

PLANNING BOARD MINUTES
SEPTEMBER 29, 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, Nancy Reed, Vincent Fratalia, Director of Community Development Steve Sadwick and Recording Secretary Dawn Cathcart. Stephen Johnson was not present.

(A) **416 and 434 Main Street, Donald MacLaren for Caswell Realty Trust and Seto Family Trust – Site Plan Special Permit and Use Special Permit Continued**

Dick Cuoco, Jeff Rider, Don MacLaren Sr, and Kim Hazarvartian appeared for the continued Site Plan Special Permit and Use Special Permit for 416 and 434 Main Street.

Kevin Dandrade of TEC also joined the meeting as the Town's traffic consultant.

Mr. Cuoco stated that they met with Town staff on Friday and a site plan has been updated to reflect comments. There is now a painted pedestrian cross walk from the sidewalk along Main Street to the building and some additional parking was removed. The drainage system was revised as suggested by the Town Engineer. They are now proposing an underground detention system under the parking lot. The outfall for the 100-year storm is now more than 100' from the wetlands to meet the storm water regulations. The building was slide forward away from the wetlands and now there is more area for recharge and snow storage any they will also be tying directly into the manhole. The color rendering supplied during the preliminary hearing is the same for the record except it is flipped. The outside material is the same with the stone, brick and glass. Mr. Cuoco stated that an updated waiver list was submitted under Cuoco and Cormier memo dated September 29, 2014. Mr. Cuoco stated that an updated traffic review was also done.

Mr. Fowler stated that there is a detention area that is not on this parcel. Mr. Cuoco replied that was correct and they will have cross easements.

Mr. Fratalia asked if the Town Engineer is ok with the drainage. Mr. Cuoco replied yes in principle. Mr. Sadwick stated that he spoke with Mr. Hardiman today and he is conceptually ok with this but has not done a full review. Mr. Cuoco stated that it was his idea; he just wanted us to prove it would work.

Mrs. Reed stated that with the building moving forward how many parking spaces were lost. Mr. Cuoco replied they lost seven spaces due to adding the crosswalk not with moving the building.

Mr. Plunkett asked if the pedestrian walk way will be painted or raised and added that it must be maintained. Mr. Cuoco replied it would be painted and will be lined up with the handicap spaces. Mr. Plunkett asked if any landscaping was lost. Mr. Cuoco replied that they originally had 30' of landscaping so the only change is a removal of an oak tree not to block the abutting sign. Mr. Plunkett asked if staff was ok with this plan. Ms. Black will be resubmitting the landscape plan. Mr. Sadwick replied in principle this conceptually makes sense but they need to verify the numbers. Mr. Plunkett asked how much land is being used for drainage. Mr. Cuoco replied a little over an acre. Mr. Cuoco added that the ANR that was brought in added land to the Caswell house.

PLANNING BOARD MINUTES
SEPTEMBER 29, 2014

Mr. Hazarvartian presented an updated traffic report. This report took actual trip generation numbers and parking from Brunswick Lanes in Lowell. Brunswick Lanes is larger than this facility with 44 lanes with a 60 seat restaurant. The proposal for this site is for 36 lanes with a 140 seat restaurant.

Mr. Hazarvartian stated that on Thursday, which is the busiest night, the total trips were 210, with 174 in and 36 out. The numbers prorated for this site would be 172 total trips with 142 in and 30 out. The restaurant use is subsequent to the bowling use, as well as the bocce courts. He spoke with the owners of Brunswick and they stated that between 5:00 to 6:00 PM are their busiest times. The parking peak maximum was 174 parked vehicles and this was between 5:00 to 6:00 PM.

Mr. Dandrade stated that he review the TEPP memo in August and the updated traffic memo this past Saturday. Mr. Dandrade stated that as far as trip generation numbers there are difference in the two facilities. This site will have a much higher restaurant seat count, bocce courts, and golf simulators but the main use is similar. He would estimate 200 trips mid-week peak noting that Rt. 38 is very busy now. The applicant still needs to do permitting with Mass DOT. There will be a lot of left turns into this site from Rt. 38 but exiting should be low during peak traffic hours. It is reasonable to use the traffic trips will be under 1,000. Mr. Dandrade stated that there is sufficient parking and crosswalks have been added. There are a couple of areas with banked parking especially near the western access. Mr. Dandrade suggested that the applicant pay close attention to signs and landscaping in the line of sight.

Mrs. Reed stated that traffic along Rt. 38 is bad and how do we emphasize a left turn lane is needed to Mass DOT. Mr. Dandrade stated that the Town staff can coordinate with Mass DOT District 4 office and forward his letter as well as a letter from the Town. Mr. Plunkett stated that we can generate a letter from the Planning Board asking Mass DOT to take into consideration a left turn lane. Mr. Sadwick asked if it was standard protocol for analysis to be done for a left turn lane. Mr. Dandrade replied yes, but the applicant will need to collect actual data of number of cars on Rt. 38. TEPP, LLC needs to do more work before submitting an application to Mass DOT.

Mr. Plunkett stated that if the data triggers a left turn lane for Mass DOT will that be part of the overall build out. Mr. Cuoco stated that if Mass DOT says a left turn lane is needed, then they have no choice and will install a left turn lane. Mr. Cuoco added that Mr. Hazarvartian spoke with District 4 today.

Mr. Fratalia stated that he sees no drastic issues with the parking or traffic. Mr. Dandrade agreed, they should do some fine tuning of the number of trips but parking is sufficient.

Mr. MacLaren stated that not all lanes will be used for leagues. There will only be 28 lanes used Monday through Thursday for leagues so we are not driven by that.

PLANNING BOARD MINUTES
SEPTEMBER 29, 2014

Mr. Fowler stated that he would agree with a left turn lane but that is in the hands of Mass DOT, not us. We get frustrated because we think there should be deceleration and acceleration lanes but the State doesn't agree. Mr. Fowler asked Mr. Sadwick if there is a date for the Ocean State Job light. Mr. Sadwick stated that he has not heard. Mr. Fowler stated that would give a break in traffic coming from that direction. Mr. Fowler stated that the other problem is that there is no defined exit from the Jade East. Mr. Fowler stated that the parking spaces on the left side closest to the westerly exit are going to be employee parking. Mr. Cuoco replied that was correct and added that we have to build out all of the parking due to the porous pavement.

Mr. Plunkett stated that in the analysis, there are sixty parking spaces over what is needed. Mr. Dandrade stated that is based on the Lowell data. Mr. Cuoco stated that gives us a buffer for snow storage and if needed we can hold off on the striping.

MOTION - Mr. Fowler made a motion to close the public hearing. The motion was seconded by Mr. Fratalia and unanimously voted 4-0.

MOTION - Mr. Fowler made a motion to approve the waiver from Section 5124 Reserve Parking – The proposed parking layout meets the requirements of the By-law. No reserve parking is needed. The motion was seconded by Mrs. Reed and unanimously voted 4-0.

MOTION - Mr. Fowler made a motion to approve the waiver from Section 5180 Loading Areas – All deliveries will be made during off peak hours therefore a dedicated loading area is not needed. The motion was seconded by Mrs. Reed and unanimously voted 4-0.

MOTION - Mr. Fratalia made a motion to approve the waiver from Section 5428 Continuous Curbing – Porous pavement is proposed for storm water management, continuous curbing is unnecessary around the perimeter of the parking lot, curbing is proposed at the entrances and where pavement is abutting the sidewalk. The motion was seconded by Mr. Fowler and unanimously voted 4-0.

MOTION - Mrs. Reed made a motion to approve the waiver from Section 5431 Entrance or exit center lines shall not fall within 50' of an intersection of street – The westerly driveway entrance is the same location as the existing driveway entrance to the Miracle Ear building. It is less than 150' from abutting driveway. The motion was seconded by Fratalia and unanimously voted 4-0.

MOTION - Mrs. Reed made a motion to approve the waiver from Section 5434 Snow Storage – The proposed snow storage areas shown on the plan are in the landscape areas. If there is excessive snow, it will be removed from the site. The motion was seconded by Mr. Fowler and unanimously voted 4-0.

MOTION - Mr. Fowler made a motion to allow flexibility in the modification of the grade +/- 2' with approval from the Town Engineer. The motion was seconded by Mr. Fratalia and unanimously voted 4-0.

PLANNING BOARD MINUTES
SEPTEMBER 29, 2014

MOTION - Mr. Fowler made a motion to approve the Site Plan Special Permit and Use Special Permit for 416 and 434 Main Street with the following conditions:

1. A cross access easement must be recorded at the Middlesex Registry of Deeds for the detention area on the adjacent parcel as well as the easement for storm water access.
2. All waivers approved tonight as well as the waiver from Chapter 19 of the General Bylaw for an exemption from the requirements of the Storm water Management and Erosion Control Bylaw (Earth Disturbance Permit) approved previously are incorporated.
3. The five parking spots to the left along the westernmost entrance shall be designated as employee parking with the proper signage.
4. The hours of operation will be 9:00 AM to 10:00 PM Sunday through Wednesday and 9:00 AM to 1:00 AM Thursday through Saturday.
5. The approval is subject to final approval of the drainage by the Town Engineer.

The motion was seconded by Mr. Fratalia and unanimously voted 4-0.

Old Business

Mr. Sadwick stated that the Wells Drive Street Acceptance is still not finalized. They met with the developer and there were about thirty outstanding items. The residents don't want guardrails but they are needed for public safety. The Town Engineer has said that he would accept wood guardrails instead of the metal at the entrance but they are required due to the elevation drop at the detention basin. Mr. Plunkett asked if they would be installed in the Town's right of way. Mr. Sadwick replied yes, they will be maintained by the Town.

New Business

There was no new business.

Director's Report

There is no Director's Report.

Adjournment

MOTION - Mrs. Reed made a motion to adjourn the meeting at 8:10 PM. The motion was seconded by Mr. Fratalia and unanimously voted 4-0.

Approved on: 10/20/14

PLANNING BOARD MINUTES
SEPTEMBER 29, 2014

List of documents for 9/29/14 Agenda

Documents can be located at the Community Development Office

- A. 7:00** 416 and 434 Main Street, Donald MacLaren for Caswell Realty Tr and Seto Family Tr – Continued Site Plan Special Permit and Use Special Permit
- *Ltr 9/29/14 fr TEC re: traffic engineering peer review comments.*
 - *Memo 9/29/14 fr TEPP LLC re: trip & parking generation data.*
 - *Ltr 9/29/14 fr Cuoco & Cormier re: revised waiver requests.*
 - *Drainage Worksheet progress print dated 9/28/14 prepared by Cuoco & Cormier.*