



TOWN OF WAYLAND
41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778
PLANNING DEPARTMENT

SARKIS SARKISIAN
WAYLAND TOWN PLANNER
TEL: (508) 358-3615
FAX: (508) 358-4036

MEETING MINUTES June 18, 2013

7:30 P.M. Public Comment

7:35 P.M. Public hearing on Site Plan Approval and any necessary approvals, and modifications The Wayland Planning Board will hold a public hearing on a Site Plan Application for Brendon Properties, LLC and all necessary approvals and Permits submitted by Kevin Giblin as required in Article 23, entitled Mixed Use Overlay District (MUOD), of the Town of Wayland Zoning Bylaw. The Applicant proposes the construction of 42 Town Homes located in the New Town Center, at 400-440 Boston Post Road.

8:30 P.M. Public hearing 150 Main Street vote on Site Plan Approval and any necessary approvals, modifications including Special Permits pursuant to signage, parking, reduce the number of required parking spaces. for a proposed 11,968 S.F. CVS Pharmacy located at 150 Main Street, Wayland MA.. The former restaurant will be demolished and removed from the site.

9:30 P.M. Open Meeting Law Video Recording

10:00 P.M. Approve minutes/adjourn

Attendance:

Mr. Kent Greenawalt, Chair
Ms. Colleen Sheehan, Vice Chair,
Mr. Ira Montague, Member
Mr. Kevin Murphy, Clerk
Mr. Andrew Reck

Also present was Mr. Sarkis Sarkisian, Town Planner. Minutes taken by S. Sarkisian

7:30P.M. Open the public hearing:

K. Greenawalt opened the meeting and reviewed the agenda.

7:35 P.M. Public hearing on Site Plan Approval and any necessary approvals, and modifications The Wayland Planning Board will hold a public hearing on a Site Plan Application for Brendon Properties, LLC and all necessary approvals and Permits submitted by Kevin Giblin as required in Article 23, entitled Mixed Use Overlay District (MUOD), of the Town of Wayland Zoning Bylaw. The Applicant proposes the construction of 42 Town Homes located in the New Town Center, at 400-440 Boston Post Road.

C. Sheehan read the public notice.

Kevin Giblin of Brendon Properties described the project for the Town Center Residential Development which involves the construction of 42 Town Homes. K. Giblin stated he enjoyed doing business in Wayland and was successful with the Wayland Commons Site which he developed at a time when the economy was at the worst ever.

S. Sarkisian presented the following preliminary comments to the Board:

- Street Name cannot be “Green Way” or any combination close to any street as we already have in town.
- Street numbers should go low to high with low on the end closest to Old Sudbury and with the odds on the right and even on the left.
- All Townhouses will be 100% covered with fire sprinklers (following NFPA Residential requirements)
- Add an additional hydrant to Lillian Drive at the intersection of the municipal pad.
- The Conservation Commission has requested that the 10 acres of land that abut this residential development be conveyed to the Commission before the start of the Town Homes and that the Trail be constructed to Cow Commons.
- It is recommended that a Landscape Architect perform a review of the project as it relates to orientation, setback, spacing and placement of buildings to ensure that the development integrates into the Town Green.
- The garage doors and driveway and door pattern as you enter Lillian Way may be too linear to form and may require additional architectural features and details.
- Sewer needs to be addressed before the start of construction.
- The Memorandum of Agreement dated March 28, 2006 and as amended on October 20, 2009 needs to be amended again because the developer is constructing half the number of dwelling units and the gift funds are based on each sold unit.

Motion to continue to August 27, 2013

Move: C. Sheehan
Second: I. Montague
Vote: 5-0, unanimous

8:30 P.M. Public hearing 150 Main Street vote on Site Plan Approval and any necessary approvals, modifications including Special Permits pursuant to signage, parking, reduce the number of required parking spaces. for a proposed 11,968 S.F. CVS Pharmacy located at 150 Main Street, Wayland MA.. The former restaurant will be demolished and removed from the site.

S. Sarkisian handed out a draft decision regarding 150 Main Street. He stated that the Board needed to vote tonight and that there were conditions in the decision that the board had not voted, such as hours of operation and underground utilities.

The following decision was discussed:

DECISION 02-2013

Re: Application of 150 Main Street LLC, owner of 150 Main Street. Map 51B, Parcel 073, (the Applicant) for Site Plan Approval.

Date: June 18, 2013

THE PROPOSED DEVELOPMENT

The site is currently occupied by a one story 14,400 sq foot building that was the former Finnerty's restaurant. The restaurant has been closed and the building vacant since 2007. The site is comprised of Map 51 B and parcel 073 and a Way shown on a Land Court Plan No. 12716B.

Applicant proposes construction of a CVS/Pharmacy with 11,968 gross square feet of area on the first floor and 1,973 gross square feet of mezzanine area with a drive through window for prescriptions and medications only and 103 parking spaces.

I) PROCEDURAL HISTORY

- A) Site plan permit application was received on March 25, 2013, pursuant to Town of Wayland Zoning Bylaw and Site Plan Approval Regulations.
- B) The Wayland Planning Board held a public hearing on April 23, 2013 and continued it to May 7, 2013, May 21, 2013, May 28, 2013, June 11, 2013 and June 18 at which time the Board closed the hearing. The Board voted to approve the site plan application on June 18, 2013 with conditions.

- C) The Site Plan Approval application contained a set of plans entitled “Site Plan for Finnerty’s Village”, 150 Main Street Town of Wayland, Middlesex County, Massachusetts” consisting of 18 sheets, prepared by Civil Design Group, LLC, 21 High Street, North Andover, MA 01845 dated March 25, 2013.
- D) The plans and other submission materials were reviewed by the Planning Board, the Design Review Board and the Town’s traffic consultant, TEC Engineering. Throughout its deliberations, the Planning Board has been mindful of the statements of the Applicant and its representatives, abutters and other members of the public all as made at the public meeting.

II) APPLICATION SUBMITTALS AND RELATED DOCUMENTS

A) Plans submitted by Applicant

- 1) Entitled – Site Development Plans consisting of 18 sheets as follows:
 - a. Cover Sheet
 - b. Existing Conditions Plan
 - c. Notes Sheet
 - d. Demolition & Erosion Control Plan
 - e. Site Layout Plan
 - f. Grading & Drainage Plan
 - g. Utility Plan
 - h. Landscape Plan
 - i. Proposed Septic System Layout
 - j. Design Calculations & Details
 - k. Proposed Septic System Layout Plan
 - l. Soil Data and Septic Systems Details
 - m. Erosion Control & Stormwater Management Details
 - n. Site Details
 - o. Drainage & Utility Details
 - p. Photometric Plan
 - q. Preliminary Exterior Elevations
 - r. Preliminary Floor Plan

Prepared by – Civil Design Group, LLC 21High Street Suite 305B North Andover, MA 01845

Dated –dated March 25, 2013 last revised June 6, 2013.

(Hereinafter the “Final Site Plan.”)

2) Traffic Impact & Access Study

Prepared by – Vanasse & Associates, Inc 10 New England Business Center Drive, Suite 314 Andover, MA 01810

Dated – March 13, 2013

3) Stormwater Management Report for Finnerty’s Village 150 Main Street, LLC

Prepared by – Civil Design Group, LLC 21 High Street, Suite 305B North Andover, MA 01845 dated March 13, 2013.

4) Architectural Plans by BKA Architects 42 Crescent Street, Boston, MA 02302 dated March 6, 2013, elevations last revised June 6, 2013

- 5) Landscape Plan L-1 William J. Fleming Associates, Inc. 375 Main Street Suite #3 Stoneham, MA 02180 dated May 31, 2013
- 6) CVS/Pharmacy Exterior Signage Package prepared by Poyant, 125 Samuel Barnett Boulevard, New Bedford, MA 02745 Revision date March 22, 2013. This Sign Package was not intended to be with the submitted Site Plan Approval Application.
- 7) CVS/Pharmacy Exterior Signage Package prepared by Poyant, 125 Samuel Barnett Boulevard, New Bedford, MA 02745 dated June 6, 2013.

B) Related Documents submitted by Applicant

- 1) SPA Form C for Application for Site Plan Review and Approval submitted with Application.
- 2) Application for Hearing signed by Mathew Levy dated March 25, 2013
- 3) Stamped Application by Town Clerk certifying receipt of Site Plan Application
- 4) Elevations with conceptual signage prepared by BKA Architects.
- 5) Letter dated March 25, 2013 from William Fleming regarding Landscaping.
- 6) Request for Continuance dated May 7, 2013, May 17, 2013, May 29, 2013 and June 11, 2013 from Ann M. Sobolewski, of Posternak, Blankstein & Lund.
- 7) Letter from Ann M. Sobolewski of Posternak, Blankstein & Lund dated May 8, 2013 regarding the Easement over the property in Wayland owned by 150 Main Street, LLC.
- 8) Site layout Plan by Civil Design Group, LLC dated March 25, 2013, last revised May 31, 2013.
- 9) Alternative Site Layout Plan by Civil Design Group, LLC dated March 25, 2013.
- 10) Landscape Plan by William Fleming Associates and Civil Design Group, LLC dated May 17, 2013, with revisions dated May 31, 2013
- 11) Alternative Landscape Plan by William Fleming Associates and Civil Design Group, LLC dated May 17, 2013.

C) Documents including memos, letters, reviews and others information regarding the site plan application

- 1) Several letters, emails and petitions from residents and abutters submitted to the Planning Board and the Town Planner.
- 2) Memo dated April 18, 2013 from Sarkis Sarkisian, Town Planner offering comments on the Site Plan Application.
- 3) Letters dated April 23, 2013 and May 7, 2013 from Kevin R. Dandrade, PE of TEC Engineering regarding Traffic Engineering Peer Review.
- 4) Letter dated May 7, 2013 from Julia Junghanns, Board of Health Director, regarding Septic Design.
- 5) Letter dated May 7, 2013 from Brian Monahan, Conservation Administrator regarding Stormwater and land disturbance.
- 6) Public presentation by Andrew Reck from the Design Review Board at the Planning Board meeting on April 23, 2013 regarding elevation changes and a concept site plan to save a portion of the Finnerty's Building
- 7) Memo from GLA, Beta Group dated May 22, 2013 regarding peer review for Alternative landscaping Plan sheet L1. Dated May 17, 2013.
- 8) Email from Mark Lanza dated May 15, 2013 regarding the way shown on the Land Court Plan No. 12716B.

- 9) Two recorded plans provided by the Town Surveyor and filed in the Land Registration Office dated December 4, 1946 and September 15, 1927.

III) FINDINGS

A) General Findings

- 1) The property recording information lists 150 Main Street LLC as owner of 150 Main Street. The location of the proposed site is 150 Main Street, Wayland, Massachusetts; Assessor's Map 51B, Lot 073.
- 2) The size of the parcel is 2.84 +/- acres.
- 3) The property is located within both Business A District (1.63 acres) and a R20 residential area (1.21 acres).
- 4) A site visit was conducted by Town Planner Sarkis Sarkisian and Andrew Reck on April 22, 2013.
- 5) The CVS/Pharmacy is a "retail store" business use pursuant to 198-803 Classifications of Principal Uses, which is permitted in the Business A district with site plan review.

Specific Findings

- 6) The applicant has submitted the required information for site plan review.
- 7) The applicant has provided a complete application and has appeared before the Design Review Board and received a recommendation that is part of the record.
- 8) The imposition of reasonable conditions specified below ensures that the proposal conforms to the standards and criteria of Article VI of the Town's Zoning Bylaw (the "Bylaw").
- 9) The Planning Board finds that, to the extent applicable and feasible, the construction of the CVS Pharmacy with Drive Through with 11,968 square feet of gross floor area and a storage mezzanine with 1,973 square feet of gross floor area satisfies the following criteria:
 - a. 606.2.1.1 Minimizes the use of wetlands and steep slopes
 - b. 606.2.1.2 Preserves natural and historic features
 - c. 606.2.1.3 Maximizes retention of open space
 - d. 606.2.1.4 Preserves scenic views from publicly accessible locations
 - e. 606.2.1.5 Minimizes tree, vegetation and soil removal, blasting and grade changes
 - f. 606.2.1.6 Screens objectionable features from adjacent properties and roadways.
 - g. 606.2.2 Provides adequate water supply and sewage disposal
 - h. 606.2.3 Provides adequate prevention of surface or groundwater
 - i. 606.2.4 Provides minimal demands on Town infrastructure
 - j. 606.2.5 Provides safe vehicular and pedestrian movement
 - k. 606.2.6 Provides buildings and landscaping in harmony with prevailing character
 - l. 606.2.7 Provides underground utilities such as electric, phone, stormwater (roofdrains), domestic water and septic
 - m. 606.2.8 Eliminates or screens all objectionable features
 - n. 606.2.9 Casts no shadows on residentially zoned land
 - o. 606.2.10 Results in no unreasonable glare
 - p. 606.2.11 Proposal complies with the Zoning Bylaw

- 10) The Board finds that the Applicant has provided a site plan that meets the parking spaces required. Section 198-506.1.1 requires one parking space per 140 square feet of gross floor area and one parking space for every two employees for general retail business. At 13,941 square feet, which includes the mezzanine area and with 6 employees, the bylaw would require 103 parking spaces. $(13,941/140=99.5) + (6/2=3) = 103$.
- 11) The Board finds that the total number of parking spaces required by the Zoning Bylaw is not needed for the proposed use. A number of factors support this reduction of the required parking. A similar CVS facility was built in Wayland on Route 20, Boston Post Road, with a 55% parking waiver totaling 66 parking spaces; parking at this facility has been observed to be more than adequate. The peer review consultant and the Town Planner recommended a parking ratio based on one space for 200-250 square feet of gross floor area and that the proposed CVS/Pharmacy can operate safely without negatively impacting on abutting properties.
- 12) The applicant has submitted a sign package that complies with the requirements of Section 501 of the Bylaw.
- 13) The Board finds that the landscape plantings, as shown on the Final Landscape Plan dated May 31, 2013, will integrate the site into the existing landscape and neighborhood. The Applicant plans that the building will be designed in a New England/colonial theme consistent with other neighboring commercial buildings. Potentially objectionable features, such as the dumpster will be situated in the rear of the site and screened from other sites. The loading area will be located to the west and is not generally visible from the road. Additionally, a stockade fence will be constructed along the westerly property line.

IV) DECISION

In view of the foregoing, the Planning Board hereby determines that the aforesaid application meets the criteria and standards set forth in the Town of Wayland Zoning Bylaw under Article VI – Site Plan Approval. There shall be full compliance with all of the changes and revisions to the Final Site Plan, plus all of the conditions cited herein; all of which shall appear on the final revised endorsed mylar plans. Failure to so comply shall be cause for rescission of this decision. The Planning Board therefore approves the application for Site Plan Approval subject to the following conditions:

A) Conditions

- 1) The Final Site Plans including the site layout plan dated May 31, 2013, the elevations plan dated June 6, 2013, landscaping plan dated May 31, 2013 and the lighting details plan entitled CVS #10039 dated June 2, 2013 are approved and the project shall be built substantially in accordance with these plans. Final stamped architectural plans shall be submitted for final review and approved by the Board and the Design Review Board prior to receiving a Building permit.
- 2) Site Plan Approval is subject to the Applicant receiving all other applicable municipal and state permits and approvals including but not limited to a Disposal Works Construction Permit from the Board of Health for a new septic system. The Applicant shall submit any revised plans to the Planning Board for its review and determination as to whether approval is required for modification of the site plan.
- 3) This Site Plan Approval and conditions apply to the Applicant and its successors and assigns.
- 4) Erosion controls and storm water management systems shall be installed and maintained in accordance with Conservation Commission requirements.
- 5) The septic system shall be in compliance with the Board of Health regulation before a Building Permit is issued and the existing system shall be demolished and filled in per order of the Board of Health.
- 6) Retail Store operations will not begin before 8:00 a.m. nor end after 9:00 p.m. Operations of

- the pharmacy will also be within those hours. Retail operations will be permitted during all days of the week (except as otherwise prohibited by State regulations).
- 7) Delivery times. No delivery trucks or trash or septic removal trucks or equipment shall be operated on site between the hours of 9:00 p.m. and 8:00 a.m. No septic work or pump outs shall take place on the weekend or national holidays unless there is an emergency. These restricted hours will be observed so as to not disturb the quiet enjoyment of any residences near the property.
 - 8) Site lighting shall be shielded with cut-offs to prevent glare to abutting properties and the night sky and no fixture shall exceed twenty (20') feet in height. Six (6) 12' decorative light poles in a style determined by the Town Planner shall be installed along Main Street and West Plain Street. The parking field light poles shall contain bases consistent in materials and colors to the façade treatment.
 - 9) Lighting schedule. . All site lighting visible from abutting residential properties, except for emergency or security lighting, shall be turned off at 9:00 P.M. The Applicant shall submit a description of lights to be used for security which shall be subject to approval by the Town Planner. At 9:00 p.m., all exterior lighting which is not in close proximity to a commercial establishment shall be lowered to a nighttime lighting level. There shall be no unreasonable glare from lighting, whether direct or reflected, onto roads and others ways, into the night sky or onto adjacent properties in residential zoning districts.
 - 10) During construction, the site shall be secured in a manner approved by the Building Commissioner so as to prevent injury or property damage to the residents of the Town.
 - 11) The project, and all construction, utilities, roads, drainage, earth removal or relocation of structures and all related appurtenances with respect to the project, shall comply with all applicable state and federal regulations.
 - 12) Safe passageway on the existing sidewalk shall be maintained at all times during construction. During re-construction of the existing sidewalk, an alternate means of pedestrian passage shall be provided on site.
 - 13) Applicant has volunteered to a condition requiring a taupe color on the base and a white color for the trim as recommended by the Design Review Board and set forth on Final Site Plan. Applicant has also volunteered to use Roof architectural shingles and shall be approved by the Town Planner.
 - 14) The signage is approved as shown on plans entitled Code Sign Package sheets 1.1 and 1.2 dated June 6, 2013 and complies with the zoning by-law. There shall be no advertising on or in the windows of the proposed building. Any future changes in signs and outdoor advertising shall be considered to be changes in an integral element in the design and development of the site which shall be subject to approval by the Planning Board.
 - 15) The proposed roof-top Heating Ventilation and Cooling (HVAC) units for the project will not increase ambient sound levels by more than 10% above the background noise levels, or above existing Massachusetts Department of Environmental Protection ("MA DEP") guidelines.
 - 16) All electrical, telephone, cable television, and other utilities on the site shall be placed underground.
 - 17) The drive-through window service will be limited to dropping off and picking up of various types of prescription and non-prescription medications and will not be utilized for the ordering or purchase of other retail goods. The drive-through shall only be permitted for the proposed business of a pharmacy.
 - 18) The following off-site mitigation shall be required as recommended by TEC Traffic Engineering given the existing deficiencies at the West Plain and Main Street signalized intersection:
 - a. Replace all existing signal posts and signal heads on existing or modified post foundations to conform to ADA/AAB and MUTCD requirements. The signal

post should be ornamental and painted black, similar to the posts installed at Wayland High School.

- b. Modify the signal phasing to create a northbound advancing protected-permitted operation that will require a new 5-section signal head to introduce the clearance phase for the left-turn movement.
 - c. Install new pedestrian pushbuttons and “countdown” pedestrian signal indications in the new post locations.
 - d. Replace defective loop detectors in the pavement surface.
 - e. Apply new pavement markings and install new traffic signs.
 - f. Provide two separate ADA/AAB-compliant ramps on the CVS corner and reapply crosswalks that correspond to the new ramp locations. This may require a minor adjustment to the signal conduit network.
 - g. Install emergency pre-emption equipment in the cabinet with a secondary priority to the existing hardwire connection to the fire station.
 - h. Coordinate with the Wayland Fire Department to confirm the operation of their hardwired push button override operation of the traffic signal.
 - i. Perform sidewalk improvements including granite curbing along the entire site frontage of Main Street and West Plain Street.
 - j. Perform sidewalk improvements with pedestrian warning signs along the southerly side of West Plain Street associated with a new pedestrian push-button flashing warning signal crosswalk.
 - k. All off-site improvements as indicated above are subject to the approval of the Wayland Board of Public Works and shall be completed prior to the issuance of a Certificate of Occupancy.
- 19) The Town of Wayland will work with the Applicant’s representative on the above off- site mitigation to reach an agreement on the Town’s participation on unanticipated elements of work, such as crushed signal conduits under the roadway surface. The Applicant shall not be required to pay to repair or replace any such unanticipated elements of work.
- 20) In no event will the Applicant be required to make any additional mitigation payments or perform additional mitigation work beyond that specifically enumerated in paragraph 18 above. The Applicant shall provide a scope of work with a detailed off-site improvement plan.
- 21) No change to the Final Site Plan shall be made unless the applicant receives written permission from the Planning Board or the Town Planner.
- 22) The façade (colors, materials, design and dimension) of the proposed building shall be substantially as indicated on the elevations provided by BKA Architects and last revised on June 6, 2013.
- 23) Should the installation of the landscaping materials be more advantageous for growing and/or survival if planted at a later time, the Applicant shall post security in the amount equal to 200% of its estimated cost of any landscape material not installed upon the issuance of

- final inspection. Any landscape installation delayed per this section must be installed within one year of the issuance of the building permit and temporary screening, installed to the satisfaction of the Town Planner, shall be put in place until final planting is complete or security shall be forfeited.
- 24) The Applicant and its successors and assigns shall be responsible for the maintenance of all landscaped open space, fencing, dumpster enclosures and buffers. Landscaping and fencing shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. Landscaped materials shall survive for a minimum of two complete growing seasons following installation. In the event any plant material dies within such two year period it shall be replaced as soon as practical. An additional two-year period for survival shall apply to such replacement plant.
 - 25) Reasonable measures shall be adopted during construction to protect and preserve the existing large birch tree located at the corner of West Plain Street and Main Street. If the tree subsequently dies within the following two years, it will be replaced with a tree of a species and caliper approved by the Town Planner
 - 26) This approval shall lapse if the subject development has not been completed within two (2) years from the date of site plan decision filing, as evidenced by the issuance of a certificate of occupancy (extended by any appeal related delay).
 - 27) As-builts shall be required upon completion of the site plan to ensure compliance with this Decision and other applicable Town standards and zoning regulations. The As-built shall be an electronic copy (AutoCAD File Format) of an “as built” plan shall be submitted to the Planning Board or its agent. Said “as built” plan shall be suitable for locating all infrastructure required by this decision, both above and below ground. Said plan shall include sufficient elevations, tied to the NGVD Datum, so that the Town can verify that all infrastructures will perform as designed and approved. Said plan shall clearly indicate all deviations from the approved Plan. No deviations from the approved Plan shall be allowed or commenced without prior written approval from the Planning Board or its agent. All such deviations shall be requested in writing, clearly citing justifications for said deviations.
 - 28) During construction, all local, State, Federal laws and regulations shall be followed regarding noise, vibration, concussion, dust and blocking Town ways. At all times the Applicant shall use reasonable means to minimize inconvenience to the residents in the area. All trucks transporting earth materials of any type to and/or from the site shall be covered in compliance with state law. Any debris or materials that fall from such trucks onto public ways shall be removed and cleaned up promptly.
 - 29) The hours of construction shall be Monday – Friday from 7:00 AM to 4:00 PM and Saturdays from 8:00 AM to 3:00 PM. No exterior work shall be take place on Sundays.
 - 30) Prior to exercising any rights under this decision, the Applicant shall provide written evidence to the Planning Board, in acceptable legal form as determined by Town Counsel, showing that the way (known as Hammond Road) shown on Land Court Plan No. 12716B has been eliminated by merging the fee in the way into the lot or lots adjoining said way, subject to an access easement for Lot 4 on said plan.
 - 31) During the initial construction of the improvements on the site, the Applicant shall not construct the parking spaces as shown on the site plan along Main Street and the spaces along West Plain Street and shall make the landscaping and other improvements in the areas of said spaces as shown on the Landscaping Plan dated May 31, 2013. In the event the Board determines that the construction of said parking spaces is necessary, it shall send the Applicant written notice of its determination. Within ninety (90) days of receipt of such notice, weather permitting, the applicant shall construct the parking spaces, landscaping and other site improvements as shown on the plan dated May 31, 2013. In the event that the number of parking spaces required under the Town's Zoning By-Laws is reduced by an amendment to said By-Laws, the Applicant may reduce the number of parking

spaces shown on the site layout plan revision date May 31, 2013 showing 74 spaces required by such amendment without modification of this decision.

32) Reasonable efforts shall be taken to insure that all existing landscaping along Main Street shall be retained and not disturbed or destroyed during construction of the development. The Applicant shall field stake/mark the limit of disturbance along Main Street prior to construction and notify the Town Planner for an inspection.

33) After Occupancy:

(a)The Applicant or future owner shall have the responsibility of maintaining or replacing landscaping, fencing and lighting as indicated in the plans required herein and shall be required to maintain a contract with professional landscaping and maintenance services.

(b)The Applicant shall ensure daily that exterior areas of the site remain clear of debris, trash, and any equipment used in connection with commercial activity on the site, and any property or refuse from the commercial operation shall not accumulate off –site.

Motion by K Greenawalt to have hours of operation from 8 A.M. to 10:00 P.M.

2nd Andrew

Vote 2-3

Motion by I. Montague to have the hours of operation from 8:00 A.M. to 9:00 P.M. Monday through Saturday.

2nd kent Greenwalt

Vote 3-2

Motion by K. Greenawalt to have hours on Sunday from 8:00 A.M. to 9:00 P.M.

2nd C. Sheehan

Motion by C. Sheehan to have underground utilities.

2nd I. Montague

Vote 5-0

Motion k. Murphy to close public hearing.

2nd K. Greenawalt

Vote 5-0

Motion by k. Murphy to approve the 150 Main Street LLC as amended.

2nd I. Montague.

Vote 5-0

9:30 P.M. The Planning Board watched the Open Meeting Law video.

10:05 A.M. ADJOURN

Motion: Adjourn

Move: C. Sheehan

Second: I. Montague

Vote: 5-0, unanimous

Respectfully submitted,

Sarkis Sarkisian

Date