

## PLANNING BOARD MINUTES

September 26, 2016

### **Call The Meeting to Order**

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

#### **(A) Approval of Minutes – September 12, 2016**

**MOTION** - Mr. Fratalia made a motion to table the minutes until there is a full board. The motion was seconded by Mrs. Reed and unanimously voted 4-0.

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

##### **(B1) Committee Reports**

Mr. Fratalia attended his first Local Housing Partnership meeting. There was no quorum, so they just had discussion. They discussed 1057 South Street and the RFP that was sent out for Tewksbury Habitat Build. They are hoping to get three units. The first unit would be rehabbing the existing vacant house, which Tewksbury Habitat Build will do. Then Lowell Habitat for Humanity will build a new house and hopefully the third house will be done but it's still up in the air by whom.

Mr. Fowler asked what article is linked to this property. Mr. Sadwick replied this is Article #20. Mr. Fowler stated that he has been questioned about spot zoning. Mr. Sadwick stated that this is not a zoning article. This is a conveyance article with restrictions on the sale. Mr. Sadwick stated that if this becomes a 40B project, then it would override zoning and would not require Town Meeting action and this article does not require a 2/3 vote.

Mr. Anderson asked for a brief summary of the article. Mr. Sadwick stated that 1057 South Street was acquired by the Town for taxes. There is a vacant home on site and it just shy of 3 acres. At the last Town Meeting, the sale of the property was approved but an abutter asked that a restriction be added that only two homes could be onsite. This article is asking for three homes. Mr. Anderson stated that this Board should be in favor of this article.

**MOTION** - Mr. Anderson made a motion to support Article 20. The motion was seconded by Mr. Fratalia and unanimously voted 4-0.

Mr. Sadwick stated that the Finance Committee is holding the public hearing on Wednesday and he will convey the Board's vote of support.

##### **(B2) 937 North Street – Conceptual Design**

Robert Scarano appeared for a conceptual design at 937 North Street. Mr. Scarano stated that this property is zoned Office/Research (OR) and is in the Community Village Overlay District (CVOD). This parcel has 3.1 acres and they are proposing a 130 room, 5-story hotel being developed by Hilton Gardens. Mr. Scarano stated that Hilton Gardens has a prototype hotel that they have developed elsewhere. They will be implementing rain gardens and porous pavement on the site. They are performing soil evaluations on September 27<sup>th</sup>. This site will have entrance/exits off of North Street and International Place.

## PLANNING BOARD MINUTES

September 26, 2016

Mr. Scarano stated that they have already had an IDR and received comments from the Fire Department and Engineering. This property will have tax revenue to the Town of about \$500,000. There will be an in-service restaurant for the hotel occupants as well as a small bar but this will not be a destination place. There will also be a 2,000 SF function room. Hilton Gardens also will have security from 7:00 AM to 7:00 PM. The construction schedule will be about 15 months and the cost is estimated to be \$15 Million.

Mrs. Reed asked if there was already an IDR. Mr. Scarano replied yes and they received preliminary comments from Fire and Engineering. Mrs. Reed asked where the Raytheon exit was. Mr. Scarano replied that it is across from the parking spaces on the front left corner. Raytheon has been working on getting their entrance lined up with International Place but he has no idea when or how long that process will take. Mr. Scarano added that they are not averse to looking at giving some land at the corner to help make the access work.

Mr. Fowler stated that years ago, Raytheon was concerned with moving their access due to the electric and culvert being in the way. Mr. Fowler stated that he doesn't think this parcel has enough land to give to the intersection to make a difference.

Mrs. Reed asked if the police have standards for security at hotels. Mr. Sadwick replied yes. Mr. Sadwick added that the applicant should be aware that a traffic study will be required. Mr. Scarano stated that they have already started the traffic counts.

Mr. Fratalia asked that the buffer be looked at to protect the single family homes in the area. Mr. Fratalia also added that 5 stories may be a stretch. Mr. Scarano stated that they have already started speaking with the neighbors in the area. They will do their best to create a buffer for the single family residences.

Mr. Anderson agreed that 5 stories may be too much. He would definitely like to see a traffic study. Mr. Scarano stated that the typical peak traffic hours are AM check out and PM check in. The owners currently have a hotel in Andover and they have a lot of Raytheon guests, so they would image that they would use this hotel instead.

Mr. Fowler asked if they have spoken to National Grid regarding the land in the easement. Mr. Scarano stated that there is currently an ascent agreement in place to utilize the land for parking. There are restriction such as lights poles can be no higher than 4'.

### **(B3) 1415 Main Street – Insignificant Change**

Mr. Sadwick stated that information provided is self-explaining. This is in regards to the Shawsheen Animal Hospital. The drainage was not built per the plans so they hired Dana Perkins. They submitted a letter explaining the changes. The Town Engineer has agreed to the changes including erosion controls, removing the existing outlet structure within the infiltration basin, raising the berm of the basin to elevation 125.8 and installing a spillway in the basin. He recommends accepting these changes as insignificant.

**MOTION** - Mr. Anderson made a motion to accept the changes as outlined in the Town Engineers letter dated September 20, 2016 as insignificant field changes. The motion was seconded by Mrs. Reed and unanimously voted 4-0.

PLANNING BOARD MINUTES  
September 26, 2016

**(B4) Wamesit Lanes – Non-Substantial Change**

Don McLaren Jr and Steve Bourgeois appeared for the non-substantial changes for Wamesit Lanes. Mr. McLaren stated that they are requesting the hours of operation be changed to allow for overnight private events. There will be no alcohol served during these events.

Mr. Fratalia stated that he has no problem with the change as long as the Police and the Board get notified.

Mrs. Reed stated that she doesn't believe that we need to be notified of each event. The Police should be. Mr. Sadwick agreed, the only reference to the Hours of Operation is in the Special Permit but he doesn't believe the Board needs to be notified. The notification should be the Police and Town Manager.

Mr. Anderson asked if there will be a police detail beyond the internal security. Mr. McLaren replied that if the event warranted a detail, they would have one. Mr. Sadwick stated that should be left to the discretion of the Police. Mr. Bourgeois stated that an event usually takes about two months to plan, so notification will not be a problem.

Mr. Fowler stated that there should not be a restriction on how many times they can utilize the facility overnight. There should be a set procedure that is followed with each event. Mrs. Reed stated that the only reason to limit the number of events is if there is a problem we can address this. Mr. Sadwick stated that we could set a condition that a complaint could be cause to reconsider the amendment.

**MOTION** - Mr. Anderson made a motion to modify the SPSP/USP 2014-14, Section VII, Additional Special Permit Provisions #5 with the following additions:

1. Overnight events are allowed with the following conditions: The facility will be locked down from 11:00 PM to 7:00 AM.
2. The events will fall under the direction of Wamesit Lane staff.
3. There will be no alcohol served during the overnight event.
4. 3 weeks prior to the overnight event, the Town Manager, Police Department and Fire Department must be notified in writing with the details of the event.
5. Any complaint received as a result of an overnight event may be cause to reconsider this amendment.

This change is considered non-substantial and is approved. The motion was seconded by Mr. Fratalia and unanimously voted 4-0.

**Correspondence**

Mr. Fowler stated that since representatives from Wamesit Lane are here, he asked if they received the letter from Woodland Design dated September 21, 2016 regarding planting of trees on the site. Mr. McLaren replied yes. Mr. McLaren replied that the trees that were proposed in the approved plan in the landscape islands will cause a problem with the new drainage system.

PLANNING BOARD MINUTES

September 26, 2016

Mr. Anderson stated that he is confused on why their engineer is sending a letter regarding planting of trees. Mr. Sadwick stated that on the approved site plan, it showed trees being planted in the islands in the parking lot. They are working on the as-built now and due to changes in the field required by Town staff, their engineer is saying that live trees are not advisable due to the drainage system on site.

Mr. Fratalia stated that the site looks great without the trees and is very nicely maintained. He has no problem with having no trees in the landscape areas in the parking lot.

Mrs. Reed stated the trees were not a problem getting this approved so why is it a problem now. Mr. Sadwick stated that this site went through significant changes on the fly for drainage in the field. The landscape plan did not catch up with the changes in the field until now.

Mr. Fowler stated that we should table this discussion until we get the Town Engineer's input.

**MOTION** - Mr. Anderson made a motion to table discussion of the landscape for Wamesit Lanes until we get the Town Engineer's input. The motion was seconded by Mrs. Reed and unanimously voted 4-0.

**(B5) 1583, 1593, 1605 Andover Street – Approval Not Required**

Mr. Sadwick stated that this ANR is for the Daley Group project with the Day Care, ATM, Office Building and Lowell 5. This ANR is for the lot line reconfiguration that was discussed during the hearing process. The Assessor and Registry of Deeds require an ANR for the lot line adjustments.

**MOTION** - Mrs. Reed made a motion to endorse the ANR as presented. The motion was seconded by Mr. Fratalia and unanimously voted 4-0.

**(B6) 1625 Andover Street – Site Plan Special Permit Extension Request**

Mr. Sadwick stated that this is the parcel next to the Daley project that was approved for a donut shop. They are requesting an extension of their Special Permits for two years. Mr. Anderson stated that seems excessive.

**MOTION** - Mrs. Reed made a motion to grant the two-year extension for the Site Plan Special Permit #2014-8 for 1625 Andover Street. The motion was seconded by Mr. Fratalia and voted 3-1 in favor. Mrs. Reed, Mr. Fratalia, Mr. Fowler voting in favor and Mr. Anderson voting against.

**Correspondence Continued**

Mr. Sadwick stated that the Town Engineer has done a site visit on Wamesit Island Park and noted some deficiencies. The first was the bike rack was different but the Planning Board had already voted to change that. The second issue was that three Pin Oaks were not healthy and the third issue was there was a large amount of crabgrass. Mr. Sadwick stated that he has already spoken to the contractor.

## PLANNING BOARD MINUTES

September 26, 2016

Mr. Anderson stated that plants should be planted in the cooler weather. Mr. Anderson asked who is maintaining the park. Mr. Sadwick stated that one of two things could happen. The facility manager is working with the Parks Department to show them where all the shutoffs are and what is onsite to be maintained and they are also talking with MDR to adopt the island.

### **Old Business**

Mr. Anderson asked what the process is when there are changes to an as-built for a project. Mr. Fowler stated that many things can change with the as-built from when it was approved. Mr. Sadwick stated that field changes occur all the time especially on larger projects like Bella Woods. When changes are found, they can present the changes with a narrative and show it in the as-built. Mr. Sadwick stated that he tries to keep the Board informed when changes occur. Mr. Fratalia stated that he is ok with field changes as long as they are not drastic changes.

Mr. Anderson stated that this Board has approved several projects with residential units. He has been told that they are almost sold out so this Board was right in approving these types of projects.

### **New Business**

There was no New Business.

### **Director's Report**

There was no Directors Report.

### **Adjournment**

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

**Approved on:** October 17, 2016

*List of Documents for 9/26/16 Agenda  
Documents can be located at the Community Development Office*

- B. 7:00** Committee Reports/Administrative Actions
- 1- Committee Reports
  - 2- 937 North Street: Conceptual Design
    - Preliminary Site Plan dated August 5, 2016
  - 3- 1415 Main Street: Insignificant Change
    - Letter from Kevin Hardiman to Steve Sadwick dated September 20, 2016
    - Letter from Dana F. Perkins, Inc. to Kevin Hardiman dated August 24, 2016
    - Letter from Dana F. Perkins, Inc. to Steve Sadwick dated July 14, 2016
    - Proposed Site Plan dated July 12, 2016

## PLANNING BOARD MINUTES

September 26, 2016

- 4- Wamesit Lanes: Non-Substantial Determination
  - Non-Substantial Determination Application
- 5- 1583, 1593, 1605 Andover Street: Approval Not Required
  - ANR Application dated September 22, 2016
  - Approval Not Required Plan of Land dated September 22, 2016
- 6- 1625 Andover Street: Permit Extension Request
  - Letter from Frank M. Polak (FMP, LLC) to Stephen Johnson dated September 21, 2016