

PLANNING BOARD MINUTES

July 11, 2016

**Call The Meeting to Order**

Chairman Stephen Johnson called the meeting to order at 7:00 P.M. in the Town Hall Meeting Room. Present at the meeting were Vice Chairman Robert Fowler Nancy Reed, Vincent Fratalia, Keith Anderson, Director of Community Development Steve Sadwick and Recording Secretary Dawn Cathcart.

**(A) Approval of Minutes – February 10, 2016 (Working Session), June 7, 2016 (Working Session) and June 20, 2016**

**MOTION** - Mr. Anderson made a motion to approve the Planning Board minutes of February 10, 2016 Working Session with the correction to the 2<sup>nd</sup> motion, page 2, change “Section 712” to “Section 7121”, June 7, 2016 Working Session and June 20, 2016 as submitted. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

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

**(B1) Committee Reports**

There were no committee reports.

**(B2) 108 Pleasant Street – As-Built and Bond Release**

Mr. Sadwick stated that they received a letter from the Town Engineer that the site was constructed per the approved plans.

**MOTION** - Mr. Fowler made a motion to accept the as-built and release the remaining bond of \$1,500. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

**(C) 395 Woburn Street, Premier Storage Investors for AMC Realty Group, LLC (Cube Smart Self-Storage) Special Permit, Site Plan and Use Special Permits, Multiple Structures on One Lot Special Permit**

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

Attorney Richard O’Neill, Ken Cram, Peter Williams and Earle Blatchford appeared for the special permits for 395 Woburn Street. Attorney O’Neill stated that last fall there was a zoning change from HI to WNVD. The only change that affected this project was lot coverage. The previous zoning was HI which allowed 35% lot coverage, the new zoning only allows 15%. This project meets or exceeds all other dimensional requirements except lot coverage, so a waiver will be needed. They are proposing keeping at least a 50’ setback from all sides of the property. Attorney O’Neill stated that an IDR was held and it was very useful. The only missing information was the traffic study, which is what Mr. Cram has provided for tonight.

Mr. Blatchford stated that this property is 395 Woburn Street. It consists of Map 4, Lots 61 & 62 about ¼ mile up from Rt. 495. The property consists of 3.3 acres. The majority of the lot is in Tewksbury with a 35’ strip of land in Lowell. There is 390’ of frontage and an isolated wetland that is a manmade detention basin with a 24” drain line. There is a 30” RCP culvert that serves as a discharge point. They are proposing tying into sewer off of Forest Avenue. There is no flood plain or endangered species on site.

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Mr. Blatchford stated that the existing approved special permit was for two light industrial buildings and a small office building. The current special permit was extended through October 15, 2016. This project would consist of a proposed self-storage facility. There would be two two-story buildings with approximately 98,600 SF. There would be 19 proposed parking spaces and a single entrance. The bottom of the left building would house the office and there would be a security fence and gate around the property. There would be approximately 48' between the buildings and the traffic would flow around the buildings. The Fire Department had a question about turn radius and they will have to modify the corners to allow for the swing of the ladder truck through the exit gates. There will be a closed drainage system with catch basins and underground pipes. They have addressed all DEP comments and are in the process of addressing the Town Engineer comments. The water will be tied in on the east side of the property and they will do a fire flow test to ensure there is enough water. There will be landscaping added to the front of the site and all trees around the edge will remain. They are proposing LED wall pack lighting only, there will be no pole lights and they will provide a lighting plan that complies with the bylaw. A NOI was filed with Conservation and they met with them on June 22<sup>nd</sup> and have a follow up meeting this coming Wednesday. The total impervious surface with this plan is less than the previously approved plan. The IDR was held on June 28<sup>th</sup> and they requested an elevation plan. There are two towers on the front of the building and the south tower will have the attached signage. They are proposing a 2' x 10' free standing sign that will be set back to meet the requirements. The bylaw has a maximum height of the building at 35'. The tower feature is over 35' but the bylaw, Sections 4146 allows uninhabited feature to be 50' in height. The one waiver requested as previously mentioned is for lot coverage. The proposed buildings are 30.4% lot coverage and the new zoning has 15% lot coverage. They are proposing keeping a minimum of 50' setbacks from all sides.

Attorney O'Neill added that the application also requests a special permit from Section 4110 & 4230.

Mr. Cram presented the traffic report. There have not been a lot of traffic counts in this area. The information he received from Mass DOT was about 10 years old. That indicated that there were between 11,500 and 16,100 cars per day. They used the mini-warehouse use from the ITE manual and that indicates about 242 daily trips, (121 in and out) with there being 13 to 26 trips during peak hours based on the entire square footage of the building, but they used the net rental square footage of 72,000 SF so that brought it down to 132 daily trips (66 in and out) with there being 8 trips during AM peak and 14 trips during PM peak period and there will be one employee. Mr. Cram stated that this is not a high intensity use. Mr. Cram added that the line of site is great in this area because this portion of Woburn Street is very straight. Mr. Blatchford stated that the difference in square footage is the removal of the hallways.

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Mrs. Reed asked if the storage facility will be unattended. Mr. Blatchford stated that the hours of operation will be from 6:00 AM to 10:00 PM. There will be an employee there during normal business hours similar to 9:00 AM to 6:30 PM. This is not a 24 hour operation but the security lights will remain on. Mrs. Reed stated that she is concerned with the garage doors located on the right side because it may become a noise issue with the neighbors. Mr. Williams stated that the doors will not be that noisy. They are manual doors, not automatic and it would be similar to a residential garage door going up. These garage doors are needed because they have trades people who may use them to stock material so they don't have to travel across town to get a part. Mr. Blatchford stated that there is a large existing buffer of trees that will remain and the building is at least 70' from the property line. Attorney O'Neill added that additional landscape could be added if it is determined more is needed. This facility will be climate controlled, there will be security and this will be a clean operation.

Mr. Fratalia stated that he liked the plan and asked where the dumpster would be located. Mr. Blatchford stated that it will be located in the back left rear corner. Mr. Fratalia stated that there will be no access after 10:00 PM. Mr. Blatchford replied that was correct. Mr. Fratalia asked if there are any solar panels planned. Mr. Williams replied that we have used them on other sites, but none are planned currently.

Mr. Fowler stated that there will be no one working 24 hours. Mr. Williams replied that is correct. The office hours are typically 9:00 AM to 6:30 PM but may vary a little. The tenants will have access to their units from 6:00 AM to 10:00 PM. Mr. Fowler stated that there will be no pre-fabricating materials allowed. Mr. Williams replied absolutely not. That is stated in the lease. Mr. Fowler stated that he is not concerned with the lot coverage and likes the fact that the setbacks have remained at least 50'. Mr. Fowler stated that he would like some detail of the fence. Mr. Blatchford stated that it is depicted in Figure 7-13. It will be a decorative aluminum in the front and black coated vinyl chain link fence on the other sides.

Mr. Anderson stated that there are three existing storage businesses in Tewksbury and asked if there was a need for this. Mr. Williams stated that the market dictates what and if any storage units are needed and it shows that it is. Mr. Anderson asked what would be the benefit to the Town if this waiver was approved. Attorney O'Neill stated that the buffer is increased and the setbacks are at least 50'. The benefit is there will be an increase in the tax base and this use is not taxing on town services. Mr. Anderson asked what the total number of units would be. Mr. Williams replied there would be approximately 750 units but that may change a little during the design phase. Mr. Anderson stated that there would be no living space. Mr. Williams replied that was correct. Mr. Anderson asked if there would be private security. Mr. Williams replied no, there will be cameras and alarms that will be recorded.

Mrs. Reed stated that there is the language for us to allow the waiver in Section 6701 and she strongly objects to having garage doors on the right hand side. Attorney O'Neill stated that the landscaping proposed should be sufficient to block noise but they can have a condition that if there is a problem, additional landscape could be added.

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Mr. Johnson asked if red was the standard color for Cube Smart. Mr. Williams replied yes, its call Cube Smart red. Mr. Johnson stated that a muted red would be preferred, because the color renderings provided look a little different on the copies. Mr. Johnson stated that he would be concerned with the lights on the residential side. Mr. Williams stated that they can add a solid wood or sold vinyl fence on that side. That would help block the lighting and noise from the neighbors. Mr. Johnson asked that in the lease agreement there is a statement that no work can be done in the units. Mr. Williams replied yes, and it is a month to month contract so it can be terminated if they violate the agreement.

Kyle Ganley of 39 Elm Ave – Mr. Ganley stated that there were some conflicts with the traffic study. One gentleman said it is not a high traffic use, but the other gentleman said there would be contractors going in and out. Mr. Cram stated that the traffic trips for this type of use comes right from the ITE manual for traffic trips. This use is not an intensive traffic generator. Mr. Ganley stated that security is his biggest issue. There is a drug problem in this area and if this is unattended then there could be a bigger issue. He wants an employee on site during open hours, he would also like a 3<sup>rd</sup> party security monitoring, not just cameras that record. Mr. Williams stated that every potential tenant has to give a license before they are allowed to rent a unit. Criminals typically don't like to give their IDs.

Kim Scott of 27 Commonwealth Ave, Lowell, MA – Ms. Scott stated that she is a direct abutter. The Board allowed her to speak. Ms. Scott stated that she agrees this will be a use that will impact her the least of all that has been brought before. She does have concerns with the garage doors and the noise they cause as well as the traffic that is already bad on Woburn Street. She would also like staff on site during the hours that they are open and the muted colors would be better. Mr. Johnson stated that if these issues are still a problem when it opens, what would the applicant be willing to do. Attorney O'Neill stated that there will be a 35' buffer of existing trees, a 6' high closed fence on that side of the property and the building is about 70' away from the property line. A condition could be added that if there is a problem, additional landscaping will be added.

Mark Kratman of 8 Sunset Road – Mr. Kratman stated that he is confident with the traffic counts. Mr. Kratman asked if the alarms would be heard by the neighbors. Mr. Williams replied no, the alarms are silent. Mr. Kratman stated that he is glad the solid fence will be installed. Mr. Kratman added that if the proper lighting is added, then that will detract from illegal activity in the area. Mr. Blatchford stated that for the record, the north side will have a solid fence but the other three sides will be the 6' vinyl chain-link fence.

Ms. Scott returned to the podium and added that the lighting especially in the back of the property will be an improvement. Mr. Johnson asked if the lighting will remain on whether the facility is opened or closed. Mr. Williams replied yes.

Mr. Ganley returned to the podium and stated that the office should be staffed while the facility is open for security reasons. Attorney O'Neill replied that the security cameras will be on 24 hours a day and they are using hi-definition cameras. Attorney O'Neill also added that the lights cannot spill off the property according to the bylaw.

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Tom Poltrino of 36 Greenwood Ave – Mr. Poltrino stated that he is concerned with construction impact and where the cranes will be going. Attorney O’Neill stated that we cannot impact the abutters during construction. All construction, materials and equipment will be on our site. The only work being done off site will be the utilities and sidewalk. Mr. Poltrino asked if the facility will climate controlled. Attorney O’Neill replied yes, they will either be on the roof or ground but either way the equipment will be screened. Mr. Johnson added that the Town has a noise bylaw that they have to comply with. Mr. Poltrino asked if there will be emergency power. Mr. Williams stated that the emergency lights will be required to meet code issues and this will be addressed at the time of the building permit. Attorney O’Neill added that there will be no generator. Mr. Poltrino stated that he is disappointed that this will only create one job and asked to tone down the colors if possible. Mr. Anderson added that this may only generate one job but there will be additional revenue for the Town.

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

**MOTION** - Mr. Fratalia made a motion to approve the requested waiver from lot coverage. The proposed lot cover is 30.4% lot coverage and the new zoning has 15% lot coverage. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

**MOTION** - Mr. Fowler made a motion to approve the Site Plan Special Permit, Use Special Permit, Special Permit and 4110 & 4230 Special Permit for Multiple Buildings on One Lot for 395 Woburn Street subject to the following conditions:

1. A solid 6’ vinyl fence being installed on the north side of the property, with a 6’ chain link fence installed on the other three sides of the property.
2. Confirmation of the final approval letter from the Town Engineer.
3. Approval from the Fire Department of the turning radius at the gate.
4. Submittal of a lighting plan showing conformance with the zoning bylaw.
5. The hours of operation to access the units will be 6:00 AM to 10:00 PM with the employee hours varying between those times.
6. If additional landscape is needed on the North side to protect the residents, the Planning Board will retain control.
7. The color scheme will be as muted as possible.
8. The address will be displayed on the free standing sign.

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

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(D) **2122 Main Street, Semaan Properties, LLC – Site Plan Special Permit, South Village Overlay District Continued**

Matt Hamor appeared for the continued Site Plan Special Permit at 2122 Main Street. Mr. Hamor stated his client could not make it tonight. Mr. Hamor stated that the plan has been updated. This now includes the free standing monument sign. The name of the project will be Cedar Commons and the address will be displayed on the sign. Mr. Hamor stated that the plan now includes stop lines and a stop sign around the turnaround for the residential units as well as a Do Not Enter sign. The landscape plan has been submitted and a sidewalk connection added to the residential units to the existing sidewalk on Main Street and to the commercial space. A solid fence will be installed in the rear of the property. They have addressed all the Town Engineers comments and they have showed the Fire Department the maneuverability of the fire trucks would work around this site. Mr. Hamor also provided two options for the side of the building on Main Street. One option has “1” decorative façade unit and the other has “2” decorative façade units.

Mr. Fowler stated that he is concerned with only one entry on Main Street but liked the overall project.

Mr. Anderson stated that he is pleased with the plan and confirmed there was no dumpster. Mr. Hamor replied that was correct, everyone will use Town trash. Mr. Fowler stated that he is not sure that the commercial businesses can use the Town trash pickup. Mr. Johnson stated that this needs to be clarified with the Town Manager’s office.

Mrs. Reed stated that on the landscape plan, it shows mostly evergreen in the front. She would like a different mix of plants so it is not bare in the winter. Mr. Hamor replied that there are junipers, lilacs, and rhododendrons but they can add more. Mrs. Reed asked what the status of the affordable components is. Mr. Hamor replied that they are going to be moving forward with the three affordable units and apply to DHCD.

Mr. Fratalia stated that he thought there was discussion from the last meeting that the commercial building would be turned to face Main Street. Mr. Hamor stated that they are adding the decorative façade to make it more appealing from Main Street.

Mr. Johnson stated for clarification, the fence will run the perimeter of the property. Mr. Hamor replied that was corrected. Mr. Johnson stated that he likes the single decorative façade unit. Mr. Hamor stated that they will need a waiver from Section 8669.1 which requires a 20’ separation between buildings.

*Mark Kratman of 8 Sunset Circle* – Mr. Kratman stated that there should be handicap ramps at the sidewalk entrances. Mr. Hamor agreed and will add those.

Mr. Fowler stated that there is no visitor’s parking. Mr. Hamor replied that is correct but there are two spaces per unit. Mr. Fowler asked if two visitor spaces could be added where the snow storage is. Mr. Hamor replied he didn’t know because there is an easement there. Mr. Sadwick stated that the MFD bylaw only requires two spaces per unit. Mr. Anderson stated that there are no visitors parking at Bella Woods. Mr. Johnson stated that he disagrees because he has parked in the visitors parking. Mr. Sadwick stated that in Section 8670 deals with shared parking and the parking in the commercial spaces could be considered shared.

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**MOTION** - Mr. Anderson made a 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 approve the requested waiver from Section 8669.1 for the required 20' buffer between buildings. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

**MOTION** - Mrs. Reed made a motion to approve the Site Plan Special Permit, South Village Overlay District Special Permit and Multiple Buildings on One Lot for 2122 Main Street with the following conditions:

1. There will be 9 residential rental units with 3 units being affordable through the DHCD process.
2. The commercial building, on the Main Street side will have "1" decorative façade.
3. Confirmation of the final approval letter from the Town Engineer.
4. Handicap ramps will be added to the sidewalk entrances.
5. The hours of operation for the businesses will be 8:00 AM to 10:00 PM.
6. The trash pickup will be the responsibility of the property owner.

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

### **Old Business**

Mr. Sadwick stated that the as-built for 1700 Shawsheen Street has been approved by the Town Engineer and we are still holding a bond. The Board confirmed that the bond shall be held until the sign violation has been corrected.

Mr. Sadwick stated that the Wamesit Indian Park is nearing completion. The Town Engineer will check the work for compliance with the plan. Mr. Anderson asked if it would be hydro seeded or sod. Mr. Sadwick replied hydro-seeding. Mr. Anderson asked if there was a maintenance schedule. Mr. Sadwick stated the grass cutting will be picked up by the Town's contract. Mr. Anderson asked if Mr. Sadwick could send him the information on adopting an island.

Mr. Anderson asked if the power company will maintain the plantings on Main Street. Mr. Sadwick replied probably not. Mr. Fowler stated that he didn't go far enough; he asked them to plant the trees but not to maintain it.

### **New Business**

Mr. Fratalia asked if the gas station on Main/Chandler Streets came before us for the sign change. Mr. Sadwick stated that it's been Petroil for a while now and they didn't need to come before the Board because the signs met the bylaw.

Mr. Fowler asked if there was a new sign installed on Rt. 495 near the Residence Inn. Mr. Sadwick stated that he is not aware of any new sign. Mr. Fowler stated that he will look at it again and let him know.

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**Director's Report**

There was no Director's Report.

**Adjournment**

**MOTION** - Mr. Anderson made a motion to adjourn the meeting at 9:50 PM. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

**Approved on: 8/15/16**

*List of documents for 7/11/16 Agenda  
Documents can be located at the Community Development Office*

- A. 7:00** Approval of Minutes  
February 10, 2016 (Working Session)  
June 7, 2016 (Working Session)  
June 20, 2016
- B. 7:00** Committee Reports/Administrative Actions  
1- Committee Reports  
2- 108 Pleasant Street – As Built/Bond Release
- Letter 6/6/16 from Cornerstone Land Consultants. (*Steve Sadwick has copy of As Built Site Plan*)
  - Letter 7/8/16 from Town Engineer.
- C. 7:00** 395 Woburn Street, Premier Storage Investors for AMC Realty Group, LLC (CubeSmart Self-Storage) Special Permit, Site Plan and Use Special Permit
- Memo 7/8/16 from Steve Sadwick.
  - Application packet dated 6/9/16.
  - Letter dated 6/14/16 from Hayner/Swanson, Inc. re: Waiver Request.
  - IDR Held 6/28/16
    - Memo 6/22/16 from Fire Department.
    - Memo 6/28/16 from Police Department.
    - Memo 7/1/16 from Engineering Division.
  - Letter dated 7/8/16 from Hayner/Swanson.
- D. 7:15** 2122 Main Street, Semaan Properties, LLC  
Continued Site Plan Special Permit, South Village Overlay District
- Letter 7/8/16 from Town Engineer.
  - Layout and Landscaping Plan, dated 6/23/16; prepared by Landplex.
  - Permit Plan Set for a Proposed Retail Building and Residential Townhouse Development; 2122 Main Street; prepared by Landplex; dated June 23, 2016.