



TOWN OF  
**STONEHAM**  
MASSACHUSETTS

**PLANNING BOARD**  
781-279-2695

**STONEHAM PLANNING BOARD MINUTES**  
*(in accordance with provision of M.G.L. c.30A, §§ 18-25)*  
**Wednesday, July 12, 2023**  
Hearing Room  
**7:00 PM**

Members Present: Chair Frank Vallarelli, Vice Chair Kevin Dolan, Daniel Moynihan, Terrence Dolan and Marcia Wengen.

Also present at the meeting: Town Clerk Maria Sagarino acting as Planning Board Clerk, Attorney Charles Houghton, Mark Doherty of Mercury Properties Group, Inc. and John Cullen.

The Chair brought the meeting to order at 7:03 PM. Mr. Vallarelli introduced the members of the Board indicating that Mr. Moynihan was running a few minutes late and would be joining them soon. He then moved onto the first agenda item to approve the minutes for June 21, 2023. Mr. K. Dolan made a motion approved the minutes for June 21, 2023 which was seconded by Mr. T. Dolan. All members present voted in favor 4-0.

Mr. Vallarelli introduced the continued discussion of the rezoning of 134 Elm Street to Residence B. Attorney Houghton reminded the Board that at the last meeting his client John Cullen had asked the Planning Board to request a 40A advisory opinion from the Executive Office of Housing and Economic Development (EOHED) regarding the 12 units Mr. Cullen would like to build at 134 Elm Street. He also reminded them that Mr. Moynihan wanted to look in to it further before committing to anything. Mr. K. Dolan read from the EOHED information handed out to Board: "If there is uncertainty about whether a zoning proposal affects and eligible location, a municipality may request an advisory opinion from EOHED."

Mr. K. Dolan clarified that this would be an advisory opinion as to whether this project was an appropriate location for a 40A §3A classification. Mr. Houghton agreed. He also believes that it goes to the issue of zoning. The zoning underlying change has to have a public purpose and Mr. Houghton believes that getting the opinion would show this. Mr. K. Dolan stated that it would create housing and affordable housing. Mr. Houghton added that it would be geared toward seniors. Mr. K. Dolan asked if this would be senior housing. Mr. Houghton stated it would not but they were going to add lifts to the second floor and market them to seniors. Mr. K. Dolan asked if they'd be rental or condos. Mr. Houghton responded that they would be condos. Mr. K. Dolan stated that he had no problem asking for the advisory opinion. Mr. K. Dolan mentioned that because Mr. Moynihan had questions that they should table the vote until he arrives. Ms. Wengen read that an individual board member could not make the request. Ms. Sagarino explained that the Board would vote on the entire Planning Board making the request. If the Board votes to request the opinion she would sit with Ms. Wortman and Mr. Gonsalves to complete the online request on behalf of the Planning Board. Mr. K. Dolan doesn't see a

downside to asking for an opinion. Ms. Wengen asked if the Board should ask the Select Board to go in on this. Ms. Sagarino explained that it is one Board or the other making the request not both. Mr. K. Dolan added that it is a zoning issue so it makes sense for the Planning Board to make the request. Mr. Vallarelli asked what the other handout was on guidance for voting thresholds. Ms. Sagarino explained that it was guidance as well as some frequently asked questions. It addressed eligibility a bit too. She explained that it mentioned the location being within a half mile of transit and 134 is a little over a half mile from the Wakefield Commuter Rail so it seemed prudent to request the opinion on that alone. Mr. Cullen also added that other criteria for it to be a highly suitable location if it's within three quarters of a mile to a pedestrian destination. Mr. Cullen read off a list of pedestrian locations such as schools, hospitals, municipal buildings, library, post office or other civic facility. He pointed out that 134 Elm Street is adjacent to the Senior Center which would be considered a pedestrian destination. Ms. Wengen asked what he was reading from and Mr. Cullen said that it was under regulations pertaining to MGL Chapter 40R. At this time, 7:11 PM, Mr. Moynihan joined the meeting. Mr. Vallarelli explained to Mr. Moynihan that the Board was discussing 134 Elm Street and the advisory opinion that Mr. Cullen wishes the Board to request. Mr. Moynihan indicated that he had read the information that was sent to the Board members. He now understands what is being asked of the Board. Mr. Vallarelli indicated that the next step would be for Ms. Sagarino to sit with Ms. Wortman and Mr. Gonsalves to submit all of the information required to make the request if the Board so chooses.

Mr. K. Dolan made a motion to request an advisory opinion from EOHEd to determine whether 134 Elm Street is an eligible 40A §3A location. Mr. T. Dolan seconded the motion. All members present voted in favor 5-0.

Martin Wortman, 20 Gerald Road, asked if the advisory opinion would determine whether it is a simple majority or a super majority vote when the zoning change is put before Town Meeting. Mr. K. Dolan believed to the extent it qualifies under 40A §3A that it would be a simple majority vote. He added that the Board would confer with Town Counsel but that would be his belief.

Before moving onto the public hearings, Mr. Vallarelli asked if we had heard back from the Attorney General's Office on the Associate Planning Board Member bylaw. Ms. Sagarino indicated that we had not and stated that they have until the beginning of August and would most likely take the full 90 days as this was submitted after the Annual Town Meeting which is a busier time for the AG. Mr. Vallarelli also asked about the outstanding bonds. The Board had been provided with a list over a year ago. He asked if they could be discussed again at an upcoming meeting.

The first public hearing of the evening would be the continuation of 62 High Street. Mr. Vallarelli recused himself for the moment. Vice Chair K. Dolan took over as Chair and reminded everyone that this was a continuation of a public hearing that had started on October 12, 2022. Mr. Houghton once again asked the Board to continue the public hearing for 62 High Street. Again, waiving all time standards. He explained that the Storm Water Board still hadn't approved the drainage plan. Mr. Moynihan made a motion to continue the public hearing for 62 High Street until August 9, 2023 at 7PM, waiving all time standards. Mr. T. Dolan seconded the motion. Before voting, Mr. T. Dolan asked if the Storm Water Board had met today. Ms. Sagarino responded that the storm Water meeting posted for this morning was cancelled. Brett Gonsalves anticipates rescheduling by the beginning of August. August 7<sup>th</sup> or 8<sup>th</sup> at the latest.

Ms. Sagarino deferred to Attorney Houghton to explain further. Mr. Houghton indicated that his client had decided to extend the contract with the peer reviewer that the Storm Water Board had contracted. So Linden Engineering has been asked to do some further review on the changes made and to make some additional comments. Seeing no further questions, already having a motion and a second, Mr. K. Dolan took the vote to continue. All members present on the matter voted in favor 4-0 with Mr. Vallarelli abstaining.

Mr. Vallarelli took over and moved on to the second public hearing of the evening for 323 Main Street which had been continued from the June 21, 2023. Mr. Vallarelli reminded the public that the petitioner was seeking a Special Permit to build 29 units above the first floor with commercial space taking up 50% of the first floor area adjacent to Main Street.

Attorney Houghton reminded the Board that at the last meeting he had gone through the criteria required under the bylaw and had addressed the department reviews. The Board had asked to see a rendering so they brought a Site Development packet to give the Board an idea of what the building is expected to look like along with showing floor plans.

Mr. Moynihan asked about the number of units. The application was made for twenty nine units and he questioned that there are thirty units shown on the plans submitted tonight. The petitioner Mark Doherty responded that when the architect laid it out, thirty units fit perfectly with ten units on each floor. Mr. Houghton knows that the application and the notice listed twenty nine units. They would seek approval for twenty nine units above the first floor tonight and if granted they would come back before the Board for thirty units.

Mr. K. Dolan mentioned the footprint being approximately 11,000 square feet and asked what the current footprint is. Mr. Houghton believes that the current Bank of America building is probably half the size. Mr. K. Dolan asked about the lot size. Mr. Houghton responded that the lot size is around 39,000 square feet.

Mr. Vallarelli went through some of the details shown on the plan like parking, utilities, and stairwell, then asks how big the commercial space on the first floor ends up being. Mr. Houghton responded that it's about 5500 square feet. Per the bylaw it has to encompass at least 50% of the first floor that is adjacent to Main Street. Mr. K. Dolan comments that it is similar to Mr. Petrillo's layout at 411 Main Street. Mr. Houghton agreed and added that the bylaw drives it that way as far as the commercial space. After looking at the plan, Mr. Houghton gave an accurate number of 5580 square feet for the commercial space.

Ms. Wengen asked about accessibility. She questions page A1.00 on the Site Development plans. She could see where the handicapped parking space was and asked what was shown to the right. Mr. Doherty explained that it was the mechanical room for the elevator. Although the code for the elevators are different these days, they still have to put it there due to zoning. Mr. Doherty further explained that the elevators are all electric now. They no longer have a big pit or hydraulics taking up space. Mr. Doherty then pointed out the handicapped ramp and the entrance into the building for Ms. Wengen's benefit.

Mr. Doherty provided the Board with some information on the energy efficiency of the building. He talked about the HVAC and the triple pained windows with more than an R9 rating. They are creating an economical package for the tenants to try to keep their heating and air conditioning bills lower.

Mr. Moynihan mentioned the construction and the neighbor's concerns from the last meeting regarding the easement. He asked if there have been any other conversations with the neighbor. Mr. Doherty replied that they have assured them that they would respect the easement during construction and will not encroach upon it. Mr. Doherty believed that they are satisfied with that assurance. Mr. Doherty stated that conversation happened after the last meeting and they aren't here tonight. He is taking that as a sign that they are truly satisfied.

Ms. Wengen went on record to say that she hates the windows. She went on to describe the most recent four story buildings put in had more traditional windows, six over one. She knows that she's going to lose this battle but needed to say it. Mr. Vallarelli asked why she's going to lose that battle. Ms. Wengen replied that the owner is not interested in those type of windows and she's not sure the Board would support that either. Mr. Moynihan asked what the other type of window was. Ms. Wengen explained that the Stones at 380 Main Street and Petrillo's building at 411 Main Street each have six over one double hung. Petrillo's have the grids imbedded in the glass and Chris Senna used simulated divided lights on 380 Main Street. Mr. Houghton added that conservation and the State Building Code requirements have changed and it's what's driving them to make it more efficient. They might have a hard time with materials that were fine not too long ago. Mr. Houghton added that they are trying to also make it as efficient as possible for the tenant's benefit. Mr. Doherty added that the windows they have chosen are aesthetically please to most. Ms. Wengen interjects, "except for me". Mr. Doherty continued to say that the windows they have chosen are an up and coming standard that they will most likely going to be forced to use going forward.

Mr. T. Dolan stated that it looks like a majority of the units are 959 square feet. He asked how many people they believed that would be per apartment. Mr. Doherty responded that they would typically be two bedrooms but when the architect really gets in there you sometimes lose a little square footage. Mr. Doherty explained that you could probably do a three bedroom with that size but their goal would be two bedrooms with the average being two tenants per unit.

Mr. T. Dolan also asked if Mr. Doherty thought that this same building in Winchester near Church Street and Dix Street would get approved as a four story building. Mr. Doherty believed that it absolutely would get approved in Winchester.

Mr. Moynihan asked if they had given more thought to the commercial space. Mr. Doherty does not want to do a restaurant or food use. He doesn't think its right for the building. With the black iron and the ventilation, it's just not his idea for that space. He is thinking about a shared office space. He sees a space where there is a common area including conference rooms and maybe a coffee bar with single offices around the perimeter that can be rented by a lawyer, an architect or other one man band. He gave the WeWork model as an example, although he'd like to do nicer common areas. Mr. Moynihan added that there is something similar in the Boston Seaport across from the Federal Courthouse. Mr. Doherty stated that he still needs to see how the pro forma shakes out and he hasn't done a study yet to see if the demand is there. He continued to say that he is most likely going to hire Lincoln Properties as the property manager and he'd like for them to have an office on site and to come back with a market study for him. Mr. Moynihan thinks it's a good idea.

Mr. Moynihan asked what the timeline is for this project. Mr. Houghton answered that they would need Site Plan after this. Mr. Houghton believes it would move rather quickly. Mr.

Doherty agreed adding that he has all of his funding already in place. It's just a matter of going through the remainder of the process and permitting.

Mr. Houghton reiterated that they do not require variances. They meet all of the criteria. This building was design purposely to meet all of the zoning requirements and fit in that space.

Mr. T. Dolan stated that they will be using Lincoln Properties. Mr. Doherty said that he is leaning toward them. Mr. T. Dolan is speaking on behalf of some residents to voice their concerns. They are worried about the density that is all along Main Street. If we look down the road ten or fifteen years, if Mr. Doherty is successful, Mr. T. Dolan asked, what would prevent Mr. Doherty from selling this? Condos are deeded properties but these are apartments. People in apartments are coming and going and trash is left out. Mr. T. Dolan continued to say that if you want to sell down the line no one can stop you. What if a new owner comes in and wants to accept Federal funds. It could open it up to Section 8 housing. Mr. T. Dolan gives an example of senior housing that was built in Stoneham in the 60s. The Town accepted federal funds and somewhere along the lines it changed the scope. So now there's people from all walks of life living there when it was designated for seniors. Mr. Doherty stated that was a Town decision in that case and it wouldn't happened with this project. It wouldn't work economically. Mr. Doherty mentions that the Planner explained to him that the Town has a Municipal Affordable Housing Trust. He understands that he can apply for a Special Permit to pay a fee in lieu of the required affordable units and he is considering it. He likes the idea of contributing to that fund. Mr. Doherty prefers not to have affordable units for economic reasons.

Mr. T. Dolan asked about a timeline. He mentioned that 371 Main Street is currently stalled, but what happens if they start building at the same time. Mr. T. Dolan thinks that the traffic on Main Street would be awful. Mr. Doherty believes this building will be a huge improvement and added that this is what the Town zoned the area for. Mr. T. Dolan agreed that it's a nice looking building, he just worries about the timeline for construction with two projects close to each other. Mr. Houghton stated that 371 Main Street is only nine units. He doubts it will cause traffic. Mr. Doherty mentions that he's already taken care of some of the work concerning Main Street. He had already dragged over the utilities at his own expense, before he even closed on the property, because the road was about to be paved which creates a moratorium on roadwork for five years. Brett Gonsalves had told Mr. Doherty and Mr. Houghton days before the road was to be paved that they needed to do this work now because there would be no digging for five years after that. They got everything done in four days. Mr. Doherty believed that this shows how serious he is about this project and how he is trying to satisfy department heads and Town conditions. Mr. T. Dolan thinks it was jumping the gun. Mr. Doherty understands but he had no choice but to do the work before the paving happened.

Mr. T. Dolan stated that if there are thirty units, you might have sixty-five to seventy-five people living in the building. Mr. Doherty doesn't believe the units would have more than two primary residents. Mr. T. Dolan asked if pets would be allowed. Mr. Doherty hadn't decided. Mr. T. Dolan stated that a concern would be that the Town Common would become a dog park. Mr. Doherty's preference would be to not allow pets because they do a number on the apartments. It forces you to do carpet and he would like to do hardwood. He would rather not commit to no pets at this point. He needs to get an analysis on the rent, what type of demands and the subject of pets. Mr. Doherty would definitely put a weight restriction on the dogs. Mr. Moynihan asked if he'd charge pet rent. Mr. Doherty stated that would most likely be the case.

Mr. T. Dolan asked if he would consider two or three floors instead of four stories. Mr. Doherty responded that it wouldn't work economically. It barely works now. He stated that the building he wants to build will be a very expensive building. Mr. T. Dolan agreed that it's a beautiful building, but does it belong on Main Street in Stoneham? Mr. Doherty responded that it does per the Town's zoning. Mr. T. Dolan isn't talking about zoning, but aesthetics. Mr. Doherty commented on the building across the street, 380 Main Street, being ten feet higher and Petrillo's building at 411 Main. Mr. Houghton stated that both of those buildings required height variances. Mr. Doherty also mentioned that those buildings required parking variances.

Ms. Wengen asked if the Board would be voting on 29 units or 30. Mr. Moynihan was also going to ask that question as the notice stated 29. Mr. Houghton explained that Hayes showed 29 on the original plan but when the units were laid out by the architect they found 30 would fit. Mr. K. Dolan asked what Mr. Houghton's thought was on that with the legal notice only listing 29. Mr. Houghton responded that they would ask for a vote on 29 and if approved, they'd come back before the Board for 30 units.

Ms. Wengen asked how they were planning the demolition. She understood that the safe was still in the building. Mr. Doherty responded that they have a special company come in. It's very expensive. Just the door alone would cost about \$100,000 to remove. So the safes and the lockboxes are all removed separately before you demolish the building. Ms. Wengen stated that the lockboxes are gone, just the frame remains. Mr. Houghton agreed. Ms. Wengen asked what happens to the remainder of the building. What do demolition companies do with all of this? Does something happen to the bricks? Mr. Doherty explained that a lot of it goes for fill. It's a sought after fill for larger projects. Mr. Doherty then detailed that they would remove the safes first, then the mechanical systems would go next. They'd scrap all of the copper. They'd get everything out of there before demoing the building. There is so much room in the back that all of this would be done in a safe and efficient manner. He went on to say that demo is fast. It's done in days.

At this point, Mr. Vallarelli opened the public hearing. Rosemarie Talieri of Wright St is concerned about the dumpster. If there is a restaurant on the first floor she'd like to see the dumpster moved closer to the building. She is concerned about rats. She is also concerned about the lighting. You will have parking in the back with lighting. She does not want to see the lighting bother the houses behind Main Street. She wanted to know how bright the lighting would be and if it would interfere with the neighbors. Mr. Vallarelli responded that the lighting is shown to be downward lighting. Mr. Doherty shows the neighbors the down lighting and explains that it will be well lit but the lighting will face downward so as not to disturb the neighbors behind the property. The lighting would not be aiming toward their houses. Mr. Doherty explained that the dumpster was put on the plan because the Board had asked about it at the first meeting. If he does food on the first floor, he'd have to have the dumpster. If they do not do food, the trash is fine in the trash room shown inside the building. Mr. Doherty explained that the trash room would be accessed by the exterior. There would be several bins that would be rolled out and emptied. Mr. Doherty stated that is most likely to be the case if he has his office use. With the shared office space, a dumpster is not required.

Jeff DiMambro of 61 Wright Street mentioned the renters to the left of his property. Over the years when the tenants have moved out they've left tvs, couches, etc. When their leases have

expired they just leave all of that behind like it's a dumping ground. You want to add 30 units, what will that do? Mr. Doherty responded that they would hold security deposits. If anyone leaves an item, they pay to dispose of it using that money. They will have a professional management company in place so things like that don't happen. Mr. Vallarelli explained that when he was on the Board of Selectmen they initiated a change with trash so that people couldn't just leave trash. The landlords can now be fined if the town has to pick it up.

John Careiro, 65 Wright St agreed with everything his neighbors had said about the tvs and the mattresses. It's all he can see when the leaves falls off the trees and the foliage isn't there to hide them from his view. He doesn't mind the building being built. His concern is the first floor space. He doesn't want to see anything that will bring more rats to the neighborhood.

Rosemarie Talieri added that another restaurant on that block would not be good. Mr. Doherty doesn't believe a restaurant makes sense economically at this point. He again mentions the build out that it would take and the ventilation required. It would be a more expensive build out and the rent would be less than if he put in his shared office idea. The last thing he wants is a restaurant. Eighty percent of restaurants fail so you'd be dealing with turnover. Mrs. Talieri asked if there could be a condition of no restaurant. Mr. Doherty stated that it is an allowed use per the zoning, but he again explains that he doesn't want a restaurant. He doesn't want to deal with black iron. He doesn't like the smells associated with it. Or the rodents it brings.

Mr. K. Dolan asked for Mr. Houghton's opinion. The Special Permit is for the dwelling units above the first floor, would it be reasonable for the Board to put a limitation on the first floor commercial space. Specifically in regards to restaurants. He doesn't think you'd want to allow 20 or 30 units with a restaurant below. It sort of feeds into an infestation problem.

Mr. Houghton stated that a restaurant is an allowed use in commercial and they are required to have commercial on the first floor. Mr. K. Dolan understands, but he'd be proposing any commercial use but a restaurant. It seems to be a major concern of the residents. Mr. Doherty asked if that had ever been made a condition. Mr. Houghton stated that it had not. Mr. K. Dolan stated it was just food for thought. He continued to say that Mr. Doherty doesn't want to do a restaurant and we'd just be asking him to codify that. Mr. K. Dolan indicated that the Board is moving at warp speed for the petitioner. Usually a development like this would take three or four hearings. Mrs. Talieri mentioned that if you put a restaurant you need to think about parking. In talking it through, Mr. Houghton concluded that a restaurant wouldn't actually work there due to the parking requirement. A 75 seat restaurant would require 25 parking spaces which they wouldn't have. Mr. Doherty agreed that he wouldn't be able to do a restaurant based on the parking. Mr. Vallarelli wouldn't mind a nice restaurant there but at the same time he can't see a restaurant in that building with the apartments and the type of rent you'd be getting. Mr. Houghton commented on having an office above a restaurant. It's not the smells but the parking that is the problem. Mr. Moynihan's office is above his and he disagreed. The smells are a problem.

Mr. Doherty would not want to see a condition about food. If he does the shared office space, he'd like to bring in muffins or provide lunch. He's afraid that a condition would cause a problem. He doesn't know what wording would avoid potential harm for what he's trying to do with the first floor. To have a restaurant he'd have to come before the Board again to show the plans with the black iron and the ventilation.

Paul Pascantilli a resident of the North End in Boston has had conversations with planning officials. He understands that Stoneham is trying to rebrand itself and move away from being a drive thru town. He would like to know what the vision is for Stoneham and Main Street specifically. There aren't many three quarter acre sites left in this district. Mr. T. Dolan had mentioned reducing the size and height. Is that the vision? He met with Erin Wortman and he believes her vision is a little different. Stoneham can really use a revitalization. Mr. Pascantilli believes this is a wonderful project. Is the Planning Board aligned in what the vision for Stoneham should be and what it looks like in 10-12 years? Mr. K. Dolan has no comment but stated that he makes a good point. Mr. T. Dolan doesn't think there is a Master Plan for Stoneham. Mr. Vallarelli stated that there was a Master Plan done years ago. Mr. Houghton reminded the Board that there was a lot of planning done in October. The reduction in parking requirements allows for this project to happen. The number was reduced from 2.1 to one space. Mr. Houghton continued to say that Petrillo's building at 411 Main Street has twenty five parking spaces and hasn't created a parking problem. Mrs. Talieri disagreed with that statement. She said the lot behind that building is full at night. Mr. Houghton stated that those people pay to park in that lot. For the proposed project, each unit would have one parking spot. If they have more than one car they could buy a permit to park in one of the nearby municipal lots. Mr. Houghton brought up the parking study that was recently done. There are an abundance of spaces in the downtown area.

Mr. Vallarelli responded to Mr. Pascantilli's original question. He stated that some people might want us to look like a little Somerville. Mr. Vallarelli does not want to look like a little Somerville or a little Malden. Mr. Pascantilli just points out that Mr. Doherty came in and proposed a project that meets the current zoning requirements. To ask him to reduce the height seems like the Board should change the zoning to two stories. Mr. Houghton agreed. He then mentioned that the older buildings in the square like the Dow building are all taller. Mr. Doherty thinks that they should be talking about positives. He is proposing to build a nice, expensive, beautiful building. The revenue to the town is extensive. The revitalization to the downtown. This will bring people who will walk around town just like Petrillo's building has brought people to the downtown.

Mr. K. Dolan asks about the plans showing brick veneer and composite cornice. He'd like to know if there are samples. Mr. Houghton and Mr. Doherty both explain that it's real brick even though it uses the term veneer. It's not half brick. It's full brick. Mr. Houghton states that they are looking at a ten million dollar building. Mr. Doherty corrected him. It's more like fifteen million.

Mr. K. Dolan asked about the trash bins. How are they emptied? Mr. Doherty explained that there will be a 42' service door accessing the trash room. The company will come around the building and pull up right at the door to empty the trash. He added the bigger door so the bins could be emptied easily without banging into the doorway on the way in or out.

Ms. Wengen asks about the sixteen trash bins. Mr. Doherty stated that they are three foot wide, huge trash bins. Mr. Doherty stated that there is no trash chute. It is a trash room with community bins all lined up. Mr. K. Dolan asked how often trash would be picked up. Mr. Doherty stated it would be once a week and explained that the trash room is built for fifty units so the sixteen bins would have plenty of capacity for the existing units.

Mr. K. Dolan would like to see samples of the building materials. Mr. Houghton thought the Board would vote that evening. He asked if they could just retain façade jurisdiction. Mr. Houghton reminds the Board that they will be back for unit number thirty.

Mr. Moynihan made a motion to close the public hearing which was seconded by Mr. K. Dolan. All members present voted in favor 5-0.

Mr. K. Dolan thanked the people in the audience for being very respectful. They were very helpful with their points.

Mr. K. Dolan made a motion to approve 29 units incorporating all department comments. The hours of construction would be Monday through Saturday from 7AM-5PM with no work done on Sundays. The dumpster/trash would be emptied once a week. The lighting would be down lit. The Planning Board would retain façade review. He stated that it complies with Section 4.6.3.1 and Section 4.6.3.2 as well as 7.4.3.1. There will be minimal disruption to the neighborhood. Mr. Moynihan seconded the motion as it's a good plan and no variances were required. A roll call vote was taken. The Board voted 4-1. Moynihan, K. Dolan, Wengen and Vallarelli voted in favor. T. Dolan voted against. The Special Permit was granted.

A motion to adjourn was made by Mr. K. Dolan and seconded by Mr. Moynihan. The meeting adjourned at 8:20 PM.

Respectfully submitted:

Maria Sagarino  
Town Clerk

Documents and other exhibits used by the Planning Board during this meeting to be made part of the official record but not attached to these minutes:

The request for a 40A advisory opinion link for online submittal:

<https://www.mass.gov/forms/request-an-advisory-opinion-on-ch40a-eligible-locations>

A Plan by Williams & Sparages, entitled "Locus Plan Berrywood Estates Stoneham, MA," dated August 22, 2022.

A plan by Hayes Engineering, Inc. and Associates dated June 5, 2023 entitled "Site Plan 323 Main Street Stoneham, Mass."

Department Comments for 323 Main Street

A Site Development Packet entitled "Stoneham Mixed-Use 323 Main St, Stoneham, MA 02180" dated July 12, 2023