

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, JULY 11, 2017**

MEMBERS PRESENT: Paula Caron, Chair
Peter Capodagli
John DiPasquale
Paul Fontaine, Jr.
Mike Hurley
Laura O’Kane
Andrew Van Hazinga (7)

STAFF: Mike O’Hara
Steffani Santiago
Tom Skwierawski

Call to Order

Meeting called to order at 6:00 p.m. in the Community Room, Fitchburg Fire Headquarters, 33 North St.

ANR Plans

Westminster Street Pond, LLC, Westminster St.

Jamie Rheault, Whitman & Bingham Assoc., presented plan. The Board approved a Site Plan at the 5/9/17 meeting which proposed construction of a paved parking lot consisting of 69 (9’ x 20’) parking spaces. Applicant has been working with the City to address stormwater drainage nearby on Westminster St. The ANR plan proposes to extend “Lot 1” as shown on plan, to the limit of the 100-year flood hazard zone for drainage purposes.

Ms. Caron explained the procedure of ANR approvals to Mr. Capodagli. The Board had no further questions and endorsed the ANR Plan.

MINOR SITE PLAN REVIEW

None.

PUBLIC HEARINGS

Proposed Zoning Ordinance Amendment - Amend Sec. 181.3561 to eliminate Special Permit requirement for re-use of a non-conforming structure that has been abandoned or not used for a period of more than two years (continued from 6/13/17)

Hearing re-opened. Atty. Vincent Pusateri, City Solicitor and Atty. Christine Tree, Asst. City Solicitor present. Atty. Pusateri advised the initial petition was filed due to the overwhelming request for relief from the hindrance caused by the current ordinance from individuals looking to renovate abandoned properties in the City. The Law Department received input from multiple parties relative to the amendment of the ordinance and the language in the initial petition. They further reviewed the statute and revised their petition to reflect the concerns expressed to them. Atty. Pusateri gave a brief description of the three-tier approach outlined in the Law Department’s report dated July 10, 2017 and stated the goal is to find a way to recycle abandon properties without having to go through the ZBA, while addressing Planning Board, Zoning Board and City Council concerns.

Ms. Caron: Special Permits are subject to special criteria which are stated in the Ordinance. A “permit” (as stated in the proposed amendment) should also be subject to special requirements.

Mr. Fontaine stated he believed the City classifies structures with five-units and above as commercial property. Multifamily structures should be in a residential district and comply with parking requirements as outlined under 181.512.

Mr. Hurley: In the proposed amendment, how far can off-street parking be from the residence?

Atty. Pusateri: 400 feet from the entrance.

Mr. Fontaine: 400 feet from entrance of building to individual parking space or parking lot edge? The language should be specific.

Mr. DiPasquale: Site Plan should show parking in relation to structure.

Mr. Hurley: Para 4. Sec b. of the proposed amendment references a committee that would review and approve a site plan submitted by applicants. Who will make up this committee?

Atty. Pusateri: Individuals as recommend by the Building Commissioner - a member of the Building Dept., Health Dept. and a member of the ZBA or Planning Board, or their designee. Applicant would submit request for permit. Building Commissioner would review and make a zoning determination either allowing the permit or forwarding to this committee for further review and determination. The committee would have the ability to approve applications with or without conditions.

Q: Who will hear appeals?

Atty. Pusateri: Appeals will be heard by either the Zoning Board of Appeals or a Zoning Administrator. Atty. Pusateri acknowledged the statue was confusing to navigate.

Mr. Fontaine: Why hasn't the Planning Board petition moved forward?

Mr. O'Hara: There was some confusion and the petition had just been filed w/ the City Clerk. It will be on the City Council's agenda for a hearing in early September.

Mr. O'Hara introduced Mark Barbadoro the new Building Commissioner to the Board.

Mr. Barbadoro advised the Board that he spoke with individuals in the Fire and Health Departments and that they liked and supported the Committee option. Mr. Barbadoro stated he believes the three-tiered approach will streamline the permitting process and encourage investors.

Mr. Hurley: Concerned that taking City employees out of their position to be on this Committee could overwhelm those individuals. Mr. Hurley asked where the Zoning Administrator's budget would come from.

Atty. Pusateri: From the Building Department's budget. The Building Department currently allocates a lot of time and resources in reviewing Forms of Intent and making zoning determinations.

Atty. Pusateri: The Law Department reviewed Leominster's non-conforming Ordinance - - property never loses grandfathered rights. He doesn't recommend that option. It would be a benefit to the City to review each individual property and take away grandfathered status as necessary.

Ms. Caron: Will the issuance of a Building Permit (Paragraph 4. Sec. a.) preserve grandfathered rights?

Atty. Pusateri: Yes.

Mr. O'Hara: Will Sec. b. (hearing by the Zoning Administrator) be subject to Open Meeting Law requirements? Mr. Barbadoro: Yes.

Mr. O'Hara: Public notice in newspaper and abutters notice? Yes.

Mr. Fontaine asked Mr. Barbadoro if he had the opportunity to review both Sec. a & b., and if he agrees with the approach.

Mr. Barbadoro has reviewed both options and believes the three-tiered approach is a good solution.

Ms. Caron: If less than 50% of the structure is proposed for rehabilitation what would the process be?

Atty. Pusateri: The matter would be referred to the Committee for review and approval.

Mr. Fontaine: In essence the Zoning Administrator would be granting a variance by themselves.

Atty. Pusateri: Yes, for this specific matter.

Mr. O'Hara (belatedly) introduced Tom Skwierawski, Executive Director of Planning and Community Development to the Board.

Mr. Fontaine asked how many zoning determinations on average the Building Department/ZBA receives over the course of a month. Atty. Pusateri stated he did not have an actual figure.

Mr. Skwierawski advised the Board that there were seven on tonight's ZBA agenda.

Ms. Caron: There are over 100 on the Abandoned Property List.

Public Comment:

Paul Beauchemin, City Councilor, Ward 2 - Planning Board has the opportunity to change the neighborhoods in the lower-income sections of town. He would like to see stricter requirements like façade/exterior improvements. Mr. Beauchemin advised he had spoken with Atty. Goldstein (fmr. Asst. City Solicitor) who informed him the City could enforce those types of requirements for permitting.

Mr. Fontaine: It may be difficult to word those types of requirements in the ordinance. He asked if there were other improvements he would recommend.

Mr. Beauchemin: Landscaping and exterior improvements could be required at the Building Commissioner's request.

Mr. Barbadoro stated the criteria can be enforced. However, specific criteria are easier to enforce.

Mr. Fontaine likes Mr. Beauchemin's idea. Perhaps criteria would not specifically be written in Ordinance, but could be criteria/guidelines to issue permit.

Mr. DiPasquale: The criteria should be written in the Ordinance to be clear.

Mr. Hurley: Could that guideline be listed under Paragraph 8 as a required finding?

Atty. Pusateri: It could be added to Paragraph 4, Sec. b. The Committee's decision could have special requirements. However, the applicant could appeal the decision.

Mr. Hurley: The phrase "*subject to conditions as set forth by the Building Commissioner*" could be added to Paragraph 4, Sec. b.

Mr. Van Hazinga: Remember the purpose of this endeavor is to simplify the process not replace one regimen with another.

Mr. Hurley stated he agreed with Mr. Beauchemin and did not think it would be too burdensome.

Ms. Caron: The Planning Board refers to guidelines for special permit requirements. She offered to provide Atty. Pusateri with a copy of the guidelines as it could offer a reference or suggestions to the Committee for suggested additional improvements.

Atty. Pusateri advised the Board that the petition will be on the City Council agenda for their July 18th meeting for review and comment. Atty. Pusateri asked the Board to consider making any recommendations they have so they can be addressed in time for the upcoming City Council meeting.

Mr. Fontaine asked Atty. Pusateri if the Planning Board's petition could move forward to get something in place in the interim.

Atty. Pusateri stated the matter was on the agenda for the City Council's September 5th meeting.

Mr. O'Hara advised the Board should the Planning Board make recommendations and the report be sent to City Council the ordinance would not come forward for review until September 5th.

Board discussed the appeal process. Building Commissioner denies Form of Intent, applicant could go to the Committee. If applicant is still not satisfied they would appeal with Zoning Administrator or ZBA.

Mr. Van Hazinga feels this process is too open-ended to not go to ZBA.

Mr. Fontaine: The petition gives the ZBA the authority to appoint a Zoning Administrator. Do we know if ZBA wants to appoint a Zoning Administrator?

Atty. Pusateri: Some of the members are open to that. They will exercise the authority they are given. Regardless of whether the ZBA or Zoning Administrator makes the determination the appeal fee will still be required.

Mr. Van Hazinga: Not comfortable with giving the Zoning Administrator blanket authority.

Mr. O'Hara: The same procedural requirements will still be enforced.

Atty. Pusateri: If a finding has to be made there has to be a public hearing.

Ms. Caron: Does lodging house fall under multifamily (tier 2)?

Atty. Tree: A boarding house is described in the zoning ordinance as a dwelling in which lodging is provided by the owner to at least three, but not more than six boarders is allowed by special permit from the Board of Appeals in the RC District and by special permit from the Planning Board in the FSC District.

The Board thanked Attys. Tree & Pusateri and Mr. Barbadoro for the time and effort put into report and three tier approach.

Motion made & seconded to close hearing. Vote in favor.

Motion made (Mr. Fontaine) & seconded (Mr. Van Hazinga) to recommend in favor of the Proposed Report of the Law Department dated July 10, 2017 with the following suggestions and comments.

- Insert at the end of Paragraph 1; (c) "including mixed uses, lodging houses and other structures not qualifying under Tier 2."
- Paragraph 2; (a.) - Add the word "lawful" before "nonconformity".
- Paragraph 4; (a.) Add a new clause (i.) and insert the following:
 "i. There is a determination that the Abandoned Structure is a lawfully nonconforming structure."
- Paragraph 4; (a.i.) – Re-number to (ii.); add the word "lawfully" before "nonconforming" and insert "or by Special Permit" after "by right".
- Paragraph 4; (2.) (b.i.) – Delete "is requesting to" and insert "will". Planning Board noted meetings held by proposed committee should be subject to Open Meeting Law.
- Paragraph 4; (2.) (b.ii.) – Planning Board encouraged proposed committee consider additional components in their deliberations including, but not limited to, requiring the applicant to repair, replace or remove peeling/chipped paint, broken siding or broken windows. Remove trash on property. Clean and improve landscaping and address issues raised by the Dept. of Health.
- Paragraph 5 – Delete in its entirety.
- Paragraph 7 – Planning Board is not in opposition provided the ZBA is in support of appointing a Zoning Administrator. The Board requested a clear description of what the Zoning Administrator's duties and responsibilities will be.

Vote 7-0 in favor.

Site Plan Review - NH Solar Garden - 6 MW Solar Array, 0 Alpine Road (postponed from 6/13/17)

Hearing opened. Jamie Rheault, Whitman & Bingham Assocs. present.

Regarding the reasons for the request to postpone the hearing from last month:

(1) Applicant now has a Tax Certificate from Treasurer's office. (2) The radio station's blockhouse in front of the proposed solar array has been cleared of overgrowth & graffiti. Jamie submitted recent photos to the Board.

Mr. Rheault introduced himself, presented the Board with site plan and gave a brief description of the proposed project. At the July 2013 Planning Board meeting the Board approved Site Plan submitted by Trulight Energy Group, LLC for 3 MW solar array project. At the March 18, 2014 Planning Board meeting the Board approved minor modification (increase to 6MW solar array) & transfer of site plan approval (Alpine Ridge, LLC). Due to the high cost of updating to three phase power the project was never constructed and the 2014 Special Permit has now expired. The plan submitted for review is the same plan the Board approved the minor modification for at their March 18, 2014 meeting. The only difference with this application, is the applicant (NH Solar Garden). In the process of negotiating a new pilot agreement with the City. Applicant has no issues with the conditions stipulated in the 2013 decision. Received ConCom approval. Project will consists of 12,000 panels. Three temporary detention basins will be installed. Once construction is completed permanent detention basins will be installed and a maintenance report will be provided to DPW and ConCom annually. Project will not disturb wetlands or buffer zone. A pre-construction meeting will be scheduled with ConCom. Mr. Rheault offered to hold a similar meeting with the Planning Board. Solar array will be sold when construction is completed.

Mr. Fontaine: Does NH Solar intend to purchase the land? Has Applicant undertaken similar projects?

Mr. Rheault: Applicant has constructed other solar facilities. Most are on a larger scale, similar to Steve Seney's project on Ashy State Road. It is more than likely NH Solar will purchase the land.

Mr. Fontaine: Will Applicant be using stone building on site?

Mr. Rheault: No, that is used by the radio station.

Discussion on the overgrown vegetation around the stone building. Mr. Rheault stated if the owner did not clean-up the area, the Applicant will include clean-up in the scope of work to be undertaken to clear the site.

Mr. Fontaine: Would like a reclamation bond in place should the City have to reclaim the land or if panels are turned off and no longer in use.

Mr. O'Hara expressed concern relative to the impact the heavy duty equipment vehicles could cause to Alpine Road for a project of this scale. Mr. O'Hara suggested the Board consider a bond for damages.

Mr. Rheault: Keep in mind, the scope of work for this project already includes high costs associated with updating to three phase power and estimated annual real estate taxes of \$50k-\$60k to the City. Weary of adding additional expenses and discouraging the developer.

Ms. O'Kane: What is the construction timeline?

Mr. Rheault: Approximately 6 months.

Ms. Caron: There are not a lot of abutters on Alpine Road however, there is a lot to go through to reach Alpine Road. Ms. Caron suggested limiting heavy duty vehicle traffic to the solar construction project to business hours only, and no heavy duty truck traffic on Sundays. Suggested operation hours for heavy duty vehicles 8:00 a.m. - 6:00 p.m. Hours of operation for site work: 7:00 a.m. - 7:00 p.m.

Mr. Rheault agreed and suggested 8:30 a.m. to 5:00 p.m. as the operation time for heavy duty traffic, as to not impede school buses.

Public Comment:

Mrs. Bingham: Will this project definitely be built? Has Unitil already approved?

Mr. Rheault: Provided the Applicant receives all the necessary approvals and permits, construction will commence in the fall. Unitil has been contacted and has requested updated information for re-approval.

Ms. Caron advised Mrs. Bingham that a solar array project is allowed by right and thus cannot be prohibited by the Planning Board. The matter is on the agenda for Site Plan Review not special permit.

Motion made & seconded to close hearing. Vote in favor.

Motion made (Mr. Fontaine) & seconded (Mr. Van Hazinga) to approve the Site Plan as submitted with the following conditions.

- Same special conditions as outlined in the 2013 Decision.
- Applicant will execute a Pilot Agreement with the City of Fitchburg.
- Vegetation around stone building will be cleaned up within 60 days after pre-construction meeting.
- Applicant post a Reclamation Bond.
- If panels are inactive for a period of more than 12 months, Applicant will decommission the array and return the site to its original state.

Vote 7-0 in favor.

Special Permit renewal - SBA Towers II, LLC, Wireless Communications facility, 609 Wanoosnoc Road

Hearing opened. Atty. Gregory M. Boucher of Saul Ewing, LLP, present.

Atty. Boucher stated there are two tenants leasing space on the cell tower. T-Mobile installed gas (propane) backup generator and Verizon replaced and updated antennas. No structural changes have occurred. 2015 Structural Analyses Report was included in application packet. Small pothole near steel panel on bridge has been filled and culvert was evaluated. Pictures of both were included in application. The \$20k tower removal bond is still in effect. Lease with landowner (Pandiscio, Inc.) still current. Lease term will expire August, 2020. Applicant is requesting the Board grant the renewal for a five year term and that the Special Permit be transferrable to the new entity.

Public Comment: None.

Mr. O'Hara advised the Board the weight limit advisory sign was no longer posted on the bridge. Posting was a condition of the Board's 2013 approval. Atty. Boucher assured the Board the sign would be reposted.

Mr. Fontaine: Is \$20k sufficient for removal?

Atty. Boucher: Amount consistent with bonds posted for similar projects.

Ms. Caron: Pursuant to section 181.933 of the Zoning Ordinance, Municipal Department Heads have thirty-five days from the date of receipt to review and comment on applications submitted for special permit approval. Thirty-five days have not elapsed since the departments received notification, and the Board has not received responses from all of the departments. Therefore the hearing will have to be continued to the August meeting for determination.

Atty. Boucher asked the Board if he would need to be present for the August meeting. The Board informed him he would not have to attend unless there were any comments provided to the Board that he would need to address. Mr. O'Hara assured Atty. Boucher he would keep him apprised.

Motion made & seconded to continue the hearing to August 8th meeting. Vote in favor.

Special Permit - NS AJO Holdings, Inc., proposed Medical Marijuana Dispensing Facility, 20 Authority Dr.
Hearing Opened. Present: Aidan O'Donovan, CEO of NS AJO Holdings, Inc., Atty. Michael Ross & Atty. Dan Glissman of Prince Lobel Tye LLP, Kurt Smith & Sam Hemingway of Fuss & O'Neil.

Atty. Ross gave a brief overview of the application. Applicant has already received approval for operating a medical marijuana manufacturing facility at the same location. Dispensary and manufacturing facility will be co-located. Building can suite needs and location is ideal. Dispensary will be approx. 4,800 S.F. Mass DPH has a limit of three dispensary licenses per applicant. AJO will have three - Watertown, Dorchester and hoping for Fitchburg. Estimating 75 new jobs for dispensary and cultivation (12-18 more than projected from initial application for manufacturing facility). There are 90 parking spaces on site including 4 handicap spaces. Back lot will be employee parking, front lot will be for employee overflow (if needed) and patients parking. Three curb cuts on site, there will be signage installed to direct patients to the front lot. Pedestrian walkway will be installed and security fencing will be installed around perimeter. Screening and buffering will be installed as desired by the City, per the Host Community Agreement. An informational meeting was held at the Municipal Offices with Applicant, Counsel, Dan Linskey (Kroll Security) and Department Heads on 6/30/17 to discuss the proposed project.

Mr. Fontaine: What made you decide to install fencing around perimeter? He recalled from the MMM application the applicant wanted to remain as inconspicuous as possible. What type of fence material are you proposing?

Mr. O'Donovan: Mr. Linskey was lead to believe during our meeting with the City on June 30. The City wanted a security fence installed. Mr. Linskey suggested a 7-foot ornate wrought iron fence. We would prefer not to install a fence if the City is uncommitted to one being installed. There will be 24 hour security on site including other extensive and elaborate security measures in place. Planning Office will inquire with Police Chief regarding the disposition of the security fence.

Mr. O'Donovan: There will be a door control system in place (one door opens at a time). Once patient has checked in and cleared they will be allowed to enter dispensary waiting room. At the highest, estimates 18-30 patients an hour. There will be absolutely no on site consumption – DPH would pull their license.

Atty. Ross stated they would need relief from the 300 ft. buffer as the nearest residential lot is 157 feet away. Also, Special Permit condition #1 & #4 would need to be removed.

Kurt Smith - A limited traffic study was conducted. Reviewed those of other dispensaries in the state. Saturday's peak increase. Did not do an analysis or traffic count. Zeroed in on the retail addition, dispensary will not cause a notable increase in traffic.

Mr. O'Donovan: A very basic Natural Selections sign (in block lettering) will replace Geosearch's sign. No banners or advertisement. Inside the dispensary there will be televisions showing what products are available. It will be a sterile but inviting environment.

Atty. Ross provided the Board with copies of the information packets that were provided to the Dept. Heads at the June 30th meeting.

Mr. Fontaine: In the future, would you be interested in opening a recreational dispensary.

Mr. O'Donovan: Yes, however, it is not a deal breaker. Colorado had medical marijuana dispensaries several years prior to recreational. There was not as much of a change when recreational dispensaries opened.

Ms. O'Kane: What type of queuing system will be in place?

Mr. O'Donovan: No lines, either by number or by name. Waiting area will be similar to that of a doctor's office. Sales associate will call up and assist patients. If there was a large influx the procedure would change to eliminate congregation concerns.

Mr. Van Hazinga: What will the service area be?

Mr. O'Donovan: Up to 20 miles. Fitchburg is a rural area and location is right off Rte. 2, which will allow a large service area.

Mr. Van Hazinga: Do you know where the closest competing dispensary is located?

Mr. O'Donovan: Leominster approved an applicant however, believes the applicant ran into issues with DPH.

Mr. O'Hara believes the closest location is Ayer.

Mr. O'Donovan: Believes there is also an application in process in Gardner.

Mr. O'Donovan advised his company had looked into Lynn, however it didn't work out but, believes it is for the best as he is very excited about the Fitchburg location.

Ms. Caron: Do you plan to offer a delivery service?

Mr. O'Donovan: Not at this time. May reconsider in the future depending on how the state regulates recreational marijuana.

Ms. Caron noted applicant's position on edibles as outlined in the application.

Mr. O'Donovan: DPH requires opaque and child proof strict standards. Edibles make up less than 10% of sales in their Colorado dispensary.

Public Comment:

Kevin Aubuchon, Fifth Mass. Tpk - Spoke in support of application. Has been a medical marijuana user for several years and is happy to see the City be so welcoming to the industry.

Janice Condon (abutter): Expressed concern there will be an increase of traffic related accidents in the area due to people driving under the influence of marijuana.

Mr. O'Donovan: Reassured the parking lot will be heavily monitored on site, and employees will be trained if patients come in and they suspect they are in anyway inebriated they will not be served and asked to leave the property. If someone consumes there prescription anywhere on site, DPH will pull their license. Dan Linskey (Kroll) insists on regular video audits. The company will take every precaution to prevent someone from consuming medical marijuana on site. Our security team will be working very closely with the Fitchburg Police Dept.

Mr. Van Hazinga suggested posting clear notices in the dispensary as reminders for patience not to consume on site.

Mr. O'Donovan: During a patient's intake at their first visit they are notified and also receive an informational packet. There will also be signage in the dispensary.

Q.: Typically how long are transactions?

Mr. O'Donovan: Roughly 15 minutes. First transaction is longer, approx. an hour during which time they are notified not to consume on site.

Tom Smith, Sawmill Pond Road – How many security officers will be on site? Will they be mobile?

Mr. O'Donovan: Two during the day and one at night. Yes, they will be mobile.

Q.: Will there be employees working at night? Mr. O'Donovan: Only until 8:00 p.m. or 9:00 p.m.

Atty. Ross asked Mary Jo Bohart, Economic Development Director, for a list of abutters. He stated he would be happy to coordinate a meeting with the abutters and Dan Linskey to address any concerns or questions they may have.

Sue Downey, Saw Mill Pond Rd: Expressed concern relative to an increase in traffic if the facility will be opened seven days a week. Area is already overwhelmed.

Mr. O'Donovan reiterated the information that was presented by Mr. Smith from Fuss & O'Neil and advised it is estimated the dispensary will increase the traffic in the area by only one additional vehicle every three minutes. During operation, it is expected there will be an average of 350 trips over the course one week (employees, patients and related traffic).

Janice Condon (abutter) – Agreed with Ms. Downey's concerns. The area has already seen an increase in traffic and accidents. Ms. Condon suggested the City reach out to Mass DOT to conduct a road safety assessment.

Board discussed contacting Ward 3 Councilor, Joel Kaddy to check into accident count in the area.

Ms. Caron: Pursuant to section 181.933 of the Zoning Ordinance, Municipal Department Heads have thirty-five days from the date of receipt to review and comment on applications submitted for special permit review. Thirty-five days have not elapsed since the departments received notification, and the Board has not received responses from all of the departments. Therefore the hearing will have to be continued to the August meeting for determination.

Mr. O'Donovan and Atty. Ross thanked the Board for their time and consideration.

Motion made & seconded to continue the hearing to August 8th meeting. Vote in favor.

OTHER BUSINESS

Matson Homes, Inc., – Parker Hill Estates Subdivision contribution for Westminster Hill Rd. improvements

Mr. O'Hara advised the Board Mr. Matson delivered the \$10k contribution and funds have been deposited into the Planning Board account. Time has long passed for the need for a study on Westminster Hill Road. As discussed in earlier meetings, there was a car accident last winter at the intersection of Westminster Hill Road and Sanborn Street. Due to weather conditions, a vehicle went off the road. Board had discussed replacing the jersey barriers with a guard rail. DPW estimates costs to be \$6,500.00 (+/-).

Mr. Matson has requested a release of the bond for Flicker Drive and Downy Circle, both have been accepted as public ways.

Mr. O'Hara advised he had spoken with Lenny Laakso, DPW Commissioner and asked if he thought the City should retain 10% in the event an issue arises. DPW was not opposed but acknowledged that had never been done before.

Mr. Fontaine was hesitant to require a 10% hold back of the bond. Mr. Matson has respected the Board's requests in the past without opposition. Mr. Fontaine recalled more recently Mr. Matson removed and replaced the granite catch basin headers as requested by the Board. Board members agreed.

Motion made & seconded to use the \$10k contribution to remove existing jersey barriers on Sanborn Street / Westminster Hill Road intersection and replace with guard rails. Vote in favor.

Motion made & seconded to release Matson Home Inc., road performance bond for Downy Circle and Flicker Drive. Vote in favor.

Tibbett Circle public way acceptance

Mr. O'Hara advised the Board a portion of Tibbett Circle was never accepted as a public way (intersection of Tibbett Circle and Eleanor Street to the intersection of Tibbett Circle and Watts Way).

Ms. Caron stated if DPW is in agreement she had no concerns.

Motion made & seconded to accept the remaining portion of Tibbett Circle as a public way. Vote in favor.

Meeting Minutes

Postponed, June minutes not ready yet.

Motion made & seconded to adjourn. Vote in favor.

Meeting adjourned: 10:05 p.m.

Next meeting: August 8, 2017