

APR 23 2015

ZONING BOARD OF APPEALS

FOR THE  
CITY OF WALTHAM  
ZONING BOARD OF APPEALS

GENERAL HEARING

March 31, 2015

7:00 P.M.

at

Public Meeting Room, First Floor  
Arthur Clark Government Center  
119 School Street  
Waltham, Massachusetts 02451

Barbara Rando, Chair  
Mark Hickernell, Clerk  
Glenna Gelineau  
Edward McCarthy  
John Sergi

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Waltham Zoning Board of Appeals/3-31-15/2

**I N D E X**

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**A T T A C H M E N T S**

Legal Notices: Case No. 2014-05  
Case No. 2015-03

Case No. 2014-05:  
Request for Extension

Case No. 2015-03:  
Proposed finding of facts  
Proposed decision, as amended  
Email from Patrick Powell

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

2 BARBARA RANDO, CHAIR: Good evening.  
3 The Zoning Board of Appeals for Tuesday, March 31,  
4 2015 is called to order at 7:00 p.m.

5 Tonight we have one continued case and  
6 one case seeking an extension of time.

7 Case 2014-05 LJB, LLC, 7-9 Alder  
8 Street; 7-9R Alder Street; 11 Alder Street; 550, 560  
9 and 570 Moody Street, and that is for an extension of  
10 time.

11 And then we have Case 2015-03, which  
12 is AM-FM Realty LLC, 1486 Main Street, and that is  
13 for a sign variance.

14 The members sitting this evening are  
15 Mr. Sergi, Mr. Hickernell, Ms. Gelineau, and Mr.  
16 McCarthy, and I am Barbara Rando, Chair.

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1 Case Number 2014-05 LJB, LLC, 7-9 Alder Street; 7-9R  
2 Alder Street; 11 Alder Street; 550, 560 and 570 Moody  
3 Street.

4  
5 BARBARA RANDO, CHAIR: Will the Clerk  
6 please read the petition in Case 2014-05.

7 MARK HICKERNELL: Should I read the  
8 request for the extension?

9 BARBARA RANDO, CHAIR: For the  
10 extension.

11 MARK HICKERNELL: (The Clerk reads the  
12 request for extension in the above-mentioned Case  
13 into the record. See Attached.)

14 BARBARA RANDO, CHAIR: Thank you.

15 May we hear from the Petitioner or the  
16 Petitioner's representative please?

17 ATTORNEY BRET FRANCIS: Good evening,  
18 Chairwoman Rando, members of the Board. My name is  
19 Bret Francis. I'm here on behalf of LJB, LLC. And,  
20 pursuant to our request, we are looking for a six-  
21 month extension.

22 There was an error, a typo, in the  
23 request. The six months would actually fall on  
24 November 20<sup>th</sup> instead of December 20<sup>th</sup>, 2015.

1                   Again, there were some minor obstacles  
2                   in obtaining the finance designs, you know, designs  
3                   and whatnot. But those have since been resolved.

4                   The owners have put the project out to  
5                   bid. Once a bid has been completed and accepted,  
6                   they will finish obtaining the financing and set to  
7                   get work on the project at that time.

8                   If the Board has any questions, I'd be  
9                   happy to answer them. My client, Ken Brown of LJB,  
10                  LLC, is also here to answer any questions you may  
11                  have.

12                  Thank you.

13                  BARBARA RANDO, CHAIR: What was the  
14                  date of the -- that it was going to expire, because  
15                  you're a little early?

16                  ATTORNEY BRET FRANCIS: We are. It  
17                  would expire, excuse me, May 20<sup>th</sup>, 2015.

18                  BARBARA RANDO, CHAIR: May 20, 2015.  
19                  And you want it to go to?

20                  ATTORNEY BRET FRANCIS: November 20<sup>th</sup>,  
21                  2015.

22                  BARBARA RANDO, CHAIR: November 20<sup>th</sup>,  
23                  2015.

24                  EDWARD MCCARTHY: It's 2014 on the

1 letter I have.

2 BARBARA RANDO, CHAIR: Yes, he  
3 corrected it.

4 All right. Any questions from Board  
5 members?

6 (No questions from the Board.)

7 BARBARA RANDO, CHAIR: Hearing none,  
8 I'm ready for a motion to extend the time from May  
9 20<sup>th</sup>, 2015 to November 20<sup>th</sup>, 2015.

10 EDWARD MCCARTHY: So moved.

11 BARBARA RANDO, CHAIR: I have a motion  
12 by Mr. McCarthy.

13 GLENNA GELINEAU: I second it.

14 BARBARA RANDO, CHAIR: Second by Ms.  
15 Gelineau.

16 How do you vote, Mr. Sergi?

17 JOHN SERGI: yes.

18 BARBARA RANDO, CHAIR: Mr.  
19 Hickernell?

20 MARK HICKERNELL: Yes.

21 BARBARA RANDO, CHAIR: Ms. Gelineau?

22 GLENNA GELINEAU: Yes.

23 BARBARA RANDO, CHAIR: Mr. McCarthy?

24 EDWARD MCCARTHY: Yes.

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1 BARBARA RANDO, CHAIR: And the Chair  
2 votes yes. It is granted. See you in November.

3 ATTORNEY BRET FRANCIS: See you in  
4 November. Thank you very much. Have a great  
5 evening.

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1       **Case Number 2015-03:   AM-FM Realty, LLC, 1486 Main**  
2       **Street**

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4                   BARBARA RANDO, CHAIR:   Our next case  
5       is Case 2015-03, AM-FM Realty, LLC, 1486 Main Street  
6       for a sign variance.

7                   Will the Clerk please read the  
8       petition.

9                   MARK HICKERNELL:   (The Clerk reads the  
10      notice for the above-mentioned Case into the record.  
11      See Attached.)

12                  BARBARA RANDO, CHAIR:   Thank you.

13                  May we hear from the Petitioner or the  
14      Petitioner's representative, please?

15                  ATTORNEY   EDWARD   QUINLAN:       Yes,  
16      Chairman Rando, members of the Board.   This is a  
17      continuation from a previous hearing that was held in  
18      February.   At that time, the matter was continued to  
19      allow the Petitioner the opportunity to review and  
20      perhaps revise the proposed sign as well as to meet  
21      with abutters.   We had heard from one abutter who had  
22      some concerns about both the sign and the  
23      illumination of the sign in question.

24                  I had submitted and have paper copies



1 for the Board as well of sort of little supplemental  
2 memorandum regarding the present status so to bring  
3 everybody up-to-date. If I may distribute them?

4 And I'm sorry, for the record, I  
5 failed to identify myself. I apologize. My name is  
6 Edward Quinlan. I'm an attorney, and I represent the  
7 Petitioners in this matter.

8 In the interim, we had the opportunity  
9 to review with Mr. Finger, our engineer, a proposed  
10 sign layout that changed significantly from that  
11 which was originally proposed. As originally  
12 proposed, we were considering a pylon sign that would  
13 be illuminated. And what we have done now -- and,  
14 Mr. Finger, if you have the illustration, you may --  
15 excuse me.

16 We have modified the proposed sign to  
17 be a slightly smaller ground sign that will also have  
18 two posts supporting it. It will identify the number  
19 and the business.

20 We will also have an opportunity for  
21 some ground plantings underneath it, and it is not  
22 going to be illuminated.

23 We took the opportunity to send  
24 notices to all of the abutters, particularly -- and

1 I'm going to mispronounce your name.

2 RICHARD PAZZANO: Pazzano.

3 ATTORNEY EDWARD QUINLAN: Pazzano,  
4 thank you, who had appeared at the last hearing, who  
5 had the opportunity to meet with Mr. Mazzola, who is  
6 of AM-FM Realty, and review the sign layout and the  
7 locations.

8 So, what we have done is to modify it  
9 and it is no longer going to be illuminated.

10 I know that Mr. Finger made a separate  
11 submission through his office to Ms. Doucette in the  
12 Legal Department with an opinion from Mr. Powell, I  
13 believe, from the Zoning Enforcement Office, who  
14 indicated that, in fact, in his view, what had been  
15 suggested to be a billboard was, in fact, not a  
16 billboard but was, indeed, a ground sign.

17 The property as I explained last time,  
18 and as in the materials, is landlocked. It sits up  
19 on an elevation up from Main Street. Let me orient  
20 myself here. This is Main Street. The property is  
21 right up here. You can't see it off of this.

22 This is 1486. The actual property is  
23 1474 Main Street. The sign would be placed down  
24 below. There's about a 15-plus-foot change in

1 elevation from Main Street up to the property up  
2 here.

3 The property was the former Bergeron  
4 Machine Shop. Mr. Finger had indicated last time  
5 that based on his own observations that, in fact,  
6 that Bergeron had a sign in that same approximate  
7 location for a number of years.

8 The property as it sits now has  
9 nothing to identify either the street number or the  
10 business that's being conducted there.

11 Mr. Mazzola purchased the property  
12 last year and extensively renovated it. And it now  
13 houses a retail business for the sales and service  
14 for appliances and repairs and also for parts as well  
15 as a fleet of vehicles that he has to maintain in-  
16 home services.

17 We think that we've satisfied the  
18 requirements to warrant a relief under the zoning  
19 ordinance because of the topography and the shape of  
20 the lot and that the suggested derogation, if you  
21 will, from the zoning ordinance is not of a major  
22 significance and, in fact, will ease what we perceive  
23 to be a problem for traffic on Main Street trying to  
24 find the property since it does sit up.

1                   I drive by it myself. Every time I go  
2 there, I have to go up and turn around and come back  
3 even though I've been there a number of times -- to  
4 identify the business as well as to identify the  
5 location.

6                   And, Mr. Finger, as he has pointed  
7 out, has made the changes that will, quite frankly,  
8 make the sign less obtrusive, but still adequately  
9 identify both the street number and the location.

10                   It is in a commercial zone and it is  
11 similar in a number of respects to several other sign  
12 variances which have been granted by the Waltham  
13 Board of Appeals based upon locations and the need to  
14 identify commercial properties, especially in areas  
15 where there are the likelihood of driver confusion or  
16 changes in elevation on the various roadways.

17                   So, we respectfully suggest, or  
18 request, that the Board grant the appeal, allowing  
19 them to place the sign, which is on the property of  
20 1486 Main Street. We have a separate agreement with  
21 the owner of 1486 Main Street. We've included that  
22 in the original submission of materials that we made  
23 to you.

24                   If there's any questions that we can

1 answer for you.

2 BARBARA RANDO, CHAIR: Does anyone  
3 have any questions?

4 JOHN SERGI: Just one.

5 ATTORNEY EDWARD QUINLAN: Certainly.

6 JOHN SERGI: Is the location the same?  
7 Is it the same location as you first presented?

8 ATTORNEY EDWARD QUINLAN: Yes.

9 JOHN SERGI: It is. Okay.

10 PAUL FINGER: Yes, it is. Paul Finger  
11 from Paul Finger Associates. It meets all the  
12 setbacks according to the zoning code. It's actually  
13 -- the other thing that may or may not have been  
14 pointed out is we changed the color from red to blue.

15 EDWARD MCCARTHY: Yes, we've noticed.

16 PAUL FINGER: It's actually a little  
17 softer.

18 GLENNA GELINEAU: A little softer,  
19 yes.

20 PAUL FINGER: And the other thing is,  
21 just to let you know, is that while the property is  
22 landlocked, there's a right of way that actually  
23 comes straight down to the street. So, the sign is  
24 actually located directly on the right of way, which

1 is connected to 1474 Main Street.

2 ATTORNEY EDWARD QUINLAN: Right. 1474  
3 Main Street has the use of that right of way, but the  
4 technical ownership of the right of way is 1486,  
5 which is hence the reason for the request for the  
6 allowance of two signs on essentially the same lot.

7 PAUL FINGER: And I think that what  
8 we've tried to do is accomplish the changes and  
9 especially respond specifically to abutters'  
10 concerns. And that's the reason for, again, meeting  
11 with them and making sure that we had something that  
12 was acceptable.

13 JOHN SERGI: Thank you.

14 BARBARA RANDO, CHAIR: Mr. Hickernell,  
15 any questions?

16 MARK HICKERNELL: No questions.

17 BARBARA RANDO, CHAIR: Ms. Gelineau?

18 GLENNA GELINEAU: No, thank you.

19 BARBARA RANDO, CHAIR: Mr. McCarthy?

20 EDWARD MCCARTHY: Madam Chair, what  
21 are the measurements on the sign?

22 PAUL FINGER: The actual sign is 43  
23 inches in terms of the height of the sign from the  
24 bottom of the sign to the top of the sign. It's

1 going to sit -- the ground is not level so that on  
2 the upper portion of it it's 24 inches off the  
3 ground. And then basically as far as the length is  
4 concerned, it's 47 inches, which is located this  
5 dimension here, and it's 55 to the outside of the two  
6 posts so that there's a thickness to the posts. So,  
7 the sign -- the physical sign is 47x43, and, in  
8 addition to that, when you count that with the  
9 zoning, you count both sides of the sign since it's a  
10 two-faced sign.

11 EDWARD MCCARTHY: So, the height of  
12 the two posts from the ground?

13 PAUL FINGER: The two posts is  
14 basically you'd have the 43 and the 27. And, again,  
15 it varies in that area. So, it's a total of 67  
16 inches.

17 EDWARD MCCARTHY: Okay. And you  
18 submitted another plan with that picture on it?

19 PAUL FINGER: Yes.

20 EDWARD MCCARTHY: Because this one  
21 here is not that, right?

22 ATTORNEY EDWARD QUINLAN: Yes, there  
23 was a separate submittal made by Mr. Finger's office.

24 PAUL FINGER: I actually have another

1 one if you'd like a copy of it.

2 EDWARD MCCARTHY: No, that's okay. I  
3 just want to make sure that that's --

4 PAUL FINGER: Yes.

5 EDWARD MCCARTHY: -- that that's going  
6 in the record.

7 PAUL FINGER: This is the one that was  
8 submitted to you.

9 JOHN SERGI: You submitted that late.  
10 I saw it though.

11 PAUL FINGER: Yes.

12 BARBARA RANDO, CHAIR: You should have  
13 a copy.

14 Any other questions, Mr. McCarthy?

15 EDWARD MCCARTHY: Well, just as long  
16 as we have the right size and the right color in the  
17 record.

18 PAUL FINGER: Yes. Yes, we did.

19 EDWARD MCCARTHY: That's important.

20 PAUL FINGER: Yeah.

21 BARBARA RANDO, CHAIR: Did she ask you  
22 to bring five tonight?

23 ATTORNEY EDWARD QUINLAN: Yes.

24 BARBARA RANDO, CHAIR: I think so.



1 Actually, six. I think one goes in the file.

2 ATTORNEY EDWARD QUINLAN: Do you need  
3 another copy of the supplemental memorandum?

4 BARBARA RANDO, CHAIR: If you have it.

5 ATTORNEY EDWARD QUINLAN: I do.

6 MARK HICKERNELL: Thank you.

7 BARBARA RANDO, CHAIR: I would like to  
8 see that the plantings would be the responsibility of  
9 -- what is the actual name, the PD-Boy?

10 ATTORNEY EDWARD QUINLAN: D-Boy  
11 Service, AM-FM.

12 BARBARA RANDO, CHAIR: D-Boy, D-Boy  
13 Service.

14 ATTORNEY EDWARD QUINLAN: Yes. Right.  
15 Those are --

16 BARBARA RANDO, CHAIR: That will be  
17 the responsibility of them to keep it up.

18 ATTORNEY EDWARD QUINLAN: Yes.

19 BARBARA RANDO, CHAIR: And if you come  
20 before us again it would mean more to me if you had a  
21 written reply from the Building Inspector rather than  
22 just the --

23 ATTORNEY EDWARD QUINLAN: I think he  
24 gave --

1 BARBARA RANDO, CHAIR: Not that I'm  
2 questioning you, but in the past -- in the past I  
3 have accepted things --

4 ATTORNEY EDWARD QUINLAN: No, I think  
5 there is a written statement.

6 JOHN SERGI: Madam Chair, I saw a  
7 written statement.

8 BARBARA RANDO, CHAIR: Oh, there was a  
9 written statement?

10 ATTORNEY EDWARD QUINLAN: There was a  
11 written statement. It's in there.

12 BARBARA RANDO, CHAIR: Oh, could I see  
13 it?

14 JOHN SERGI: It was sent late to us by  
15 email, but I saw it.

16 BARBARA RANDO, CHAIR: Oh, fantastic.  
17 Because you wouldn't believe it, but I have been  
18 caught a couple of times.

19 ATTORNEY EDWARD QUINLAN: Oh, no, no,  
20 no.

21 JOHN HICKERNELL: We need to make  
22 sure.

23 BARBARA RANDO, CHAIR: The Building  
24 Inspector didn't remember.

1 ATTORNEY EDWARD QUINLAN: Certainly.

2 BARBARA RANDO, CHAIR: Or did not say  
3 what --

4 ATTORNEY EDWARD QUINLAN: Because,  
5 specifically, we were talking about --

6 BARBARA RANDO, CHAIR: Very good.  
7 Very good. Thank you for this. I appreciate it.  
8 And it's blue not red.

9 PAUL FINGER: It is blue. It is blue  
10 with a white background, and there's also I think  
11 some red -- touches of red around the lettering.

12 BARBARA RANDO, CHAIR: Tell me, how  
13 much bigger is that sign to the sign that was there  
14 today when I was up there? There's a sign today.

15 DAN MAZZOLA: There's an A-frame sign  
16 there that we were told to put there.

17 PAUL FINGER: Okay.

18 BARBARA RANDO, CHAIR: By whom?

19 DAN MAZZOLA: Oh, when we got there,  
20 the sign company said to do something, so this is  
21 what they recommended. They're all over this --

22 ATTORNEY EDWARD QUINLAN: Is that the  
23 temporary one that comes in from down the driveway?

24 DAN MAZZOLA: Yeah.

1 ATTORNEY EDWARD QUINLAN: Okay.

2 DAN MAZZOLA: It's a little A-frame  
3 sign.

4 BARBARA RANDO, CHAIR: What were the  
5 dimensions on that sign?

6 DAN MAZZOLA: Oh, I know it's a  
7 standard A-frame.

8 BARBARA RANDO, CHAIR: Approximately?

9 DAN MAZZOLA: I don't know. It's got  
10 to be probably maybe 20 inches wide and the A-frame  
11 is --

12 PAUL FINGER: Probably 36 inches  
13 maybe?

14 DAN MAZZOLA: Like that.

15 ATTORNEY EDWARD QUINLAN: So smaller  
16 than this?

17 DAN MAZZOLA: Yes. It's a carry -- a  
18 carry it into the building every night sign. We've  
19 got it wired down to the ground now so it doesn't  
20 blow away and knock -- go in the middle of the street  
21 where we found it a couple of times.

22 BARBARA RANDO, CHAIR: Was it up last  
23 week, or the last time you came before us?

24 DAN MAZZOLA: No. No, the snow. No.

1                   ATTORNEY EDWARD QUINLAN: No, the snow  
2 in the area was piled up. As we had submitted some  
3 photographs with the initial submission, you could  
4 see the level to which the snow had been piled up on  
5 the sides of the right of way.

6                   BARBARA RANDO, CHAIR: Is there anyone  
7 in opposition to this petition?

8                   (No response.)

9                   BARBARA RANDO, CHAIR: Seeing none, is  
10 there anyone in favor that would like to speak?

11                   RICHARD PAZZANO: If I may. Good  
12 evening. My name is Richard Pazzano. I am a  
13 resident of 1481 Main Street, which is across the  
14 street.

15                   We met at the office the other  
16 evening, on Thursday evening, with a new proposal,  
17 which worked out very well. It meets the  
18 requirements of the area as far as I'm concerned. It  
19 doesn't push itself right out there like it would  
20 have on a pole with a light and so on. And it was  
21 decided that, and I checked earlier this evening,  
22 that it will not be illuminated.

23                   I appreciate the work that the people  
24 have done and so on. Madam Chairman, thank you very

1 much, members of the Board.

2 BARBARA RANDO, CHAIR: Thank you.

3 GLENNA GELINEAU: That's great. Thank  
4 you.

5 BARBARA RANDO, CHAIR: So, there's one  
6 in favor and no one seeking information.

7 All right. And you have a finding of  
8 fact and a decision?

9 ATTORNEY EDWARD QUINLAN: Yes, we  
10 have, in the original submittal.

11 MARK HICKERNELL: For the proposed  
12 decision, does it reference specific plans that I can  
13 see? Does it?

14 ATTORNEY EDWARD QUINLAN: Between the  
15 original and the submittal and what Mr. Finger  
16 submitted now, it should probably be marked as an  
17 exhibit to identify it as the final --

18 MARK HICKERNELL: Well, I would  
19 propose an amendment to the proposed decision setting  
20 a condition that the sign be consistent with the  
21 plans submitted at tonight's hearing and as dated  
22 March 30, 2015.

23 JOHN SERGI: March 30 or March 23<sup>rd</sup>?

24 EDWARD MCCARTHY: March 23<sup>rd</sup>.

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1 MARK HICKERNELL: Well, I've got March  
2 30<sup>th</sup> up here.

3 PAUL FINGER: That's the date it was  
4 printed.

5 MARK HICKERNELL: Which date do you  
6 want?

7 JOHN SERGI: I don't know.

8 PAUL FINGER: The 23<sup>rd</sup> works.

9 BARBARA RANDO, CHAIR: The 23<sup>rd</sup>?

10 PAUL FINGER: Yes.

11 BARBARA RANDO, CHAIR: Has everyone  
12 read the decision and the finding of facts?

13 ALL BOARD MEMBERS: Yes.

14 BARBARA RANDO, CHAIR: And there's no  
15 other changes?

16 JOHN SERGI: The plantings, maybe we  
17 should add --

18 BARBARA RANDO, CHAIR: The plantings.

19 JOHN SERGI: -- the plantings.

20 ATTORNEY EDWARD QUINLAN: The  
21 plantings will be maintained by AM-FM Realty.

22 JOHN SERGI: Yes.

23 STENOGRAPHER: Can I get your name for  
24 the record?

1 DAN MAZZOLA: Dan Mazzola, M-a-z-z-o-  
2 l-a.

3 STENOGRAPHER: Thank you, Dan.

4 ATTORNEY EDWARD QUINLAN: And to make  
5 sure that I have it correct, Mr. Hickernell, we will  
6 amend it or amend the finding to make sure that the  
7 sign will conform to the plans that were submitted to  
8 the Board this evening that are dated March 23<sup>rd</sup>,  
9 2015, and also that the plantings as depicted on that  
10 submission shall be maintained by AM-FM.

11 MARK HICKERNELL: Right. And the way  
12 we would usually do that is by adding them as  
13 separate conditions at the very end of the decision.

14 ATTORNEY EDWARD QUINLAN: Okay.

15 BARBARA RANDO, CHAIR: Any question  
16 from any Board member?

17 (No questions.)

18 BARBARA RANDO, CHAIR: All right. I'm  
19 ready to accept a motion on the proposed finding of  
20 facts.

21 JOHN SERGI: I make a motion that we  
22 waive the reading of the finding of facts, Madam  
23 Chair, since it's been on file.

24 BARBARA RANDO, CHAIR: Motion to waive



1 the reading of the finding of facts by Mr. Sergi.

2 MARK HICKERNELL: Second.

3 BARBARA RANDO, CHAIR: Second by Mr.  
4 Hickernell.

5 All in favor?

6 ALL BOARD MEMBERS: Aye.

7 BARBARA RANDO, CHAIR: Opposed?

8 (No Board Members opposed.)

9 BARBARA RANDO, CHAIR: The ayes have  
10 it.

11 And a decision?

12 JOHN SERGI: In a similar fashion,  
13 Madam Chair, I propose that we waive the reading of  
14 the decision as it's been on file and we've had a  
15 chance to read it.

16 BARBARA RANDO, CHAIR: Motion by Mr.  
17 Sergi. Second by?

18 MARK HICKERNELL: Second.

19 BARBARA RANDO, CHAIR: Mr. Hickernell.

20 All in favor?

21 ALL BOARD MEMBERS: Aye.

22 BARBARA RANDO, CHAIR: Opposed?

23 (No Board Members opposed.)

24 BARBARA RANDO, CHAIR: The ayes have

1 it.

2 All right. I'm ready to accept  
3 another motion on the proposed finding of facts.

4 JOHN SERGI: I make a motion that the  
5 proposed finding of facts be adopted by the Board.

6 BARBARA RANDO, CHAIR: Motion by Mr.  
7 Sergi. Do I have a second?

8 GLENNA GELINEAU: I'll second.

9 BARBARA RANDO, CHAIR: Second by Ms.  
10 Gelineau.

11 How do you vote, Mr. Sergi?

12 JOHN SERGI: Yes.

13 BARBARA RANDO, CHAIR: Mr. Hickernell?

14 MARK HICKERNELL: Yes.

15 BARBARA RANDO, CHAIR: Ms. Gelineau?

16 GLENNA GELINEAU: Yes.

17 BARBARA RANDO, CHAIR: Mr. McCarthy?

18 EDWARD MCCARTHY: Yes.

19 BARBARA RANDO, CHAIR: And the Chair  
20 votes yes.

21 All right. I'll entertain a motion on  
22 the decision as amended.

23 JOHN SERGI: I make a motion that the  
24 decision as amended be adopted by the Board.

1 BARBARA RANDO, CHAIR: Motion by Mr.  
2 Sergi. Second by?

3 GLENNA GELINEAU: I'll second.

4 BARBARA RANDO, CHAIR: Ms. Gelineau.  
5 And that was the plantings and the amendment. Just  
6 the plantings and the amendments?

7 MARK HICKERNELL: Right.

8 ATTORNEY EDWARD QUINLAN: And also the  
9 reference to the plans.

10 JOHN SERGI: The plans submitted  
11 tonight dated March 23<sup>rd</sup>.

12 BARBARA RANDO, CHAIR: Yes, that's the  
13 amendment.

14 All right. How do you vote, Mr.  
15 Sergi?

16 JOHN SERGI: Yes.

17 BARBARA RANDO, CHAIR: Mr. Hickernell?

18 MARK HICKERNELL: Yes.

19 BARBARA RANDO, CHAIR: Ms. Gelineau?

20 GLENNA GELINEAU: Yes.

21 BARBARA RANDO, CHAIR: Mr. McCarthy?

22 EDWARD MCCARTHY: Yes.

23 BARBARA RANDO, CHAIR: And the Chair  
24 votes yes. And it is granted.

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1 ATTORNEY EDWARD QUINLAN: Thank you.

2 I will submit a typewritten version of the amendment.

3 BARBARA RANDO, CHAIR: Please do.

4 ATTORNEY EDWARD QUINLAN: And I'll  
5 have that in by the end of the week.

6 BARBARA RANDO, CHAIR: Great.

7 JOHN SERGI: Thank you.

8 BARBARA RANDO, CHAIR: Thank you very  
9 much.

10 ATTORNEY EDWARD QUINLAN: Thank you  
11 very much.

12 BARBARA RANDO, CHAIR: One more motion  
13 is in order.

14 JOHN SERGI: Motion to adjourn, Madam  
15 Chair.

16 BARBARA RANDO, CHAIR: Motion to  
17 adjourn by Mr. Sergi.

18 Do I have a second?

19 MARK HICKERNELL: Second.

20 BARBARA RANDO, CHAIR: By Mr.  
21 Hickernell.

22 All in favor?

23 ALL BOARD MEMBERS: Aye.

24 BARBARA RANDO, CHAIR: Opposed?

1 (No Board Members opposed.)

2 BARBARA RANDO, CHAIR: The ayes have  
3 it. We are adjourned at 7:25. Thank you very much.

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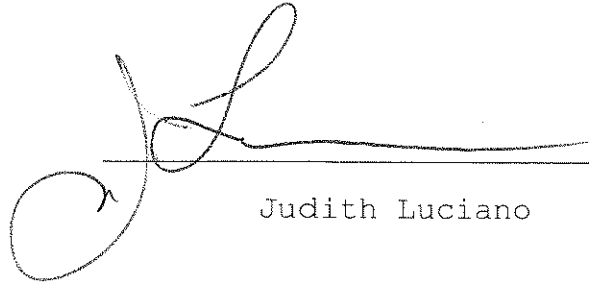
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*Barbara Rando, Chair*  
*5/5/15*



C E R T I F I C A T E

I, Judith Luciano, do hereby certify that the foregoing record is a true and accurate transcription of the proceedings in the above-captioned matter to the best of my skill and ability.



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Judith Luciano

