

**In The Matter Of:**  
*Town of Stoneham Board of Appeals*  
*Weiss Farm Apartments, LLC, Re 170 Franklin Street*

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*Public Hearing, Volume VII*  
*October 20, 2015*  
*Comprehensive Permit Request*

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Volume VII  
Pages 7-1 to 7-133

TOWN OF STONEHAM  
BOARD OF APPEALS  
Public Hearing Re  
Comprehensive Permit Request by  
Weiss Farm Apartments, LLC  
With Regard to 170 Franklin Street  
Board Members Present:

Robert Saltzman, Chairman  
William Sullivan  
Tobin Shulman  
R. Michael Dufour  
Laurence Rotondi  
Catherine Rooney, Secretary

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for the Board.

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MA 02110, rgallogly@rackemann.com,  
617.542.2300 for the Applicant.

Held at:

Stoneham Town Hall  
35 Central Street  
Stoneham, Massachusetts  
Tuesday, October 20, 2015  
7:30 p.m.

Alexander K. Loos  
Registered Diplomate Reporter

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1 P R O C E E D I N G S

2 CHAIRMAN SALTZMAN: Good evening,  
3 everybody. Welcome to the Stoneham Board of  
4 Appeals.

5 Are we ready to go? I see a red light; I  
6 think that means --

7 MR. SULLIVAN: We're on.

8 CHAIRMAN SALTZMAN: No. We're not on the  
9 air.

10 Good evening, everybody, once again, and  
11 welcome to the Stoneham Board of Appeals.

12 Tonight we are convening the comprehensive  
13 permit continuance of a previous hearing on 170  
14 Franklin Street, the Weiss Farm project.

15 Before we get started, I think we're going  
16 to be seeing everybody again next week.

17 Is that the 28th?

18 MR. CICATELLI: 28th, Mr. Chairman.

19 CHAIRMAN SALTZMAN: All right.

20 And we probably ought to -- as long as  
21 everybody's November schedules are wide open right  
22 now, we probably ought to nail down some of the  
23 dates in November.

24 You know, initially, I -- I was thinking

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1 that -- perhaps too ambitiously -- maybe doing three  
2 meetings next month. I guess, you know, one thought  
3 I had was that we're meeting this week and next  
4 week. It seems to me that, you know, much as we  
5 like seeing each other, maybe -- maybe giving  
6 everybody a week off, night off might not be the  
7 worst thing that could happen, and look at the  
8 following week -- that would be Veterans Day week --  
9 and look at either the 10th or the 12th that week.

10 Is there any -- is there anything that  
11 would slow us down? Both good? No school the next  
12 day after -- if you pick the 10th.

13 Does the 10th make sense to everybody?

14 MS. ROONEY: 10th would be better.

15 MR. WITTEN: 12th would be better for me,  
16 Cathy. But I'll defer to --

17 MS. ROONEY: Okay. No. That's fine.

18 MR. WITTEN: I have a conflict on the 10th.  
19 That's all.

20 MR. SULLIVAN: I have a conflict on the  
21 11th. Veterans Day.

22 CHAIRMAN SALTZMAN: Good. Good. As do we  
23 all.

24 So 12th going once. 12th going twice.

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1           Everybody good with the 12th? All right.  
2           Say no more. The 12th it is. Thursday the 12th.

3           MR. ROTONDI: That's the first in November.

4           MR. CICATELLI: Mr. Chairman, do you know  
5           what the subject might be? Or do you want to see  
6           what happens this evening?

7           CHAIRMAN SALTZMAN: You know, I'm guessing  
8           that there is going to be a fair amount of  
9           discussion of water. We can be more specific. You  
10          know, I recognize that, you know, the -- tonight we  
11          may -- I was thinking that we would probably start  
12          with the architecture and landscaping and end with  
13          the traffic. And, you know, there may be a few  
14          issues related to the traffic that might require  
15          some further meeting.

16          But I would -- I would guess that we might  
17          be looking at, you know, probably more specific.  
18          We'll let you know. Next week we'll see how we do.

19          And then, again before anybody leaves, the  
20          following week, that's a full week. No Thanksgiving  
21          that week.

22          MR. SULLIVAN: We have our regular meeting.

23          CHAIRMAN SALTZMAN: We've got the regular  
24          meeting on the 19th. The 18th and 17th may be wide

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1 open for somebody.

2 Does anybody have a conflict with either of  
3 those days?

4 MR. ENGLER: I have hearings both those  
5 nights, but I'm not critical.

6 MR. ROTONDI: What date is the --

7 CHAIRMAN SALTZMAN: We would miss you  
8 something terribly, Mr. Engler, if you can't be  
9 here.

10 MR. MAHONEY: I'm sure we can find an  
11 Engler to fill in.

12 MR. SHULMAN: Two other towns, that's why.

13 MR. ROTONDI: Is that Wednesday and  
14 Thursday?

15 CHAIRMAN SALTZMAN: Tuesday and Wednesday,  
16 yes. That would be the 17th and 18th.

17 MR. ROTONDI: Okay. Because I think --

18 MS. ROONEY: Bob, the 18th would be better.  
19 Jon has a conflict on the 17th.

20 MR. WITTEN: I have a conflict,  
21 Mr. Chairman, on the 17th. The 18th would be fine.

22 CHAIRMAN SALTZMAN: The 18th, the  
23 Wednesday?

24 MR. ROTONDI: 18th?

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1           CHAIRMAN SALTZMAN: 18th, yep.

2           MR. ROTONDI: That's two.

3           CHAIRMAN SALTZMAN: Members of the Board  
4 maybe can find cots here, and -- we're here on the  
5 18th and the 19th.

6           MR. ROTONDI: And the 19th?

7           CHAIRMAN SALTZMAN: Yes, we have --

8           MR. SULLIVAN: Regular meetings.

9           CHAIRMAN SALTZMAN: -- regular meeting.

10          MR. ROTONDI: All right.

11          Much like next week we have Wednesday and  
12 Thursday.

13          MR. SULLIVAN: Who's paying for overtime?

14          MR. ROTONDI: Yeah.

15          CHAIRMAN SALTZMAN: And the only other  
16 thing would be, just thinking about it now, the  
17 Thanksgiving week might be a week we just keep open  
18 and -- and obviously we wouldn't be expecting  
19 anybody to come up here on Wednesday that week. And  
20 it seems to me that, you know, we might get enough  
21 accomplished on the other two meetings that, you  
22 know, if they run a little extra, well, then they  
23 run a little extra, but you get a week.

24          So there is a week at the beginning, and

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1 then a week toward the end, and then I would expect  
2 the fun will resume the week after Thanksgiving.

3 The -- one thing I noticed is that we did  
4 not get a response to Mr. Houston's report. I know  
5 there were a few things that he was asking for in  
6 the -- some additional information.

7 MR. CICATELLI: That's forthcoming,  
8 Mr. Chairman. And our understanding is that we'll  
9 be discussing that next week.

10 CHAIRMAN SALTZMAN: Yeah. That's  
11 absolutely fine. I just --

12 MR. CICATELLI: We are working --

13 CHAIRMAN SALTZMAN: Just a gentle reminder.

14 MR. CICATELLI: Yeah. We are working on  
15 that.

16 CHAIRMAN SALTZMAN: I didn't -- I didn't  
17 want to leave here tonight and not have mentioned  
18 it.

19 There were -- I'm trying to think, are  
20 we -- just one other thing, and I don't know the  
21 answer to this question, which is why I'm asking it.  
22 We all said as far as money for everybody, the  
23 consultants, the stenographer, everybody --

24 MR. CICATELLI: Yes. We just delivered



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1 another check to Cathy. It was a couple of weeks  
2 ago.

3 MS. ROONEY: Yes. We're good.

4 CHAIRMAN SALTZMAN: We're good? All right.

5 MR. CICATELLI: Mr. Chairman --

6 CHAIRMAN SALTZMAN: On behalf of the Board,  
7 thank you.

8 MR. CICATELLI: -- we delivered, as per  
9 your request, Mr. Mahoney delivered this evening the  
10 original plans that you had requested, I believe.  
11 Cathy received them this evening.

12 CHAIRMAN SALTZMAN: Are these them?

13 MR. CICATELLI: Yes. Yes.

14 MR. MAHONEY: Those are just plans that we  
15 talked on the -- I think it was the 19th or --

16 MR. CICATELLI: Yes.

17 MR. MAHONEY: Early September we talked  
18 about updating the plans to reflect the state  
19 directive for three-bedroom units.

20 CHAIRMAN SALTZMAN: Right. Okay.

21 MR. MAHONEY: So that's what these plans  
22 do. Again, just building floor plan changes.  
23 Nothing else.

24 CHAIRMAN SALTZMAN: Okay. Does anybody

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1 have anything else before we -- we start? Is there  
2 any -- is there anything else, Mr. Witten?

3 MR. WITTEN: No, Mr. Chairman.

4 CHAIRMAN SALTZMAN: Okay.

5 Members of the Board?

6 MR. CICATELLI: Mr. Chairman, if we may,  
7 the -- the letter from Mr. Dirk, as you know, we  
8 didn't receive that until this morning. So we're  
9 not -- we don't have all the information that's  
10 being requested. But what I would like, if  
11 possible, we do have John Diaz from GPI. He could  
12 give a very, very brief presentation with the  
13 understanding that that information will be  
14 forthcoming.

15 CHAIRMAN SALTZMAN: And on that score, you  
16 know, when I said that we're not done with the  
17 traffic, that was -- that was part of it, you know,  
18 is that I realize that, you know, a full -- a  
19 full-fledged response would probably be in order,  
20 and we didn't expect you to get one --

21 MR. CICATELLI: Certainly.

22 CHAIRMAN SALTZMAN: -- on the time frame  
23 that you had available.

24 MR. CICATELLI: But with your permission,

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1 that will be very, very brief.

2 And then we can have Steve Cecil deal with  
3 landscaping and massing. He is an architect, and he  
4 has a presentation for the Board that addresses some  
5 of your prior comments.

6 CHAIRMAN SALTZMAN: So -- that's fine. The  
7 only thing is that we're -- we're -- are you queued  
8 up to do the --

9 MR. CICATELLI: I'm sorry.

10 CHAIRMAN SALTZMAN: Does it make sense to  
11 do the architecture and landscaping first?

12 MR. CICATELLI: That's fine.

13 MR. ROTUNDI: I've just got one question  
14 here.

15 When was that letter sent that you talked  
16 about with the traffic? You didn't get a response  
17 until today?

18 MR. CICATELLI: We received it this  
19 morning, around 10:00, I think.

20 MR. ROTUNDI: When did you send it out?

21 MR. MAHONEY: It was in response to our  
22 submission from -- just prior to the last -- last  
23 hearing.

24 MR. CICATELLI: I believe Mr. Dirk had the

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1 letter done last week, but it --

2 MR. ROTONDI: And what was the problem that  
3 they waited -- that we waited so long to answer the  
4 letter?

5 MR. WITTEN: I can explain, Mr. Chairman.

6 I received it from Mr. Dirk on Friday and  
7 didn't realize that I had it until Mr. Dirk reminded  
8 me that he sent it on Friday today. So Mr. Dirk  
9 then immediately sent the material to the Applicant.

10 So if there is any blame to go around, it's  
11 on me for not having found it in my inbox.

12 MR. ROTONDI: Okay. That's all I wanted to  
13 know.

14 CHAIRMAN SALTZMAN: All right.

15 MR. ROTONDI: They got it out in time.

16 CHAIRMAN SALTZMAN: All right.

17 So Mr. Cicatelli.

18 MR. CICATELLI: So Steve Cecil will be  
19 discussing --

20 CHAIRMAN SALTZMAN: Sure.

21 MR. CICATELLI: -- the presentation before  
22 you.

23 MR. CECIL: So there were a number of  
24 questions and discussion about what the -- what the

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1 views of the project would be. The last time I was  
2 in -- before you, the -- we had a series of views  
3 and talked about the massing and how it's organized.

4 So in response to the questions, what we've  
5 done is an analysis by taking a look at the views  
6 from the perimeter around the project and the sites,  
7 and -- and modeled them with three-dimensional  
8 computer modeling that we have and -- and views that  
9 we had available from the surrounding areas.

10 And so it's a pretty interesting  
11 evaluation. Again, I think the -- the benefits of  
12 this site that we have been discussing have to do  
13 with the degree to which -- and you can see the  
14 perimeter area there -- that it's either up against  
15 a public street or it has significant open space  
16 setbacks that are associated with those areas.

17 So one of the things that we do -- and  
18 we've also pointed out something that's not obvious,  
19 necessarily, by just looking at the plan, is that  
20 there is quite a bit of topography, level changes  
21 across. So one of the things that we've done is  
22 we've taken the -- I think this works -- what we've  
23 taken -- here's the perimeter of the site and the  
24 surrounding areas. What we've done is taken from

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1 each one of the street ends that -- and imagined  
2 ourselves at the properties and along the street, as  
3 well along Franklin Street, views of the site and  
4 the development that would occur. And we have two  
5 cross sections that we created to show what some of  
6 the basic relationships are.

7           So again, if we take a look at a cross  
8 section where on the left-hand side you see Franklin  
9 Street -- so the cross section sort of looking this  
10 way, and we're cutting across the site this way --  
11 what you find is that some of the -- here's --  
12 here's Franklin Street, for example, here. There is  
13 about a four- and five-story apartment building just  
14 on the crest of the hill just to the other side of  
15 Franklin Street. This is where the townhouses would  
16 be. And you can see there is -- and I'm sure the  
17 wetlands and the waterways around here define kind  
18 of a lower level so that the buildings that would  
19 compose the -- the central portions of the  
20 development would be here with their courtyards, and  
21 then the hillside climbs back up to Ellen Road.

22           So you get a sense, we have some of the  
23 elevations of what the tops of those buildings and  
24 what some of the spaces would be as a reference

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1 point.

2           Then what we did is we took another cross  
3 section, and this is looking in the -- kind of in  
4 the other direction, where Beacon Street is on the  
5 left-hand side. Beacon Street is up around an  
6 elevation -- relative elevation of 203 feet. We see  
7 that the elevations of the surrounding buildings  
8 are, again, that's kind of the ground level  
9 elevation in the low 200, 215. The tops of these  
10 buildings vary -- 235, 239, 230, 210 -- and are  
11 scattered along the -- this area. And then again,  
12 as you come out to Franklin Street, these are the  
13 existing -- the farm house and the edges of Franklin  
14 Street.

15           So then what we did is we placed ourselves  
16 in an automobile, and -- and the views that you  
17 would get coming down Franklin Street. And there is  
18 a -- one spot, as we pointed out last time, this is  
19 the area where the -- Ms. Weiss and the farm would  
20 be, so the building is going to be set back. But  
21 there is an area here which is -- although it has  
22 trees on the right-hand side, it is -- it opens up a  
23 little bit as you look across the wetlands.

24           So this is a sequence of views that are

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1 headed down Franklin Street with the -- the houses  
2 on the right-hand side. You're coming down. There  
3 is quite a bit of overgrowth right next to the  
4 roadway, but there is this one spot where you can  
5 glimpse through the trees back in towards the area  
6 where the development would be.

7           Now I want to emphasize that the views that  
8 we used here are taken from higher than what the --  
9 what the vehicular -- what the motorist would  
10 actually see. It's a camera that's mounted on top  
11 of a vehicle, so it's a little bit more open and  
12 generous than you would actually see if you were  
13 walking or driving. But it gives you a pretty good  
14 sense of what would be involved.

15           And the thing about this approach is that  
16 immediately if you pass -- pass that spot, the --  
17 the hillside starts to change. There is kind of a  
18 rise on the right-hand side, and this is where you  
19 see back into the barn.

20           So the -- where the property is going to  
21 remain there is really quite a strong buffer, and  
22 you really won't see the development from those  
23 angles.

24           So, again, taking a look at it, the one



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1 spot that we could see, find where you would have a  
2 bit of a view -- a little slot view, we call it --  
3 for a second is right in here, where you look over  
4 the wetlands. And to the left-hand side you would  
5 see -- and we have some buffering there -- you would  
6 see the edges of some of the buildings facing you  
7 and the townhouses. So that's the difference.  
8 That's what you would see. That's the most that you  
9 would be able to see coming down the hill. The  
10 other places it's obscured.

11 And that's the point that we've been making  
12 is that we're set back quite a ways and there is an  
13 edge of green that actually increases as we move  
14 ahead.

15 CHAIRMAN SALTZMAN: One look on that point.  
16 Would there not be a driveway entering from  
17 the road? No, not from this particular spot?

18 MR. MAHONEY: You're all the way --

19 MR. CICATELLI: That's closer to Gerald,  
20 Mr. Chairman.

21 CHAIRMAN SALTZMAN: Okay.

22 MR. CECIL: You're up here. So this is  
23 where you're coming down the hill -- of course you  
24 can't see anything here. This is the neighborhood

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1 here. It's wooded, pretty -- pretty hilly. There  
2 is a little bit of a low spot where the wetlands  
3 opened up before all of this rises up and buffers  
4 you. So there is one spot right in here -- again,  
5 there is actually quite a bit --

6 CHAIRMAN SALTZMAN: Is that the pumping  
7 station area there?

8 MR. CICATELLI: Roughly where it is, yes.

9 MR. CECIL: Yeah, roughly in there.

10 CHAIRMAN SALTZMAN: Okay.

11 MR. CECIL: So, as I say, that's the spot  
12 where we think that you'll be able to -- I'm sorry.  
13 I'll go back. We think you'll be able to glimpse it  
14 for a second. While you're walking -- if you're  
15 walking, maybe you'll see it for a little longer,  
16 but that's about it.

17 In terms of a different view that we were  
18 asked to consider, this is a view from Franklin  
19 Street. We had shown a view looking down into  
20 the -- the entry drive where the townhouses are, so  
21 we took another view coming the other direction  
22 along Franklin Street. And the thing about that  
23 sequence, again, you can see the sequence on the --  
24 as you come down the hill, this is that -- that

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1 four- and five-story residential building that's by  
2 the street, across the street from the project, and  
3 it's -- and if you look at it our project is going  
4 to be over on the left-hand side here, but it's  
5 really concealed by the existing buildings and  
6 landscaping quite a ways until you hit the low spot  
7 there right where the entrance to the -- the -- oh,  
8 the -- there is a drive now.

9           And so that's the one that when we take a  
10 look at that, this is the spot that it will open up  
11 to the left. Of course the development would  
12 largely be back in here. And this is why we've  
13 located the townhouses set back from the street in  
14 this location, where the entrance would be.

15           Now, we've provided landscaping, so it's  
16 similar to the residential buildings and houses  
17 along the edge of Franklin Street, and  
18 deliberately -- we were really thoughtful about  
19 turning the ends of the townhouses towards the  
20 street, but that gives you a sense of what those  
21 buildings will look like. That's what the  
22 development will look like as you're moving along  
23 Franklin Street headed in that direction.

24           Now, this next view takes a look sort of at

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1 the top, from the top of the head hill here. There  
2 is -- this is Gerald Road up in here, and you can  
3 come to the end of Gerald Road -- and we put our  
4 view point right -- right at the end of Gerald Road  
5 at the point that is pretty much the closest you  
6 can, right?

7 MR. MAHONEY: The closest. It sits down a  
8 little.

9 MR. CECIL: And it sits down, because the  
10 roadway is dropping down.

11 So what we did is we took a look through  
12 between a few -- a couple of houses where there is  
13 some landscaping. Now you'll see that there is some  
14 landscaping here, but it drops off and -- into the  
15 area that -- where the -- the lowlands are, and we  
16 have shown that.

17 So this is a -- kind of at the end of that  
18 cul de sac where you see some trees between the  
19 houses. There are a few houses back in there, of  
20 course.

21 MR. WANTMAN: There aren't any houses in  
22 there.

23 MR. CECIL: This is a house right here.

24 MR. WANTMAN: That's the only house there.

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1 MR. CICATELLI: Steve, just continue.

2 MR. CECIL: So it's a single-family house  
3 street, and the idea here is that as we look through  
4 there, you will see -- through the trees across that  
5 open space you will see the -- the pieces, parts of  
6 the buildings, the complex, through that view. And  
7 that's about -- that's several hundred feet away.

8 Okay. Now we're at the top of the hill,  
9 and we're going to take a look now from the views at  
10 the top of the hill -- and I'm forgetting the name  
11 of the street.

12 MR. CICATELLI: Ellen.

13 MR. CECIL: It's Ellen Street. That's  
14 right.

15 MR. CICATELLI: Ellen Road.

16 MR. CECIL: Ellen Road.

17 The thing about this is that the -- you  
18 really can't see much in between the houses from the  
19 street. You can see a little bit, but we've been  
20 thoughtful about the fact that if you lived in one  
21 of these houses and you were looking out from, let's  
22 say, the second floor, that's the view that you  
23 would be most sensitive to.

24 Normally when we do view impacts, we focus

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1 on the views from public places. But we recognize  
2 that it's important to understand what the  
3 neighbor -- what the neighboring views would look  
4 like.

5           So what we did is we looked -- when we  
6 looked from the street between the trees, and one of  
7 the things that happens here is that there are trees  
8 at the -- that climb up the edge of that hill and  
9 the back of the back yards of these houses along  
10 Ellen Road. And so as we take a look at this, we  
11 look at a couple of different lines.

12           What we are looking through between the  
13 trees is these are the -- this is about the height  
14 of the trees that -- these are kind of front yard  
15 trees, but if you look in the back yards, there is  
16 -- there are trees that peek up, and they're the  
17 highest trees. And they're a little bit -- you can  
18 see where a second floor might be. If you look out  
19 from the second floor, you would look into those  
20 trees. But going down the hill, what we've done is  
21 looked and see where the -- the tree line would be  
22 going down the hill and used that to model what the  
23 views would be.

24           So what we did is we set the view from a --

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1 approximately the second-level bedroom, or second  
2 level room, and looked out toward the site. So  
3 you're seeing the hillsides beyond. In foreground,  
4 these taller trees would be the ones that are in the  
5 backyard, and this is about the line where the trees  
6 are off the property headed down the hill.

7 So that what will happen is that the peak  
8 of the roofs of the Weiss Farm project will poke up.  
9 They'll be about at the same height as the treeline  
10 is -- not the ones on the property; the ones on the  
11 property will be above that -- but about where the  
12 treeline is below. And what we've been looking for  
13 is this kind of effect. If you were in these  
14 neighborhoods, you would look around out other  
15 windows, there are collections of peaked roofs and  
16 houses in directions. And our idea has been to have  
17 lots of different gables and roof ends to have that  
18 kind of characteristic. Again, this is several  
19 hundred feet away and down the hill with the open  
20 space in between.

21 The next view is Beacon, and from Beacon,  
22 again we did the same sort of an exercise. We took  
23 a look towards the -- the site, and we looked at  
24 where the -- the trees are relative to the houses.

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1           So this is the height of some of the taller  
2 trees that are in the back yards. This is, of  
3 course, a front yard tree, but the backyard trees  
4 have these kind of views. So if I'm up in the  
5 second level of one of those houses, my backyard  
6 trees will be above the height of the roof. But if  
7 I trace the height of the trees that are on the  
8 crest on the property, moving down the hill, they  
9 start to step down a little bit.

10           So what we've done, again, is to represent  
11 that some of the trees that are in the backyard will  
12 pop up above the horizon. Most of the tree cover  
13 will be just below the horizon from that standpoint.  
14 So again, when you add the housing at that distance,  
15 accurately modeled, what you'll be seeing is the  
16 pitched roofs, the gables of the development at some  
17 distance, basically the same height as the peak of  
18 those trees.

19           This is the last view. And any notes  
20 about -- I'm sorry, it's --

21           MR. CICATELLI: Sullivan.

22           MR. CECIL: Sullivan.

23           MR. CICATELLI: Sullivan Circle.

24           MR. CECIL: Sullivan Circle. That's right.



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1           The Sullivan Circle view, we've done the  
2 same exercise. The one thing about this is that you  
3 can see the tree cover varies in terms of its width  
4 in the different quadrants as we move around the  
5 site. Here the tree cover is quite significant.  
6 What we're looking at here are the approximate  
7 profiles of trees that would be in the back and side  
8 yards in the direction where we're headed. That's  
9 the basic direction where -- where the development  
10 would be, and these lower -- this lower blue line  
11 represents where we believe the peak of the trees  
12 would be just off the site and headed down the hill.

13           So again what we do is we stand up on the  
14 second level and look out, and you'll see the same  
15 effect here. The backyard trees actually mount up a  
16 little bit more above the horizon. It's a little  
17 more gentle and there is just more trees back in  
18 there. So that when we add the development from  
19 that angle, again what we're largely seeing, in the  
20 wintertime -- by the way, what we did, we made sure  
21 when we put these trees in there, they're kind of  
22 translucent or semi -- you can see through them. If  
23 it was full foliage in the summertime, you don't see  
24 through them. So we're trying to represent the fact

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1 that, in different seasons, you will have some views  
2 through those trees.

3 But basically what's happening, again, is  
4 that the tree lines are -- run across the middle or  
5 towards the top of the buildings, so that the  
6 overall effect, what you're really seeing against  
7 the sky are the different pitches and different  
8 types of roof forms that would be part of it, again,  
9 several hundred feet away.

10 MR. WANTMAN: What's in the foreground  
11 again on that picture?

12 MR. CECIL: The foreground?

13 What's happening in the foreground is what  
14 we've done is we've modeled, we've taken a look at  
15 the cross section and used photographs --

16 CHAIRMAN SALTZMAN: We'll have public  
17 questions at the end this.

18 MR. CECIL: Trees.

19 CHAIRMAN SALTZMAN: If you can just let the  
20 man make his presentation.

21 MR. CECIL: Trees. They're the trees that  
22 are out in people's back yards down the slopes.  
23 That's what you see.

24 And I think the point that all of this is

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1 making is that by locating the taller buildings in  
2 the lowest spot on the site, and by creating  
3 different forms and different shapes and different  
4 pitches of these roofs that are similar to what the  
5 residential areas are, we've had a way that we can  
6 really minimize the changes.

7           Now, there are -- and one of the questions  
8 that was raised at the last time we came for  
9 discussion was are there some opportunities for some  
10 additional buffering.

11           And what we've done is looked at areas that  
12 are outside of the protected land, and we believe  
13 that there are some edges here which were close to  
14 the buildings, we can increase the buffering which  
15 would aid, particularly from this -- this location  
16 along the street a little bit. So that would be  
17 something we would be interested in -- in pursuing,  
18 the view -- the view showed. Because that's the  
19 area where the thinnest tree cover is.

20           So now there had been talk about what could  
21 occur with the parking that is between the two  
22 courtyards, the interior courtyards. And one of the  
23 things we wanted to emphasize is that we have play  
24 spaces and areas that will be set aside for safe

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1 areas for -- for people and kids, families to enjoy  
2 in the interior side of these places, to avoid the  
3 conflicts with vehicles as a whole.

4 One of the things that we've also taken --  
5 we were asked to take a look at is the length of the  
6 sidewalks and the walkways and the amount of open  
7 space overall that we would be providing and it  
8 could be accessible. And we have nearly a mile of  
9 sidewalks on the -- the project -- those are  
10 separate pedestrian paths -- plus about 875 feet of  
11 a separate path that we have recommended would be  
12 part of the walking experience here. So when you  
13 add it up, it's -- it's pushing towards a mile of  
14 walking area on the site; and that there would be,  
15 in terms of usable open space, the kind of space you  
16 could go throw a frisbee or walk, or take -- there  
17 would be about three-quarters of an acre of those  
18 kinds of spaces which would be created, which is  
19 really quite generous for the scale of this project.  
20 And remembering that we have all of this open --  
21 preserved open space that would be occurring on the  
22 perimeter. That's not part of these calculations.  
23 Our calculations are just those interior spaces. So  
24 overall we think that we are in a generous

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1 condition.

2           We have taken a number of views to show how  
3 the sidewalks and how the organization of the  
4 buildings is designed so that they're not large,  
5 continuous blocks, but they turn and have different  
6 gabled ends. This is a view as you would enter the  
7 project, the sidewalk from Franklin Street with  
8 townhouses in the foreground, middle-sized building  
9 here. This is the common building that is modeled  
10 after the -- the barn that has been there. And  
11 again, our job has been to try to think about how  
12 the different gable ends and the different shapes  
13 the buildings could be created to have a quite --  
14 quite varied scale through both the form and the  
15 color and the materials that we're creating.

16           So once you come into the development and  
17 you reach a kind of crossroads right away, that's  
18 the location where the common building would occur,  
19 and we've really worked on creating sidewalk-flanked  
20 streets with -- with parking and distributing the  
21 parking so certainly there is parking -- we want to  
22 make sure there is adequate parking, but that it  
23 complements the open space. This would be a view  
24 through -- between the two courtyards, and this is

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1 where some parking would be located with -- with a  
2 crossing area in between. This is about as -- a  
3 view that we really wanted to make sure that we  
4 showed to represent what that would be so that the  
5 balance of the open space, the cars and the  
6 buildings, is what we're trying to reach.

7           But looking back in another direction, you  
8 see that -- now you'll still see the cars in the  
9 distance, but the scale of these courtyards and the  
10 walking distances there are really -- are really  
11 nice. On the left-hand side would be the small  
12 swimming pool, and of course that's why the fencing  
13 is located there.

14           So you see we're showing trees and other  
15 kinds of landscaping that would be here. We've made  
16 them translucent so you can see through them, so you  
17 can understand the relationship between the  
18 buildings, and the open space and the walkways.

19           So that represents a tour of the outside  
20 looking in, the inside looking out, and how we've  
21 tried to integrate walking, landscape, building form  
22 to create a great environment.

23           MR. GALLOGLY: You left them speechless.

24           MR. CECIL: And I apologize for -- I'm

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1 almost afraid to make a mistake in saying the street  
2 names, but I think we got that right.

3 CHAIRMAN SALTZMAN: One question that I  
4 remember having from the last time we were here was  
5 I was wondering if we could have a view of the large  
6 building from the back.

7 Do we have any of those?

8 MR. CICATELLI: Why don't go to the one  
9 from Beacon.

10 From Beacon Street, Mr. Chairman?

11 CHAIRMAN SALTZMAN: It would probably be  
12 from Beacon Street, yeah.

13 MR. CICATELLI: That's one of the slides.

14 CHAIRMAN SALTZMAN: You might have showed  
15 it to us.

16 MR. MAHONEY: It's five or six.

17 MR. CICATELLI: It's five or six.

18 MR. CECIL: Yeah. I think we've covered...

19 CHAIRMAN SALTZMAN: That would be the --

20 MR. CECIL: Yeah. I mean, in a way --  
21 yeah.

22 MR. MAHONEY: One more back.

23 MR. CECIL: Yeah. So that's it. That's  
24 from the -- that's really it. That's -- when you

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1 say looking at the back, the shape of the buildings  
2 and the way they're designed, they're all meant to  
3 have features, balconies. There really -- it's not  
4 really designed as a back side and a front side.  
5 They're all designed to have pleasant -- because  
6 people will be entering them. It's part of the  
7 overall environment. But that is -- if you want to  
8 think about it from -- from that angle, that's the  
9 kind of view that you would have.

10 CHAIRMAN SALTZMAN: Yeah. Just looking to  
11 see just how much detail there was to see. You  
12 know, sometimes, you know, you have these buildings  
13 that look -- you know, all kinds of detail on the  
14 front and you look on the back and it's like a wall,  
15 you know. And I can't really look through the haze  
16 here and see.

17 MR. CECIL: Oh, I see. If you look at the  
18 elevation drawings that were submitted, you'll see  
19 that the front and the back are the same.

20 CHAIRMAN SALTZMAN: Okay.

21 MR. CECIL: They're effectively the --  
22 effectively the same. The same distribution of  
23 windows. There are units on both sides. They have  
24 similar scale amenities. The -- the idea of having



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1 the gabled roofs as a kind of way of breaking up  
2 that wraps all the way around and on the inside of  
3 the courtyards.

4 CHAIRMAN SALTZMAN: And just with reference  
5 to -- I saw that there was some play area for -- for  
6 family, kids.

7 How large would that -- would that area be  
8 just in terms of square feet, if you have it?

9 MR. CECIL: I don't have that on -- off the  
10 top of my head. I don't have that. We can get that  
11 to you.

12 CHAIRMAN SALTZMAN: All right.

13 Just might there be an approximation? Just  
14 it was -- just seemed to be the courtyard of, like,  
15 those buildings in the front.

16 MR. CECIL: You probably would try to get  
17 something like that to be in the neighborhood of 35,  
18 40 feet by maybe 50 feet or so, 60 feet, like that.  
19 You want to have some, you know, open area that's  
20 not programmed to play, places where people can sit.

21 CHAIRMAN SALTZMAN: Right.

22 MR. CECIL: But I would have to take a look  
23 at it to -- I just don't recall what we had laid  
24 out.

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1           CHAIRMAN SALTZMAN: And then are there  
2 any -- any more facilities for kids, for family, for  
3 that sort of thing? I know there is -- there is  
4 adult workout areas, there is a gym. I'm just  
5 wondering what do you have.

6           MR. MAHONEY: We have a community building  
7 which would house, you know, also the fitness room.  
8 It would also house a large community room which  
9 would be -- you know, have TVs; then a separate  
10 probably -- depending on the times, usually a game  
11 room with whatever gaming system is the one that  
12 everyone's playing, and additional TVs.

13           CHAIRMAN SALTZMAN: Just wondering, you  
14 know, like -- for the Saturday in February where  
15 everybody's been in for the winter, where do they  
16 go? And there is snow on the ground. Is there any  
17 place, you know, where you bring a kid where a kid  
18 would do anything?

19           MR. MAHONEY: Well, they also have very  
20 nice homes to live in, too, so they're able to  
21 entertain there, too.

22           MR. CECIL: But they would have that  
23 community building with all that space inside as  
24 recreational space available for the residents, and

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1 that's really designed to be year-round. But in the  
2 summertime there is a swimming pool right outside.

3 CHAIRMAN SALTZMAN: Right.

4 MR. SULLIVAN: I just got a comment.

5 I have a lot of skepticism about you using  
6 all these trees, which is wonderful, but along comes  
7 the dead of winter and all the doldrums, I can see  
8 Franklin Street from Beacon Street, Sullivan Circle.  
9 I've lived there 50 years.

10 MR. CECIL: That's why we showed the trees  
11 as translucent as opposed to solid, because in the  
12 summertime you really won't be able to see through  
13 them. So we showed them as translucent, we made  
14 them partially visible, to represent the fact that  
15 you will be able to see something through that. It  
16 won't be complete, but it's almost like a screen as  
17 opposed to blocking it.

18 Otherwise, this is a pretty dense -- dense  
19 deciduous -- there is some evergreen up in there,  
20 but a lot of deciduous. In the summertime, you  
21 know, it's different. But we wanted to represent  
22 that.

23 But the other thing is we got up in the  
24 buildings to look out, not from the ground floor.

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1 The ground floor is a very different matter because  
2 you're so -- at such a lower elevation. So we took  
3 what we thought was the most you would be able to  
4 see, understanding that there would be concern about  
5 the accuracy of what we're doing.

6 MR. SULLIVAN: Beacon Street sits, what,  
7 about a little over 25 feet above Franklin Street?

8 MR. CECIL: I think that's in cross section  
9 two.

10 MR. SULLIVAN: 203 versus 175, 177.

11 MR. CECIL: It's about -- yeah. It's  
12 about -- that's right. It's about 20 -- it looks  
13 like -- it depends on where you are, but it's, like,  
14 25, 26 feet, something like that, depending on  
15 your -- and so --

16 MR. SULLIVAN: And the roof line of the  
17 structure is --

18 MR. CECIL: And because we're a little bit  
19 below Franklin Street --

20 MR. SULLIVAN: -- 212, 215 --

21 MR. CECIL: Excuse me?

22 MR. SULLIVAN: -- you'll find the  
23 structures?

24 MR. CECIL: The roof line varies up to

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1 about 235.

2 MR. SULLIVAN: Okay.

3 MR. CECIL: So if you're up on, you know,  
4 Beacon Street, and you're on a house, you would add  
5 some height on that, too.

6 MR. SULLIVAN: So at grade level you're  
7 looking right into the top floor?

8 MR. CECIL: You're basically, instead of,  
9 like, looking into -- you're looking at the upper  
10 story straight across with a roof. So it's not  
11 unlike -- in the way we look at this, we're looking  
12 towards what's now an open space. But if you look  
13 out from the houses to the other houses in the  
14 neighborhood, it's that same kind, except it's  
15 further away. It's at sort of the same level.  
16 You're not looking up so much as you're looking  
17 straight across. And that's the advantage of having  
18 the site be down a little bit from the surroundings.

19 MR. SULLIVAN: Okay.

20 CHAIRMAN SALTZMAN: Mr. Witten.

21 MR. WITTEN: Thank you, Mr. Chairman.

22 Mr. Cecil, when was the presentation you've  
23 just presented to the Board, when was that prepared?

24 MR. CECIL: Over the last two weeks in

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1 response to the questions we received.

2 MR. WITTEN: And the plans that you're  
3 referring to you prepared in June of 2014?

4 MR. CECIL: The ones that are submitted,  
5 yes.

6 MR. WITTEN: Did you collaborate with the  
7 architect in preparation of the landscape plans?

8 MR. CECIL: We were very integrally  
9 involved in actually working the site plan, the  
10 location of the buildings, the massing of the  
11 buildings, the integration of the landscape, the  
12 orientation of the buildings, the way the site  
13 circulation, that was a team effort throughout  
14 the -- the design of the plans you see in front of  
15 you.

16 MR. MAHONEY: Unfortunately, the architect,  
17 Hugh Russel, sits on the planning board of another  
18 town. He had a meeting tonight, so he couldn't make  
19 it.

20 MR. WITTEN: Right, but -- Peter, thank  
21 you. The architect wasn't your firm; it was a  
22 different firm; is that right?

23 MR. CECIL: Right. But I should say I'm an  
24 architect as well as a landscape architect, and our

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1 role is to work together to help craft what the  
2 overall site development will look like.

3 MR. WITTEN: So a question I asked the  
4 architect last time is whether you were aware of the  
5 financial aspects of the plan when you developed  
6 these.

7 MR. CECIL: Typically that's not our  
8 charge.

9 MR. WITTEN: So in this case you weren't  
10 aware of the cost implications?

11 MR. CICATELLI: It's the same question as  
12 last time.

13 MR. WITTEN: Mr. Cicatelli, I'm entitled to  
14 ask that question.

15 MR. CICATELLI: I'm not talking to you,  
16 Mr. Witten. I was talking to --

17 MR. MAHONEY: You asked him the same  
18 question the last time, too.

19 MR. CICATELLI: That question was asked and  
20 answered.

21 MR. WITTEN: Thank you both, gentlemen.

22 Mr. Cecil, are you aware of the financial  
23 implications of the plans that you have drawn?

24 MR. CECIL: No, not specifically.

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1           MR. WITTEN:   Okay.   Thank you.

2           MR. SHULMAN:   One of the questions that we  
3 asked last time was about eliminating some of the  
4 parking spaces, at least in the central courtyard,  
5 to connect those spaces.   It sounds like from your  
6 presentation -- yeah, that.   That area.   Which I  
7 realize is a large number of parking spaces.   You  
8 certainly can't get rid of all of them.   But the  
9 courtyard itself, to connect those two green spaces,  
10 would just -- it looks like it would take about 20  
11 parking spaces away, if you took just -- just the  
12 section that would directly connect the green  
13 spaces.

14           MR. CECIL:   Well, there is a balance --  
15 there is a balance here between providing adequate  
16 parking to serve the project with protecting -- I  
17 think the thing that is important to look at, that's  
18 good open space, of course, and we're trying to  
19 create a broad connection, and we can enhance  
20 special paving to make sure that it's pedestrian.  
21 But the balance that we have when you look at the  
22 site is all that open space that's all around this  
23 project, and to provide enough parking so that it  
24 really serves the folks that are here.



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1           So we recognize that, as much as possible,  
2 we're trying to integrate the pedestrian walkways,  
3 the open spaces, and have each one of the open  
4 spaces adequately sized to do that so that we can  
5 have all of that green space. But that's one of  
6 those tradeoffs that happens when you have a program  
7 and parking requirements.

8           MR. MAHONEY: If I could add to that, we  
9 did discuss, and I think, you know, something we  
10 think is probably a good idea, you pointed out an  
11 area where we can focus more, and I think Steve's  
12 mention is treating the pavement differently there  
13 so that it doesn't feel like every other driveway in  
14 the development. It would help, you know, to point  
15 that out, that it's not the same; that it's  
16 pedestrians. It's kind of shared space.

17           MR. SHULMAN: Sure.

18           MR. CECIL: Right. Designing the shared  
19 space.

20           MR. SHULMAN: I guess my concern is that --  
21 this may just be my view, but that the open space  
22 around the perimeter of the property, it has some  
23 buffering value to the adjacent neighborhood, but  
24 it's -- it's wet, and it's wooded, and it's probably

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1 got ticks -- I don't know, but -- that's  
2 speculation, but it's not -- the value of that space  
3 is less than a developed park-like setting in the  
4 middle of these buildings.

5           Although I did grow up in New Hampshire and  
6 enjoyed playing in the woods, I think I can also  
7 recognize that a park, developed kind of park  
8 setting has more to offer a community than just  
9 wetlands.

10           MR. CECIL: Uh-huh. Uh-huh.

11           CHAIRMAN SALTZMAN: Is there a -- is there  
12 a path or a sidewalk that goes through the perimeter  
13 of the property?

14           MR. CECIL: No. The only path that --  
15 there is no path along the perimeter. There is a  
16 path where there is a -- a crossing of the drainage  
17 swale there. There is a small area where it looks  
18 like we could put a pleasant path up in where there  
19 is actually an opening today, so that there would be  
20 a little bit of a circuit that would get away from  
21 the edges. The perimeter walkway would be really  
22 around the perimeter of the -- of the -- of this  
23 area and wouldn't cross out into these other areas.  
24 So that's the one area where that -- that walk would

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1 be, and if you're --

2 CHAIRMAN SALTZMAN: What would you estimate  
3 to be the distance; maybe quarter mile?

4 MR. CECIL: A quarter mile?

5 CHAIRMAN SALTZMAN: Around that perimeter.

6 MR. CECIL: Well, that would be about that  
7 875 feet.

8 CHAIRMAN SALTZMAN: Not even.

9 MR. CECIL: Yeah. Yeah. Of course to walk  
10 there you would have to walk -- so you're just  
11 saying this is about 875 feet, this little loop up  
12 in here.

13 MR. MAHONEY: Including?

14 MR. CECIL: Including the connection where  
15 it hits the sidewalk here, that's about 875 feet  
16 additionally. And the idea was not to get up into  
17 these -- as much fun as it is -- and I grew up in a  
18 neighborhood where there were -- there were -- I  
19 don't know who owned them, but forests and woods.  
20 That may happen. But we're trying to keep it, you  
21 know, within the -- the development itself. And  
22 that is to say, overall there is about a mile if you  
23 really wanted to walk back and forth.

24 CHAIRMAN SALTZMAN: There was a -- a

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1 suggestion I believe last time that the -- the top  
2 two floors on the five-floor buildings, five-story  
3 buildings, if those were to be eliminated, what  
4 would be the height of the buildings? We're at 235  
5 right now. What would they be at if there were --  
6 if, instead of five floors, there were three floors?

7 MR. CECIL: It would be about 20 feet  
8 shorter.

9 CHAIRMAN SALTZMAN: 20 feet?

10 MR. CECIL: Uh-huh.

11 CHAIRMAN SALTZMAN: So they would be at  
12 215 feet?

13 MR. CECIL: Like that.

14 CHAIRMAN SALTZMAN: In that neighborhood?

15 Just wondering what would be the effect of  
16 that in terms of the view from the various  
17 surrounding streets? That would be a significant  
18 drop for people that are looking at it from Beacon  
19 Street; would that be the case?

20 Probably sticks up the most from Beacon  
21 Street, would you not agree?

22 MR. ENGLER: Beacon is 700 feet away,  
23 though.

24 MR. CECIL: From Beacon Street, again

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1 you're seeing a portion of it. But if you lower the  
2 buildings, you'll see less of the buildings.

3 CHAIRMAN SALZMAN: I'm sorry?

4 MR. CECIL: If you lower the buildings, you  
5 would see less of the buildings, depending upon your  
6 vantage point.

7 CHAIRMAN SALTZMAN: I'm just -- I'm just  
8 wondering. We see what the 235 feet looks like and  
9 you know, there it is. And I just wonder, you know,  
10 it's 235 feet compared to what? You know, what does  
11 it look like compared to 215? I don't know.

12 MR. CECIL: Well, I think if you look at  
13 the cross section, and you look at the  
14 surroundings -- and part of this is understanding  
15 what the relationship of the surroundings and what  
16 views are.

17 If you look at the housing that's around  
18 the area, the views from that housing there are  
19 relatively few units that face -- there are  
20 certainly some, but the views of these units, if you  
21 look out the windows, are of other units and other  
22 roofs at about that same elevation, but they're  
23 really pretty close to you.

24 What we're saying is if you make the roof

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1 tops about that same elevation, but it's hundreds of  
2 feet way, the overall impact of being a neighbor  
3 is -- is consistent with what that neighborhood is,  
4 and, in fact, less than some of the buildings that  
5 are nearby. So from our perspective, we think that  
6 this is about creating a circumstance which is  
7 fundamentally compatible with the -- the  
8 relationships that are there because we're at a  
9 somewhat lower elevation.

10 CHAIRMAN SALTZMAN: Actually, I was just  
11 looking to see if it could be entertained. I'm  
12 not -- nobody's mandating anything right now. I was  
13 just looking at it and saying, what would -- what  
14 would the effect be if it were reduced? You showed  
15 significant -- you showed the buildings in relation  
16 to the horizon, up or down in relation to the  
17 horizon. I'm looking at it in trying to determine  
18 what difference would 20 feet make.

19 I know there was a suggestion the last time  
20 from Mr. Houston that 20 feet would make a  
21 significant difference, and I just wonder if that  
22 could be entertained.

23 MR. MAHONEY: You're asking whether we  
24 can -- can redesign buildings to drop them by 20

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1 feet?

2 CHAIRMAN SALTZMAN: I'm asking what that  
3 would look like if that were to be done. I mean,  
4 these are hypothetical buildings that we're looking  
5 at right now.

6 MR. MAHONEY: No. They're designed  
7 buildings, Mr. Chairman.

8 CHAIRMAN SALTZMAN: I understand that. But  
9 they're not up yet. And before they go up, I was  
10 just wondering what they would look like if they  
11 were smaller? Other than that they would be  
12 smaller.

13 MR. CECIL: Well, that's the answer is that  
14 they would look smaller.

15 CHAIRMAN SALTZMAN: But in relation to the  
16 surroundings, I think it's significant. You're  
17 talking about how they look right now, as designed,  
18 in comparison to surroundings. I'm asking what they  
19 would like if Mr. Houston's suggestion were to be  
20 taken and they were to be 20 feet less, would that  
21 make a significant enough of a difference?

22 MR. ENGLER: I'll be the hard guy,  
23 Mr. Chairman.

24 THE WITNESS: I never doubted that for a

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1 minute, Mr. Engler.

2 MR. ENGLER: As learned counsel might agree  
3 with me on this, that you're -- you're looking at  
4 the existing plan that we submitted, and that's the  
5 plan we submitted, and we think it works. And to  
6 ask how it would look with two stories less, or four  
7 stories less would be great, or for all townhouses  
8 would be great, but we don't have an obligation to  
9 do various models of things that might be better or  
10 might be worse, unless we choose to.

11 But basically we're suggesting, in as  
12 pleasant a way as I can be, that you're supposed to  
13 review what we've given you. And you can ask for  
14 that, or you can saw, you know, it would look less  
15 if you had two stories off, or one, but I don't  
16 think we want to redesign the whole development just  
17 to see how it looks with one story less, two stories  
18 less, three stories less, because, frankly, we think  
19 it's appropriate, and it's contextual, and it works,  
20 and we would like you to review what we have.

21 Unless the team says, "No, no. We'll do that." But  
22 I think that's not what we're supposed to be doing.

23 MR. WITTEN: Mr. Chairman, I think the  
24 Chairman's question couldn't be more clear.



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1           MR. ENGLER:    It's very clear.

2           MR. WITTEN:   The question to the team is  
3 will you prepare a schematic illustrating a  
4 reduction in height by 20 feet?  The Board has the  
5 right, under the regulations, to request revisions  
6 that will be less impactful on the community.

7           MR. ENGLER:   And we have the right to say,  
8 "No, you have to review what we have."

9           MR. WITTEN:   So if the Board -- if the  
10 Board hears from the Applicant that you're saying  
11 no, because it's uneconomic, then the Applicant --

12          MR. ENGLER:   Never mentioned that word.

13          MR. WITTEN:   Well, if we're going to play a  
14 game, Mr. Engler, then the game is the Board has the  
15 right to request a reduction in impact, a reduction  
16 in density, a reduction in visual effect on the  
17 community.  If the Applicant chooses to say no, then  
18 you should say no; and the Board can decide how to  
19 move forward.  But the Applicant has been asked by  
20 the Chairman at least twice to provide a plan  
21 showing a reduction in height pursuant to  
22 Mr. Houston's comments from two weeks ago.

23                        It's up to the Applicant to decide what to  
24 do.

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1           MR. ENGLER: Yeah, we agree. And at the  
2 end of the day, if the Board -- the sense of the  
3 Board are conditions that we can't live with, that's  
4 when we get into what you're talking about. But  
5 right now, from what we've heard -- and we're just  
6 one-third through the whole debate, you know, I  
7 don't think we need to start modeling different --

8           The Chairman knows what it would look like  
9 with 20 feet less. It will look 20 feet less. But  
10 you guys can decide to show that 20 feet less. I'm  
11 just saying we don't have to do that.

12           MR. CECIL: As a professional that does a  
13 lot of environmental impact assessments, we think  
14 that the question is not a marginal one about what's  
15 less. The question is more about is the -- what is  
16 the impact. And our -- our working on this model,  
17 and -- and in expressing what we incorporated into  
18 our design concept is that the impacts are very  
19 limited here. They're very limited because you have  
20 buildings that are on a lower plateau and set so  
21 significantly back from the surrounding areas, and  
22 that there is significant tree cover to start with,  
23 that the impacts, we don't believe, are significant,  
24 and that's what we're trying to express.

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1 MR. WITTEN: Mr. Chairman, the Board --

2 CHAIRMAN SALTZMAN: Just very quickly on  
3 this, I would -- I recognize you look like an honest  
4 man, and I'm inclined to believe you, and I don't  
5 think you're telling lies here; but I would like to  
6 see what it looks like because it does seem to be a  
7 point which reasonable minds could differ.

8 Would that not appear to be the case?

9 MR. CECIL: I think that when we look at  
10 things like this, as I say, I think the question is  
11 what's the standard that's to be used, and the  
12 standards here that we've been using is to try to  
13 make sure that the impacts are limited and -- and  
14 not significant. And it gets to be a question of  
15 significance. And we think that we've done a very  
16 good job in terms of trying to reach that point.

17 MR. WITTEN: Mr. Chairman --

18 CHAIRMAN SALTZMAN: So -- but you can --  
19 you would agree with me that it's not an existential  
20 fact that it has no significant impact. I mean,  
21 this is something that's in the eyes of the  
22 beholder, right?

23 MR. CECIL: Not entirely, no. That's why  
24 we try to study these things with as much

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1 information about what's actually there as we can.

2 CHAIRMAN SALTZMAN: So the answer is no,  
3 you would not prepare such a model?

4 MR. CECIL: It would depend on --

5 MR. MAHONEY: Let's talk about it after the  
6 hearing, Mr. Chairman.

7 CHAIRMAN SALTZMAN: Actually, you know, at  
8 some point in this, it does make sense that maybe  
9 we'll take a break between one presentation and the  
10 next. That might make some sense.

11 MR. MAHONEY: Okay.

12 CHAIRMAN SALTZMAN: And, you know, if you  
13 want to take one now. I mean, it's 8:30 right now,  
14 and --

15 MR. CICATELLI: That would be fine,  
16 Mr. Chairman.

17 CHAIRMAN SALTZMAN: -- we've been waltzing  
18 around for an hour. So maybe we can take a break  
19 and come back in ten minutes.

20 MR. CICATELLI: Thank you, Mr. Chairman.

21 MR. ENGLER: Very good.

22 (Recess taken)

23 CHAIRMAN SALTZMAN: We're back. All right.  
24 We're back.

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1           Look who has the microphone.

2           This can't be good.

3           MR. ENGLER: I do.

4           CHAIRMAN SALTZMAN: I know. I know. We  
5 were hoping for a better answer than we're going to  
6 get.

7           MR. ENGLER: That's putting me in a bad  
8 light, Mr. Chairman.

9           CHAIRMAN SALTZMAN: We know who delivers  
10 the bad news from that side of the room.

11          MR. ENGLER: I'm speaking for the team, not  
12 just me.

13          I think that the focus on impacts is a  
14 little bit off target. It's important, but it's  
15 not -- it's not the focus. The focus is, is this an  
16 appropriate site, an appropriate use of the site,  
17 what we have. That's the test. And we've gone  
18 pretty far along, in my experience, showing you  
19 these cuts and these views and everything else from  
20 the neighborhood.

21          We believe it is appropriate. We believe  
22 that we pass that test, and we're very comfortable  
23 with what we've shown you and shown everybody, that  
24 this is a plan that works, and so that's what --

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1 we're going to stay with that plan at this point in  
2 time, unless something comes up down the road later  
3 on where we have to look at other things. But at  
4 this point in time, from a pure design point of  
5 view, we think it's -- it passes the test of, you  
6 know, what we're doing and how -- how it works on  
7 the site.

8           And how it looks from 500 feet, and  
9 300 feet, and 700 feet away, all that's very useful  
10 and helpful, but to ask us to do what does it look  
11 like with 20 feet less, or 30 feet less, is saying,  
12 "Well, what about these alternative plans?" We  
13 think the plan we have works, and that's where we're  
14 going to stay.

15           CHAIRMAN SALTZMAN: You know we're -- we're  
16 actually not disputing that, but, again, the  
17 question was, compared to what? And we -- we had  
18 simply asked -- I had simply asked for a comparison  
19 that would be in line with what Mr. Houston had said  
20 the last time he was here, that a three-story  
21 building would have far less impact on the area.

22           Now, one thing that does occur to me, on  
23 this very point, is that if we have a five-story  
24 building that reaches 235 feet, and the net effect

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1 of reducing two floors off that building is 20 feet,  
2 I would then have to say that, to get to the ground  
3 level, we're looking at being 185 feet off the  
4 ground. Because if each floor is ten feet, what's  
5 going under this building?

6 I guess that's the question I would have is  
7 if all we lose when we subtract two floors is  
8 20 feet, what are we doing with all the rest of this  
9 if we're --

10 MR. ENGLER: What do you mean, what are we  
11 doing -- you're losing me.

12 CHAIRMAN SALTZMAN: How do we -- how do we  
13 wind up 185 feet off the ground to start? Is that  
14 the ground level?

15 MR. ENGLER: You're talking about the  
16 baseline right now?

17 CHAIRMAN SALTZMAN: Baseline, yeah. How do  
18 we get...

19 MR. ENGLER: I'll let the expert answer  
20 that.

21 MR. CECIL: Yes.

22 CHAIRMAN SALTZMAN: Much as I would like to  
23 hear more from you, Mr. Engler.

24 MR. CECIL: The new building elevations are

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1 about 175 feet.

2 MR. MAHONEY: Ground floor.

3 MR. CECIL: Ground floor.

4 CHAIRMAN SALTZMAN: Okay. And that's  
5 ground level?

6 MR. CECIL: Yeah.

7 CHAIRMAN SALTZMAN: Okay.

8 MR. WITTEN: Could I ask, Mr. Chairman, is  
9 that preconstruction, or is that postconstruction  
10 with fill?

11 MR. CECIL: That's postconstruction.  
12 That's as constructed.

13 MR. WITTEN: With fill?

14 MR. CECIL: With buildings.

15 MR. WITTEN: With fill?

16 CHAIRMAN SALTZMAN: Where is it today?  
17 What's the ground level we're starting at?

18 MR. CECIL: It varies. It's running  
19 between 165 feet and 170 feet.

20 So the idea is to level that, to level the  
21 area and create a base for the...

22 MR. WITTEN: Could I ask, Mr. Chairman, are  
23 you saying that there is approximately five to  
24 six feet of fill?



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1           MR. CECIL: In some areas.

2           MR. WITTEN: And what about in other areas?

3           MR. CECIL: Well, it will be the difference  
4 between another five feet -- it would be two feet in  
5 some areas, and it would be seven feet in other  
6 areas.

7           MR. WITTEN: So, Mr. Cecil, your testimony  
8 is that the most, or the greatest depth of fill on  
9 the site beneath the buildings is seven feet?

10          MR. MAHONEY: Our civil engineer is going  
11 to be here next week.

12          MR. WITTEN: Can Mr. Cecil answer the  
13 question?

14          MR. CICATELLI: He doesn't know, Jon.

15          MR. WITTEN: Mr. Cecil has to answer the  
16 question, Attorney Cicatelli, not Attorney  
17 Cicatelli.

18          MR. CECIL: It's an approximate number. I  
19 don't have the specific numbers. That will give you  
20 an approximate idea, but the civil engineer would be  
21 the proper person to give you that answer.

22          MR. WITTEN: But your understanding is it's  
23 seven feet of fill?

24          MR. CECIL: It's approximately.

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1           MR. WITTEN:   Approximately seven feet of  
2 fill?

3           MR. CECIL:   Seven feet of fill in some  
4 locations.

5           MR. WITTEN:   What's the maximum number  
6 extent of fill in some locations, approximately?

7           MR. CECIL:   I don't know that answer.

8           MR. WITTEN:   Is it more than seven feet?

9           MR. CECIL:   I don't -- again, we're working  
10 off of averages to establish a basic understanding  
11 of where these things are, in terms of understanding  
12 what the views would be we're looking at it as it  
13 would be designed and not as it is today. So  
14 that's -- that's why we use these ground floor  
15 elevations.

16          MR. WITTEN:   Okay.

17          MR. CECIL:   And the underlying land varies.

18          CHAIRMAN SALTZMAN:   And just in answer to  
19 the earlier question, the answer is you're not going  
20 to provide us with models as to what it would look  
21 like if there were two floors reduced off the top  
22 just so that we could at least compare, without  
23 deciding or rejecting on any particular plan, just  
24 simply adopting what Mr. Houston had suggested?

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1 You're not interested in doing that at all?

2 MR. ENGLER: Well, Mr. Houston was  
3 attempting to redesign the project as well. We  
4 don't feel it needs to be redesigned. We showed  
5 you -- we spent a lot of time showing you what we  
6 have, and that's what we're comfortable with. So  
7 we're not into a redesign mode. You could do a  
8 number of things and make it a different site plan.  
9 That's not what we feel like we have to do, nor you  
10 have to do.

11 CHAIRMAN SALTZMAN: Sure. Okay.

12 MR. ENGLER: But you can put any conditions  
13 on at the end of the day, and we'll have to deal  
14 with that, so...

15 CHAIRMAN SALTZMAN: All right.

16 Have you anything else to say?

17 Any other questions from the Board?

18 CHAIRMAN SALTZMAN: Okay. And I ask --  
19 there is going to be a -- a public time -- a time  
20 for public questions and then public comment at the  
21 end of this. I would just ask if you could stick  
22 around through our next segment and -- before we get  
23 to the traffic issue, I believe Mr. Houston is  
24 prepared to potentially say something.

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1 MR. HOUSTON: I could certainly say  
2 something.

3 MR. WITTEN: Tom. Tom. Tom.

4 MR. HOUSTON: I think, first of all, the  
5 sections are helpful in understanding the site. I  
6 realize there is a good deal of work involved in  
7 preparing them, but one issue or concern I would  
8 raise, I believe that the worst case section happens  
9 to be one that is not depicted. My recollection is  
10 that the high point on Ellen Road is crudely in line  
11 with the east/west parking bay that divides the  
12 courtyard there, so Section 4, the actual high point  
13 of Ellen Road -- and therefore the point which has  
14 the least obstructed views of these buildings -- is  
15 probably about 800 feet south of Point 4, again  
16 crudely in line with that central parking area.

17 So I think, just in terms of accurately  
18 showing the -- the existing plan that is before us,  
19 I think a section through that point would be --  
20 would be helpful.

21 A second comment -- and Mr. Cecil can  
22 correct me if I'm wrong -- but my own experience in  
23 preparing sections of this nature, the Board should  
24 be aware that there is a good deal of subjectivity

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1 involved in preparing the sections. What is usually  
2 done -- and it may not be the case here -- but  
3 what's usually done is a visual estimate made by the  
4 person who's preparing the sections with respect to  
5 where that tree line is and the height of the crown  
6 of the trees.

7           The other issue is that you're not looking  
8 at surveyed locations of trees. Having made the  
9 assumption of crudely where the crown of the trees  
10 are, the actual type and locations of the trees are  
11 essentially added to the view, and they're not  
12 really real world based. They're just the  
13 preparer's understanding of where these trees may  
14 be.

15           So for each of these views, there may be a  
16 considerably distinct difference between the  
17 sections as presented and what a person will  
18 actually see. It may be more visually obvious or  
19 less, but it's probably quite a bit different than  
20 the particular section.

21           The final comment that I would make, just,  
22 again on the east/west parking area that divides the  
23 courtyard. I think -- and we commented on this in  
24 our report. I think that courtyard is a very strong

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1 design statement. I think it's a key feature of the  
2 project, and I think that that whole idea is just  
3 degraded by having that east/west parking lot  
4 dividing that -- that courtyard in two.

5 I understand there are pragmatic reasons in  
6 terms of parking count and things like that, but I  
7 think that's one thing -- not so much for the  
8 neighbors or the town, but just for the benefit of  
9 the future residents here, if that could be  
10 reexamined, I think the design could be  
11 significantly upgraded.

12 Thank you, Mr. Chairman.

13 CHAIRMAN SALTZMAN: Thank you.

14 Mr. -- so on the issue of the height of the  
15 trees, that's -- that is, at best, a good faith  
16 guess?

17 MR. HOUSTON: It's a person's best  
18 estimate, I guess.

19 CHAIRMAN SALTZMAN: Okay.

20 With reference to the first point from  
21 Mr. Houston, is it a possibility that we could have  
22 the view from Ellen Road that Mr. Houston had  
23 indicated?

24 MR. MAHONEY: Yes.

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1 MR. CECIL: Did you understand that?

2 MR. MAHONEY: We will get you --

3 MR. CECIL: I see what you're saying.

4 CHAIRMAN SALTZMAN: Any other questions?

5 MR. HOUSTON: Thank you.

6 CHAIRMAN SALTZMAN: Thank you.

7 Now everybody's favorite topic, traffic.

8 MR. CICATELLI: Mr. Chairman, we don't  
9 really have a presentation, as I mentioned, so maybe  
10 if Jeff wants to just do a summary of his letter and  
11 then --

12 CHAIRMAN SALTZMAN: Sure.

13 MR. CICATELLI: -- we can respond, I guess.  
14 But we really don't have a presentation,  
15 unfortunately.

16 MR. DIRK: Good evening, Mr. Chairman.

17 For the record, Jeffrey Dirk of Vinasse &  
18 Associates, the traffic engineers for the town on  
19 this project.

20 So we did have an opportunity since the  
21 last hearing to review the responses to our original  
22 comments. It was that big packet of information  
23 that you've received at the last hearing.

24 And in going through the responses, they

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1 were -- it was responsive to our comments, and that  
2 they addressed each and every one of the additional  
3 requests for information that we had asked, and they  
4 submitted some updated traffic counts, some  
5 additional analyses, and then a little bit more  
6 closely at some of the mitigation measures, and  
7 specifically looking at the access into the property  
8 and some comments that we had on that.

9           So on balance, what we have really  
10 outstanding are some comments relative to the  
11 mitigation program for the project, fairly getting  
12 to some of the specifics on that. And one of the  
13 things that we thought might be helpful for you at  
14 the last meeting was for the Applicant, in terms of  
15 the traffic studies -- because we have a large  
16 traffic study and then a large response to comments,  
17 and that what would be helpful for the Board is to  
18 see what exactly the full package of the mitigation  
19 is that they're proposing from a transportation  
20 perspective so that you've got all of that in one  
21 area and you don't have to wade through the big  
22 document, because I think there have been some  
23 refinements that have taken place since the original  
24 submittal.



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1           So the comments that we had made of  
2 substance since -- since the last filing, and in  
3 response to the additional information, dealt with,  
4 as I said, mitigation, the access into the property,  
5 and then we have some cleanup comments relative to  
6 parking as well that I alluded to at -- at the last  
7 hearing.

8           So in looking at the mitigation elements,  
9 the first thing that is really new from the  
10 standpoint of what they looked at, as you might  
11 recall, we had asked them to look at some additional  
12 intersections along Pleasant Street, extending all  
13 the way up to including the Spring Street  
14 intersections, and up to Summer Street, and then all  
15 the way down Spring Street and Main Street.

16           So they had gone -- they had gone through  
17 some supplemental analysis in looking at those  
18 locations and, as a part of that, we had also asked  
19 them to look at their -- how they were assigning  
20 traffic. It was our opinion that more traffic may  
21 want to turn and go up Spring Street to get to --  
22 I'm sorry, Pleasant Street to get to Main Street,  
23 and then ultimately traveling north of the site up  
24 to Montvale and heading over towards 128.

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1           So they've refined some of the traffic  
2 modeling, assigned more traffic up to Pleasant  
3 Street, and then they performed the analysis of the  
4 three additional intersections we had asked them to  
5 look at: At Pleasant and Summer, Pleasant and  
6 Spring, and then Spring and Main Street.

7           As they did that analysis, what they were  
8 showing is basically during the commuter peak hours  
9 there is delays that happen at those locations with  
10 or without the project. And specifically looking at  
11 the Spring -- I'm sorry, the Spring and Pleasant and  
12 the Summer at Pleasant Street intersections, those  
13 are where they were showing that there were long  
14 delays for the side street movements, and those  
15 delays translated into queuing. Those conditions --  
16 those conditions occurred with or without the  
17 project. So it was a preexisting condition that the  
18 Applicant was adding traffic to that situation and  
19 then was showing what their impacts would be.

20           Where we saw the most pronounced impact  
21 occurred was at the Pleasant Street/Spring Street  
22 intersection. That location had a failing condition  
23 if you were heading up Pleasant Street making the  
24 left-hand turn on to Spring Street to head towards

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1 Main Street. And there was long queues that were  
2 happening as a result of that.

3 So one of the things that we had looked at  
4 is whether or not that intersection was in need of  
5 improvements. And again, this would be independent  
6 of the project. We did identify, if you looked at  
7 the existing traffic volumes at that location in the  
8 morning, they're quite high, and that's one of the  
9 reasons why you have long queues that are happening  
10 on some of the approaches to that -- to that  
11 intersection. There is also the geometry of the  
12 intersection is a little awkward, you know. It  
13 doesn't have a high crash rate, but it's kind of a  
14 non-standard intersection if you look at the way  
15 it's laid out.

16 So in quickly looking at the traffic  
17 volumes, it appeared that that intersection would  
18 meet the criteria for signalization. Now  
19 recognizing that it's a preexisting condition, what  
20 the typical approach is, is that the Applicant would  
21 look at contributing a fair share cost towards those  
22 improvements. So they would determine what the  
23 improvements would look like. They would assign a  
24 cost and a value to those improvements, and then,

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1 because it's a preexisting condition, they assess  
2 what their net impact is over conditions without the  
3 project, and by doing that they can come up with  
4 what a percentage impact is, and they can apply it  
5 to a cost. So it comes up with a fair share  
6 contribution that they would contribute to the town  
7 for the implementation of improvements.

8 So we've asked, because it's preexisting,  
9 because it's something that they are adding traffic  
10 to a preexisting condition, that they look at  
11 potentially contributing a fair share cost towards  
12 defined improvements there.

13 CHAIRMAN SALTZMAN: Jeff, is that something  
14 that can be calculated mathematically?

15 MR. DIRK: Yes. There is several  
16 approaches to it. It's fairly straightforward. The  
17 most simplistic approach is to say what is your  
18 percent increase in traffic volume? So if you  
19 increase the volumes by 5, 10, 15 percent, you can  
20 define the cost -- the cost, say, is \$250,000, let's  
21 say, to improve the intersection -- then the fair  
22 share cost would be 15 percent of the cost of that,  
23 and that would go to the town to be held in escrow  
24 for improvements at the location.

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1           CHAIRMAN SALTZMAN:   Okay.

2           MR. DIRK:   So it's fairly straightforward,  
3 and the Applicant can do those calculations, and we  
4 can validate those.

5           The other thing that we asked them to look  
6 at, as you might recall, the traffic study was  
7 fairly dated, and so were the traffic counts in the  
8 traffic study, so we had asked them to go back and  
9 do some supplemental traffic counts and then compare  
10 the 2015 traffic volumes to what they had in the  
11 original traffic study, which I believe was 2013  
12 traffic volumes.

13           So they did go and do that, and what the  
14 net result of that was is it validated the use of  
15 those values.  So if we looked at the variations --  
16 so between comparing the 2015 to the 2013 traffic  
17 counts -- what was generally found is that the  
18 variation was about ten percent.  And the way that I  
19 kind of characterize that is if you did traffic  
20 counts every day of this week -- let's say Monday  
21 through Friday -- and you compared the traffic  
22 volumes over the course of the week, they're going  
23 to fluctuate about ten percent.  And so Thursday is  
24 going to be your high traffic volumes, and Monday is

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1 going to be a little bit lower, but what I wanted to  
2 basically say is that their variation was about ten  
3 percent variation, if you look at the volumes. And  
4 so what we said is 2013 volumes are valid because  
5 this ten percent variation is what you would have  
6 over the course of a week, so it's not significant.

7 The next thing --

8 CHAIRMAN SALTZMAN: Just backing up for  
9 one second.

10 You did indicate that the -- a light, a  
11 traffic signal would be necessary at the  
12 intersection of Spring and Pleasant. Is that where  
13 you had --

14 MR. DIRK: That's correct.

15 CHAIRMAN SALTZMAN: What about Pleasant and  
16 Franklin? I mean, I know that, you know, there is  
17 one already at Summer and Franklin. But what, if  
18 any, improvements could be made at that  
19 intersection? Because if you're going from Pleasant  
20 to Franklin in the morning, that's -- that's a  
21 pretty rough spot.

22 MR. DIRK: I mean, that's --

23 CHAIRMAN SALTZMAN: That has a huge queue.

24 MR. DIRK: Yeah. It's a similar thing that

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1 the Applicant can look at it, that location.

2 One of the benefits is you have -- at least  
3 on the Franklin Street corridor, is you do have a  
4 signal to kind of break up during some time  
5 periods --

6 CHAIRMAN SALTZMAN: Yeah.

7 MR. DIRK: -- and create some gaps. So  
8 there is some benefits to the existing signal  
9 systems that are operating in the corridor there  
10 that create some gaps. The improvement would be  
11 installing a traffic signal if it warrants there.

12 CHAIRMAN SALTZMAN: It seems to me that one  
13 of the problems you have there, if you're trying to  
14 get off of Franklin -- off of Pleasant and onto  
15 Franklin, is that when Franklin backs up --

16 MR. DIRK: Right.

17 CHAIRMAN SALTZMAN: -- across the  
18 intersection, there is no hope. You know, you're  
19 just waiting for a nice person to come along and hit  
20 the brakes for you.

21 MR. DIRK: A courtesy gap, right

22 CHAIRMAN SALTZMAN: I didn't know if there  
23 was any remedy that would be possible at that spot.

24 MR. DIRK: That would be the remedy,

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1 essentially, if you want to force gaps --

2 CHAIRMAN SALTZMAN: Waiting for a nice  
3 person?

4 MR. DIRK: Well, install a signal to  
5 enforce the niceness, let's say, to happen in the  
6 corridor, would break up the queuing. And again,  
7 it's something the Applicant can look at, and it  
8 would be similar -- along the similar lines, a fair  
9 share contribution.

10 If you're getting to that point where  
11 you're looking at several fair share contributions,  
12 let's say, for two intersections, it may be  
13 something, in discussion with the Applicant and how  
14 the Board feels about it, that may be something with  
15 a pooling of that money would result in a singular  
16 improvement that provides some benefit. So maybe  
17 the fair share contribution at the two intersections  
18 would be combined, and the decision is made to make  
19 significant improvement at one location rather than  
20 having the Applicant put a little bit of money here,  
21 a little bit of money there. So I think that's a  
22 subsequent discussion that you have, can have with  
23 the Applicant as well.

24 CHAIRMAN SALTZMAN: Okay.



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1           MR. DIRK: So in looking at the -- the next  
2 item was the crash history that we had asked them to  
3 go back and take a look at, and specifically the  
4 Franklin Street/Main Street/Central Street  
5 intersection.

6           They did go back, and we had asked them to  
7 prepare what's known as a motor vehicle collision  
8 diagram.

9           So what they physically do is they take a  
10 picture of the intersection and they plot on that  
11 picture where all the crashes are happening and what  
12 the causes of those crashes are. They did go ahead  
13 and do that.

14           And the other thing they did was they  
15 updated the crash history based on the most  
16 recently -- there was more data available. And so  
17 as they looked at that, what ended up happening at  
18 that location is the crash rate now, crashes have  
19 actually gone down. So what has happened is that  
20 location no longer exceeds the crash rate.

21           That was the one location that the number  
22 of crashes that was occurring was disproportionate  
23 to the volume of traffic going through the  
24 intersection. What they found with the new data is

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1 the number of crashes have actually gone down over  
2 the past several years, and so now the crash rate is  
3 actually below the state average. So it didn't rise  
4 to the level of significance.

5 It does have -- it's still listed on the  
6 state's high crash location for pedestrian  
7 collisions, and it's a location that's been  
8 identified for potential improvements on the state's  
9 listing.

10 The Applicant is still committed to making  
11 some improvements there, and so what we did ask is  
12 just for them to reiterate the fact that they are  
13 going to make improvements, and we've asked them to,  
14 just as a part of reiterating their commitment to  
15 those improvements, specific things that we've asked  
16 them to look at are looking at the traffic signal  
17 timing and the yellow and the all-red times.

18 That's the time when you have vehicles  
19 are -- if you're already in the intersection and you  
20 need to clear the intersection, and then when it's  
21 all red you shouldn't be in there.

22 So we've asked them to make sure that those  
23 two portions of the traffic signal timing, they meet  
24 current standards, because the standards have

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1 changed. So we want to make sure that that's been  
2 updated.

3 The other thing in that intersection -- I'm  
4 sure you're very familiar with it -- the yellow and  
5 the all-red time is meant to also have you, if you  
6 cross into the intersection, and you need to clear  
7 that intersection -- that intersection is quite  
8 wide, and so we've asked them to look at those times  
9 as well to make sure that the clearance time is  
10 actually correct, because it's not like a standard  
11 intersection where you can cross it very quickly.

12 And so we've asked them to -- just to  
13 commit to implementing those improvements as part of  
14 this project, and then looking at the pedestrian  
15 times as well, because it is a high -- it's been  
16 identified as a location that is -- has a high  
17 incidence of pedestrian crashes. So they need to  
18 look at that as well as a part of those  
19 improvements.

20 They've committed to do those, so this is  
21 really refining that commitment to make sure they're  
22 actually going to be looking at those elements.

23 MR. SHULMAN: So I'm sorry. Quick question  
24 on that, Mr. Chairman.

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1           CHAIRMAN SALTZMAN: Right.

2           MR. SHULMAN: But the actual -- who  
3 actually controls the timing of the signals?

4           MR. DIRK: The town controls --

5           MR. SHULMAN: So the town has a computer  
6 somewhere that says, "This is how long it's red;  
7 this is how long it's yellow"?

8           MR. DIRK: Correct. Right. Exactly.  
9 There is a computer at that intersection.

10          MR. SHULMAN: I just don't know how this  
11 works.

12          MR. DIRK: Yeah, that's exactly how it  
13 works. There is a computer at the intersection in a  
14 big metal box that's there. If you stand at the  
15 intersection, you'll see a big box on one of the  
16 corners.

17          MR. SHULMAN: Okay.

18          MR. DIRK: Within that box is a computer  
19 that controls all of that. What the Applicant would  
20 do, with the permission from the town, is they would  
21 design physical changes to how that computer is  
22 controlling the intersection and then implement  
23 those, again with permission from the town.

24          MR. SHULMAN: So -- but the obligation of

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1 the town in that case would solely be to grant  
2 permission --

3 MR. DIRK: Right.

4 MR. SHULMAN: -- for them to do so, but the  
5 design and execution of making those signal timings  
6 happen would be the responsibility of the Applicant?

7 MR. DIRK: That's correct. The Applicant  
8 would submit plans to the town with a request for  
9 permission to enter into that control --

10 MR. SHULMAN: Open the box and mess with  
11 that?

12 MR. DIRK: Yes. And the town would review  
13 the plans and issue the necessary permits to do  
14 that.

15 MR. SHULMAN: Okay. And that is, in fact,  
16 what the Applicant's proposing to do. That's all --

17 MR. DIAZ: Yes.

18 MR. SHULMAN: Okay. Just making sure I  
19 understand.

20 MR. DIRK: Yeah. All of the signalized  
21 intersections within the study area, the Applicant  
22 has proposed to make specific improvements in those  
23 locations.

24 Again, that's where I think the thing of

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1 getting away from these 13-page letters and these  
2 big reports is for you to get, you know, a two-page  
3 summary of everything that the Applicant is  
4 committing to do, so that it will stand out. And  
5 then as we review that, we can offer, similar to  
6 that one intersection, specifically what we think  
7 the Applicant should be focusing in on those  
8 improvements.

9 MR. SHULMAN: Yeah. A summary of  
10 everything that they're committing to do would be  
11 helpful to me to understand.

12 CHAIRMAN SALTZMAN: When can we look  
13 forward to a two-page document in this case again?

14 MR. DIRK: We've asked them to do that as  
15 part of the next round, I guess, on this as we're  
16 kind of drilling down on details on the traffic  
17 aspect.

18 CHAIRMAN SALTZMAN: I appreciate the  
19 advanced notice. I don't know what I would do if  
20 something showed up with two pages.

21 MR. DIRK: So the next item is we're kind  
22 of getting closer now into -- to the site itself,  
23 was dealing with the access into the property. And  
24 the two things that we were looking at, the bigger

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1 thing is the improvements that they're going to make  
2 at the location of adding the left turn-lane. A  
3 minor but important component as well is the sight  
4 distances at the driveway. And these we'll get more  
5 towards areas of conditions, if and when you get to  
6 that point.

7 So we've asked them to commit to some  
8 certain things at the driveway to make sure that  
9 sight lines are always kept clear, and that has to  
10 do with not only the design of the driveway with  
11 signs and the plantings and things there as well,  
12 but that within the public right of way. As, you  
13 know, we go through the winter months and similar  
14 to, you know, what we had last year, through no  
15 fault of a lot of homeowners, piles of snow end up  
16 getting close by to their driveways.

17 So what we're suggesting now is that the  
18 Applicant make a commitment that they will remove  
19 snow, even if it's in the public right of way. That  
20 as they look at the sight triangles, that if there  
21 is any conditions where the snow piles would exceed  
22 three feet in height at the driveways, even if it's  
23 within the public right of way, they need to push  
24 that back and clear it. We know there is sidewalks

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1 on both sides of the street, so the Applicant is  
2 going to be plowing; the town's going to be plowing;  
3 and then at some point the town's going to come and  
4 clear the sidewalks. So that's going to create a  
5 lot of snow right there on those corners as well.

6 So what we always want to see in terms of  
7 conditions of approval is that there is a commitment  
8 on the Applicant's part to get in there and move  
9 that snow away. So it's a benefit to their  
10 residents, but also to any pedestrians as well in  
11 the area, so that we've got clear sight lines in the  
12 area.

13 MR. SHULMAN: Does that require any kind of  
14 easement on the public way? Is there any -- how  
15 does that work legally?

16 MR. DIRK: I think as a condition of your  
17 approval that the Applicant does it and they agree  
18 to do that. I don't know that there is any other  
19 rights --

20 MR. SHULMAN: There is no other --

21 MR. DIRK: -- that would be required.

22 When the town grants whatever permits are  
23 required for the construction of the driveway, that  
24 can be a part of it as well --



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1           MR. SHULMAN:   Okay.

2           MR. DIRK:   -- that gets entered into it.

3           So now again focusing on the driveway  
4 itself, the major improvement that's being done at  
5 that location is provision of a left-turn lane going  
6 into the property, and some of the discussion we had  
7 at the last meeting was how they were accomplishing  
8 that.

9           In all instances what they're proposing is  
10 there will be a sidewalk on both sides of Franklin  
11 Street. They're not proposing to change that. What  
12 they are proposing to do that is within the paved  
13 limits that are there today, they're proposing to do  
14 some restriping. And essentially what they're doing  
15 is they're going to take from the shoulder areas  
16 that are out there today and cut a little bit on  
17 either side of the shoulders and then add that to  
18 create a left-turn lane in the center.

19           What we had asked them to do was to  
20 inventory the shoulders along the entire length of  
21 Franklin Street. We wanted to know where are  
22 sidewalks; how wide are they; where are shoulders,  
23 and how wide are the shoulders.

24           So the Applicant went and did that

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1 analysis, and what they showed was that in the  
2 vicinity of the site, the shoulder width on the  
3 project side is about seven to eight feet, and some  
4 of it's used for a parking lane today. On the  
5 opposite side from the site, the shoulder varies  
6 somewhere between three and a half to four feet. I  
7 think it's generally around three to three and a  
8 half feet in that area there.

9           What they're proposing to do is to take the  
10 sidewalk on the project side and bring that down  
11 from seven to eight feet --

12           MR. DIAZ: Jeff, not the sidewalk. The  
13 shoulder.

14           MR. DIRK: I'm sorry. The shoulder.

15           They're going to take the shoulder.

16           Good -- good point.

17           CHAIRMAN SALTZMAN: Nice catch.

18           MR. DIRK: Yeah. Because I think there was  
19 a comment. They're not reducing the width of the  
20 sidewalks at all. The sidewalks will stay exactly  
21 where they are.

22           So the shoulder on the project side is  
23 going to go from seven to eight feet down to about  
24 three feet, I believe, and then opposite the project

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1 site the shoulder, instead of being about three to  
2 three and a half feet, they're taking it down two  
3 feet. They're going to take the additional width,  
4 and that's going to get flipped over to create about  
5 a ten-foot wide left-turn lane going through that --  
6 through that area.

7           So what -- what they're showing is in terms  
8 of -- if you look up and down the corridor there  
9 itself, what you'll see, if you go to each of the  
10 intersections where there is a turn lane, added a  
11 left-turn lane, the shoulders do exactly the same  
12 thing. So you have wide shoulders, and then as you  
13 get to where the turn lanes are, the shoulders get  
14 narrowed. The section of Franklin Street stays the  
15 same width curb to curb, and the way these turn  
16 lanes were created is by narrowing the shoulders.

17           CHAIRMAN SALTZMAN: Excuse me one second.

18           Mr. Sullivan?

19           MR. SULLIVAN: I have a question.

20           Where that proposed left-turn lane is going  
21 into the project, the shoulder in front of the Weiss  
22 Farm isn't wide enough, like, after Weiss Farm.  
23 That's where the parking is. There is no room --  
24 you don't have no seven, eight feet of shoulder

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1 there, do you?

2 MR. DIRK: No. It varies, and it tapers  
3 back basically is what happens.

4 MR. SULLIVAN: Right. But that's where  
5 that lane would be. That's where you would be  
6 taking it out, and you don't have seven feet that  
7 you're taking out. I mean, you only get a couple of  
8 feet between the curb, and it's actually a white  
9 line that's marked. If it's three feet, I would be  
10 shocked.

11 MR. DIRK: I think -- so there is a  
12 combination of added shoulder width that they're  
13 reducing, and then I think the travel lanes are also  
14 being reduced slightly as well.

15 If you have wide travel lanes that are on  
16 the order of 12, 13, 14 feet in that area, they're  
17 coming down to 11 feet. So it's -- it's kind of a  
18 shaving a little bit here, a little bit there, and  
19 by doing a little bit of shaving travel lane,  
20 shoulder, they can gain about ten feet to create  
21 this left-turn lane and then narrow back after that,  
22 so tapering.

23 MR. SULLIVAN: So where that proposed  
24 left-turn lane is, you're -- in your discussions

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1 with them and what you viewed, there is enough space  
2 there, side lines, to be minimum of three feet was  
3 it, that you were saying on the shoulders?

4 MR. DIRK: On the project side, that's  
5 correct. There will be a little bit less on the  
6 other side.

7 MR. SULLIVAN: A little bit less on the  
8 other side. And you have room for two-way traffic  
9 plus a left-hand turn lane?

10 MR. DIRK: Plus the left-hand turn lane.

11 CHAIRMAN SALTZMAN: So what happens if you  
12 have a car taking a left turn, a truck coming by it  
13 on the right and a bicycle next to the truck, who  
14 wins?

15 MR. DIRK: So what ends up happening on  
16 this corridor here, is there is not -- so you're  
17 losing the bicycle accommodation in this -- in this  
18 segment.

19 CHAIRMAN SALTZMAN: Okay.

20 MR. DIRK: But I think the reason we had  
21 asked them to look at the entirety of the corridor  
22 is that if you're riding a bike, it's discontinuous  
23 along that corridor. So there would be areas where  
24 you've got plenty of room and a shoulder, and a

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1 truck could go by; and you've got plenty of room.  
2 And then you come to an intersection, and now you're  
3 in the travel lane.

4           So what -- what that means is that you --  
5 you couldn't post this as a bicycle travel lane. If  
6 someone wants to ride a bike there, they can do  
7 that. There is no legal restrictions on riding a  
8 bike. But from the standpoint of a bicyclist being  
9 able to have a usable shoulder width and not have to  
10 interact with vehicles, along this corridor they  
11 have to interact with vehicles. It's discontinuous.

12           CHAIRMAN SALTZMAN: Okay. So how -- how  
13 long a passage would this be where the bicycle would  
14 be -- bicycle traffic would be interrupted?

15           MR. DIRK: It's -- I think the turn lane is  
16 about 100 feet.

17           MR. DIAZ: The turn lane itself is about  
18 100 feet, and then we're tapering, essentially, from  
19 there.

20           MR. DIRK: And then what ends up happening  
21 is that when they come -- so then it would -- after  
22 this section, the shoulder widens out again, and  
23 then when you get to the driveway to the high  
24 school, it narrows again. So the bicyclist comes

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1 back out into the travel line.

2 CHAIRMAN SALTZMAN: Now, is this -- this is  
3 100 feet on both sides you would be without a  
4 bicycle lane; is that correct?

5 MR. DIRK: You never had -- you never had  
6 bicycle accommodations opposite the site. The  
7 shoulder was not wide enough to have a bicycle  
8 accommodation.

9 So the bicycle accommodation, if you wanted  
10 to look at it, was only in one direction, and it was  
11 heading towards the downtown and towards the high  
12 school in this section of roadway. So you really  
13 only --

14 CHAIRMAN SALTZMAN: So it's not a -- it's  
15 not a --

16 MR. DIRK: It's not two-way.

17 CHAIRMAN SALTZMAN: It's not a listed --  
18 it's not on the road at this time.

19 What about -- what about Mass. Highway? Is  
20 there any regulations from them as far as bicycle  
21 access to a community? Would we be -- would they  
22 support us on this, or would they be -- what's their  
23 posture on this?

24 MR. DIRK: So Mass. -- Mass. DOT's policy

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1 is that you have to accommodate pedestrians and  
2 bicycles in all improvements that are done. If you  
3 can't accommodate pedestrians and bicycles, you have  
4 to ask for what's known as a design waiver. And so  
5 there is a process that you would go through to get  
6 the granting of -- of that design. I believe it's a  
7 design exception, because you're not able to  
8 accommodate those modes.

9           So Mass. DOT's policy is you have to  
10 accommodate all modes of transportation within any  
11 improvements that are made. So if this were a Mass.  
12 DOT project, they would have to request a design  
13 exception for not accommodating bicycles. And one  
14 of the reasons for their design exception request  
15 would be that the rest of the corridor doesn't  
16 accommodate that. And I'm not sure whether or not  
17 Mass. DOT would grant that. I mean typically they  
18 would say you need to provide the shoulders.

19           CHAIRMAN SALTZMAN: What -- let me ask you  
20 this:

21           How -- what size would the project have to  
22 be in order for this left turn not to be necessary?  
23 To accommodate everybody --

24           MR. DIRK: Right.



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1           CHAIRMAN SALTZMAN: -- right now.

2           MR. DIRK: So what ends up happening -- the  
3 determination of a left-turn lane, whether you need  
4 it or not, is based on -- it's based on the speed  
5 and the volume of traffic. And the way that it's  
6 evaluated is basically you look at -- you first  
7 start with the speed. So the speed is roughly about  
8 40 miles an hour based on what they measured. And  
9 then, as you might imagine, it's -- what you try to  
10 do is you want to have a turn lane where the number  
11 of left turns that wants to go into the site, the  
12 volume of traffic that's opposing it in the other  
13 direction creates delays, so that if you have a  
14 certain volume of left turns trying to get into the  
15 site, it causes backup that happens. And then, if  
16 people can't get by, it just kind of -- as you might  
17 imagine, it kind of steamrollers.

18           So the general guidance that's provided  
19 that -- it basically says if five percent of the  
20 traffic that is trying to go by the site wants to  
21 make a left-hand turn, then you want to provide a  
22 left-turn lane.

23           So if you look at the volume of traffic  
24 that's on the roadway both going by the site and

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1 heading towards Malden/Melrose, and then the volume  
2 of traffic that's going in the opposite direction,  
3 and -- and you look at those volumes and the speed  
4 of traffic, what it would say is that the maximum  
5 number of left turns would be somewhere around 60.  
6 You need to have 60 or fewer left turns in order to  
7 not need a left-turn lane.

8 CHAIRMAN SALZMAN: 60 or fewer over what --  
9 over what time frame?

10 MR. DIRK: During the peak traffic volume  
11 hour of the project.

12 So what that would translate into for the  
13 project is it would roughly have to be cut in half.  
14 The number of units could not exceed somewhere  
15 between 100 -- 120 or 125 units based on their trip  
16 distribution, because about 70 percent of their  
17 traffic now is coming from a left-hand turn. So  
18 it's traveling southbound, I guess, on Franklin  
19 Street wants to make a left-hand turn.

20 So in knowing that about 70 percent of the  
21 traffic wants to make a left-hand turn, what we're  
22 saying is that in the left turn movement that's  
23 there, you can only have 60 vehicles during the peak  
24 hour wanting to make a left-hand turn coming into

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1 the site. And that peak hour was the evening peak  
2 hour. So we're able to correlate 60 left turns,  
3 that being 70 percent of the traffic, results in the  
4 maximum peak hour volume could be somewhere around  
5 90 trips, and that translates into about 120 or  
6 125 units. At that level you would fall below that  
7 five percent criteria.

8 CHAIRMAN SALTZMAN: Just on -- in terms of  
9 the peak hour, what -- the 60 left-hand turns, what  
10 would that -- what hour would that start; what hour  
11 would that end?

12 MR. DIRK: It's actually -- it's in the  
13 evening, so it would be an hour somewhere between  
14 4:00 and 6:00. So let's just say it's 5:00 to 6:00,  
15 or 4:30/5:30.

16 CHAIRMAN SALTZMAN: So it would be the peak  
17 60 minutes during that period of time?

18 MR. DIRK: Correct.

19 And at that time period, if I recall, there  
20 is about 1100 vehicles that are heading northbound,  
21 and so that's the movement that the left turns are  
22 opposing. So the left turns, they've got about 1100  
23 vehicles --

24 CHAIRMAN SALTZMAN: They're going

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1 eastbound, or westbound?

2 MR. DIRK: They're heading towards your  
3 downtown.

4 CHAIRMAN SALTZMAN: Okay. That's  
5 westbound.

6 MR. DIRK: So they're heading westbound.

7 So you've got 1100 vehicles heading  
8 westbound. The volume that's heading eastbound is  
9 somewhere around 500 to 511. And of that number,  
10 about 60 of them would be turning left to go into  
11 the site. So at that volume, the conflicting volume  
12 and the volume that's trying to head out of town, if  
13 you had about 60 left turners, it would suggest that  
14 there is enough gaps to be able to have those turns  
15 happen without causing excessive delay and backups  
16 happening towards Main Street, let's say.

17 So again, it's about half the size of the  
18 project that's there today.

19 CHAIRMAN SALTZMAN: So if you've got --  
20 during that stretch of time you've got 1100 vehicles  
21 during an hour's time heading toward the square, and  
22 500, you say --

23 MR. DIRK: Roughly.

24 CHAIRMAN SALTZMAN: -- heading the other

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1 direction?

2 MR. DIRK: Correct.

3 CHAIRMAN SALTZMAN: And let's say, for the  
4 sake of argument, that the left-hand lane, the left  
5 lane is there, so you've got three lanes of traffic.

6 Would you have a recommendation as to foot  
7 traffic? Would there be a necessity for a --

8 MR. DIRK: Yeah.

9 CHAIRMAN SALTZMAN: -- pedestrian light?

10 MR. DIRK: Yeah. And I think that's --  
11 that's independent of, really, the number of --  
12 number of units. And the reason I say that is  
13 because you've created -- you've created a  
14 development on the opposite -- you've got a school  
15 on one side -- actually two schools on the other  
16 side.

17 CHAIRMAN SALTZMAN: Yeah.

18 MR. DIRK: You've got a development that's  
19 completely opposite of that. So the sidewalk that  
20 these children, or anyone who wants to go to these  
21 schools, is they've got to cross the street. So  
22 given the speed of traffic and the volume of traffic  
23 that's on the roadway, you know, crossing is  
24 something that's needed in close proximity to the

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1 site. The Applicant has proposed to install such a  
2 crossing, and I agree with where they're trying to  
3 locate it in terms of the sight line. So it's going  
4 to be to the east of the site, about 560 feet, I  
5 believe, roughly, where you've got good sight lines  
6 in the road.

7           And they propose to install that crossing  
8 with some bump ups in the curb lines, which we think  
9 is appropriate because it gets the pedestrians out  
10 to where they've got the sight lines, as well as  
11 motorists having good sight lines of the  
12 pedestrians. So actually that shoulder area we're  
13 speaking of, they're pulling the curb lines out into  
14 that shoulder area, still leaving some offset to  
15 vehicles, but it gives good sight lines for vehicles  
16 and pedestrians. And then they're installing a  
17 crossing system that's there. And what they had  
18 proposed at the initial meeting, or when they had  
19 proposed this at the last hearing, was a pedestrian  
20 beacon where, on the sides of the crossing, there  
21 would be some signs, and within those signs would be  
22 yellow flashing beacons. And when a pedestrian  
23 pushed the button, those beacons would start  
24 flashing so a motorist would know that there is a

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1 pedestrian crossing.

2           And we looked at that, and I think one of  
3 the things we would like the Applicant to try to  
4 achieve is actually a red light to stop the traffic  
5 while the pedestrians are trying to cross there. So  
6 we suggested that instead of just the flashing  
7 beacon installation, that the Applicant look at  
8 installing what's known as a -- it's called a  
9 high-intensity activated crosswalk, which is that  
10 HAWK system.

11           So the HAWK system is basically something  
12 that -- it does the same type of thing with the  
13 flashing lights, although when a pedestrian is  
14 physically going to cross, there is a solid red  
15 light for the motorists on Franklin Street. So the  
16 motorist actually physically has to stop. And then  
17 as the pedestrian is crossing, the lights start  
18 flashing, similar to the flashing "don't walk" that  
19 the pedestrian gets as they're crossing the roadway.  
20 The vehicles have stopped; then it changes to a  
21 flashing red light. And then the pedestrian  
22 crosses, and when there is sufficient time has been  
23 given for the pedestrian to make the crossing, then  
24 the lights blank out, they turn dark. So if there

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1 is not a pedestrian there, what a motorist sees is  
2 basically dark signal indications there.

3 So the only thing that the motorist sees is  
4 when a pedestrian is crossing, the button gets  
5 pushed. It starts with a flashing yellow; that  
6 changes to a solid red; that changes to a flashing  
7 red; and then it darks out. But in that instance,  
8 the motorist is given positive guidance that they  
9 physically have to stop because the pedestrian is  
10 crossing rather than just these flashing yellow  
11 lights.

12 CHAIRMAN SALTZMAN: Mr. Sullivan.

13 MR. SULLIVAN: Is that similar to the one  
14 at Franklin and Perkins Street? That has a green  
15 light, and when the pedestrian crosses, it turns  
16 red.

17 MR. ROTONDI: It's a button.

18 MR. DIRK: Yeah. There is a button at  
19 these as well. It's a little bit different than  
20 that. That type of installation you actually  
21 couldn't do at this location just because you don't  
22 have the pedestrian crossing volumes. So it's a  
23 little bit different from that. This is --  
24 basically if you don't meet the criteria to install



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1 that type of a system, this is a system that's  
2 allowed to be installed to try to achieve the same  
3 type of effect. But I think what we wanted to have  
4 here, because of the fact of the speed and the  
5 volume on the roadway, and that it's a mid-block  
6 crossing, what we really wanted to achieve is  
7 something where there is a physical red signal out  
8 there. And that, in this case as well, the signals  
9 are actually over the roadway rather than being off  
10 to the side. So I think some of the things we  
11 talked about was visibility of these with sunlight  
12 and things like that. Having these actually  
13 physically over the road as well as on the side of  
14 the road I think provides a little bit more  
15 visibility to motorists. And, again, with the red  
16 light, they physically have to stop.

17 MR. SHULMAN: Is there evidence that that  
18 is more effective than the alternative, which was  
19 just the flashing yellow?

20 MR. DIRK: Well, the flashing yellow, what  
21 it does is it's telling the motorist -- it's  
22 basically saying to you that there is a pedestrian  
23 in the crosswalk and that you need to obey the state  
24 law, which is to yield to a pedestrian that's in the

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1 crosswalk.

2 MR. SHULMAN: Uh-huh.

3 MR. DIRK: This provides a little bit more  
4 stringent standard to it. Because of the red light,  
5 you physically have to stop. So it's not a -- it's  
6 not a yield condition. You physically have to stop.  
7 So it acts more like a traffic signal, so I think it  
8 provides a little bit more positive reenforcement  
9 that there is a pedestrian and you need to stop.

10 MR. SHULMAN: Uh-huh.

11 CHAIRMAN SALTZMAN: So it's the difference  
12 between an advisory and a requirement?

13 MR. DIRK: Yeah. Between a warning and  
14 something that's physically -- I mean, a police  
15 officer can issue a ticket if you don't stop for a  
16 pedestrian that's in the crosswalk. But I think  
17 most motorists are aware that when there is a red  
18 light, you need to stop. And so I think this kind  
19 of brings that type of standard emphasis on the  
20 crossing a little bit more than just the flashing  
21 yellow light.

22 CHAIRMAN SALZMAN: Just so that I have this  
23 right, did you indicate, when I asked you earlier  
24 what would -- what would it take to negate the need

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1 for the -- for the left-hand turn lane, you  
2 indicated that -- did I have this right -- that it  
3 would be a project of between 120 and 125 --

4 MR. DIRK: Correct. Roughly about half the  
5 size of the project that's proposed.

6 CHAIRMAN SALZMAN: And, in any event, to  
7 have the proposed left-hand lane would require that  
8 the town seek a waiver from the Mass. Highway?

9 MR. DIRK: In this case, because it's a  
10 town road, there is no design exceptions that are  
11 required. If it were -- the question was what Mass.  
12 DOT require?

13 CHAIRMAN SALTZMAN: Yeah.

14 MR. DIRK: Mass. DOT would require a design  
15 exception for this type of improvement.

16 CHAIRMAN SALTZMAN: Okay.

17 MR. DIRK: So the next --

18 MR. SHULMAN: Sorry. Just -- and -- and  
19 having another driveway on the site wouldn't impact  
20 that at all?

21 MR. DIRK: No. It would. You disperse --  
22 right. If you had another access point --

23 MR. SHULMAN: And, I mean, would it have to  
24 be another access point to an adjacent road, or

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1 would further down Franklin Street -- for example,  
2 if there were a U access to Franklin Street, would  
3 that make a difference?

4 MR. DIRK: Well, it would disperse the  
5 traffic more. The question would be whether you  
6 would --

7 MR. SHULMAN: Is it far enough?

8 MR. DIRK: Yeah. Depending on where it's  
9 located and how the project itself is laid out.  
10 People are generally going to turn at the  
11 location -- their first inclination is going to be  
12 to turn at the first opportunity that they have.  
13 How that would be influenced is how the project is  
14 laid out in terms of its circulation. So you can  
15 kind of force some decisions by the way the  
16 buildings are laid out, because you would want to  
17 also try to get to your unit the quickest way that  
18 you can. So you may choose to move, go further down  
19 the road, let's say, beyond where this access is if  
20 there is another driveway. So you do get some  
21 dispersal of traffic, so that can also lower --

22 MR. SHULMAN: I realize that is probably  
23 not feasible with the wetlands and everything.

24 MR. DIRK: But that is an option as well --

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1 MR. SHULMAN: Okay.

2 MR. DIRK: -- to disperse the traffic.

3 MR. SHULMAN: Thank you.

4 CHAIRMAN SALTZMAN: Any other questions  
5 from the Board?

6 Is there anything else you would like to  
7 tell us?

8 MR. DIRK: The last couple of points, we  
9 did ask them to make some changes on the access into  
10 the project. And specifically we had seen the truck  
11 turning analysis. So we had asked them to look at  
12 the corner radius, because we want to make sure  
13 trucks don't swing in the center line as they are  
14 exiting.

15 And then the very final point was the  
16 parking information. You may recall at the last  
17 meeting they presented comparable sites and said  
18 "here's how much parking's provided," which we think  
19 is a good baseline, but what we actually need to  
20 know is, is that parking sufficient to accommodate  
21 the needs of those residential communities? So we  
22 need to know, there is a certain supply; what is the  
23 actual demand for parking, to make sure that, if  
24 they are parking, let's say, 1.5 spaces per

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1 residential unit, if that's what's provided, is that  
2 sufficient for all the residents? Or are people  
3 actually parking off site? So what that would say  
4 is there is not enough parking on site. So even  
5 though we have the supply, we need to know is that  
6 sufficient.

7 CHAIRMAN SALTZMAN: Thank you.

8 On that happy note, Mr. Cicatelli.

9 MR. DIAZ: For the record, John Diaz with  
10 GPI.

11 As was mentioned earlier, we just got this  
12 letter this morning. We read through it. I don't  
13 really have any -- I mean, I think the three points  
14 basically that Jeff brought up about the -- the --  
15 the last one we just talked about, the HAWK signal,  
16 the pedestrian treatment for the crosswalk, we are  
17 committed to doing a crosswalk across Franklin  
18 Street. We'll look at both options, and -- and  
19 see -- look at the HAWK system.

20 Both systems are acceptable systems.  
21 They're both fairly new technology that's -- that's  
22 probably within the last five, ten years at the most  
23 that's -- they're both kind of in different areas of  
24 the state you'll see them in different -- Mass. DOT

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1 approves the rapid flashing beacon.

2           It's actually a much -- it's not the  
3 typical beacon that you would see, just a yellow  
4 ball. It's actually a pair of high intensity  
5 strobes similar to what you see on a police vehicle.  
6 You'll see them in the sunlight; you'll see them at  
7 night. They're very -- they're very apparent when  
8 someone presses that button.

9           The other discussions that we had,  
10 certainly the driver radius we have no -- no issue  
11 with that.

12           CHAIRMAN SALTZMAN: Just on -- just on that  
13 prior point, on the issue of a pedestrian red light,  
14 you're not committed to that at this time?

15           MR. DIAZ: Like I said, we just got this  
16 today.

17           CHAIRMAN SALTZMAN: That's fine. That's  
18 fine. You know what -- and I'm not -- you know, I'm  
19 just -- just so you -- you can -- you can take the  
20 time you need in order to go over that.

21           MR. DIAZ: We're going to look at both the  
22 options.

23           CHAIRMAN SALTZMAN: No, no problem.

24           MR. DIAZ: We are definitely committed to

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1 providing not only a crosswalk but some type of  
2 enhanced crossing.

3 CHAIRMAN SALZMAN: Sure.

4 MR. DIAZ: The fair share commitment,  
5 obviously that's something we have to discuss. We  
6 have to, you know, look at the intersections and  
7 what that mitigation might look like there before we  
8 can really answer that.

9 I don't think there was -- the parking, you  
10 guys, we'll get that information to Jeff. The rest  
11 of it's fairly minor comments. We don't really --  
12 really have any issues with them.

13 CHAIRMAN SALTZMAN: Fair enough.

14 Okay. Questions from the Board?

15 Thank you.

16 Questions from the Board?

17 All right. Go ahead.

18 MR. SHULMAN: It's not on traffic, but  
19 since we're going to open up to the public pretty  
20 soon --

21 CHAIRMAN SALTZMAN: Sure.

22 MR. SHULMAN: -- one more question on the  
23 architecture, if we can get back into that.

24 CHAIRMAN SALTZMAN: You know, he's been



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1 anxiously awaiting this very question.

2 MR. SHULMAN: Because I was looking at the  
3 new plans during the break, and the -- I just wanted  
4 to understand quickly the -- I think the building  
5 section, and the pitched roof area doesn't appear to  
6 have anything in it.

7 What -- what is in that attic space? Is  
8 that just mechanical equipment and ductwork?

9 MR. MAHONEY: Pipes, ducts and insulation.

10 MR. SHULMAN: That's it?

11 MR. MAHONEY: A catwalk probably.

12 MR. SHULMAN: And I see a note on here that  
13 says "Construction Type 5A" which I was just  
14 wondering if you could just discuss what you mean by  
15 that a little more.

16 MR. MAHONEY: That's probably a better  
17 question for Hugh Russell, who is the architect of  
18 record.

19 MR. SHULMAN: Fair enough.

20 MR. CECIL: It refers to the building code  
21 classification in terms of the -- the type of  
22 construction.

23 MR. SHULMAN: Uh-huh.

24 So materials that would be used?

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1           MR. CECIL: The materials and the way  
2 they're put together to meet building code  
3 standards. You have certain choices in terms of  
4 combinations that you could use and so that would --

5           MR. SHULMAN: And that's mandated by the  
6 size of the building? By the --

7           MR. CECIL: So there are a lot of different  
8 factors that go into it, but it's important to sort  
9 of disclose that because there are choices in terms  
10 of the materials that get used, the way exiting  
11 works, things like sprinklering, types of  
12 construction, ratings of walls. So you always have  
13 to fall into one of the classifications that the  
14 building code offers you in order to have a complete  
15 safe package. So this would be a Type 5A.

16           MR. SHULMAN: Okay. Thank you.

17           CHAIRMAN SALTZMAN: All right.

18           Now, what we're going to do at this point  
19 is open the -- the hearing up to public -- questions  
20 from members of the public, have them  
21 individually -- and I would just ask that the  
22 questions -- first off, that they be questions.  
23 There will be an opportunity for a public comment.  
24 We don't want comments masking themselves as

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1 questions. We want real questions.

2           And I would also point out that, you know,  
3 for everybody that there are both the -- the  
4 Applicant's experts as well as those who have been  
5 hired on behalf of the town -- and remember,  
6 Mr. Dirk and Mr. Houston are still here. Although  
7 they are hiding in plain view in the audience, they  
8 can be -- we would -- they certainly would be  
9 prepared to entertain any questions.

10           During the question period, I would simply  
11 ask that ground rule is identify yourself, name and  
12 address, and I would ask that the question be  
13 directed to the Chair, all right, not directly to  
14 the individual, through the Chair, and -- and we'll  
15 go from there.

16           You know, the other thing is, at this  
17 point, given the fact that we have a number of  
18 people and that we are expecting to do public  
19 comment, and the fact that we only have one floor, I  
20 would ask that the -- one question to a customer,  
21 okay?

22           So on that happy note, let's get started.

23           Oh, my God.

24           MR. MANGINO: Angelo Mangino, 22 Landers

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1 Road.

2 I have one question regarding traffic, but  
3 it's sort of three questions within that.

4 Can I ask those three questions?

5 CHAIRMAN SALZMAN: Three questions within  
6 that. Fire off the question.

7 MR. MANGINO: So did the traffic study  
8 analyze at all the Steven Street/Franklin Street  
9 intersection? I used to drive my daughter there,  
10 and that really gets queued up in the morning. So I  
11 was just wondering if that was addressed in the  
12 traffic study.

13 The second point is, I believe I heard from  
14 the traffic study that at rush hour, the traffic  
15 study that we did, or the estimate, or the  
16 projection was 1100 vehicles traveling westbound.

17 CHAIRMAN SALTZMAN: That's in the  
18 afternoon.

19 MR. MANGINO: And 500 are heading eastbound  
20 to Melrose? I think --

21 CHAIRMAN SALTZMAN: From -- yeah. Toward  
22 Melrose. That's what they --

23 MR. MANGINO: That doesn't sound  
24 reasonable.

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1           MR. DIAZ: That is what -- he quoted wrong.  
2 We have it -- it's the opposite in the study.

3           MR. MANGINO: Okay.

4           CHAIRMAN SALTZMAN: They counted them.

5           You wanted a question on -- you wanted an  
6 answer on the Stevens Street issue?

7           MR. MANGINO: Right.

8           MR. DIAZ: Yes, we examined that  
9 intersection. We went through the mitigation, the  
10 analysis. It was reviewed by Jeff, and we are where  
11 we are.

12           CHAIRMAN SALTZMAN: Okay. And as long as  
13 you're up there, if you have an architecture  
14 question, you can ask that as well.

15           MR. MANGINO: Just getting back to the  
16 traffic, so with the lanes turning -- the left-hand  
17 turn, I just find it really hard to believe -- and I  
18 believe one of the gentlemen on the Board mentioned  
19 as well -- that if you have -- there is heavy  
20 trucking that travels on Franklin Street. If you  
21 have two trucks going both in opposite directions  
22 and you have a car that's turning left, I just can't  
23 imagine those three vehicles can fit on Franklin  
24 Street.

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1           So that's all.

2           CHAIRMAN SALTZMAN: Putting that in the  
3 form of a question, has that question been addressed  
4 as part of the mitigation?

5           MR. DIAZ: Yes, it has. The design plans  
6 that we did, we're using standard lane widths, and  
7 it's been reviewed by your peer consultant.

8           CHAIRMAN SALTZMAN: And specifically you  
9 can have a truck going in each direction and a car  
10 in the middle, and a bicycle traveling nowhere at  
11 all. Is that -- is that what I am to understand?

12          MR. DIAZ: You have an 11-foot travel lane,  
13 which is the standard. You have at least a minimum  
14 two-foot shoulder, and your left turn lane is ten  
15 feet. So you have 26, 36 feet of pavement curb to  
16 curb.

17          CHAIRMAN SALTZMAN: Okay.

18          Questions? Sure.

19          MS. COLARUSSO: My name is Caroline  
20 Colarusso. I'm on the Board of Selectmen.

21                 And after five hours of hearing from the  
22 Applicant and the Board, I have one question and a  
23 couple of comments.

24          MR. DIAZ: Comments in the public comments

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1 section.

2 MS. COLARUSSO: Will these plans be  
3 available for the public to view?

4 CHAIRMAN SALTZMAN: Question for the --

5 MR. MAHONEY: The presentation?

6 CHAIRMAN SALTZMAN: The slides.

7 MR. MAHONEY: I think it's on the website.

8 CHAIRMAN SALTZMAN: I'm sorry?

9 MR. MAHONEY: The videos from tonight would  
10 be available, right? I mean, we can make these  
11 available. Sure.

12 MS. COLARUSSO: Okay.

13 MR. MAHONEY: Sure.

14 MS. COLARUSSO: Mr. Chairman, would you  
15 like me to hold off on the comments and come back?

16 CHAIRMAN SALTZMAN: Sure. We'll do the  
17 questions and then -- sure.

18 MS. COLARUSSO: Okay.

19 CHAIRMAN SALTZMAN: Yeah.

20 I don't think you're going to have to wait  
21 very long.

22 MS. HEMINGWAY: Cindy Hemingway, 14 Fells  
23 Road.

24 Wondering about the -- I'll use the term

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1 loosely -- landscaping by the pump house along  
2 Franklin Street. That looked pretty poor, and I  
3 don't think that's been landscaped. I think those  
4 trees are just, like, growing there. They weren't  
5 landscaped. They weren't planted. And it's  
6 unsightly, and I was wondering if there was going to  
7 be any improvement on the tree line and the  
8 landscaping along that section of Franklin Street.

9 MR. MAHONEY: I think the section you're  
10 referring to is right out where the pump station,  
11 which is -- which is within the wetlands. So there  
12 is no work proposed within there.

13 The landscaping we were proposing was  
14 further inboard to the site. So those trees, I  
15 think, probably most are actually within the wetland  
16 area, so we can't work in there.

17 MS. HEMINGWAY: So you wouldn't do anything  
18 to improve the --

19 MR. CICATELLI: There is some additional  
20 landscaping that's being planted closer to the  
21 buildings that's shown on one of the other slides.

22 CHAIRMAN SALTZMAN: Come on up.

23 MS. LEMIRE: Joan Lamire, 12 Fairview Road.

24 I thought there was someone going to look



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1 at the intersection that is Main Street and Summer  
2 Street, and also Marble Street, and I don't remember  
3 hearing the result of that.

4 CHAIRMAN SALTZMAN: If you could.

5 MS. LEMIRE: It's next to South School.

6 CHAIRMAN SALTZMAN: Actually Marble is on  
7 the other side of Main. Summer is on the east side  
8 of Main. Summer and Main is a -- that I believe  
9 the -- the cars were counted there.

10 MR. ROTONDI: I believe so.

11 MR. DIAZ: That was part of our study  
12 intersections.

13 MS. LEMIRE: And what happened?

14 CHAIRMAN SALTZMAN: Could you comment on  
15 it?

16 MS. LEMIRE: Did it meet standards? Or not  
17 meet standards?

18 MR. DIAZ: I mean, I can go back through.  
19 This was, obviously, hashed out in the peer view,  
20 when we listed the impacts at all the intersections,  
21 and that wasn't identified as one that had any  
22 significant impacts.

23 MR. MAHONEY: Mr. Chairman, maybe we could  
24 come back next time and specifically speak to that

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1 intersection, rather than going through.

2 Is that all right?

3 CHAIRMAN SALZMAN: And, you know, when they  
4 say that it doesn't have a disproportionate impact,  
5 that doesn't mean that it's a convenient place.

6 MS. LAMIRE: Yes. It's a bad intersection.

7 CHAIRMAN SALTZMAN: Right.

8 MS. LEMIRE: I think it's bad in that  
9 direction. Main Street -- actually every time a  
10 light cycles, Main Street clears. The other streets  
11 don't clear when their light cycles.

12 CHAIRMAN SALTZMAN: Right. Right. The  
13 Marble Street side is sitting there waiting as the  
14 Summer Street goes through.

15 MS. LEMIRE: And the Summer Street waits,  
16 too. What I'm saying is that the cars, there is --  
17 not all the cars get out in a light cycle.

18 CHAIRMAN SALTZMAN: No.

19 MS. LEMIRE: Whereas Main Street they do.

20 CHAIRMAN SALTZMAN: Far from it.

21 And the one -- the one blessing is  
22 everybody gets to take a left that wants to.

23 MS. LEMIRE: Thank you.

24 CHAIRMAN SALTZMAN: Mr. Wantman.

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1           MR. WANTMAN: Oh, gosh.

2           MR. MAHONEY: Mr. Chairman, found it.

3           CHAIRMAN SALTZMAN: Go ahead. Give them a  
4 minute.

5           MR. DIAZ: Yeah. Overall in the morning we  
6 have about a three-second increase in delay. We  
7 have, at worst, one to two vehicle increase in queue  
8 between the build and no-build condition on any of  
9 the approaches. And in the afternoon we have about  
10 less than a three second increase in delay overall,  
11 and again that same thing: At worst two vehicles  
12 added to any approach.

13           CHAIRMAN SALTZMAN: Thank you.

14           MS. LEMIRE: But you didn't like say this  
15 is a -- already so many -- you don't have a grade,  
16 letter grade.

17           MR. DIAZ: It's a level service C overall  
18 existing, or under the 2018 no-build conditions.  
19 It's a level service D in 2018 build. And again  
20 that differential, that just happens to be the  
21 cutoff is 35 seconds, and we're at 35.5 compared to  
22 33.

23           MS. LEMIRE: Okay. Thank you.

24           MR. DIAZ: Okay.

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1           CHAIRMAN SALTZMAN: Mr. Wantman.

2           MR. WANTMAN: Hello. My name is Martin  
3 Wantman. I've lived on Gerald Road since 1984.  
4 That's a direct abutter to the property. I have way  
5 more than one question, but I'm going to limit it to  
6 one question tonight. I don't know if I could ask  
7 the question without a comment.

8           I interjected earlier in the evening  
9 because the picture was shown taken from Gerald Road  
10 that was not a realistic picture of what I see from  
11 Gerald Road. There are no tree buffer protection  
12 for Gerald Road on Weiss Farm. The buffer that I  
13 have presently is a pile of what I would call rough  
14 fill that is called a berm by Weiss Farm that has  
15 been suggested that it is in place to -- for visual  
16 and auditory protection for Gerald Road. Were that  
17 berm not to be there, I would have an unobstructed  
18 view of the project. And from what I understand,  
19 you're proposing that you're going to raise the  
20 level of the development by nine feet and then  
21 you're going to be putting a five-story structure on  
22 it, so I would like to have some realistic  
23 viewpoints of what this project is going to look  
24 like from Gerald Road.

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1           CHAIRMAN SALTZMAN: Now, just on that  
2 point, if you recall, when Mr. Houston was speaking,  
3 he was addressing that very question. And the  
4 Applicant, in response to my question, indicated  
5 that they would be providing us with viewpoints from  
6 that area. And I would ask you if -- if it makes  
7 sense, from your location, if you wish to take  
8 pictures, take pictures.

9           MR. WANTMAN: I would welcome the Applicant  
10 to come back to my property and take pictures from  
11 there.

12           CHAIRMAN SALTZMAN: Sure.

13           MR. WANTMAN: So I'll limit it to that. I  
14 would simply like to have a realistic appraisal of  
15 what the project is going to look like.

16           CHAIRMAN SALZMAN: That's in the works.  
17 Thank you.

18           During this lull in the questions, I know  
19 we did hit a spot here with reference to the left  
20 turn, left-hand lane. And the left-hand lane I  
21 submit is an issue that I did not foresee myself  
22 arising until the last meeting. And I would just --  
23 I don't know if it's within the scope of the  
24 authority of this Board to permit that left-hand

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1 lane to the exclusion of bicycle traffic that's  
2 proposed. And I would just ask, if -- if the -- you  
3 know, is -- if that left-hand lane were not to be  
4 adopted, or if any request for a waiver were to be  
5 refused, what would be the Applicant's position with  
6 respect to reducing the size and scope of the  
7 project in response to same? And you don't have to  
8 answer that question in the next 30 seconds.

9 MR. ENGLER: I'm not going to answer that  
10 now.

11 CHAIRMAN SALTZMAN: But it is a fair  
12 question.

13 And, you know, we are coming back next  
14 week, so, you know, if you want to think about it,  
15 you can sleep on it a couple of nights and get back  
16 to us.

17 MR. CICATELLI: Certainly.

18 MR. ENGLER: Yep.

19 MR. DIAZ: Does anybody else have a  
20 question?

21 All right. Now, as far as public comment,  
22 all right, we were opening it to public comment, and  
23 I would simply again ask that the comment go through  
24 the Chair and not directly to the Applicant, or to

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1 the experts that are here on behalf of the town.  
2 And I would just say that, in connection with this,  
3 if there are comments that the -- the Applicant  
4 wishes to respond to, the Applicant will be given  
5 that opportunity. However, there really -- time  
6 will not permit a back and forth between a single  
7 commentator and the members of the Board. Each one,  
8 you get one shot; they get one answer, and we go to  
9 the next person.

10 All right? That seems fair enough.

11 All right.

12 That said, Mr. Wantman, do you have a  
13 public comment?

14 MR. WANTMAN: Very good. I do. Real quick  
15 comment.

16 On the landscaping plan, I don't notice any  
17 wet features to include the pond that generally  
18 occurs after heavy rain storms in the southeast  
19 section or the ditches, and the comment would be how  
20 does the Applicant plan to protect their children  
21 from falling into the freetown muck, the swamp, or  
22 the ditches.

23 CHAIRMAN SALTZMAN: Fair question. It  
24 sounds like something that requires a response.

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1           MR. MAHONEY: I think it's something  
2 Mr. Houston may have raised, or we've -- it's on our  
3 list of things we're planning to respond to with our  
4 letter forthcoming.

5           CHAIRMAN SALTZMAN: Okay. And in fairness  
6 to the Applicant, I would also point out that there  
7 are going to be a number of public hearings devoted  
8 specifically, almost exclusively to the question of  
9 water, and that is a -- that's a -- we'll be  
10 discussing that, and I would hope that you would --  
11 if we don't raise the question, I would hope you  
12 would do so in the future.

13           MR. WANTMAN: Thank you.

14           CHAIRMAN SALTZMAN: Anyone else?

15           MS. COLARUSSO: As I said, Caroline  
16 Colarusso, 4 Patrick Circle, Board of Selectmen.

17           My comment --

18           CHAIRMAN SALTZMAN: Excuse me. There is a  
19 question from the Board.

20           MR. SULLIVAN: I've just got a question.

21           Caroline, I understand you're a selectman.  
22 I have comments I get from people. I don't believe  
23 you're speaking on behalf of the Board of Selectmen,  
24 so I would just ask, if that is the case, that you



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1 identify that you're a member of the Board of  
2 Selectmen speaking as a private citizen.

3 MS. COLARUSSO: Sure.

4 Caroline Colarusso, 4 Patrick Circle, also  
5 a member of the Board of Selectmen.

6 Some of the feedback that I'm getting  
7 regarding -- and my comments are directed towards  
8 the Board of Appeals -- are on the Applicant's  
9 traffic study, pertinent to the reduction of parking  
10 on Franklin Street. There -- there are concerns  
11 from parents who have children at Teachable Moments  
12 Day Care Center that those parking spots are  
13 important. They use those parking spots daily.  
14 Also the local congregation there, the church that  
15 also uses on-street parking at Franklin Street would  
16 have a detrimental effect.

17 CHAIRMAN SALTZMAN: That's the Kingdom Hall  
18 of Jehovah's Witnesses?

19 MS. COLARUSSO: Yes. Yes.

20 Would be a detrimental effect to the public  
21 in losing those spots.

22 Also, additionally, the town's current  
23 parking requirement is 2.1 spaces, not 1.6 as  
24 discussed last meeting. The difference there is 537

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1 spaces versus 409 spaces, a net difference of 128  
2 spaces. Now I think that's significant because  
3 there is no public transportation but a mile each  
4 way.

5           And another comment from last meeting was  
6 that the MBTA was thinking about putting a stop  
7 there. I can tell you I attended a meeting with  
8 other Stoneham residents with the general manager of  
9 the MBTA, and there are no plans to put any  
10 additional MBTA stops in Stoneham. So I want to  
11 make sure that's clarified.

12           And also, lastly, because there is no  
13 public transportation but for a mile each way, I  
14 think it's important the Board considers the safety  
15 of cyclists and pedestrians. And if there is not  
16 going to be bike lanes going in both ways, that's  
17 going to hinder folks from Melrose Highlands, and  
18 also hinder them from bus stops up on Main Street.

19           CHAIRMAN SALTZMAN: Thank you.

20           MS. COLARUSSO: Yep.

21           MR. MAHONEY: I'll try to go backwards.

22           There is currently no bike lane -- there is  
23 a parking lane on Franklin Street, but there is no  
24 bike lanes. As both our consultant and your

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1 consultant point out, at every intersection along  
2 Franklin Street it gets narrowed down, so...

3 CHAIRMAN SALTZMAN: Just one thing on that  
4 point is that we have an application in with the  
5 state to fund a bike path with other communities.  
6 It's a tri-community bike path, which will be  
7 starting in Recreation Park, which is a little  
8 further -- it's just off of Franklin Street. It is  
9 an issue because we -- we are -- we're bound by the  
10 requirements on that score.

11 MR. MAHONEY: Understood.

12 CHAIRMAN SALTZMAN: So, you know, it's a  
13 bigger deal than meets the eye today, you know.

14 MR. MAHONEY: Sure. No. We understand.

15 CHAIRMAN SALTZMAN: Pardon the  
16 interruption.

17 MR. MAHONEY: With respect to the parking  
18 along Franklin Street, I think what -- we will take  
19 that into consideration. As we look at this  
20 pedestrian crosswalk, I think that's kind of the  
21 impact that would be down there.

22 CHAIRMAN SALTZMAN: Then there is the  
23 parking on --

24 MR. MAHONEY: Oh, the parking ratio. We've

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1    been through the parking ratio. We've provided --  
2    we manage a lot of these properties. We feel the  
3    parking ratio is adequate for a proposed project of  
4    this size. We've looked at comparable projects of  
5    this size with similar access to transportation.

6            I think the next step that Mr. Dirk asked  
7    us to do was to go to those projects that we've  
8    cited and actually confirm with the property  
9    managers that that parking is -- that the parking  
10   they're providing on site is adequate for their --  
11   for their population.

12           CHAIRMAN SALTZMAN: And, I mean, one thing  
13   that I believe you guys had mentioned earlier was  
14   that there would be the -- the parking would be  
15   almost enforced through leases, right? That that  
16   would be how you would try to thin the herd, as it  
17   were, on cars.

18           MR. MAHONEY: Yes. Enforced through  
19   leases. You know, eventually, it's a -- you know,  
20   it's a marketing thing. So we have -- we're able --  
21   only able to offer so many parking spaces per  
22   apartment, and that, you know, our judgment call is  
23   that there is enough people with that many cars that  
24   would like to live here.

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1           CHAIRMAN SALTZMAN: You know, and on that  
2 point, you know, just -- it occurs to me that what  
3 about Mass. Housing? I mean, you know, they -- you  
4 had -- you had a project designed that had no  
5 three-unit -- no three-bedroom units, and they  
6 overruled that. They said "Hey, that's" -- "that's  
7 not family friendly enough."

8           What if you had a lease requirement that  
9 restricted the number of cars that could be brought  
10 onto the site, just across the board. Is that  
11 something that they could require, more cars?

12           MR. ENGLER: Mr. Chairman, I think Mass.  
13 Housing lets the zoning board at the local level  
14 deal with that issue. They don't get into that  
15 specificity.

16           If you're suggesting there would be  
17 something -- I'm just making this up  
18 hypothetically -- that would actually restrict the  
19 three-bedroom use because of car restriction, I  
20 don't know what that would be. But they could  
21 say -- I've never heard them say anything other than  
22 that you've got to have ten percent threes, and  
23 don't make it a two with a den, make it a  
24 three-bedroom unit.

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1           CHAIRMAN SALTZMAN: I'm just wondering,  
2 if -- you know, if -- obviously if somebody has a  
3 three-bedroom unit, they would be expected to have  
4 probably more than one car.

5           MR. ENGLER: Well, typically it's still a  
6 marketing issue. It could be two cars for a  
7 three-bedroom unit, one and a half cars for a  
8 two-bedroom, and one car for one. I mean, it all  
9 depends on what all the competition shows, and  
10 that's what we're going to investigate and let you  
11 know, including three-bedroom units.

12           CHAIRMAN SALTZMAN: Okay. That's fair  
13 enough.

14           MR. DIAZ: I just want to make -- if I  
15 could, I just want to --

16           CHAIRMAN SALTZMAN: Go ahead.

17           MR. DIAZ: -- make one quick clarification.  
18 The -- the eastbound shoulder that Jeff was  
19 talking about earlier is about three, three and a  
20 half feet along the entire corridor.

21           CHAIRMAN SALTZMAN: That's on the opposite  
22 side of the street?

23           MR. DIAZ: On the opposite side.

24           CHAIRMAN SALTZMAN: Going toward Melrose,

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1 yep.

2 MR. DIAZ: Right. On our side of the  
3 street, it's a seven- or eight-foot shoulder that's  
4 basically a parking lane. So neither of those  
5 are -- are really bike facilities. Because if  
6 you've got a car parked there in any -- anywhere  
7 along that road, it's not a bike lane.

8 Three feet isn't sufficient to define it as  
9 a bike lane. It has to be five feet to be  
10 considered a bike lane. We're not -- we're not  
11 taking any width from the shoulder on -- opposite  
12 our side. We're keeping three feet there. What  
13 we're doing is we're using that shoulder area, and  
14 we're basically making a two-foot shoulder on that  
15 side. So that's where we're getting the width.

16 I just wanted to clarify, we're not --  
17 we're keeping three feet on the -- I guess it would  
18 be the eastbound side, which is what's there now.

19 CHAIRMAN SALTZMAN: My understanding was on  
20 the eastbound side, that once the lines were drawn,  
21 that we're looking at something between two feet and  
22 two and a half feet.

23 That isn't the case?

24 MR. DIAZ: No, we have three feet there.

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1 We have an 11-foot travel lane, a 10-foot turn lane,  
2 an 11-foot lane, and then plus or minus -- plus,  
3 actually, a little over two feet on the shoulder on  
4 our side of the project.

5 CHAIRMAN SALTZMAN: Is that -- is that  
6 accurate?

7 MR. DIRK: I believe they were -- I thought  
8 they were taking it down to two to two and a half  
9 feet on the other side, but that in no case would it  
10 drop below two feet I believe is what it is.

11 MR. DIAZ: We'll double-check.

12 MR. DIRK: We will double-check.

13 MR. DIAZ: Yeah. I'm pretty sure we're  
14 holding it at three feet across that.

15 CHAIRMAN SALTZMAN: Could that be a gap  
16 that we close between now and the next time?

17 MR. DIRK: Oh, most definitely. It's a  
18 quick thing, a quick exercise.

19 CHAIRMAN SALTZMAN: Okay. Any other public  
20 comments? Speak now.

21 Mr. Witten.

22 MR. WITTEN: Mr. Chairman, I just have two  
23 questions just prior to the Board's closing. You  
24 don't have to -- I don't have to do it right now.



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1 It's at the Board's pleasure.

2 MR. SULLIVAN: Go for it.

3 CHAIRMAN SALTZMAN: All right. At this  
4 time the Chair will entertain a motion.

5 MR. SHULMAN: Move to close the public  
6 hearing.

7 MR. ROTONDI: No, adjourn. Motion to  
8 adjourn.

9 MR. WITTEN: Mr. Chairman, before the Board  
10 adjourns, if I could.

11 So, Mr. Chairman, if I could just, through  
12 you --

13 MR. SHULMAN: That's why I was closing the  
14 public hearing.

15 MR. WITTEN: Just through you,  
16 Mr. Chairman, to Attorney Cicutelli.

17 Attorney Cicutelli, have you filed with  
18 MEPA for this project yet?

19 MR. CICATELLI: Not yet.

20 MR. WITTEN: And do you have an anticipated  
21 date of filing?

22 MR. MAHONEY: Within weeks.

23 MR. WITTEN: Prior to the next hearing?

24 MR. MAHONEY: No.

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1           MR. CICATELLI: Well, the next hearing is  
2 Wednesday.

3           MR. MAHONEY: No.

4           MR. WITTEN: My second question,  
5 Mr. Chairman, through you is what was the total  
6 number of bedrooms before DHCD required the  
7 three-bedroom units?

8           MR. MAHONEY: Top of my head, I don't know  
9 the answer.

10          MR. WITTEN: How many additional bedrooms  
11 have you added since DHCD required the three  
12 bedrooms?

13          MR. MAHONEY: Honestly, I would have to  
14 find -- look at the unit mix from our prior  
15 proposal.

16          MR. WITTEN: Are there more bedrooms now  
17 than there were then?

18          MR. MAHONEY: Yes, there are more bedrooms  
19 now.

20          MR. WITTEN: And do you know, is it greater  
21 than ten?

22          MR. MAHONEY: Quite honestly, I couldn't  
23 say.

24          MR. WITTEN: Do you know, has your traffic

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1 engineer factored in the three-bedroom count in  
2 traffic flow as well as parking?

3 MR. MAHONEY: I don't know. We will check  
4 that in his numbers. That's a fair point.

5 MR. WITTEN: Do you know if the traffic  
6 study was based on the two- and one-bedroom units as  
7 opposed to the three-bedroom count?

8 MR. MAHONEY: It was based on the app --  
9 the unit mix in the original application.

10 MR. WITTEN: And the unit mix has changed,  
11 correct?

12 MR. MAHONEY: Slightly, yes.

13 MR. WITTEN: So the traffic count needs to  
14 change?

15 MR. MAHONEY: We will check with our  
16 engineer.

17 MR. DIAZ: We will verify.

18 MR. WITTEN: Thank you.

19 CHAIRMAN SALTZMAN: Now we're really going  
20 to entertain a motion.

21 MS. McBRIDE: I'm sorry.

22 CHAIRMAN SALTZMAN: Yes.

23 MS. McBRIDE: Can I just ask a quick  
24 question?

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1 CHAIRMAN SALTZMAN: Go ahead.

2 MS. McBRIDE: Hi. Ellen McBride, 30 Butler  
3 Ave.

4 What triggers do you hit for MEPA filing?  
5 Just curious.

6 MR. MAHONEY: Our request for a superseding  
7 order of conditions.

8 Just to clarify on the three-bedroom issue,  
9 we had three bedrooms in the original proposal, in  
10 the original application. It was just that we  
11 didn't hit the ten percent threshold. I think it  
12 was seven percent or something like that.

13 I'll confirm the bedroom count. We'll  
14 double-check. It's a fair point on the traffic.

15 CHAIRMAN SALTZMAN: Fair enough. All  
16 right.

17 MR. ROTONDI: I make a motion to adjourn.

18 MR. SHULMAN: Second.

19 CHAIRMAN SALZMAN: All right.

20 All those in favor that we adjourn, signify  
21 by saying "aye."

22 (Chorus of ayes)

23 CHAIRMAN SALTZMAN: Those opposed?

24 All right.

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(Whereupon, the proceedings were  
adjourned at 9:51 p.m.)

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C E R T I F I C A T E

I, Alexander K. Loos, Registered Diplomate Reporter, do hereby certify that the foregoing transcript, Volume VII, is a true and accurate transcription of my stenographic notes taken on October 20, 2015.



Alexander K. Loos

Registered Diplomate Reporter

- - - -

	<b>actually (37)</b> 15:10,12;16:13; 17:5;24:15;37:9; 41:19;45:10;51:1,7; 53:16;60:18;72:19; 73:1,3;74:10,22;75:3; 83:8;90:12;92:15; 93:12;94:4,16;95:20; 96:9,12;100:19; 101:3;102:2,4; 111:15;112:6;113:9; 123:8;124:18;127:3	107:18;114:9	<b>analyze (1)</b> 107:8	24:6;56:18,20
<b>\$</b>		<b>again (39)</b> 2:10,16;4:19;8:22; 12:11;13:7;14:8,11; 15:24;17:4,23;22:18, 22;23:10,14;24:13, 19;25:3,8,11;28:11; 43:24;53:16;57:9; 59:15;60:22;66:5; 71:6;75:23;76:24; 77:13;80:3;85:22,24; 91:17;96:15;114:11, 19;117:23	<b>Angelo (1)</b> 106:24	<b>approximately (5)</b> 22:1;55:23;56:24; 57:1,6
<b>\$250,000 (1)</b> 67:20		<b>ago (2)</b> 8:2;48:22	<b>angle (2)</b> 24:19;31:8	<b>approximation (1)</b> 32:13
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