the use (warehouse distribution) residents want for this part of the Town.

Armand (*last name was not audible*), 5 (*address was not audible*) Terrace – Created "Stop Riverneck Road" YouTube channel for the community. Has cameras showing the cars and trucks driving at various corners of the roadway. They often hit the curbs. He sent videos to the Board but has only heard back from two members. Ms. Tanini did watch the videos and recommends the Board, the community, and the developers take a look at them, particularly the one with of a school bus and a tractor trailer.

Eric Finney, 8 Clarke Ave – Asked if it is appropriate to ask for peer review on financial impacts to residences / property values? The Chair commented that the Board typically does not steer toward financial impact arguments, although not to say that they don't consider them. The Board focuses on the zoning bylaws and what is allowable within the law and authority the Board has to issue special permits. Being an abutter, the uncertainty of the unknown proposed use is what it most concerning.

Atty. Buckley wants the record to reflect that The Davis Companies' is consistent with the zoning bylaw. They are trying to make it work both for the residents and the Board. They are trying to be as transparent as possible and will continue to do so. They will address some of the concerns within the covenant, there is some level of uncertainty, and they will do their best to address all the issues. This is a reuse of an existing development. The proposal may not be perfect, but they will do their best to make it sustainable for the community. The applicant apologies for the lack of timely response between meetings but needed to ask for additional continuances so that they need the time to address the comments.

Ms. Tanini asked the Board if they would consider a noise study, and an additional traffic study for the opposite side of Riverneck Road which is known for serious auto accidents. Ms. Araway expressed she does not see the need for a noise study if they are considering a covenant limitation to certain types of warehouses.

Marlene Cote, 28 Sprague Avenue off of Brick Kiln Road, former Town Meeting Rep. -- Lives a mile from UPS. If the Board is considering a trailer parking area to this project, she can attest to the noise level produced from connecting and disconnecting the tractor trailers on a regular basis.

Atty. Buckley stated that they are having conversation with potential tenants and hopes to have more detailed use information for the next hearing. He asked the Board to continue the public hearing to June 8th and if they need more time, they will ask for a continuance. They will make a good faith effort to

address the concerns that were heard tonight and provide more information and potentially modify the existing proposal accordingly.

Ms. Cote would like to go on the record stating that she understands the Board's concerns with needing a defensible decision to avoid being sued by the applicant. But she would like to point out that the residents can also sue the Board. She challenges the Board to look out for the residents too.

Motion: by Mr. Walsh to continue the Public Hearing for Riverneck Road to June 8th.
Seconded by Ms. Tanini. **Motion carries, unanimously, 7-0.**

ADMINISTRATIVE REVIEW (continued)

2) Nabnasett Road – request to release lots 1, 2, 3, and 5 from the covenant on the Subdivision known as 314 Dunstable Road – Planning Board file PB2020-05

There was no one present to present the request. Mr. Belansky stated that the release is time sensitive. He explained to the Board that this is pertaining to a six-lot subdivision known as 314 Dunstable Road. This project had a new town road proposed and approved connecting into Westford. The houses are built, most of the roadway and infrastructure is installed. As is typical, the developer is ready to sell the house lots. The lots are under a Covenant per the Board's Definitive Subdivision Regulations and Decision, and therefore cannot be sold until released by the Board. They have purchase closings scheduled and are requesting for 4 of the 6 lots be released tonight. The reason for holding back on the remaining two lots is to ensure a performance guarantee on the overall development and work remaining for project completion.

In the interest of full disclosure there are ongoing items that need to be resolved and finalized, such as Title 5/Septic approvals, which are separate and distinct from this Board's process.

Mr. Belansky believes that this is a routine matter, that the Board may approve tonight.

Ms. Connolly asked why the applicant was not present. Mr. Belansky did not know. They sent the email request and were placed on the agenda accordingly.

Mr. Walsh asked what was the intent of the Covenant for this project? Mr. Belansky answered that this Covenant is boilerplate for a subdivision. The project is complete enough for the Town to allow occupancy of the houses. What is not complete on the infrastructure is the 2-inch topcoat of the roadway. There are punch list items such as planting trees and installing light posts.

Mr. McDougall stated that as a newer Board member who knows nothing about this project, and no information was provided by the applicant, he is not comfortable voting on this item. Ms. Tanini agreed.

Motion: by Mr. Walsh to grant release of Lots 1, 2, 3, and 5 from the Covenant of the subdivision on 314 Dunstable Road. Seconded by Ms. Araway. **Motion carries, unanimously, 4-1.** Members Tanini and McDougall abstained.

MEETING MINUTES TO APPROVE: May 11, 2022

Motion: by Ms. Tanini to approve the Meeting Minutes from May 11, 2022, as presented.
Seconded by Ms. Connolly. **Motion carries, unanimously, 7-0.**

NEXT MEETING DATE(S): June 8th – location will be based whether Riverneck Road is present
June 22nd – location TBD

NEW BUSINESS: *Scheduling of next Work Session:* June 15, 2022 at 7:00 p.m.

Ms. Connolly would like to discuss the Board members policy and procedures regarding online/email communications regarding project proposals. Also, would like a presentation on what constitutes fire safety approved plans for Board's decision making. Mr. Belansky will ask the Fire Prevention Office to attend.

Ms. Araway attended the Conservation Commission's meeting last night regarding interpretations of acceptability for site plan landscaping materials / plant species, specific to 9 Acton Road. But was a great general discussion for acceptable cultivars for us in conservation sensitive locations. Preference for reestablishing wild areas is random wild species, non-specific cultivars. In the case of conservation sensitive landscaping areas, cultivars are acceptable, but the Commission would like to know the justification for choosing specific cultivars; what traits/purposes do those specific cultivars represent. The 9 Acton Road landscape plan is back for revision by the developer. The Commission is requiring them to remove invasives and reestablish that area in the back with a restoration plan that will be maintained via Conservation Agreement that is deeded into the condo association. Ms. Araway has some concern with the long-term conservation plan, particularly for eradication of knotweed, and the practicality of the condo association completing and maintaining the area. The Board should definitely take this Conservation Agreement into consideration with creating its own special conditions and approving its decision.

ADJOURN

Motion: by Mr. Walsh to adjourn the meeting at approximately 8:58 p.m.
Seconded by Ms. Tanini. **Motion carries, unanimous 7-0.**

Respectfully Submitted,

*Becky DaSilva-Conde
Departmental Assistant*