

PLANNING BOARD MINUTES
JANUARY 12, 2015

Call The Meeting to Order

Chairman David Plunkett called the meeting to order at 7:00 P.M. in the Town Hall Auditorium. Present at the meeting were, Stephen Johnson, Robert Fowler, Vincent Fratalia, Director of Community Development Steve Sadwick and Recording Secretary Dawn Cathcart. Nancy Reed was not present.

Mr. Plunkett announced that Agenda Items B & C have requested continuances.

(A) **Committee Reports/Administrative Actions**

(A1) **Zoning Bylaw Subcommittee**

Mr. Sadwick stated that the next meeting date needs to be set. We do have the maps showing the Woburn Street corridor and the adult entertainment district.

(A2) **Master Plan**

Mr. Sadwick stated that he expects the draft Master Plan shortly. They received some information from NMCOG and it was submitted to the consultant. Mr. Plunkett asked if this was the last piece. Mr. Sadwick replied yes.

(A3) **Committee Reports**

Mr. Fratalia stated that the Green Committee is starting to draft forms to give to building managers in Tewksbury regarding the needs of existing building and energy conservation. Mr. Plunkett asked how much money is available for grants. Mr. Sadwick stated that they are currently working on closing out the existing grant and they are looking on getting additional funding for this year. Mr. Plunkett asked how funds are being used. Mr. Fratalia stated that they have done external lighting on several municipal buildings.

(A4) **Rice Road – As-Built and Bond**

Mr. Sadwick provided two memos from the DPW. The bond could be released subject to the curb stop tie being added to the plan.

MOTION - Mr. Johnson made a motion to accept the as-built and release the remaining bond in the amount of \$9,050 for Rice Road subject to an additional tie being added to the As-Built plan at station 3+28 as described in DPW memo from Joseph Giuliano dated January 7, 2015. The motion was seconded by Mr. Fowler and unanimously voted 4-0.

(A5) **Poland Avenue & Foster Lane Definitive Subdivision and SP (SP 2013-02) Extension**

Mr. Plunkett stepped down from this agenda item and Mr. Johnson took over as chairman.

Dick Cuoco appeared for the extension request. Mr. Cuoco stated that there is a title problem with the property and they are working to clear it up. The two-year approval is almost up. Mr. Cuoco stated that continuance for the definitive subdivision could be voted on by three members but he is not sure the Special Permit could be.

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Mr. Fratalia asked how close is the resolution to the deed. Mr. Cuoco replied he was not sure, there were two deeds recorded within a month.

Mr. Johnson stated that they could split the vote and only vote on the definitive subdivision tonight and continue the special permit until there are four members.

MOTION - Mr. Fowler made a motion to continue the approval of the Definitive Subdivision for Poland Ave & Foster Lane for a period of two years. The motion was seconded by Mr. Fowler and unanimously voted 3-0.

Mr. Plunkett returned to the meeting.

(A6) 890 East Street, 890 East Street LLC - ANR

Dick Cuoco and Joseph Phelan appeared for an ANR on 890 East Street. Mr. Cuoco stated that this parcel is a 9-acre parcel. They are proposing subdividing into two conforming lots.

Mr. Fratalia asked if both buildings are occupied. Mr. Cuoco replied yes, these were two separate lots in 1992 but they were put together under one owner.

Mr. Plunkett asked if the z factor was done for Lot 2. Mr. Cuoco replied yes. Mr. Cuoco stated that Lot 1 is a 58,000 SF warehouse, which requires 17 spaces, 19,000 SF office space, which requires 64 spaces, and 8,000 SF indoor recreation, which requires 40 spaces. There would be 121 required and they have 174 existing spaces. In the other building there is 16,200 SF, which would require 14 parking spaces, and they are providing 74. Mr. Plunkett stated that the plans represent that there is adequate parking.

MOTION - Mr. Fowler made a motion to endorse the ANR for 890 East Street. The motion was seconded by Mr. Johnson and unanimously voted 4-0.

(A7) 1079 Main Street, Thea Anixi, LLC – As- Built

Jeff Rider from Cuoco and Cormier appeared for the As-Built at 1079 Main Street. Mr. Rider stated that this was a very tight site and there have been multiple revisions. The intent of the approved design has been met. Mr. Plunkett stated that any differences in the approved plan vs. the as-built could be taken as non-substantial changes.

Mr. Johnson stated that there is 6" difference in the curbing. Mr. Rider replied that was correct. Mr. Johnson stated that the parking lot striping would be fixed and asked what the total number of spaces are. Mr. Rider replied he was not sure of the actual number but there are no extra spaces provided. Mr. Johnson stated that the 7' parking spaces are tight. Mr. Johnson asked how far off is the turning radius. Mr. Rider replied that they have 42.26 and 42.5 was approved.

Mr. Fowler stated that he would like to compliment the work that was done and is ok with any changes from the approved plan.

Mr. Fratalia stated that he also likes the site improvements and asked if the handicap parking space is also only 7'. Mr. Rider replied no, that is the standard size.

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Mr. Plunkett asked why the parking spaces are only 7'. Mr. Rider stated that they were made smaller because the brick is more esthetically pleasing. Mr. Plunkett asked if the brick was removed could the spaces comply. Mr. Rider replied yes. Mr. Johnson asked if the brick could be painted instead of pulling it out. Mr. Fratalia asked how wide the brick spaces are. Mr. Rider replied about 3 ½'. Mr. Johnson stated that the paint should be revisited in the spring.

Mr. Sadwick stated that there is a granite curb island and the landscaping is more than the proposed landscape plan. The granite curbing has been affecting the customer parking. They have been speaking with the Town Engineer about a potential solution of using slope granite concrete. The owner has asked if the granite curbing could be painted yellow. They will also be adding 3'-4' high shrubs to indicate the curb. They would like to come in with some alternative plans.

MOTION - Mr. Johnson made a motion that the changes presented from the approve Site Plan are accepted as non-substantial changes. The motion was seconded by Mr. Fratalia and unanimously voted 4-0.

Mr. Fowler stated that any changes to the curbing would be submitted to the office but they would not have to come back for a public hearing.

MOTION - Mr. Fowler made a motion to accept the as-built as modified with the right hand side extension of the driveway. The motion was seconded by Mr. Johnson and unanimously voted 4-0.

MOTION - Mr. Fowler made a motion to release the bond for 1079 Main Street. The motion was seconded by Mr. Johnson and unanimously voted 4-0.

(B) 743 Main Street, Tewksbury Village Condominiums, LLC Continued Site Plan Special Permit/Village Residential Overlay District Special Permit

MOTION - Mr. Fowler made a motion to continue the Site Plan Special Permit/Village Residential Overlay District Special Permit for 743 Main Street until January 26, 2015 at 7:30 PM. The motion was seconded by Mr. Johnson and unanimously voted 4-0.

(C) 1438 and 1470 Main Street, Marc P. Ginsburg & Sons, Inc. Special Permit and Site Plan Special Permit

MOTION - Mr. Fowler made a motion to continue the Special Permit and Site Plan Special Permit for 1438 and 1470 Main Street until January 26, 2015 at 7:35 PM. The motion was seconded by Mr. Johnson and unanimously voted 4-0.

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(D) **883 Main Street, BP Gas Station, Lehigh Gas Wholesale for Leemilt's Petro Site Plan Special Permit Continued**

Carolyn Parker appeared for the continued Site Plan Special Permit for 883 Main Street. Ms. Parker stated that they are looking to install a canopy over the gas pump island. The Planning Board public hearing was opened on December 15, 2014. On December 18, 2014 the ZBA approved the 5' setback from the front lot line. Ms. Parker stated that a lighting plan was done and she spoke with the Fire Department about the fire suppression system and they have an approved set of plans dated August 5, 1998 and they will be re-installing the same system. The State Fire Marshall is ok with the re-install and a letter was submitted to that fact. They have also added minimal landscaping in the landscape island.

Mr. Fratalia asked if there were any conditions from the ZBA. Ms. Parker replied no except it must be 5' from Main Street. Mr. Fratalia asked if there will be landscaping. Ms. Parker replied yes, it is shown on the plan. Mr. Fratalia stated that he still has an issue with the canopy being so close to Main Street. Ms. Parker stated that if the canopy were cut back they would need to redo the fire suppression system.

Mr. Fowler stated that in the response from the Fire Department, the regulations require written approval. Ms. Parker stated that they wouldn't get that until this is approved during the permit process. Ms. Parker stated that she spoke with Deputy Vasas and there is an approved plan on file. Mr. Fowler asked what plan was given. Ms. Parker replied that no plan was given, it is not required. Mr. Fowler stated that he would want correspondence from the Fire Department stating the plan was approved.

Mr. Sadwick stated that from the last meeting, there were several outstanding issues: Fire Department review, landscaping plan, ZBA decision and correspondence from Mass DOT.

Mr. Johnson stated that the space could disappear along Rt. 38 and that is why there is concern. Mr. Johnson asked if other designs were looked at that would move the canopy back from Main Street. Ms. Parker replied no, this is the only design that will work for this site.

Mr. Plunkett stated that the lighting plan shows spillage off this site, so this should be looked at. Mr. Plunkett stated that we are concerned that if this was approved, that it could interfere with any future plans to expand the Rt. 38 corridor. This is a Site Plan Special Permit so everything needs to be looked at.

MOTION - Mr. Fowler made a motion to continue the Site Plan Special Permit for 883 Main Street until January 26, 2015 at 7:40 PM. The motion was seconded by Mr. Johnson and unanimously voted 4-0.

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(E) 1 Radcliff Road, VTH7, LLC Continued Site Plan Special Permit

Steven Cox and Jeff Rider appeared for the continued Site Plan Special Permit. Mr. Cox stated that they met with the Conservation Commission. Mr. Rider stated that there were issues with snow storage in the parking area and there were change the catch basins, drains, and manhole covers and they upgraded to a 6' diameter catch basins.

Mr. Fowler asked if there are any outstanding issues. Mr. Rider stated that the comments received have been incorporated into the updated plans. Mr. Fowler asked if there is a final engineering letter. Mr. Sadwick replied no.

Mr. Johnson asked how many parking spaces available and how this relates with the snow storage. Mr. Rider stated that there are 470 required spaces and we are proposing 703 parking spaces.

Mr. Fowler stated that Conservation has requested that the snow storage be on the pavement. Mr. Rider replied yes, there is no other place to put it.

Mr. Fratalia stated that he has no questions, he'll wait for the final engineering letter.

Mr. Plunkett stated that there should be calculations for snow storage capacity. Mr. Plunkett stated that the waivers were listed on a memo from Cuoco and Cormier dated January 9, 2015.

MOTION - Mr. Fratalia made a motion to continue the Site Plan Special Permit for 1 Radcliff until January 26, 2015 at 7:00 PM. The motion was seconded by Mr. Johnson and unanimously voted 4-0.

(F) 25 Highland Avenue Revocation Discussion

Mr. Sadwick stated that revocation of the Special Permit for 25 Highland Drive was discussed at the December 15, 2014 meeting. A copy of the letter from Town Counsel dated December 22, 2014 to Attorney Cutelis has been included.

Mr. Fowler stated that there are pictures showing eleven cars parked on Highland Ave on the proposed landscape area. He cannot see waiving the sidewalks. They did clean up the catch basins. Mr. Fowler stated that the biggest problem is that the businesses that are there work on cars and they can only have one unregistered vehicle on site.

Old Business

There was no old business.

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New Business

Mr. Plunkett stated that at the last meeting, he asked Mr. Sadwick to look at the plans for the congregate living facility. This is nearing completion and there is a question on curbing. Mr. Sadwick stated that they are only installing curbing around the entrance and the approved plans show curbing along the front of the building. They are talking with Rob McSorley and the architect. There are sidewalks along Rt. 38 but in some places there is no curbing. Mr. Plunkett stated that we retain control of the landscaping and curbing is part of that.

Mr. Plunkett stated that he would not be running for re-election.

Director's Report

There was no director's report.

Adjournment

MOTION - Mr. Fowler made a motion to adjourn the meeting at 8:30 PM. The motion was seconded by Mr. Johnson and unanimously voted 4-0.

Approved on: 4/27/15

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*List of documents for 1/12/15 Agenda
Documents can be located at the Community Development Office*

- A. 7:00** Committee Reports/Administrative Actions
- 1- Zoning Bylaw Subcommittee
 - 2- Master Plan
 - 3- Committee Reports
 - 4- Rice Road - As Built, Bond Release
 - 5- Poland Avenue & Foster Lane
Definitive Subdivision and SP (SP 2013-02) Extension
 - 6- 890 East Street, 890 East Street, LLC – ANR
 - 890 East Street Parking Calculations received 1/12/15 prepared by Woodland Design.
 - 7- 1079 Main Street, Thea Anixi, LLC – As Built
 - Email dated 1/12/15 to Linda DiPrimio from Steve Sadwick re: Town Engineer comments.
- B. 7:00** 743 Main Street, Tewksbury Village Condominiums, LLC
Continued Site Plan Special Permit/ Village Residential Overlay
District Special Permit
(Applicant requesting to be continued to 1/26/15.)
- C. 7:10** 1438 and 1470 Main Street, Marc P. Ginsburg & Sons, Inc.
Special Permit and Site Plan Special Permit
(Applicant requesting to be continued to 1/26/15.)
- D. 7:20** 883 Main Street, BP Gas Station; Lehigh Gas Wholesale for
Leemilt's Petro
Continued Site Plan Special Permit
- Photo dated 1/12/15.
 - Lehigh Gas, Exterior Lighting Application received 1/12/15.
 - Email dated 12/16/14 from David Beaudin to Carolyn Parker.
 - Canopy Plan, 883 Main Street; prepared by Synergy Environmental Inc.; dated 1/7/15.
- E. 7:30** 1 Radcliff Road, VTH 7, LLC
Continued Site Plan Special Permit
- F.** 25 Highland Drive Revocation Discussion