

PLANNING BOARD MINUTES
APRIL 06, 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, Nancy Reed, Vincent Fratalia, Director of Community Development Steve Sadwick and Recording Secretary Dawn Cathcart.

(A) Approval of Minutes – January 12, 2015 and February 23, 2015

There were no minutes provided.

(B) Committee Reports/Administrative Actions

(B1) Zoning Bylaw Subcommittee

Mr. Sadwick stated there is nothing to report. Mr. Sadwick added that after Town Meeting, we should start to reconvene the subcommittee.

(B2) Master Plan

Mr. Sadwick presented the draft Master Plan in the Board's packages. He suggested that the Board hold a separate meeting to discuss the draft. He suggested April 21st.

Mr. Plunkett stated that the EDC discussed the Master Plan and asked that they also be given the Master Plan to look at it. Mr. Sadwick stated that he will send it to them, but suggested that the Board only meet to discuss it.

(B3) Committee Reports

Mr. Plunkett stated that he did a walk through at the Town Hall and it is making great progress. Mr. Fowler agreed and stated that the professionalism in the project has been outstanding and the contractor really cares about the preservation of the project. Mr. Fratalia stated that Mrs. Reed should be recognized for all her efforts with the project.

The Planning Board recognized David Plunkett for all his years of service as he is not seeking re-election.

(B4) 78 Charme Road, Elizabeth and Lyman Garniss - ANR

Attorney Richard O'Neill appeared for the ANR at 78 Charme Road. Attorney O'Neill stated that this ANR was done due to a boundary dispute. This ANR will transfer .14 acres from Map 69, Lot 111 to Map 69, Lot 172.

MOTION - Mr. Fowler made a motion to endorse the ANR for 78 Charme Road. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

(C) Zoning Amendment Public Hearing for May 4, 2015 Annual Town Meeting

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

MOTION - Mr. Johnson made a motion to table Articles 1-9. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

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Dick Cuoco and James Andella appeared for the public hearing of article 10 to address 8680. Mr. Cuoco stated that this article proposes to add the CVOD to Map 61, Lots 66 and 67. If this is approved, they are proposing having a small office and ten townhouses with similar architecture to the surrounding houses. The proponent is interested in putting in a bid to move the Pike House to this location for the commercial aspect, but if this does not happen they want to move forward with the zoning change.

Mr. Johnson stated that they have looked at this as a conceptual plan. He doesn't have an issue with the zoning or the conceptual plan as presented and added that any application would have to have a public hearing. Mr. Fowler agreed.

Mr. Fratalia also agreed and asked what the status of the Pike House. Mr. Sadwick stated that he was not sure how and when this will go out to bid but the cost will be the cost to move the house.

Mrs. Reed stated that she appreciates the efforts and asked if the zoning could be subject to moving the Pike House. Mrs. Reed stated that she is not sure how receptive Town Meeting will be for this article. Mr. Cuoco stated that we don't have control over the disposition of the Pike House so they can't base their article on it. They would still have to appear before this Board for a Site Plan Special Permit. Mr. Andella added that when he spoke with the Town Manager, he wanted this to be a separate article from the Pike House. Mr. Plunkett asked if the applicant owns all the property. Mr. Andella replied he owns all but one, but has it under agreement.

MOTION - Mr. Johnson made a motion to close the public hearing for this article. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to recommend adoption of this article as presented. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

**(D) 205 Washington Street, New England Power Company d/b/a National Grid
Continued Site Plan and Use Special Permit, Land Disturbance**

Attorney Joshua Lee Smith, Dick Jones and Dan McIntyre appeared for the continued Site Plan and Use Special Permit for 205 Washington Street. Attorney Smith stated that at the last meeting there were questions on lighting, screening and Rt. 38 landscaping.

Attorney Smith stated that at the last meeting, the abutters observed lighting and it was confirmed that the lighting was from substation 22, which is the large substation adjacent to this facility. They have had multiple communications with the Town and they are willing to work with the Town to provide the minimal lighting as required by the Fire and Police Departments for this project as well as at substation 22.

Attorney Smith stated that there was also discussion on landscaping and sidewalks along Rt. 38. They met with the Town Manager, the Town Engineer and Mr. Sadwick. They have agreed to provide landscaping along Rt. 38 but they will not install sidewalks. Mr. Plunkett asked if there are any sidewalks proposed with this project. Attorney Smith replied that was correct, there are definitely no sidewalks proposed with this project. The parcels along Rt. 38 are different parcels and hundreds of feet away and they don't believe that the Planning Board has the authority to require the sidewalks along Rt. 38.

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Mr. Fowler replied he understands the feelings of the sidewalks but you introduced it. The entrance of Old Boston Road and Rt. 38 had a tremendous amount of work done to it in the last year and a lot of vegetation has been destroyed by National Grid. A lot of the area looks like a desert and he is surprised that Conservation hasn't said anything. Mr. Fowler added that on Saturday night he added that he drove around the neighborhood of the people who spoke at the last meeting and the lights at substation 22 are very bright and are visible at Northgate. He will require that when the lights go up at substation 22A that the lights be shielded.

Mrs. Reed stated that she appreciates the lighting comments. Mrs. Reed stated that the Planning Board determines if sidewalks are needed and according to the regulations, sidewalks are required on all public ways that the site abuts.

Mr. Johnson stated that he appreciates the letter that National Grid send, but agreed that the Board makes the determination of what is important. It seems like the applicant wants to discuss certain issues related to substation 22 but not others. The letter has a vague reference that sidewalks might go in down the road and that is not sufficient.

Mr. Fratalia stated that there are still open issues with engineering. He also drove down Northgate and there is a huge lighting issue. He would like to work with National Grid but they also need to protect the residents.

Mr. Plunkett asked if we have a response from the Town Engineer. Mr. Sadwick replied not yet. Mr. Plunkett stated that sidewalks have been brought up by several Board members.

Mr. Fowler asked if there have been any conversations with easement owners.

Mr. Jones stated that the residents have brought up lighting concerns at substation 22 but the Police have asked for more lights. The lighting at 22A will be shielded but boundary lights will be added.

Mr. McIntyre stated that they met this morning with Mr. Sadwick, Mr. Hardiman and Mr. Boyd regarding Rt. 38. They came up with some ideas for landscaping. The Conservation Commission will be addressing this on Wednesday.

Mr. Jones stated that the MVRP will meet to discuss other issues with National Grid. There is a two year schedule to work on the substations.

Attorney Smith stated that this is a unique project and the scheduling is extremely important. They have met with residents individually. This is an unmanned substation but they have to maintain it. They acknowledge that general cleanup is required and they came up with a plan for Conservation for the landscaping along Main Street. They can commit to the beautification of the area before the building is complete. Attorney Smith stated that this seems like a never ending process. Mr. Plunkett replied that the hearing is not a never ending process, but answers are needed before they can proceed. Attorney Smith stated that the outstanding issues are technical and Mr. McIntyre added that they do not disagree with any of Mr. Hardiman's comments.

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Mr. Sadwick stated that there are a lot of outstanding issues that the Town Engineer can handle but there is still the main issue of sidewalks and landscaping and the Board needs something to review.

Mr. Johnson stated that we have approved with conditions before but there is still back and forth with the remaining issues.

Attorney Smith stated that the Board could issue a decision with conditions of Town Engineer and administration approval. Mr. Plunkett stated that our decision is based on comments during the hearing and we need to make sure that all points are addressed. The major issues are sidewalks and landscaping and he doesn't want to abdicate their authority.

Mr. Fowler stated that even if this was approved tonight, they could still delay the signing of the plan and Special Permit.

Mr. Plunkett stated that they need to do their due diligence and then we can act quickly with all the information.

Mr. McIntyre stated that the landscaping plan will not be ready on April 27th. They need to meet with the Conservation Commission, Mass DOT and the Town Engineer and there maybe issues that come up that will have to be conditions of the Special Permit. Attorney Smith asked if a narrative of the landscaping will suffice. Mr. Plunkett replied yes, but it needs to state what is in the buffer between the residential units.

Mr. Johnson stated that they would need a commitment of landscaping and time frame and the Board will retain jurisdiction over the landscape.

Mr. Jones stated that they will have the cut sheets on the shielding of the lights.

Mr. Plunkett stated that they would want a commitment to address the lighting issue on substation 22.

MOTION - Mr. Fowler made a motion to continue the Special Permit until April 27, 2015 at 7:10 PM. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

(E) 434 Main Street, Donald McLaren, Wamesit Lanes Sign Special Permit

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, Ben Barre, Brian Shipman and Donald McLaren appeared for the Sign Special Permit at 434 Main Street. Mr. Cuoco stated that the proposed attached sign would be 79.5 SF, 8'11" high x 10' wide. The freestanding was originally proposed to be 26'6" high and 180" wide, but they have reduced it to 23' high and 156" wide. Mr. Cuoco stated that the LED portion of the sign will have amber alerts and public service announcements.

Mr. Cuoco stated that are requesting waivers from Section 5232(d), 5232d(1), (4), (6) and (7), Section 5252(a), 5253 and 5253(a).

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Mr. Barre stated that he will discuss the LED portion of the sign. Mr. Barre stated that the business of LED signs has shifted to about 90% full color, high quality images. There is software that drives the signs and allows for enforcement of hold times for sign changes, brightness, etc. This is zoning friendly. The software also has GPS positioning so it knows when in it daylight savings and can adjust accordingly. According to Mass DOT, 15 seconds is a safe transition for hold times on signs changing. Mr. Barre handed out guidelines that say 750 NITS is a good brightness but that can be reviewed onsite. There are five requirements in the guidelines that include operation, display time, illumination, color and content. These could be incorporated into the special permit.

Mr. Cuoco stated that Metro Signs will be building the remaining sign and the entire sign can be dimmed.

Mr. Plunkett asked if how high the scissor truck is in the pictures. Mr. McLaren stated that is at the original height, so it will be 3 ½' lower.

Mrs. Reed stated that this is a great presentation but she is not sure that this is right for Main Street. Mrs. Reed added that the application should be amended to include a special permit for Section 5232, not a waiver.

Mr. Fowler stated that he is glad that they looked at the sign and has made it smaller. The digital signs are the way of the future and added that the sign in the town center is always out of date because it has to be manually changed.

Mr. Johnson stated that he appreciates that they listened to our concerns and he has no issue with the attached sign. He also agrees that this is the future of signs. Mr. Johnson stated for clarification, there will be no motion on the LED sign. Mr. Barre replied that was correct.

Mr. Fratalia stated that he does not have a problem with the attached sign and likes the reduction in size of the free standing sign.

Mr. Plunkett stated that he is not convinced that 15 seconds is a good display time and asked if this is what we want along Rt. 38. He likes that it was reduced in size and this is different from most businesses because it is entertainment but he is concerned that 15 seconds is too short.

Mr. Barre stated that the time/temperature sign only stays up for 3 seconds, 15 seconds is a long time when someone is driving. Mr. Cuoco stated that the sign at the High School changes every 10 seconds. Mrs. Reed stated that it not approved to do so. Mr. Plunkett stated that he doesn't see the need to change every 15 seconds. Mr. Barre stated that 15 seconds is a good fit for this area. Mr. Cuoco stated that one message per day is not going to work. Mr. Barre stated that a study was done and 15 seconds works on a highway and rural setting.

Mr. Fowler suggesting adding an "F" to the guidelines that state "The Planning Board has the right to review and have changes made on the timing of the sign from 15 seconds to 1 minute." Mr. McLaren stated that our advertisement is staying on for 1 minute during peak hours, but during off peak hours, they will have town information displayed for 90% of the time. They have committed to Fire, Police and Schools.

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Mark Kratman of 8 Sunset Circle – Mr. Kratman stated that he works for Mass DOT and part of his job is to review electronic message boards. He agrees that 15 seconds is a good time for message changes giving the Board the authority to go up to a minute.

Mr. Plunkett stated that they don't want to impose conditions that make the sign not feasible. The compromise is to start with 15 seconds and if necessary goes to 1 minute. We should look at it after the initial 2 months of operation.

MOTION - Mr. Fowler made a motion to close the public hearing for a sign special permit at 434 Main Street. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

MOTION - Mr. Johnson made a motion to withdraw the motion to close the public hearing. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

MOTION - Mrs. Reed made a motion to amend the Sign Special Permit application to include a Special Permit for Section 5232(d). The motion was seconded by Mr. Johnson and unanimously voted 5-0.

MOTION - Mr. Johnson made a motion to close the public hearing for a sign special permit at 434 Main Street. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to approve the waivers as requested from Sections 5232(d)1, 5232(d)4, 5232(d)6, 5232(d)7, 5252(a), 5253, 5232(a) and a 15' setback for the free standing sign. The approval is based on the size of the location and use of this site as a family entertainment facility. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

MOTION - Mr. Johnson made a motion to approve the special permit for Section 5232(d) to allow the electronic message board sign. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

MOTION - Mr. Johnson made a motion to approve the Sign Special Permit for 434 Main Street as modified including the modification of the free standing sign will now be 156 SF and 23' high and incorporation of approved waivers with the following conditions:

1. Electronic Message Board Operation: Such displays shall be limited to messages that instantaneously appear or disappear from the display with no movement or scrolling. In no case shall the display use ht flash mode of operation.
2. Electronic Message Board Display time: Each message on the sign must be displayed for a minimum of 15 seconds which would follow the federal highway administrations ruling on digital signs nationwide.
3. Electronic Message Board Illumination: The display must be equipped with automatic and manual dimming controls. This would be done b y the means of the signs software and also a hardware photocell. The maximum nighttime brightness cannot exceed 750 NITs (candela per square meter).
4. Electronic Message Board Color: The sign will be able to provide full color text and imagery statically. The sign shall be constructed of one red, one green and one blue LED in a high resolution configuration.

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5. Electronic Message Board Content: The display may only be used to advertise goods and services sold on the property, time and temperature, and public service announcements. It may not be used to sell advertising to outside businesses. A minimum of 10% of the messages are to be used for public service, local activities that are beneficial to the community as a whole. The owner should register with Amber Alert.
6. The Planning Board has the right to review and have changes made on the timing of the LED sign from 15 seconds up to 1 minute.
7. The Planning Board retains jurisdiction of the brightness of the main sign.

The motion was seconded by Mrs. Reed and unanimously voted 5-0.

(F) **832 and 836 North Street, Genesis Management Group for 495 Business Center Acquisitions LLC, 495 Business Center Site Plan Special Permit and Land Disturbance**

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

Paul Grant, Phil Cordero, Attorney Richard O'Neill and Chris McCarthy appeared for the Site Plan Special Permit and Land Disturbance Permit for 832 and 836 North Street. Attorney O'Neill stated that an IDR was held for this project. This is the old Wang development and this project will improve the parking, entrance, landscaping and storm water system. There will be no outside development of buildings.

Mr. Cordero stated that this is a revitalization project. They are proposing adding a landscape island in the middle of the entrance. There will be removal of 19,000 SF from Building 2 and a new parking scheme will be provided. There will be screening and landscaping added throughout the parking lot. There will be 60 new parking spaces added along the southerly side of the building. Currently there is no storm water management and they are working with the Town Engineer on the proposal and he spoke with the Town Engineer on Friday and he is pretty confident that they are in agreement on the remaining issues. This site is restricted by a National Grid easement.

Mr. Cordero stated that the IDR had positive feedback. The current parking spaces do not meet the current bylaw. They vary in size from 8 ½' x 17' at the smallest. They are asking to allow the new parking spaces be allowed at 9' x 18'. Mr. Plunkett asked why the new parking spaces cannot meet the bylaw. Mr. Cordero replied that there is not enough room.

Attorney O'Neill stated that at 495 Woburn Street the Planning Board allowed the existing parking spaces to remain. The building is only 20% occupied.

Mr. Fratalia asked if there are fuel tanks on site. Mr. Cordero stated that there was an old note on a plan but they are not aware of any fuel tanks.

Mr. Johnson stated that this is similar to Radcliff Road and he has no issues. Mr. Johnson asked if there were any plans to beautify the park out front. Mr. Cordero replied yes.

Mr. Fowler stated that he likes the new traffic flow and extended landscaping. He asked that the saw grass be kept short.

Mrs. Reed stated that she has no issues and is glad this site is moving forward.

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Mr. Plunkett stated that the Board would retain control of the landscaping if any additional was needed.

Attorney O'Neill thanked the Town departments for the cooperation.

Mr. Fratalia asked that they continue to work with the Town and allowing the youth organizations to use the field out front.

There were no comments from the audience.

MOTION - Mr. Fowler made a motion to close the public hearing. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to approve the waiver of Section 5140 and Section 9415 which approves the parking spaces as shown on the plan and allows the new parking spaces to be 9' x 18'. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to approve the Site Plan Special Permit and Land Disturbance Permit for 832 and 836 North Street as presented with inclusion of the approved waivers and subject to approval by the Town Engineer. The permit will not be issued until the Town Engineer signs off. The Planning Board retains control over the landscaping. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

(G) 3 Radcliff Road, Mass AV for RREEF America REIT III Corp Z1 Site Plan Special Permit

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

Patrick McCarty and Michael Basteri appeared for the Site Plan Special Permit at 3 Radcliff Road. Mr. McCarty stated that Mass AV is currently located in Billerica and they are expanding. They have a P&S for 3 Radcliff Road. The site is 3.27 acres and the building is approximately 33,000 SF. There was some internal renovation in 1985. Mr. McCarthy stated that AV provides audio/visual support. They have 40 employees. They are planning a full renovation of the interior and exterior. This building was built in the 1970s and there is very little storm water management. They are proposing new loading pads and removing the existing. There will be two new landscape islands and they will be changing speed bumps to speed table at the request of the Fire Department. They are including large parking spots to accommodate box trucks and vans.

Mr. McCarty stated that the Board of Health requested the dumpster be added and they will add that to the plan. The parking count in an Office/Research district requires 110 spaces but the back half of the building will be studio, testing and staging areas. Only the front of the building will be offices. The area for the office would be considered office and the area in the back would fall under the use of electronic industry and these uses would require 70 parking spaces and they have provided 97 shown on the plan.

Mr. McCarty stated that there is a beaver dam on site and they will be removing that by hand. A 21E was performed on site and there are no storage tanks. They also appeared before Conservation and they wanted the designation of the snow storage to be in the parking lot. They also requested that a wetlands mix be done.

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Mr. Fowler stated that this is a good project and had no question. Mr. Johnson and Mrs. Reed agreed.

Mr. Fratalia stated that he would wait on the Town Engineer's letter.

Mr. Sadwick stated that there were two issues from Mr. Hardiman's letter, #1 and #5 that were outstanding. Mr. McCarty stated that he spoke with Mr. Hardiman today and they are proposing removing 5,000 SF of impervious surface and upgrades to the storm water management.

Mr. Plunkett asked if a vehicle could get by if there was a truck at the loading dock. Mr. McCarty replied yes, a fire truck could get by.

There were no comments from the audience.

MOTION - Mr. Fowler made a motion to close the public hearing notice. The motion was seconded by Mrs. Red and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to approve the Site Plan Special Permit for 3 Radcliff Road as presented subject to final approval from the Town Engineer. If an agreement is not reached, the applicant would have to come back to the Planning Board. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

(H) 1777 Main Street LTD Partnership for W.E. Aubuchon Co., Inc. Special Permit and Site Plan Special Permit

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

David Faist and Barry Johndro appeared for the Special Permit and Site Plan Special Permit at 1777 Main Street. Mr. Faist stated that are proposing a 1,000 gallon propane filling station tank, a 10' x 50' outdoor storage area for lawn material and a reader board sign. An IDR was held and some good comments came out of it. They will be bringing a revised plan back to eliminate the second island and have a 36' wide isle at the request of the Building Commissioner. The dumpster will also be added to the plan.

Mr. Johnson stated that he has no issue with the reader board sign and likes the idea of sliding the propane filling station back. Mrs. Reed, Mr. Fratalia and Mr. Fowler also agreed. Mr. Fowler added that he likes the vegetation.

Mr. Plunkett asked if there will be a Blue Rhino exchange. Mr. Faist stated that will go away when the new filling station is up and running.

MOTION - Mr. Johnson made a motion to continue the Special Permit and Site Plan Special Permit until April 27, 2015 at 7:20 PM. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

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(I) 715, 721 and 731 Livingston Street, KAJ, LLC Site Plan Special Permit and Special Permit

Mr. Plunkett stated that due to the lateness of the meeting, the next agenda item will be continued.

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

Attorney Richard O'Neill, Dick Cuoco and Arnie Martel appeared for the Site Plan Special Permit and Special Permit for 715, 721 and 731 Livingston Street. The applicant agreed to the continuance.

MOTION - Mr. Fowler made a motion to continue the Special Permit and Site Plan Special Permit for 715, 721 and 731 Livingston Street until April 13, 2015 at 7:00 PM. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

(J) 20 Carter Street, Carter Street Realty Trust for Carter Street Sports Center, Continued Special Permit

James Xairas and Jay Ferrera appeared for the continue Special Permit for 20 Carter Street. Mr. Ferrera stated that the turning radius is now 40' and the overflow parking will be in the snow storage area.

Mr. Fowler asked if the Fire Department has approved the parking design. Mr. Sadwick replied he has not seen any approval. Mr. Xairas stated that they will add signage for compact car parking only in the back.

Mr. Plunkett asked if there was a lease agreement. Mr. Xairas replied no, we believe we have adequate parking but they have said we can use their lot for game nights.

Mr. Fowler asked that the buses be told to park on the adjacent lot. There should be a clear area defined as a path from the overflow parking to the rink. Mr. Fowler stated that in reality, the square footage for the playing surface should be subtracted for the parking count and he is comfortable with the amount of parking spaces.

Mr. Fratalia asked what happens with the snow storage if it becomes too great. Mr. Xairas replied that they will remove it off site. Mr. Xairas stated that he will direct the buses to park off site.

Mr. Johnson stated that the parking lot needs to be done. The buses and employees should be instructed to park offsite.

Mr. Xairas stated that they agree to review this in a year's time.

Mr. Johnson asked how many spaces are proposed. Mr. Ferrera replied that there are 284 parking spaces plus an additional 25 in the overflow for a total of 309. Mr. Johnson stated that he agrees with Mr. Fowler that the square footage of the ice rinks and dome should not be counted toward the parking requirement.

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Mr. Plunkett asked how many employees are on the highest shift. Mr. Xairas replied including the restaurant it will be between 7 and 10 employees. Mr. Plunkett stated that the employees should use the off-site parking during games times and highest attendance events. Mr. Xairas replied that the highest spectators are during High School games and Tournaments. Mr. Plunkett stated that a few of the conditions that he would request would be off site parking for buses and employees during high school and tournament games, a lease executed by a duly authorized party for the off site parking, hours of operation from the Special Permit issued in 2008 would continue.

Mr. Johnson stated that the plan should reflect the change from bus parking to car parking.

There were no comments from the audience.

MOTION - Mr. Johnson made a motion to close the public hearing. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to waive the required number of parking spaces and approve 309. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to approve the Special Permit for 20 Carter Street with the following conditions:

1. The approval is based on the amended plan showing 309 parking spaces.
2. The plan will be amended further to change the bus parking in the front to car parking and increase the turnaround in the back and install compact car parking signs in the back.
3. Agree to a one year review of the parking lot at 20 Carter Street by the Planning board.
4. The hours of operation for the snack bar/restaurant will be the same as the hours of operation listed in the 2008 Special Permit.
5. The restaurant will not be marketed or advertised as a stand along "lounge/restaurant".
6. The pavement and restripe of the entire parking lot will be completed by August 1, 2015.
7. An executed lease by a duly authorized party from 10 Carter Street must be presented to the Board to allow for off-site parking during High School hockey games and tournaments prior to the issuance of an occupancy permit for the restaurant.
8. Employee parking and bus parking during High School games and tournaments will be located in the off site parking at 10 Carter Street.
9. Snow will be removed from the site.

The motion was seconded by Mrs. Reed and unanimously voted 5-0.

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(K) **1390 and 1394 Main Street, Sullivan Family Trust, John Sullivan – Continued Site Plan and Site Plan Special Permit**

Mr. Plunkett stepped down from this hearing and Mr. Johnson became Chair.

Ryan Sullivan and Doug Lees appeared for the continue Site Plan and Site Plan Special Permit for 1390 and 1394 Main Street. Mr. Leeds stated that the culvert analysis was done with the previously approve project up the street. Mr. Leeds stated that the loading area was changed to 12' from 10'. Mr. Lees stated that the test pits will be done in the back of the lot before construction per the Conservation Commission requirement.

Mrs. Reed, Mr. Fowler and Mr. Fratalia were all set.

Mr. Sadwick asked if there will be granite curbing and concrete sidewalks along Main Street. Mr. Lees replied yes.

There were no comments from the audience.

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

MOTION - Mrs. Reed made a motion to approve the Special Permit and Site Plan Special Permit subject to the addition of granite curbing and concrete sidewalks along Main Street and the final approval of the outstanding engineering issues. The motion was seconded by Mr. Fratalia and unanimously voted 4-0.

Mr. Plunkett returned to the meeting.

(C) **Zoning Amendment Public Hearing for May 4, 2015 Annual Town Meeting**

MOTION - Mr. Johnson made a motion to take Agenda Item C off the table. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

MOTION - Mr. Johnson made a motion to continue Agenda Item C until April 13, 2015 at 7:15 PM. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

Old Business

There was no old business.

New Business

There is no new business.

Director's Report

There was no director's report.

Adjournment

MOTION - Mr. Johnson made a motion to adjourn the meeting at 11:45 PM. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

Approved on: 5/18/15

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List of documents for 4/6/15 Agenda

Documents can be located at the Community Development Office

- B. 7:00** Committee Reports/Administrative Actions
- 1- Zoning Bylaw Subcommittee
 - 2- Master Plan
 - 3- Committee Reports
 - 4- 78 Charme Road, Elizabeth & Lyman Garniss – ANR
 - *Form A packet dated 2/11/15.*
 - *Boundary Line Agreement dated 11/14/14 between 78 Charme Rd and 72 Charme Rd.*
- C. 7:00** Zoning Amendment Public Hearing for May 4, 2015 Annual Town Meeting
- *Zoning By-Law Amendment Articles before Annual Town Meeting.*
 - *Article - Section 2100 (PB)*
 - *Article - Section 2310 (PB)*
 - *Article - Section 4210 (PB)*
 - *Article - Section 5120 (PB)*
 - *Article - Section 6700 (PB)*
 - *Article - Section 7600 (PB)*
 - *Article - Section 8402 (PB)*
 - *Article - Section 4240 (PB)*
 - *Article - Section 8610, 8630, 8650, 8670, 8690 (PB)*
 - *Article - Section 8680 (James Andella)*
 - *CVOD Concept Plan #8; 145-155 East Street; prepared for JDB Realty Trust; dated 4/6/15; prepared by Woodland Design*
- D. 7:05** 205 Washington Street, New England Power Company
d/b/a National Grid
Continued Site Plan and Use Special Permit, Land Disturbance
- *Memo 3/20/15 fr DPW.*
 - *Letter 4/3/15 to Richard Montuori from National Grid.*
 - *Letter 4/3/15 to Steve Sadwick from National Grid.*
 - *National Grid Facilities; Google Earth; received 4/6/15.*
- E. 7:10** 434 Main Street, Donald MacLaren, Wamesit Lanes
Sign Special Permit
- *Application packet dated 3/6/15.*
 - *Memo 4/1/15 fr Steve Sadwick.*
 - *Metro Sign & Awning; drawing date 4/3/15; submitted at public meeting 4/6/15.*
 - *WatchFire by Time-O-Matic – Wamesit Lanes, Digital Sign Guidelines and Ignite Graphics Software received 4/6/15*
- F. 7:20** 832 and 836 North Street, Genesis Management Group for
495 BC Acquisitions LLC, 495 Business Center
Site Plan Special Permit and Land Disturbance
- *Application packet dated 3/4/15.*

PLANNING BOARD MINUTES

APRIL 06, 2015

- *Letter 2/14/15 fr Lewis Engineering to Richard Cuoco re: Hydrant Flow Testing and Evaluation.*
- *IDR held on 3/24/15*
 - *Review 3/24/15 fr Police Dept.*
 - *Review 3/27/15 fr Fire Dept.*
 - *Review 3/25/15 fr Police Dept.*
 - *Review 3/30/15 fr GCG.*
 - *Review 3/30/15 fr Health Dept.*
 - *Review 3/31/15 fr DPW.*

G. 7:30 3 Radcliff Road, Mass AV for RREEF America REIT III Corp Z1

Site Plan Special Permit

- *Application packet dated 3/5/15.*
- *Layout & Materials Plan; Sheet No 2; prepared by McCarty Engineering; date 3/6/15.*
- *IDR held on 3/31/15*
 - *Review 3/31/15 fr Police Dept.*
 - *Review 3/31/15 fr Fire Dept.*
 - *Review 4/2/15 fr Health Dept.*
 - *Review 4/3/15 fr DPW.*
 -

H. 7:40 1777 Main Street ltd Partnership for W.E. Aubuchon Co., Inc.

Special Permit and Site Plan Special Permit

- *Application packet dated 2/27/15.*
- *Aubuchon Hardware, Rendering prepared by Add-A-Sign LLC, 136 Pond Street, Leominster, MA; received 4/6/15*
- *IDR held on 3/31/15*
 - *Review 3/31/15 fr Health Dept.*
 - *Review 3/31/15 fr Police Dept.*
 - *Review 4/2/15 fr DPW.*
 - *Review 4/2/15 fr Building Commissioner.*

I. 7:40 715, 721 and 731 Livingston Street, KAJ, LLC

Site Plan Special Permit and Special Permit

- *Application packet dated 3/4/15.*
- *Letter 2/14/15 fr Lewis Engineering to Richard Cuoco re: Hydrant Flow Testing and Evaluation.*
- *IDR held on 3/24/15*
 - *Review 3/24/15 fr Police Dept.*
 - *Review 3/27/15 fr Fire Dept.*
 - *Review 3/25/15 fr Police Dept.*
 - *Review 3/30/15 fr GCG.*
 - *Review 3/30/15 fr Health Dept.*
 - *Review 3/31/15 fr DPW.*

J. 7:45 20 Carter Street, Carter Street Realty Trust for Carter Street

Sports Center, Continued Special Permit

- *Memo 2/26/15 fr Interim Athletic Director, TMHS.*
- *Letter 4/3/15 fr James Xarras, Owner, Summit Management.*

K. 7:50 1390 and 1394 Main Street, Sullivan Family Trust – John Sullivan

Continued Site Plan and Site Plan Special Permit

- *Email 3/23/15 fr DPW.*
- *Email 3/24/15 fr Fire Dept.*
- *Memo 3/29/15 fr GCG.*
- *Photometric Plans dated 4/1/15 prepared by Reflexington.*