

**Tuesday, August 2, 2016 – 6:00 P.M.**

GAR Room- City Hall

**Meeting Minutes**

Members present: David Wheeler, Gary Keith, Robert Pelaggi, Craig Pina & Reggie Thomas; also present were City Planner Rob May, Staff Planner Shane O'Brien and Secretary Pamela Gurley.

Mr. Wheeler stated that per the Council Order that the board has been decreased to a five member board and all were present tonight.

Acceptance of Minutes/Endorsement of ANR Plans, Subdivision Plans and/or Lot Releases

Motion: Accept the minutes from June 7, 2016 & June 10, 2016 (Pina)

Second: Keith

In Favor: 5

Opposed: 0

Motion: Release existing house at lot D Fairfield Street & 276 Prospect Street – Keith (Planning Board is holding two remaining lots)

Second: Pina

In Favor: 5

Opposed: 0

Motion: Release lot 1 Bellevue Avenue – Keith (Planning Board will hold the remaining lot; applicant furnished the board with current assessment of the remaining lot as well as estimate for remaining work.)

Second: Pina

In Favor: 5

Opposed: 0

ANR Waverly Street

City Planner Rob May said there is specific language in the zoning ordinance regarding through lots. He said there is also a certification on the plan that states that the new lots meet the R4 standards ... the building department through zoning makes that decision. Mr. Wheeler said he would like to speak with the law department regarding the through lot language and agrees that the certification on the plan should be stricken. He said that the board has 21 days to sign an ARN plan.

Motion: Have the planning department speak with the law department regarding the R4 language as it may be in conflict with the plan. (Keith)

Second: Thomas

In Favor: 5

Opposed: 0

**1. Woodland Park – Definitive Subdivision**

Request for Extension

Applicant: Brophy & Philips

Property: Loring Street (Woodland Park Subdivision)

Applicant's statement:

Steve Gioioso said the applicant is looking for a two year extension to their single family residential subdivision. He said they do not want to undertake final pavement until the homes are built but that the entire major infrastructure is in place.

Mr. Pelaggi asked what the time limit is that was expiring; Mr. Gioioso said that there is a two year time limit for completion of the subdivision. Mr. Keith said they are still on the front part of the subdivision and said if they worked at the same place it won't be done in two years. Mr. Gioioso said they should be at the completion point for the roadway at that time.

Peter Vlacco said they have cleaned up the site and expect the pace of sales to increase as they are extremely motivated to finish. Mr. Thomas asked if they foresee any other delays and was told no as a lot of the site work has been completed.

Mr. Pelaggi said sales depend on the market & economy. He said the initial project was approved by zoning and planning board and the developer has been working continuously; if they are not completed in two years they can always request another extension.

Public Comment: None

Decision: Grant a two year extension.

Motion: Keith

Second: Pina

In Favor: 5

Opposed: 0

## **2. Site Plan Review - Amendment to Plan**

Applicant: Copeland Chevrolet

Property: Plot 30 Pearl Street

Representative: JK Holmgren Engineering

Applicant's statement: Scott Faria said corporate Chevrolet notified Copeland that they will need additional parking; they are proposing additional parking along Beverly/Maldon with landscaping and there have been some changes to utility locations (the lot that was separated from the property by ANR). The original plan showed two landscaped islands abutting Pearl St. which were removed to make it easier to maintain.

Mr. Keith asked if this was the additional lot he asked about at a prior meeting. Mr. Faria was it was and it would have been a separate stand alone building but after looking at other dealerships they decided that 240 spaces were not sufficient (380).

- Comments: Parking spaces on the Malden St. side need to be addressed; if used by a property owner they would block the entrance/exit on Malden Street.
- There should be a plentiful buffer of trees shielding the dealership from the cemetery.
- The landscape islands and the flag pole should be added back as there is no valid reason for removal.

- Dumpster was removed from the 2016 amended plan and needs to be addressed.

Mr. Wheeler asked if there was anything we can do to get the trees back that were in the island. Mr. Pelaggi asked how many sq feet of green space were eliminated ... Mr. Faria said they need 12% and this plan shows 15%. He said the only condition of sale was that there was to be a fence along the cemetery property. Mr. Faria said there is a tire dumpster and trash dumpster proposed to be located along the back and he will add it to the plan. Mr. May said that plow drivers have learned to maneuver along parking lot islands and this is customer parking – not inventory parking. Mr. Faria said they will restore the islands. Regarding the parking on Malden he said that Copeland has rights to the center of Malden as it's a private way. Mr. May asked that the three spaces in question (Malden) be striped no parking.

Public Comment: None

Decision: Approve the plan with the condition that a revised plan is submitted showing the restoration of the islands and the striping of the three spaces along Malden as no parking.

Motion: Keith  
 Second Pina  
 In Favor: 5  
 Opposed: 0

### **3. Site Plan Review**

Applicant: Hammond Street LLC  
 Property: Hammond/Thatcher/East Streets  
 Representative: Jacobs Driscoll Engineering

Withdrawn from agenda without prejudice at the request of the applicant.

### **4. Definitive Subdivision**

Property: Plot 57 Early Street  
 Applicant: Adilson Rodrigues  
 Representative: ET Engineering

Applicant's statement: Attorney Wayne Mathews said the site is 1 1/3 acres of vacant land at the end of Early St. He said they received a variance lot frontage and lot width. There was an old subdivision originally approved in the 60's and they have changed the location of the cul de sac and reduced the lots to three building lots; the three additional lots will be deeded to abutters to give them some privacy/

Mr. Etoniru said he has designed a roof infiltration system for each home. He said they will be asking for waivers from frontage, roadway layout (would like the width to remain at 40' to match the existing pavement); travel width existing roadway width is 25'; withdrawing the request for a waiver for the hydrant as they will be installing one as requested; underground utilities; granite curbing; and concrete bounds instead of granite.

DPW Comments: The addition of a sewer manhole cover to connection for Lot 3; add outside cleanouts to all sewer connections; show tangents for all curves; provide a lot layout at scale 100'/inch for Engineering Division (DPW)

Department Comments: Information about landscaping and plantings should be provided on the plan, as there is no information, in regards to planting buffers or planting types on the site plan. The Department would like to have a general understanding of the layout of these plantings.

The applicant should address the comments made by Howard Newton in a revised plan, but these conditions can be subjected to a conditional approval of the current plan, as they do not impact the layout of the site plan.

Mr. Etoniru stated that this land is registered and the plan will be revised and recorded with the Land Court.

Comments: Mr. Pelaggi said that the waivers are reasonable and make sense. He suggested they check with the fire department for the specific location of the hydrant and said he would like to see some catch basins added at the base of the cul de sac. Capt. Williams said that the hydrant issue has been addressed.

Public Comment: The following asked to be recored in favor: Tracy Jellows, Antonio DeSilva, Jean Gilbert, and Councillor Anne Beauregard.

The homeowner at 48 Edwards St. asked about the snow and asked if the lots will be cleared. Mr. Pelaggi said that the grading from the cul de sac and the homes to goes into CB's. Mr. Etoniru said they are leaving the trees, the homeowner said he would like to have the trees removed. Mr. Wheeler said that the developer is under no obligation to clear the lot and in most cases residents want the trees left.

Decision: Approve with standard conditions and stipulation that the revised plan for endorsement is to address the comments.

Motion: Pina  
Second: Thomas  
In Favor: 5  
Opposed: 0

Method of surety to by covenant.

Decision: Grant waivers from following sections of the Rules & Regulations.

Sec IV: Design Standards

B. 3. Width

F. Utilities (Requirement for Underground Utilities was waived)

Sec V:

Required Improvements for an Approved Subdivision:

A. Streets & Roadway 3.

B. Utilities 2. Storm Drainage

C. Curbs & Sidewalks curbing was waived along the new roadway in order to be consistent with the existing roadway; cape cod berm is proposed along the edge of the cul de sac pavement.

Motion: Pelaggi  
Second: Keith  
In favor: 5  
Opposed: 0

## **5. Definitive Subdivision**

Property: #31 & plots 30 & 30-1 Leach Ave.  
Applicant: Manuel Bugginga/Steve Torrey  
Representative: Land Surveys

Applicant's statement: Bruce Malcolm said the property is located across from South Jr. High. He said when South Jr. High was constructed the city took back some property severing Leach Ave. He said he approached Councillor Dennis Eaniri and asked for and received an easement from the City Council to connect and use the two sections of Leach Ave. and portion of the school property.

Comments: Mr. May asked if the easement to Leach Ave. is just for residents or to the COB in general. Mr. Malcolm said he did not know and did not have a copy of the document with him. Mr. Pelaggi said that any easement will have to go to the general public or only those property owners can use the street. Councillor Earini said it recently passed the Council. The board felt it should have received the easement information as it was germane to the presentation. Mr. Wheeler questioned if it was the responsibility of the department to go to the City Clerk and retrieve it or was it the responsibility of the applicant to furnish it. Mr. Malcolm apologized for not furnishing the information and said he would have it to the office first thing in the morning.

Mr. Malcolm said the proposal is for a three lot residential subdivision. They have received a ZBA variance; he said the property is R-2 zoned could have built a three family but felt three single family homes would be better for the neighborhood. They are proposing to extend the pavement and the land drains toward the school parking lot. They are removing the existing commercial building and concrete pad...the site is mostly impervious material and they are proposing a recharge area for each home. They are proposing to reuse the existing sewer line and provided an easement for sewer. Mr. Bugginga said they cannot tie into Market St.; water will be through a tie in on the school department property. Mr. O'Brien said that would require an easement. Mr. Bugginga said he spoke with Larry Rowley and Marti Feroli who had no problem with the tie in. Mr. Wheeler said he the board has nothing from either of them. Steve Torrey said that the intersection functions as it now and sees no need to alter it.

Public comment: Councillor Eaniri asked to be placed on the record in favor and said it was important to take care of this area.

Discussion: DPW comments were entered into the record (see attached). Mr. Wheeler said he would like the board to get the revised plan before taking action. Mr. Pina said he does not feel comfortable approving this as is; Mr. Thomas said that there is too much information missing from the plan to move forward tonight. He said they do not know what the condition of the existing road is and whether it was built to city

standards. Mr. Malcolm said they would be willing to take core samples of the existing road. Mr. Pelaggi said that he wants to see a physical barrier between the school and the residential development. Mr. Wheeler asked Mr. Malcolm how long it would take for him to update the plans and he said it would take him approximately a week. After some discussion the board agreed to hold a special meeting at 6 pm on August 17, 2016 in order to accommodate the applicant.

Decision: Hold special meeting on August 17, 2016 at 6 pm (GAR Room).

Motion: Keith  
Second: Pina  
In Favor: 5  
Opposed: 0

### **6. Street Acceptance**

Geralynn Drive from Plain to west of Juneau Road  
Norwich from Baldwin northerly to Coe Road

Applicant's statement: Mr. May said these are two old "subdivision roads". He said that the city has a long history of allowing developers to build streets not to COB standards which usually comes back to bite the city later on when we need to accept those roads.

Public Comment: None

Decision: Recommend favorably.

Motion: Pina  
Second: Thomas  
In Favor: 5  
Opposed: 0

### **Other Business**

The board agreed to hold a Special Meeting on August 23<sup>rd</sup> at 6 pm in the GAR Room to hear the Return to ZBA backlog. The secretary was asked to notify the applicants.

David Wheeler said we received correspondence from the Attorney General's Office who found there was no OML violation.

Updates from Board Members

Mr. Pina said that the neighbors requesting the Traffic Commission install a stop sign at end of Loring St. Mr. May said he has filed a request for food trucks along the area by city hall plaza.

**The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.**