

PLANNING BOARD MINUTES  
September 12, 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 – August 15, 2016**

**MOTION** - Mr. Fratalia made a motion to approve the Planning Board minutes of August 15, 2016 as presented. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

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

**(B1) Committee Reports**

There were no committee reports.

**(B2) 3 Radcliff Road – As-Built and Bond Release**

Mr. Sadwick stated that this is a straight forward request.

**MOTION** - Mrs. Reed made a motion to accept the as-built and release the \$10,000 bond for 3 Radcliff Road. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

**(B3) Settlers Way (379 Pleasant) – As-Built, Street Acceptance and Bond Release**

James Hanley and Marc Ginsburg appeared for the as-built, street acceptance and bond release for Settlers Way. Mr. Hanley stated that they have been working with the DPW for the last few weeks to work out the issues. All the issues have been resolved.

Mr. Sadwick stated that the driveway waiver was approved from the DPW. The as-built has been approved by the DPW and the donation to the sidewalk fund has been submitted so it should be approved.

**MOTION** - Mr. Fowler made a motion to accept the as-built, release the bond and recommend acceptance of the street at the Special Town Meeting for Settlers Way. The motion was seconded by Mr. Anderson and unanimously voted 5-0.

**(B4) Katie Estates – Bond Release**

Mr. Sadwick stated that they have been reviewing all accounts that have outstanding balances for engineering and bonds. Katie Estates has been complete for a number of years. They started with 56 units then eliminated the clubhouse and added 2 additional units for a total of 58. The previous engineering consultant had an issue with this so an additional bond was required. Mr. Sadwick stated that we do have the as-builts. Mr. Sadwick recommended that this bond be released.

**MOTION** - Mr. Fowler made a motion to release the \$5,000 for Katie Estates. The motion was seconded by Mr. Anderson and unanimously voted 5-0.

## PLANNING BOARD MINUTES

September 12, 2016

### **(B5) 2230 Main Street, Sughrue Commons – Informal Discussion**

Dick Cuoco and Carl Cruppi appeared for informal discussions on 2230 Main Street. Mr. Cuoco provided a concept plan to utilize the SVOD. The original special permit for a commercial building was approved in 2006. It has since tolled. They took the exact same footprint of the approved building, with the same drainage, landscape and parking for use on the new proposed plan. They have eliminated the drive-thru. The plan is for a four story building with retail on the first floor and residential apartments on the second through fourth floor. This building will have a mansard roof to keep the height down. This will be a lower rent project. They are looking at two options. The first would have 5,000 SF of commercial on the first floor with two apartments on either side for a total of 28 residential units. The second option would have all retail on the bottom and 24 residential units. They are also looking at going with the 25% affordable option.

Mr. Fowler asked if there would be an elevator. Mr. Cuoco replied yes. Mr. Fowler asked how big the units would be and if they would be one or two bedrooms. Mr. Cuoco stated that they would probably be a maximum of 1,000 SF and they are still working out the number of bedrooms.

Mrs. Reed stated that she is very pleased with the affordable aspect of this project especially if you are looking for a waiver on the height of the building. Mrs. Reed suggested speaking with the neighbors and see what their concerns are. Mr. Cuoco stated that they will speak with the neighbors.

Mr. Anderson stated that he has no problem with the height of the building and glad something is going into that part of town.

Mr. Fratalia agreed that it is good that this lot is being developed but is concerned with the setback of such a large building. Mr. Cuoco stated that it is 70' back from the front property line and about 80' back from the street.

Mr. Johnson stated that he agrees that it is a good development but he would like to see the neighbors input. Mr. Johnson stated that design is important especially with a building this tall. He would also like to see retail only on the bottom floor. Mr. Johnson added that the 25% affordability would be very important to him.

Mr. Cuoco stated that the original building was 35' in height. They will design the roof so it will not add unnecessary height.

Mr. Fratalia asked if neighbors have been contacted yet. Mr. Cuoco replied not yet.

Mr. Anderson asked if there will be sidewalks. Mr. Cuoco replied yes, the original plan showed sidewalks and they will add or improve what is there.

### **(B6) 395 Woburn Street – Site Plan Special Permit Extension Request**

Dick Cuoco and Carl Cruppi appeared for the SPSP extension request for 395 Woburn Street. Mr. Cuoco stated that the new Special Permit appeal period will overlay with the purchase date of the property. They are not anticipating any problems but they would like to extend the original SPSP in case the storage project does not go forward. They would agree to a condition that once the property is sold, the extension could be null and void and we would send a letter to withdraw SPSP-USP 2011-2.

Mr. Anderson stated that one year seems excessive. Mr. Sadwick replied not in this case.

PLANNING BOARD MINUTES

September 12, 2016

**MOTION** - Mr. Anderson made a motion to extend the SPSP and USP #2011-2 for 395 Woburn Street for 1 year. This extension will be null and void when and if the storage facility completes the purchase of the property. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

**MOTION** - Mr. Fowler made a motion to lay item B7 on the table. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

**(B8) Winterberry Lane – Informal Discussion**

Dick Cuoco and Carl Cruppi appeared for informal discussions on Winterberry Lane. Mr. Cuoco stated that some of the driveways at Winterberry Lane are larger than the DPW regulations allow at 20' and the size of the detention basin is different than the approved plans. They have worked with the DPW on these issues and they are going to raise the detention basin 1' and they have received a waiver for the driveways.

Mr. Sadwick stated that they had a similar issue with Settlers Way with some field changes. These changes could be accepted as field changes.

**MOTION** - Mr. Anderson made a motion that the engineering change with the detention basin and the driveways at Winterberry Lane are accepted as non-substantial field engineering changes and should be incorporated into the as-builts. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

Mr. Cuoco stated that in future subdivisions we are going to present larger house footprints and larger driveways to cover any issues and if they actually are built smaller it will not be an issue.

**(C) 969 Chandler Street, Rick Stanichuk Family Suite Special Permit Continued**

Rick Stanichuk appeared for the continued family suite special permit at 969 Chandler Street. Mr. Stanichuk stated that his bank released the first mortgage and it was taken out of the trust, so now the property is in his name.

Mrs. Reed stated that the application still says trust. Mr. Sadwick stated that the Board can amend the application to the individual. Mr. Johnson polled the Board and it was in agreement that the application could be modified.

Mr. Fratalia asked if work is being done there now. Mr. Stanichuk replied that they are just cleaning up and throwing out stuff.

Mr. Fowler asked how big the family suite is. Mr. Stanichuk stated that it is less than 1000 SF and may have one or two bedrooms.

Mr. Johnson stated that this Board has always encouraged this type of development and asked if he currently lives at the property. Mr. Stanichuk replied no, he lives on Raymond Street but he is selling his house and moving in here with his son in the family suite. Mr. Johnson stated that the bylaw requires that the owner live there.

There was no one in the audience.

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

## PLANNING BOARD MINUTES

September 12, 2016

**MOTION** - Mr. Anderson made a motion to approve the family suite up to 1,000 SF at 969 Chandler Street for Rick Stanichuk. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

**MOTION** - Mr. Fowler made a motion to take item B7 off the table. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

### **(B7) 130 Pinnacle Street – Bond Release**

Mr. Sadwick stated that Pinnacle Crossing was built a number of years ago. The developer went bankrupt. There was a bond and the trustees had site issues when trying to do an as-built. The Board released \$8,500 of the bond to help the development get completed. The Town Engineer at the time helped as well as the Town actually doing some work with the manholes and sidewalks. The trustees spent more than the \$8,500 that was given to them. There is \$1,500 remaining on the bond.

Mr. Fratalia stated that if they spent more than the bond they were given, the remainder should be given to them.

Mrs. Reed asked if we received the open space. Mr. Sadwick stated that is a long story. The permit never said the open space had to be deeded to the Town, it only said that it had to be dedicated as open space. They have had conversations with the trustees and they are willing to provide an easement for the Bay State circuit trail. Mrs. Reed stated that there is also CPA funds available for open space.

Mr. Fowler stated that the common area is only 30' out past the houses but they maintain at least 70'-80' out.

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

### **Old Business**

Mr. Anderson stated that the signs at Innovation Drive and 1438 Main Street are well done and look great.

Mr. Anderson asked what the process is to get a bond released. Mr. Sadwick stated that the applicant requests the release, provides as-builts for the project. The as-builts are reviewed and if approved, then they come to a hearing and the Board releases the bond and accepts the as-builts. If the as-builts don't match, they have to work out the issues with engineering and then possibly come in with non-substantial changes. If the problems are too big, some developers will tell us to keep the money and just walk away without finishing the process. Mr. Anderson stated he was contacted by the developers of Secor Way. Mr. Sadwick stated that there are issues with the ZBA and Conservation. They never submitted an as-built or applied for a release from Conservation. There were issues during construction because they never called for the required inspections so the Town does not know how or what is in the ground. Mr. Fowler stated that if the Town takes the bond, they could be held responsible. Mr. Anderson will have the developers call Mr. Sadwick.

Mr. Fratalia asked what is happening with the Pike House. Mr. Sadwick stated that Ira has said that they are going to move their offices in there while they renovate their office area.

## PLANNING BOARD MINUTES

September 12, 2016

Mr. Anderson stated that he saw that the property at Main and Pleasant is going before historic. Mr. Sadwick stated that the owner wants to demolish the carriage house in back.

Mr. Anderson stated that Auto Fair is gone and he wants to know what can be done to get that space rented. Mr. Sadwick stated that it is private property and up to the owners. It is not up to the Town to find a tenant. Mrs. Reed stated that property is under SP control, so we can require them to keep up with the landscaping.

Mr. Anderson stated that we need to hire another building inspector or code enforcement person because there are a lot of places in Town with unregistered cars and vehicles that are registered in other states. Mr. Sadwick stated that there is a request at the Special Town Meeting for a full time building inspector.

### New Business

Mr. Fratalia stated that the house on Pike Street was torn down. Mr. Sadwick replied yes, there is a court agreement to tear down the existing house that contained eight units and a commercial business and build three duplex units. There will be two affordable units or fee in lieu of.

Mr. Fratalia congratulated Mr. Sadwick on becoming the Assistant Town Manager.

Mr. Johnson acknowledged Linda DiPrimio in her retirement for over 17 years of service to the Town. Mr. Fowler requested a letter be sent on the Board behalf.

### Director's Report

There was no Directors Report.

### Adjournment

**MOTION** - Mr. Fratalia made a motion to adjourn the meeting at 8:15 PM. The motion was seconded by Mr. Anderson and unanimously voted 5-0.

**Approved on:** October 17, 2016

#### *List of documents for 9/12/16 Agenda*

*Documents can be located at the Community Development Office*

- A. 7:00 Approval of Minutes: August 15, 2016
- B. 7:00 Committee Reports/Administrative Actions
  - 1- Committee Reports
  - 2- 3 Radcliff Road—As-Built and Bond Release
    - Letter dated 8/8/16 from Patrick McCarty of McCarty Engineering, Inc. to Steve Sadwick submitting As-Built Plan and requesting \$10,000.00 performance bond be returned
    - As-Built Plan for 3 Radcliff Road dated 8/8/2016
    - Letter dated 8/25/2016 from Town Engineer recommending release of bond
  - 3- Settlers Way (379 Pleasant St.)—As-Built; Street Acceptance and Bond Release
    - Letter from Jim Hanley to Brian Gilbert dated August 30, 2016

PLANNING BOARD MINUTES

September 12, 2016

- Letter from Kevin Hardiman to Marc Ginsburg dated September 8, 2016
  - Letter from Kevin Hardiman to Jim Hanley dated September 9, 2106
  - Letter from Kevin Hardiman to Steve Sadwick dated September 9, 2016
  - 4- Katie Estates—Bond Release
  - 5- 2230 Main Street, Sughrue Commons – Informal Discussion
    - Letter dated August 30, 2016 from Richard Cuoco
    - Conceptual Site Layout Plan for Sughrue Commons
  - 6- 395 Woburn Street – Site Plan Special Permit Extension Request
    - Letter dated August 30, 2016 from Richard Cuoco, on behalf of his clients CC & Sons, requesting a one year extension on Site Plan Special Permit and Use Special Permit
  - 7- 130 Pinnacle Street—Bond Release
  - 8- Winterberry Lane—Informal Discussion
    - Letter dated 9/7/16 from Kevin Hardiman to Jeffrey Rider
- C.     **7:00**           969 Chandler Street, Rick Stanichuk---Continued Family Suite Special Permit
- Letter from Brookline Bank to Planning Board dated September 9, 2016
  - Letter from Brookline Bank to Rick Stanichuk dated September 9, 2016
  - Deed recorded September 12, 3016