

**PLANNING BOARD MINUTES**  
**May 3, 2004**

**Members Present:** Sue Bernstein, Ann V. Welles, Carol Spack, Thomas F. Mahoney, Andrea Carr-Evans.

**Also present:** Jay Grande, Planning Board Administrator

**I. Continued Public Hearing for the Zoning By-Laws**

Discussion on newer homes, garage issues, lots, driveways and retaining walls.

**Sue Bernstein makes a Motion to eliminate the chart and go back to what they had prior, which was 4,000 square feet, no matter where on a 15% slope. Thomas Mahoney indicates Motion has been made, is there a 2<sup>nd</sup>? Motion seconded by Ann Welles. Thomas Mahoney: all those in favor? All those against? Ann Welles: Let the record show that it was 4 in favor, 1 against.**

Discussion on language of documents.

**Sue Bernstein Moves that the Planning Board support, that the sponsors support, Articles 34 Erosion Control as amended tonight. Thomas Mahoney: is there a 2<sup>nd</sup>? Motion seconded by Ann Welles. Thomas Mahoney: Discussion? As an Engineer, I have a responsibility in performing my duties and my designs and my plans to make sure that I do not create erosion and runoff anything that impacts any of the abutters. I have that responsibility and in context, I support this whole thing. But I am voting against it because I think it's too restrictive in the area of disturbance. I just wanted to point that out. Any other discussion? All those in favor? Opposed. Let the record show, 4-1, with me against.**

**Sue Bernstein Moves to recess until 9:00 p.m. Carol Spack seconded Motion. Unanimous.**

**II. Thomas Mahoney: Public Hearing back in session. Administrative portion.**

**A. Appointments.**

**B. Presentation at Town Meetings.**

**C. Modifications and/or discussion of Rules and Regulations.**

**D. Items from Last Week:**

- a. I found out second hand that it doesn't look like we are working together. Ann Welles: I agree with that. I was approached. Sue Bernstein: I was approached too. The fundamental issue was why wasn't there a formal communication from the Board of Selectman to the Town Manager to us saying that we have voted to. Tom: Somehow we have to develop a relationship with the different departments and Boards in Town. Right now we don't have a

relationship with the Board of Selectman and we have to somehow develop one.

- b. Zoning articles ~ I'm concerned that the way the zoning articles came together was not a good situation to present to Town Meeting. Yes, the By-Laws are coming together but what should have gone into the packets really should have been as close to the final articles as we could have made them.

- III. **Ann Welles Moves that the Planning Board vote to support the Town Engineer's recommendation of Murray Hill Road as Public Way. Thomas Mahoney: Is there a 2<sup>nd</sup>? Sue Bernstein seconded motion. Thomas Mahoney: Any discussion? All those in favor? Unanimous.**
- IV. **Ann Welles Moves to Support Article 28. Thomas Mahoney: Is there a 2<sup>nd</sup>? Sue Bernstein seconded motion. Thomas Mahoney: Any discussion? All those in favor to support Article 28? All those opposed? All those abstained? Let the record show, 4 are in favor, 0 opposed and 1 abstained, Andrea.**
- V. **Discussion on transcription and tapes.**
- VII. **Jay Grande: Tom, you moved on 9.16.03? 2<sup>nd</sup>ed by Ann Welles. 3 in favor, and 2 abstained. Thomas Mahoney moved on 9.23.03? 2<sup>nd</sup>ed by Carol Spack. Unanimous.**
- VIII. **Thomas Mahoney Moves that the Framingham Planning Board approve the minutes as modified for September 30, 2003. Ann Welles seconds the motion. All those in favor? All those opposed? All those abstained? 3-0-2.**
- IX. **Sue Bernstein Moves to approve the minutes of February 11, 2003 as amended. Ann Welles seconds the motion. All those in favor? All those opposed? All those abstained? 3-0-2, with Andrea and Carol abstaining.**
- X. **Ann Welles Moves into Executive Session for the purposes of discussing Brimstone litigation and possibly Nexus litigation and to that we then return to Regular Session for the purposes of adjournment. Motion seconded by Sue Bernstein. Thomas Mahoney: this is a role call vote. Ann Welles, yes. Sue Bernstein, yes. Andrea Carr-Evans, yes. Carol Spack, yes. Thomas Mahoney, yes. Sue Bernstein, yes.**

<end of tape>

Respectfully submitted,

Jennifer Adams  
Recording Transcriptionist

*\*These minutes were approved with changes and/or amendments at the Framingham Planning Board meeting of September 21, 2004*

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*Thomas F. Mahoney, Chairman*