

# PLANNING BOARD

## Meeting Minutes

Thursday, July 28, 2022

6:00 P.M.

**PB Members Present:** Brandon Quesnell, Jeffrey Mulliken, Paul Kelly, Donna Walker (online), Marianne Clements (online), Dana Masterpolo, Stephen Roope and Greg Baldwin.

**Members Absent:** Mia Cliggott-Perlt (excused).

**Staff:** Thaddeus Soulé (Town Planner).

Acting Chair Brandon Quesnell convened the meeting at 6:00 P.M.

Mr. Soulé explained that the meeting was being held in person, however both the public and the Board members can participate either by dialing into the meeting or joining the Microsoft Teams application. Since a quorum was present in the room, he said that the meeting would not be suspended or terminated if there were technological problems interrupt the broadcast, unless required by law. The meeting is being broadcast live on PTV, Ch. 18, and will be posted online as soon as possible. He called the roll.

1. **Public Comment:** Louise Venden, as an individual and not in her capacity as a member of the Select Board, said that housing has been her goal while working in Town government. She said that the Inclusionary and Incentive Zoning By-Law was passed several years ago to create more housing in Town, especially for citizens of modest means, as many people are being forced to leave Town because of a lack of housing. She respects the work of Committees and Boards in Town to implement the Zoning By-Laws that have been passed at Town Meetings and it is the job of the Select Board to stay out of their way. Her concern is that in some instances, Boards have been distracted by issues raised by abutters to projects that come before them. These issues have undermined or diminished the impact of the Inclusionary and Incentive Zoning By-Law. This is a Zoning By-Law that Town Meeting and the public has endorsed and amended several times. The community, however, still faces housing challenges and she said that all of the tools available needed to be used to solve the housing shortage. The Town must rely on the appointed Boards to implement and enforce these by-laws that will increase the stock of affordable housing. She encouraged all of the Boards that have housing projects brought before them to use the means they have to help develop and increase the supply of modestly priced housing. She hopes all Boards will take this responsibility seriously and that any projects that are subject to the Inclusionary and Incentive Zoning By-Law would be encouraged. There is a great need to increase the density of housing on sites where possible and create more affordable housing units.

Austin Miller, vice chair of the Community Housing Council and the Year-Round Market Rate Rental Housing Trust, spoke in support of all inclusionary zoning projects. The Inclusionary and Incentive Zoning By-Law is exemplary in that it creates more deed-restricted housing units that are relied upon by the work force in Town to ensure that they can continue to live here amid tumultuous market conditions without spending any public funds. These units are not created in a vacuum. Each proposed project requires a collaborative engagement by various Town Boards and Departments in its planning and execution. It is rare to find a lot that is

available and suitable to development and rarer to have a developer willing to create two affordable units. He asked that the Board focus on the benefits that such projects will have for the Town by creating more housing units. This policy has been supported overwhelmingly by voters in adopting the current Zoning By-Laws. He said the nearest abutters will always be the noisiest in the room at regulatory Board meetings, but they are not necessarily the ones who show up at the ballot box and Town Meeting demanding that the Town do more to support the development of community housing. He is asking that the Board do more to support these types of projects.

## 2. **Public Hearings:**

**PLN 21-32** *(continued from the meeting of June 23<sup>rd</sup>)*

Application by **Christopher J. Snow, Esq.**, on behalf of **Tri-T, LLC**, seeking a Special Permit pursuant to Article 4, Section 4180, Inclusionary and Incentive By-Law, for a development that will result in a net increase of two or more dwelling units on the property located at **22 Nelson Avenue**.

**PLN 21-33** *(continued from the meeting of June 23<sup>rd</sup>)*

Application by **Christopher J. Snow, Esq.**, on behalf of **Tri-T, LLC**, seeking Site Plan Review by Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, a. (1 & (5)), of the Zoning By-Laws for a development that will result in an increase of residential units of three or more and will result in new construction or excavation, land removal, or earth-moving of more than 750 cu. yds. that will alter the topography from natural grade on the property located at **22 Nelson Avenue**. The Board heard the two applications together. Greg Baldwin and Donna Walker recused themselves because of conflicts of interest. **Presentation:** Attorney Christopher J. Snow, Tom Tannariello, the property owner, and Gordon Peabody, of Safe Harbor Environmental, appeared to discuss the applications. Attorney Snow said that after the previous hearing of the two applications, his client's team went back to the drawing board based upon the comments that were given by the Board to reconfigure their proposal and still make it feasible to complete. He said that the applicant was only asking for one waiver, which is for the number of buildings allowed on a lot. The proposal is for two additional over the five, which are allowed by right, in order to accommodate special concerns on the lot and so that two free-standing structures can be preserved. He said since the last hearing of the application, the site plan has been updated, relocating building #5, which was reconfigured to allow for another parking space. He said that only 12 parking spaces were required pursuant to the Zoning By-Laws, while this proposal is offering 16 parking spaces. Updated building plans have been submitted, as has information on the siding and roofing materials, updated lighting specifications and a lighting plan, a more detailed drainage plan, a development impact statement, an updated planting plan, and a more interpretive, real life, 3D version of what the development will look like after construction has finished. He said if the Board had any engineering questions, the engineer for the project, Jack Landers-Cauley, was only available until 7:00 P.M.

Mr. Landers-Cauley addressed some of the Board's issues. He reviewed the drainage, which he said was different from other projects that involved multiple buildings. He said that on this property every building had drainage to contain surface water runoff from the roofs, thereby minimizing any overland flow of water from the development of the property. In addition, the

proposal includes two catch basins and three leaching pits in the driveway entrance area with an overflow pipe to a shallow depression between the road layout and units 1 and 2. Those drainage aspects will ensure that there will be no exacerbation of any overland flow of water from the site. He said the team looked at the necessity of installing retaining walls along the property line. The drainage plan shows retaining walls behind units 3 and 4, between the parking and units 6-11, along the westerly side behind unit 5. It then turns to the northeast and goes down that property line to Nelson Avenue, parallel to the proposed driveway. The driveway will be 20' wide and there will be plantings on the left side and parallel parking for four cars. There will be a total of 16 parking spaces on the site. The plan also shows the dimensions from the back of the structures to the property lines. He said that unit 5 was the closest at 11.1'. The buildings to the north side of the lot, units 6-12, are at least 12' away from the property line. The patios will be about a foot lower than the first-floor foundations, which are noted on the plans. The retaining walls will be utilized to deal with the grade changes along the perimeter of the property. Individual water service will be provided to each unit. A fire suppression system will be designed for the site, but he didn't have specific details about it, other than there will either be an independent fire suppression unit, or a fire suppression unit appended to one of the units. In addition, there will be an electric transformer installed between units 9 and 10. As to the latter, the electric company will have the final say on that location, however, an approved plan will be needed by the electric company before that design and decision can be made. The majority of those systems, both the electrical and the sprinkler, will be put underground and will have minimal impact. The walkways have been delineated on the site plan, along with their widths. He said there was a video segment to the presentation that will show the relationship of the various elements of the development, such as the grades, the walkways, and the parking. For units 1-5, the parking will be at grade. For units 6-12, the parking is separated by a retaining wall, measuring about 4'-5.5' in height, depending upon the location, as it will vary in height over its length.

**Public Comment:** Deb Meadows, Michael Gaucher, Bill Furdon, Jackie Fung, Irene Briga, Valery Martin, Sally O'Connell, Vartan Agababian, Karen Peloquin, Laurence Young, all abutters, spoke in opposition to the application. Jay Coburn, a resident of Stable Path, and Alex Morse, Town Manager, spoke in support of the application. Attorney Robin B. Reid, representing Michael Gaucher, spoke in opposition to the application.

**Board Discussion:** The Board questioned the team. Mr. Mulliken asked about the planting plan noting that on the west side of the property there is an existing stockade fence. The plan shows a relocation of that fence to the property line. He asked if a new fence would replace the old and what its extent would be. Mr. Peabody responded to the question, saying that the relocation of the fence was pointed out to him at the site visit and that a corrected version of the plan will be provided to the Board. He said the location was inadvertently moved while the planting plan was being created. Attorney Snow said the planting plan would be amended. Mr. Mulliken asked about the height of the retaining wall that runs east to west in front of units 6-11. The plan showed 4' and he asked if the 4' exposed wall would remain as such and not become greater than that height. Mr. Landers-Caley said that the retaining wall will vary in height between 4' to 5.5' depending upon its location. There is a 2' rise between the foundations of the buildings on the east (at 34.5') and west (32.4') sides and the difference is picked up by the retaining wall. The purpose of changing the elevations of the foundations is to blend them into the existing grades of the abutting properties. Mr. Mulliken asked about keeping the wall at 4' high and the issue of the parking spaces abutting right up to it. Mr.

Landers-Cauley said that the elevations of several of the units could be lowered in order to lower the height of the retaining wall height if the Board requires. Mr. Mulliken said that it was his opinion that a 4' retaining wall was more attractive than a 5.5' retaining wall.

Ms. Masterpolo said that in regard to the height of the retaining wall, she understood that the engineer was designing the project within the constraints of the site, including grade changes, but driving or walking into an area where there is a 5.5' retaining wall is not appealing. She asked if it would be possible to put a planting buffer in front of the retaining wall to break up its monolithic appearance. Mr. Landers-Cauley said that between parking spaces 9 and 10, there is room for vegetation. Also, to the northeast of parking spaces 15 and 16, and to the northwest of parking space 15, there is room for vegetation. He said that parking spaces 10-14 do not afford that opportunity, however the retaining wall height at that location is the shortest in the parking area. He said he would look at the possibilities of making the retaining wall shorter.

Mr. Kelly asked if, as in the high elevation protection district, there was a requirement to face a retaining wall. He asked if the retaining wall could be faced with anything, such as wood or some other material. Mr. Tannariello said that there was an option to use timber instead of concrete, depending upon the structural requirements and the heights. He also said they could plant vegetation on the top of the wall to create a 'creeping' effect to soften the appearance.

Mr. Landers-Cauley reviewed the drainage plan, and its elements, which will capture water runoff on the site. He said that each unit will have gutters that will drain to an underground piping system, which will then connect to a leaching pit to capture the roof runoff. Each building will have a leaching pit associated with it. Most of the buildings will share a pit, one for two buildings, but some will have their own. These leaching pits, during heavy rainstorm events, will accept and contain the surface water runoff created by the roof systems. On each side of the buildings, there are grassy areas that will be landscaped and accept excess surface water, which would then flow gradually across the property to the southeast. The parking area in front of unit 5, and just beyond unit 4, goes from bituminous concrete between it and Nelson Avenue to a pervious material surface on the parking areas. The intent is to have bituminous concrete on that portion of the property that will be most travelled, and then transition to a pervious material beginning at unit 5 and going clockwise over to unit 12. In the paved areas, the proposal is for two catch basins and three leaching pits to pick up the surface water flow from the sidewalks and the driveway entrance going up to about 10' from Nelson Avenue where there will be a highpoint, denoted as elevation 24 on the drainage plan. The purpose is so that surface water on Nelson Avenue stays within the roadway and whatever surface water is generated from the development will stay on the site. The water will go from the catch basins to the leaching pits. If there is a more intense storm event, there is a 10" corrugated pipe that drains to a minor depression between Nelson Avenue and unit 1 to accept the surface water flow. It is entirely located on the property. He said that this area could be planted with water-tolerant plant species. Mr. Mulliken said he would like to see how the pavement in the paved area was sloped to the drain, as the contours seems to indicate it is flat. Mr. Landers-Cauley explained that going in a clockwise manner, there is a proposed contour 24 and then about 15' away there is a number 24.2 proposed, and further down parking space 5, it's 24.5 proposed. The plan shows spot grades around the parking areas which would permit the

contractor to create that drainage flow towards the catch basins. Mr. Mulliken is concerned about water sheeting onto an abutting property. Mr. Landers-Cauley said he could give the Board more clarity on that issue.

Mr. Quesnell asked about the number of catch basins in the driveway and if crushed stone will be used for the parking areas. Mr. Landers-Cauley said that the driveway will be bituminous concrete, which is pavement, and a pervious material will be used in the parking areas and that having two catch basins within a distance of 100' was acceptable. In a standard situation, one would see a catch basin every 200' on a road.

There was a video presentation of the project, showing 3D renderings of the development as proposed.

Mr. Peabody reviewed the planting plan. He said that 50 bear oaks were added to the previous planting plan that was presented. The intent behind the planting plan is to provide a wide diversity and an abundance of vegetation. In addition, the plan will enhance the resilience of the habitat as much as possible. The conception included planting younger species with low maintenance requirements because they have higher survivability chances. During the first growing season, his team would provide hand-watering because of the drought conditions. He said that everything planted on the site will be sustainable. He has tried to propose the greatest amount of vegetation, including native shrubs and trees, for the site. He said that using a diverse wildflower mix will allow for a greater overall survivability.

Mr. Quesnell asked for a summary of the development impact statement. Attorney Snow reviewed what was submitted. As to the density issue, he said it is presupposed. He said that the project is allowed by right to establish 12 residential dwelling units on a parcel measuring 25,353 sq. ft. Anything over three buildings, the Board has the right to review authority and jurisdiction under site plan review. The site will be served by the Town's municipal water and a fully compliant Title 5 septic system. The site has been reviewed several times, both at the state and local levels, for compliance with conservation and wildlife habitat issues. He said that the stockade fence between Seashore Park and this site was installed by the developers of the former, and it has had an impact on the travel of wildlife in the area. He said that runoff has been discussed and its potential for impact on abutting properties. The septic leaching field will be placed well away from all abutting properties, and this will prevent any potentially dangerous substances from impacting them. All water runoffs will be handled on site, including the use of pervious materials. Gutters, downspouts, and drywells will be installed to handle roof runoff, which will be directed to leaching pit for groundwater recharge. Outdoor rinse areas will use drywells. Drainage basins will be installed under the entrance to the driveway. Proposed landscaping will also prevent runoff. There has been an Environmental Management Plan submitted. Final grades in the area of the development will result in drainage being handled on the site. All runoff created by the construction process will also be contained on site. Significant landscaping will also serve to protect neighboring properties. He said that the architect had one note related to fire suppression, which is that the systems will be contained within each building's basement. As for the other issues that were noted in the statement, he said he has relied on the expertise of Mr. Landers-Cauley and Mr. Peabody. Mr.

Tannariello said that there is a small portion of the stockade fence that is on this property. He does not want to assume the liability of replacing that portion of the fence.

Attorney Snow said that the Town Manager, Alex Morse, has weighed in with a statement as to the housing crisis the Town is experiencing with its lack of affordable units.

Ms. Masterpolo thanked abutters for coming to the meeting and expressing their opinions about the project. She appreciated the applicant and his team proposing multiple buildings on the lot, and not just one large one, as well as the inclusion of two affordable units. She is in favor of the project notwithstanding its implications for changing the neighborhood. There are positive benefits to providing affordable units in Town and the Board must take advantage of new developments to create these units. She is concerned about the areas where there will be concrete or unnatural materials. She would like to see any areas where there are voids, such as the retaining walls, have taller landscaping, making the site look as natural as possible.

Attorney Snow said that he would rely on Mr. Peabody to improve the landscaping to address Ms. Masterpolo's concerns and suggestions. He rebutted some of the comments by abutters, including regarding the Seashore Park development, which he said would not have been allowed to be built as such today. He said that the applicant had taken the abutters' and the Board's concerns and comments made at the last hearing of the application and made changes based upon them. There was no deception involved, as has been alleged by some abutters. The applicant was urged to preserve the affordable units. He argued that asking for one waiver for the project was minimal and justifiable. He said that all of the parking exceeds the requirements, as not all lots in the neighborhood provide that for their residents. He suggested that the Town should not allow parking along Nelson Avenue. He speculated that this opportunity may not come before the Board again. He argued that the social, economic, and other benefits of the project outweighed any adverse impacts. The social benefits include the affordable housing component and the increase in the Town's tax base, the economic benefit includes the generation of construction revenues and job creation. Any adverse impact, such as environmental degradation, will be mitigated by the landscaping plan including plants that are native to the region and provide a better ecological resource and habitat than what exists. He argued that this would be offset by the economic benefits of the project. He compared the project to the development at 50 Nelson Avenue that the Board recently approved. He enumerated how the project conformed to the requirements of the Zoning By-Laws, except for the number of buildings, and the reason that was done was to minimize the appearance of massing on the site. He said that it has been demonstrated that there will be no adverse effects from this project, given that the site's environmental condition will be improved. He guessed that the neighborhood would come to embrace the development in the future because they have to.

Mr. Quesnell said that the Board was very concerned about the affordable housing issue in Town. The Inclusionary and Incentive Zoning By-Law has been in front of Town Meeting voters several times for approval and amending, including raising the payment in lieu in an effort to spur developers to create more units as opposed to paying a fee not to create affordable units. Mr. Soulé reviewed the Inclusionary and Incentive Zoning By-Law for the

public and the Board. Mr. Quesnell said that the applicant could ask for as many waivers as he or she wanted but that it was not a given that they would be granted by the Board.

Mr. Mulliken appreciated the thoughtfulness of the abutters' comments and their participation in the process. The property is vacant, zoned for residential use, and can be developed with multi-family housing. He said the reason the applicant was before the Board was for the requested waiver, for Site Plan Review and approval pursuant to the Inclusionary and Incentive Zoning By-Law. The Site Plan Review creates the opportunity for discretionary judgment on what a good development is and what makes sense looking at the project comprehensively, including at its impact on traffic and its landscaping and drainage. The approval is a balancing act, and the Board has never denied a project that included affordable housing. Based upon some abutters' comments, he noted that the Board has worked hard to eliminate the large cul-de-sacs that would allow for the large turning radii, such as for fire equipment, because the Board has required the buildings on sites to be sprinkled. The Fire Chief has agreed with that concept. The shorter cul-de-sac also gets rid of a lot of impervious pavement area. He said that if the project is approved, he will request a condition that revised plans be submitted that show the actual planting plan and the limit of work line shown within the property, and not use abutting properties or roads as boundary lines. The project must be contained within the boundaries of the site and the fence on Seashore Park Drive property needs to be sorted out. The applicant claims he has no responsibility for the fence yet has a site plan showing its replacement and work going on beyond the fence. Mr. Tannariello said that stakes now show that the property line goes beyond the location of the fence, so the fence is on his property. He said that the liability and the onus on whether to move it or not was on the entity that owns the fence. Attorney Snow said that they would address the fence issue. Mr. Mulliken said that as a gesture to the neighbors, the fence issue should be resolved in a manner that is satisfactory to both parties. Attorney Snow said that they will work with the existing fence and label it as such on a plan. Mr. Mulliken said that in his vision of the project, the two free-standing buildings 5 and 12, were gone and the other buildings, 6-11, re-spaced and moved slightly to the east, there would be more open area on the property and the density issue would be ameliorated. There would be ten units and the project could still provide two affordable units. In addition, more of a buffer could be created and more vegetation could be planted near the southwest corner of the lot. It would also mimic other development in the Nelson Avenue neighborhood and be more appropriate. The idea was discussed with Mr. Tannariello who said that Mr. Mulliken's theoretical scenario would not be economically feasible, and Attorney Snow who said they would consider the suggestion.

Mr. Kelly said, contrary to the assertions of the applicant and his attorney, he didn't see a lot of changes from the original plan. He read from the minutes of the April 24<sup>th</sup> meeting and said that the three duplexes and the larger one-story ranch were where most of the controversy lies. The former are impacted directly, back-to-back with their outside spaces. He had hoped that there would be some thought given to removing building 5 and integrating it into the area of buildings 1-4. He said that no one has stated that a different plan was looked at. More parking could be integrated into the site, as he believes more parking is needed beyond one space per unit. He said the plans were at a design/development stage, more than a preliminary one. But there has been no indication that other options were considered. He would like to see how the area of buildings 1-4 could incorporate building 5 and clean up the existing location of that

building or consider getting rid of it. He requested looking at that option and coming back to the Board with a new plan. He asked about the notation of a 6' shad bush, or an Eastern red cedar at 7' tall, on the landscaping plan and whether those are the existing heights when planted or what they will grow to be in height. Attorney Snow and Mr. Peabody said that those heights are as planted. Mr. Kelly said that he and Mr. Mulliken were just trying to get a better plan for the project.

Mr. Roope thanked the abutters for their participation in the process. He appreciated the site visit. He agreed with his colleagues about the wall height and asked if they could be made to look better, as one is the first thing you see as you look down the driveway is a cement wall. Otherwise, he approved of the project as presented.

Ms. Clements said she is glad that there are developers that are willing to build affordable units. She was concerned about the appearance of the cement retaining walls, but that the developer said that he would try to fix the issue. She was fine with the rest of the project.

Mr. Quesnell said he realizes that the Town has housing issues, whether affordable or market rate, and he is fine with the density per se, however he wanted the developer to deed-restrict the units so that short-term rentals were not possible, so that the project will remain part of a neighborhood and continue the neighborhood feel of Nelson Avenue. He posited that if the Board feels that the density is too much, would the developer consider doing two-and-a half or three-story buildings, if that is a possibility, and reducing the number of buildings on the lot. He said that there are other opportunities to beef up the landscaping and he pointed out where those areas were located on the plan, so the site doesn't present as overwhelmingly concrete. He is happy that the buildings will be sprinkled but noticed at the site visit that there were no fire hydrants nearby. He would ask that the building closest to the road and those that are closest to abutting properties be stubbed out for fire events. His concern about putting affordable units in one building is that one gets the sense of this being a low-income, in the pejorative sense of the word, project. He requested that the two affordable units be placed in different buildings. With an aging population, he would also request that the affordable units have handicapped accessible-ready construction and infrastructure, in case someone who purchased the unit is, or was to become, disabled. He asked about installing car-charging stations and said he would like an indication as to where those would be located. He asked that the parking spaces on the site be assigned to specific units and that they become deed-restricted to specific units so they cannot be sold. If there is a fence installed on the property, he would like the specifications for it and an indication of what it will look like to determine if it will fit into the neighborhood. He would support lower retaining walls and with some sort of screening. If there will be no fence in front of the parking spaces on the left of the plan, there should be a landscape buffer between the site and the abutting property. He asked that the bicycle racks be of the post-and-ring or inverted 'U' style. He was concerned about getting rid of the tree canopy on the property and given that the tallest tree would be 7', asked if there was a way to beef the vegetation up. Mr. Peabody said he would like to submit a revised restoration plan that explores planting taller trees and hydrophilic vegetation near the stormwater overflow area for the Board's review. He will talk with Mr. Tannariello about where to plant more mature trees. Mr. Quesnell said that preventing that area from becoming a mosquito-breeding area would be ideal. It was said that the patio on building 5 would be at grade but the 3D



rendering shows it above the ground. He wanted to confirm that all utility lines will be underground. He said a transformer was mentioned but he doesn't see it on the plan. Hopefully, he added, the patios will be permeable surfaces. He asked about the trash collection and recommended more frequent pick-ups by the trash hauler. He also recommended a stub for future connectivity to the Town's sewer system, running from the center of the parking lot to Nelson Avenue where it can be capped off. This will save ripping up the driveway in the future. He noted the lighting by-law and the issue of light pollution. He said that all lighting fixtures on the site are required to be dark sky compliant. Attorney Snow pushed back against the short-term rental restriction and said that Board was going beyond the scope of its restrictions. The issue was briefly discussed, and Attorney Snow said his client would consider it.

Mr. Soulé noted that the suggestions and recommendations of the Board are only for consideration and are not mandates. Attorney Snow and Mr. Tannariello pushed back on some of the suggestions made by the Board, particularly regarding the proposition that a ban on short-term rentals be a condition of the approval. Attorney Snow pointed out the benefits of the project, including 80% of open space on the property.

Ms. Masterpolo said that the Board's goal was to find the best project, even though the application is seeking only one waiver. She said that the ban on short-term rentals is a concession that is worthwhile to consider because there are real concerns by abutters. A lot of their concerns, such as traffic, noise, and the disruption to the neighborhood may be alleviated by considering the short-term rental prohibition. She encouraged the applicant to think about it. Mr. Tannariello said that units that allow short-term rentals sell for lower prices and if he were to agree to that it would lessen the value of his property. He doesn't know if that is feasible for him. He argued that he has met the requirements of the Inclusionary and Incentive Zoning By-Law and provided two affordable units on the site that are not located in a basement. He has also provided a robust planting plan. Ms. Masterpolo appreciated the work that was done by the applicant's team and is in support of the project, but she conjectured that those abutters who were in opposition to the project would not be sympathetic to a developer that claimed he would not be making enough money on a project.

Mr. Kelly again mentioned his suggestion to change the location of building 5, not to necessarily get rid of it, and if the applicant would consider that. He added that he was not against the project. Mr. Tannariello said he would think about it.

Mr. Mulliken said that the Board is only asking the applicant to consider its suggestions and come back with creative ideas that will improve the project. He recommended that the applicant make some concessions to the abutters in the audience in order to mitigate the impacts of the project on the neighborhood. He added that the housing crisis in Town is not being created by the lack of Airbnb units, but because year-round housing is in short supply. He doesn't see the need to increase the number of short-term rental units.

Attorney Snow requested a continuance to the Public Hearing of September 8, 2022.  
***There was a motion by Jeffrey Mulliken to continue PLN 21-32 and PLN 21-33 to the Public Hearing of September 8, 2022 at 6:00 P.M. Paul Kelly seconded. VOTE: 6-0-0.***

**PLN 22-8** (postponed to the meeting of August 11<sup>th</sup>)

Application by **Dave Krohn**, on behalf of **DTODD, LLC**, seeking Site Plan Review pursuant to Article 4, Section 4010, Administrative Site Plan Review, of the Zoning By-Laws to relocate 3 parking spaces on the property located at **66 West Vine Street**.

**PLN 22-9** (postponed to the meeting of August 11<sup>th</sup>)

Application by **Dave Krohn**, on behalf of **DTODD, LLC**, seeking Site Plan Review pursuant to Article 4, Section 4010, Administrative Site Plan Review, of the Zoning By-Laws to modify parking on the property located at **72 West Vine Street**.

**3. Work Session:**

a) **Discussion of Shank Painter Road Overlay District/Form-Based Zoning:** Tabled to the next meeting.

b) **Pending Decision:**

**PLN 22-15**

Application by **Ted Smith**, on behalf of **Michael Gaucher**, seeking a Site Plan Review by Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, a. (1), for developments consisting of an increase of residential units that will result in 3 or more on any parcel, to add one-bedroom residential unit addition above an existing one-story commercial/retail structure on the property located at **397 Commercial Street**. The decision was not ready.

**Minutes of June 9 and July 14, 2022:**

*June 9, 2022* There was a motion by Jeffrey Mulliken to approve the minutes of June 9, 2022, as written. Donna Walker seconded. VOTE: 6-0-0.

*July 14, 2022:* There was a motion by Jeffrey Mulliken to approve the minutes of July 14, 2022, as written. Stephen Roope seconded. VOTE: 5-0-1 (Dana Masterpolo abstaining).

d) **Any other business that may properly come before the Board:** Mr. Kelly said he has sent a draft of a low impact amendment to the high elevation protection district by-law.

*There was a motion by Jeffrey Mulliken to adjourn the meeting at 9:00 P.M. Stephen Roope seconded. VOTE: Unanimous by roll call.*

Respectfully submitted,

Ellen C. Battaglini

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2022  
Brandon Quesnell, Acting Chair

