



## ***Planning Board***

May 26, 2016 – 6:00 PM – **Minutes**

Department of Planning, Housing & Community Development  
608 Pleasant Street

### **PRESENT:**

**Colleen Dawicki, Chairperson**  
**Peter Cruz**  
**Arthur Glassman**  
**George Smith, Alternate Member**  
**Kathryn Duff**

### **ABSENT:**

**Alexander Kalife**

### **STAFF:**

**Patrick J. Sullivan, Director, DPHCD**  
**Jennifer Clarke, AICP, Acting City Planner**

### **CALL TO ORDER**

Chair Dawicki called the meeting to order at 6:10 p.m.

### **ROLL CALL**

A formal roll call was conducted confirming members present as stated above.

Chair Dawicki read as follows from the published agenda: “The purpose of the Special Meeting is to provide the Planning Board with an opportunity to consider an Amended Notice of Decision to correct clerical errors contained in the April 15, 2016 Notice of Decision in Case 09-16, to accurately reflect the discussion that occurred and the motion that was adopted during the April 6, 2016 public hearing. Case 09-16 was a Request by applicant for Special Permit for reduction of off-street parking located at ES South Sixth Street (Map 46, Lot 93), in the Mixed Use Business (MUB) and Downtown Business Overlay (DBOD) zoning districts, to serve a building conversion from general office to hotel use located at 222 Union Street (Map 46, Lots 32 & 33).”

The Chair then asked the board if there were any questions to which Mr. Smith responded, asking what the difference was between the existing Notice of Decision [NOD] and the proposed Amended NOD. In response, board and staff entered into a brief dialogue regarding specific elements of the motion and conditions that had changed, noting in particular:

- that the proposed Amended NOD’s condition #1 captured the information articulated in the existing NOD’s condition #6,
- that the existing NOD’s reference to the removal of the jersey barriers noted under condition #5 was not part of the verbatim motion offered by the board and
- that the verbiage concerning issues found under Section 3300 of the city code in the existing NOD’s motion were now referenced under condition #1 in the proposed Amended NOD.

In response to a question from the board, Mr. Sullivan explained that the proposed Amended NOD reflected a verbatim retelling of the board’s motion with conditions and that “motions and decisions have to be actually stated.” He noted that in developing the proposed Amended NOD, the City Solicitor, Ms. Clarke and he, himself, had each reviewed the [cable television] tape of the meeting to

ensure accuracy.

Ms. Duff questioned who had brought this issue to light to which Ms. Clarke noted that the proposed Amended NOD reflecting a verbatim motion and decision was requested by the petitioner’s attorney.

Mr. Smith raised a question as to the meaning of the second condition of the proposed Amended NOD that read, “that the applicant accommodate the staff comments in the application relative to some omissions and some changes.” Ms. Clarke indicated that she did not want to speak for the original motion maker, Ms. Duff, on this, but advised Mr. Smith that because the reports provided to the board by planning staff often reflect necessary technical corrections to the case file documents, this motion—as is often the board’s practice—included a condition that simply noted all of those technical corrections in the staff comments by reference. Ms. Duff indicated her concurrence with this response.

With no further questions or comments, the Chair called for a motion in this matter.

**MOTION** made (KD) and seconded (AG) to approve of the proposed Amended Notice of Decision as presented in **Case 09-16: Request for Special Permit for reduction of off-street parking located at ES South Sixth Street (Map 46, Lot 93), in the Mixed Use Business (MUB) and Downtown Business Overlay (DBOD) zoning districts, to serve a building conversion from general office to hotel use located at 222 Union Street (Map 46, Lots 32 & 33) with the following conditions:**

To approve a reduction of parking for Case 09-16 for the property located at 222 Union Street for a reduction/a relief of parking of 99 spaces for the proposed hotel being developed, and/with the following conditions:

1. That the owner work with the city, specifically the planning department, to make certain that Section 3300 of the city code is met regarding the screening and the sizing and setbacks of the off street parking located on South Sixth Street;
2. That the applicant accommodate the staff comments in the application relative to some omissions and some changes;
3. That the applicant revise the proposed off-site parking at South Sixth Street to 62 proposed spaces; and
4. That the city planning work with the traffic commission regarding some concerns relative to valet parking and traffic in and around the block, specifically making a left hand turn when you have cars queuing up to make a left hand turn, when you have cars coming down Union Street.

A roll call vote was taken on the motion as follows:

George Smith:	YES
Peter Cruz	YES
Arthur Glassman	YES
Kathryn Duff	YES
Colleen Dawicki	YES

**Motion carried on a vote of 5-0.**

**ADJOURNMENT**

There being no further business before the board, a motion was made (AG) and seconded (PC) to adjourn.

Motion passed unopposed.

Meeting adjourned at 6:22 pm.

NEXT MEETING: June 8, 2016