

PLANNING BOARD MINUTES

May 12, 2014

Call The Meeting to Order

Chairman David Plunkett called the meeting to order at 7:05 P.M. in the Town Hall Auditorium. Present at the meeting were Robert Fowler, Stephen Johnson, Nancy Reed, Vincent Fratalia, Director of Community Development Steve Sadwick and Recording Secretary Dawn Cathcart.

(A) Approval of Minutes – May 5, 2014

MOTION - Mr. Fratalia made a motion to approve the minutes of May 5, 2014 with one correction. On page 2, 1st paragraph change “Attorney O’Neill stated that he did not deal address...” should be “Attorney O’Neill stated that he did not address...”. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

(B) Committee Reports/Administrative Actions

(B1) Zoning Bylaw Subcommittee

Mr. Sadwick stated that the subcommittee is meeting immediately following the close of this meeting.

(B2) Master Plan

Mr. Sadwick stated that the RFP has gone out and the bids will close a week from Friday.

(B3) Committee Reports

Mrs. Reed wanted to thank the public for the support of the CPC article for the Town Hall renovations. There will be more bids coming in for the project.

Mr. Fratalia stated that he attended his first Green Committee meeting last Thursday. A grant was submitted on April 19th for projects at municipal buildings including hot water systems at the Dewing and Heath Brook schools, parking lot light at different buildings and a pilot program for energy conservation at the DPW.

(B4) 940 Main Street, Foster Place – Continued Conceptual Plan Discussion

Mr. Plunkett stepped down from the discussion and Mr. Johnson stepped in as Chairman.

Josh Kelley and Brian Sullivan appeared for the continued conceptual plan design for 940 Main Street. Mr. Kelley stated that as a recap of the last hearing, the applicant would like to create two more units at the Foster School. They were proposing one handicap unit but due to the concerns with egress from the basement, they are now proposing two affordable units with no handicap accessible unit. There have been no new plans provided since the layout will remain the same.

Mr. Fowler asked if any of the egresses have changed. Mr. Kelley replied there are two fire escape routes as before and the building has a sprinkler system.

Mrs. Reed asked what the next step is. Mr. Kelley stated that if the Board is ok with the design they will proceed with detailed plans.

Mr. Fratalia asked if the residential storage in the basement will be removed. Mr. Sullivan replied yes. There is nothing in the lease agreement that states we have to provide for storage.

Mr. Johnson stated that the request is to go from 24 units to 26 units and there are two means of egress from the basement. Mr. Sullivan replied yes to both questions.

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(B5) 1390 & 1394 Main Street, John Sullivan Conceptual Plan Discussion

Mr. Sadwick stated that the petitioner is not here and requested that this be continued to the Zoning Bylaw Subcommittee meeting.

MOTION - Mrs. Reed made a motion to table agenda item B5 and move it to the Zoning Bylaw agenda. The motion was seconded by Mr. Fratalia and unanimously voted 4-0.

(C) 209 Salem Road, CC & Sons for Herbert Parker Trust, c/o Cynthia Shefshick – Open Space Residential Design (OSRD) Special Permit and Definitive Subdivision

Mr. Plunkett returned to the meeting and Mr. Johnson stepped down as Chairman.

MOTION - Mr. Johnson made a motion to waive the reading of the public hearing notice. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

Dick Cuoco, Jeff Rider, Carl Crupi and Lorraine Black appeared for the 209 Salem Road OSRD Special Permit and Definitive Subdivision. Mr. Cuoco stated that this proposal is for a residential subdivision project under the OSRD. This parcel consists of 11.74 acres and there are several existing dwellings. All of the current structures will be razed. This proposal is for an eleven lot subdivision with a cul-de-sac and open space in the back. There will be an enclosed drainage system and a detention basin. The number of lots will include a bonus lot. There will be two additional open space parcels along Salem Road. The landscaping will be explained by Ms. Black with possible changes due to the discussions with the DPW.

Ms. Black stated that on both side of the driveway along Salem Road there will be a mix of evergreens and shrubs. There will be two Sycamore trees and a semi-circle stone wall or post and rail fence on each side that will be less than 30". Within the subdivision there will be pines, furs, dogwoods and winterberry trees as well as oak, red maple, cherry and blue spruce. The end of the cul-de-sac will have cedars and pine trees and within the cul-de-sac landscape area there will be blue spruce and dogwoods. This is subject to change to what the DPW may want instead. Mr. Cuoco stated that the DPW has said that they prefer to see low growing juniper because they are hearty and low maintenance in the cul-de-sac so the plants may be adjusted.

Mr. Cuoco stated that Lots 12 & 13 along Salem Road will be open space. If the DPW does not want to maintain the so we may have to shift the open space. They could put a covenant on Lots 1 & 11 that they must maintain these lots. Mr. Cuoco stated that it has been suggested to have a Homeowners Association to handle the open space but they would disagree with this. They are in the process of updating the plans with responses to the comments.

Mr. Cuoco stated that they are requesting a list of waivers, most are the standard waivers. They include:

- Section 6.3.3 – Reduction of pavement width from 26' to 24' and Right of Way from 50' to 40'.
- Section 8.1.15.1 – Reduction in cul-de-sac radius.
- Section 8.2 – Allow less than 1' of freeboard in the storm water management facilities, 0.6' provided.

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- Section 9.3.1 – Allow 4” x 4” x 3’ stone bounds with magnetic locator plug in drill hole, where 6” x 6” x 4’ is required.
- Section 9.3 – Sidewalks – allow construction of sidewalks on one side only or no sides.
- Section 8.2.3 – The peak rate of storm water runoff from the subdivision shall not exceed the rate existing prior to the new construction based on a 2,10,25,50 and 100 year design storm. There is a slight increase on the 50-year storm event to the wetlands.
- Chapter 19 of the General Bylaws – Land Disturbance Permit required.

Mrs. Reed stated that she likes that there is a landscape plan as is required for an OSRD. On Sheet B1, the calculation for density was changed at Town Meeting. There is no affordable unit requirement or bonus density anymore. Mr. Cuoco stated that they filed a Form A plan prior to the Town Meeting change. Mrs. Reed stated that she would like staff to verify this. Mr. Sadwick stated that if there is a plan, it should be added as reference.

Mr. Fratalia stated that we have received a lot of information tonight including the original plan, Town Engineer comments and Weston and Sampson comments. It’s hard for him to determine who is correct. Mr. Plunkett stated that experts can disagree. Weston and Sampson are paid by the applicant but represent this Board and the Town Engineer is representing the Town and the applicants engineer is representing their interest. If there is a conflict with the experts, it is up to us to decide.

Mr. Fowler stated that as time goes by and compromises are made, it will be up to the applicant’s engineer to talk with the Town’s engineers to try to get a resolution. Mr. Fowler asked how high off the ground will the tree branches be. He is concerned with the line of sight coming out of the driveway looking west. Ms. Black stated that the two main trees will have high branches. She will add a note to plan showing the line of sight. Mr. Fowler added that height of trucks should also be looked at with the branches.

Mr. Johnson the calculations need to be determined and he will wait until there is a solution between the engineers. Mr. Johnson asked if there were any plans to plan trees behind the houses. Ms. Black replied no.

Mr. Plunkett asked if the density bonus could be used. Mr. Sadwick replied yes as long as the plan was submitted and referenced. Mr. Plunkett asked if there will be sidewalks along Salem Road. Mr. Cuoco replied no, the sidewalks are on the other side of Salem Road but there will be a crosswalk. Mr. Plunkett stated that the linear footage would be included in the calculation for contribution. Mr. Sadwick replied yes, the corner lot would include both sides of the lots. Mr. Plunkett asked why sidewalks would be on both sides. Mr. Cuoco stated that the new Town Engineer suggested both sides, but on the size of this subdivision, one side or no sidewalks seems ok. Mr. Plunkett stated that one side seems appropriate. Mr. Plunkett asked if the burm would be vertical on the sidewalk and sloped on the other side. Mr. Cuoco replied yes. Mr. Plunkett stated that if there is no homeowner association, how the open space will be maintained. Mr. Cuoco stated that there will be specific covenants for the front two lots. Mr. Plunkett stated that he would like more feedback on the possible homeowner’s association. Mr. Fowler stated that if there is grass in the cul-de-sac then someone would have to maintain it. Mr. Cuoco stated that Mr. Gilbert has suggested low lying Junipers. Mr. Sadwick stated that the cul-de-sac is in the regulations but the applicant could ask for a waiver.

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Mrs. Reed stated that she is concerned with having the two front open space parcels under the control of two different people because she would want uniform landscaping so it should be under the control of the entire subdivision.

Mr. Cuoco stated that the past, the Town Engineer may not have the expertise to review the drainage calculations but the new engineer seems very competent and experienced so perhaps a consulting engineer firm is not needed.

Michael Franks of 70 Idlewild Road – Mr. Franks stated that adding a cross walk or sidewalks is ridiculous because the traffic flies down Salem Road between 45-50 mph. On the weekends there are hundreds of motorcycles that fly down the street. Crosswalks will not work. Mr. Franks stated that lights are needed at the intersection of Salem Road/South Street. The Fire Department is right there and that means more houses to respond to even though they close in the summer. Mr. Franks stated that there is also a swamp area in back that they will have to fill. Construction trucks will also impact the neighborhood.

Mr. Plunkett asked what the status before Conservation is. Mr. Cuoco replied that they are over 100' away so they do not need to appear before them. Mr. Cuoco stated that they are leaving the back of the property in its natural state. Mr. Plunkett asked that the applicant look at making sure the headlights coming out of the driveway do not directly shine on the abutters houses. Mr. Cuoco replied that they will look at it.

Henry McAvoy of 216 Salem Road – Mr. McAvoy stated that he is concerned with the proximity of the new street to his house driveway and is concerned with additional traffic.

Nilha Saied of 221 Salem Road – Ms. Saied stated that there are three homes on the private drive. There were surveyors that parked on the private way without notice or permission. The project looks good but she wants to know the impact on her private way. She has lived there over 20 years. She questioned what the blue ribbons on the trees are for and asked what types of houses will be built. Mr. Cuoco stated that they will be single family homes. Ms. Saied stated that she is also concerned with traffic and asked what the time frame will be. Mr. Cuoco stated that they will not use the private way. They will construct their own street. The time frame will hopefully go quickly once approvals are granted. They will also be adding a hydrant at the end of the cul-de-sac and one at Salem Road. Mr. Rider stated that the blue ribbons were put on by the land surveyor

Linda Madden of 225 Salem Road – Ms. Madden asked what size will the lots be and what are the setbacks from the back of the proposed houses. Mr. Rider stated the houses will be 85' from the back of the lots. Ms. Madden asked if there will be a tree barrier along the back of the lots. Mr. Cuoco stated that they are going to leave 15' in the natural tree line state. Mr. Cuoco added that the lots will be approximately 12,000 SF.

Harry Winn of 30 Chuckies Way – Mr. Winn asked if there will be a barrier of either a fence or trees on his side of the property. Mr. Plunkett stated that he wants a plan for the next meeting showing the remaining tree line. Mr. Cuoco stated that sheet C4 shows the limited clearing. Mr. Winn asked who will own the open space. Mr. Cuoco replied that the Town will own it.

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Marco Duffy of 58 Chuckies Way – Mr. Duffy stated that there is high water table now and how much can the retention pond hold. Mr. Rider stated that the detention pond will hold back the surge of the new construction which will eventually lead to the wetlands that will need to recharge into the Ipswich river. Mr. Cuoco stated that the swamp is 18’ lower than the detention pond. Mr. Duffy asked if there will be an increase in water. Mr. Cuoco replied no, the driveways will be pitched back and the water will go through the catch basins and then into the detention pond.

Mr. Fratalia asked how big the houses will be. Mr. Cuoco estimated between 2,400 to 2,500 SF.

MOTION - Mr. Fowler made a motion to continue the OSRD and Definitive Subdivision for 209 Salem Road until June 2, 2014 at 8:05 PM. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

(D) 1 Radcliff Road, VTH 7, LLC Site Plan Special Permit

Mr. Plunkett stated that the applicant has requested a continuance until June 2, 2014.

MOTION - Mr. Fowler made a motion to continue the Site Plan Special Permit for 1 Radcliff Road until June 2, 2014 at 8:00 PM. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

(E) 842 East Street, Bella Woods Amended Site Plan Special Permit Continued

Arnie Martel, Dick Cuoco and Jeff Rider appeared for the continued amended Site Plan Special Permit for Bella Woods. Mr. Cuoco stated that we were waiting on department responses at the last meeting. On the GCG memo dated May 9, 2014 there were some issues that they would like to explain. Item #5 – Turning radius for emergency equipment. They have had the Deputy Fire Chief on-site and he has no problem with the road. Item #8 – Location of the hydrant. This has also been looked at and approved by the Deputy Fire Chief. Item #12 – Flushing velocity. This has been discussed today and a solution has been agreed on between the Town Engineer and Ting. Item #13 – Trench details. This will be added. Item #16 – Storm water. This is being worked through with Conservation. They have met with the Conservation Administrator on site and have agreed to a solution that they will bring before the Commission. Item #17 – Test Pits. There have been over thirty test pits done in the road ways and they disagree more are required. Item #18 – Porous pavement. Porous pavement allows for drainage, there is no low point because the water discharges through the porous pavement.

Mr. Cuoco stated that on the memo from the Town Engineer, Kevin Hardiman, dated May 1, 2014. There was only one issue, which was the same as Item #12 on the GCG letter. This has been worked out today.

Mr. Johnson stated that there was one item on the GCG that was not addressed, Item #9. Mr. Cuoco stated that they have made the unit a duplex unit to create space.

Mr. Fowler stated that this is a good example of how the process should work. Both sides talk and a solution is agreed upon.

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Mr. Plunkett stated that he will summarize the conditions of approval. On the GCG memo Items #5 and #8 will be subject to the approval of the Fire Department. Item #12 and Item #2 from the Town Engineers memo will be subject to the approval of the Town Engineer. Item #9 solution is take make a duplex unit instead of two single units. Item #13 will have trench detail added. This will be verified by the Town Engineer. Item #16 storm water changes will have to be approved by the Conservation Commission and listed in the Order of Conditions. Item #18 will have to be verified by the Town Engineer. Mr. Cuoco stated that is not going to happen. The porous pavement is the detention and the calculations are impossible. Mr. Martel stated that five test pits were done in this area. Mr. Cuoco stated that water that is on the porous pavement goes into the ground. This was not an issue with Phase I and should not be an issue with Phase II. Mr. Plunkett stated that we can make a determination for the record that based on historical record of the previous phase that additional calculations are not required as they were not required for Phase I. Mr. Martel stated that thirty test pits were done including five in this area and GCG did them. Mrs. Reed stated that there is conflicting information. Mr. Cuoco stated that the test pit locations are shown on C2. Mr. Johnson stated that GCG is asking for more. Mr. Martel replied yes. Mr. Johnson stated that we need to decide if we think more are needed. Mr. Fowler stated that GCG witnessed those test pits and if there was a problem they should have said so. Looking at the percentage of test pits done in this area, there seems to be sufficient data.

MOTION - Mr. Fowler made a motion to close the amended site plan special permit for Bella Woods. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

MOTION - Mrs. Reed made a motion to approve the amended Site Plan Special Permit for Bella Woods subject to the verification and agreement of the following items from the GCG memo dated May 9, 2014 prior to final sign offs:

- Item #5 – Turning radius of new roadway subject to approval of the Fire Department.
- Item #8 – Hydrant locations will be subject to the approval of the Fire Department.
- Item #12 and Item #2 from the Town Engineers memo regarding sewer flow calculations will be subject to the approval of the Town Engineer.
- Item #9 solution is take make a duplex unit instead of two single units subject to the approval of the Town Engineer.
- Item #13 will have trench detail added and will be verified by the Town Engineer.
- Item #16 storm water changes will have to be approved by the Conservation Commission and listed in the Order of Conditions.
- Item #17 the Board determined that no additional test pit data is required due to the percentage of test pit data already performed.
- Item #18 the Board made a determination for the record that based on historical record of the previous phase with porous pavement that additional calculations are not required as they were not required for Phase I.

The motion was seconded by Mr. Fowler and unanimously voted 5-0.

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Old Business

There is no old business.

New Business

There is no new business.

Director's Report

There was no Director's Report.

Adjournment

MOTION - Mr. Fowler made a motion to adjourn the meeting at 8:45 PM. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

Approved on: 6/2/14

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List of documents for 5/12/14 Agenda

Documents can be located at the Community Development Office

- A. 7:00** Approval of Minutes – May 5, 2014
- B. 7:00** Committee Reports/Administrative Actions
- 1- Zoning Bylaw Subcommittee
 - 2- Master Plan
 - 3- Committee Reports
 - 4- 940 Main Street, Foster Place
- Continued Conceptual Plan Discussion
- *Copy of 4/7/14 PB minutes.*
- 5- 1390 & 1394 Main Street, John Sullivan
- Conceptual Plan Discussion
- *1390 & 1394 Main Street Concept Plan dated 4/18/14 prepared by Land Engineering & Environmental Services.*
- C. 7:00** 209 Salem Road, CC&Sons for Herbert Parker Trust,
c/o Cynthia Shefshick - Open Space Residential Design Special
Permit and Definitive Subdivision
- *Application packet dated 4/11/14.*
 - *IDR held on 5/6/14:*
 - *IDR comments dated 4/30/14 from Town Engineer.*
 - *Peer review comments dated 4/29/14 from Weston & Sampson.*
 - *Response letter 5/8/14 fr Cuoco & Cormier re: DPW/Town Engineer comments.*
 - *Response letter 5/6/14 fr Cuoco & Cormier re: W&S comments.*
 - *Response letter 5/8/14 fr Cuoco & Cormier re: Waiver Requests.*
 - *Planting Plan (2 sheets) dated 4/11/14 prepared by Lorayne Black.*
- D. 7:15** 1 Radcliff Road, VTH 7, LLC
- Continued Site Plan Special Permit
- (Applicant requesting to be continued to June 2, 2014.)*
- *Email dated 5/7/14 – requesting to be continued to June 2, 2014.*
- E. 7:20** 842 East Street, Bella Woods
- Continued Amended Site Plan Special Permit
- *Review memo from Town Engineer dated 5/1/14.*
 - *Review memo from Mike Carter dated 5/9/14.*