

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

Call The Meeting to Order

Chairman Stephen Johnson call the meeting to order at 7:00 P.M. at the Town Hall Meeting Room. Present at the start of the meeting were, Vice Chairman Robert Fowler, Clerk Eric Ryder, Jay Delaney, and Vincent Fratalia.

(A) **Approval of Minutes** – February 14, 2022; February 28, 2022

MOTION – Mr. Ryder made a motion to approve the February 14, 2022 & February 18, 2022, minutes. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

Mr. Johnson stated that Agenda item E, 30 International Place has requested to be continued to the 3/28/22 meeting so nothing will be heard on that this evening. Also, Agenda item I, 85 French Street has asked to be continued to the 3/28/22 meeting so nothing will be heard on that.

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

(B1) **Committee Reports**

Mr. Ryder thanked Ms. Lowder for sending out the invite, hopefully everyone can make it. Mr. Johnson stated that'll be a tour for the planning board for the new elementary school.

(B2) **Town Planner's Reports**

Ms. Lowder stated there was nothing of substance really to update on today, just kind of a continuation of the discussion had at the previous meeting where Mr. Fowler and Mr. Ryder weren't present for discussing utilizing some of the sidewalk fund donation money to move forward with design & permitting phase for the 2 segments of sidewalk missing in Main St. in front of 1788 and 1866 which would include the signal update at Livingston St. and Main St.

Mr. Delaney asked if they had called the state DOT to get them to do the design and the funding, from what he understands there's plenty of money there. Ms. Lowder stated typically the state doesn't do the design work, but they would be looking more for a shovel ready project, but she is more than happy to double check with them but typically they would want to do the design and permitting on their end and have it ready basically to go and they can apply for funds for construction. Mr. Delaney stated if they can save themselves \$200,000 it would be well worth the look into. Ms. Lowder stated absolutely and this segment for the design would only be \$45,000 anyway but she can absolutely check in. Mr. Delaney stated from he understands they'll build it too. Ms. Lowder stated she would double check and see if they'll do the design and permitting and if they don't then maybe they move forward at the next meeting with allocating the sidewalk funds if they're willing to do the construction portion.

Mr. Fratalia asked if they should reach out to the state delegation. Ms. Lowder stated she's happy to do that. Mr. Delaney stated he got some information tonight that said there was plenty of money there and they should give it to them. Mr. Fratalia stated he's more than willing to have the state pay for it rather than them. Ms. Lowder asked the board if it does turn out that the state is willing to fund the design and permitting for the Main St. portion, is there another section of town that they would like to look at for possibly utilizing the funds. She stated she didn't need an answer right now, if they thought of something to shoot her an email so they can have a backup if they do say they will fund the design. Mr. Fratalia stated it wouldn't be bad if they had a plan or listing of sidewalk areas. Mr. Johnson stated that they did they've brought it in to them multiple times. Ms. Lowder stated the town engineer has a five-year plan with different segments through town. Mr. Fratalia asked if they had other sites if they could pursue them too. Ms. Lowder said sure.

(B3) **821 Main Street – Preliminary Subdivision Plan**

Jim Hanley of Civil Design Consultants appeared for the Preliminary Subdivision Plan. Mr. Hanley clarified that the intent is to file this preliminary subdivision application in an attempt to freeze the current allowed uses in case the zoning changes when the town votes in May. Mr. Hanley stated at 821 Main St. there's 2 buildings located at 821, a single – family residence and French's Seafood both on the same lot. The lot is 30,000 sq. ft. in area & has 200' of frontage on Main St, 145' on Nelson Ave. and 155' on Newtown Ave, so its kind of this unique thing where it has frontage on

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

essentially 3 side of it. It's in the commercial district and then then VROD overlay district, so they have been looking at some alternatives for the site. They have a right of way on the back of the lot that would allow for 2 10,000 sq. ft. lots

Mr. Fratalia stated he doesn't have too much of a problem with Mr. Hanley is trying to do, he knows the purpose, but wants to ask what is happening at the site now. Mr. Hanley stated his understanding is the existing single-family is rented and the restaurant itself is not being used. Ms. Lowder stated the state is actually using that as a staging area while they get ready to ramp up construction on 38 and the building commissioner is aware of it, the assistant town manager is aware of it and is okay with it. Mr. Fratalia stated he just didn't want some company coming in all of a sudden setting up a construction yard on 38 without anybody's knowledge. Ms. Lowder stated it was all temporary staging. Mr. Johnson asked what they could do to keep it from getting as bad as the one down at the other end of Main St. in south Tewksbury because that was used as a staging area and now it looks like it could be used for mountain climbing. Ms. Lowder stated she could put it on the building commissioners' radar to make sure that it stays under control, he's aware of it already. Mr. Johnson stated that the other one at least went a little further back that's bad enough but this one is right out in the front, you don't need the eyesore in the middle.

Mr. Delaney asked if they were talking about the lots, they had approved on Main St. Mr. Johnson stated no, he was referring to the one down past the old auto parts lot that just has the mound of dirt on it, he doesn't want it to turn into another one of those. Mr. Delaney asked if the proposed roadway that is going through is going to affect the neighbors on the other side of that. Mr. Hanley stated that they aren't going continue along with this, it's only a tool used to freeze the zoning in case it actually gets approved in May, so they have no intention of actually doing this and if they did, they'd come back to the Board. If it were put in it would but there's no proposal to actually do that.

Mr. Ryder had a question from a neighbor on Newtown Ave understanding it is a state project, what are the hours of operation and is it going to be weekends, they were just concerned about noise, starting time, weekends, and any dust. Ms. Lowder stated that is going to be part of the whole repaving of 38 there and there's going to be a meeting with the abutters coming up in the next few weeks that the town engineer has organized so those details should be forthcoming.

Mr. Fowler stated he finds it rather strange & upsetting that all the problems on 38, hundreds of phone calls, letters, personal points of interest about how horrible it is they try to do it. Someone complained about the catch basins being wrapped, they all know what its for. You want to get Route 38 done whatever it takes.

(B4) 70 Frasier Lane – Approval Not Required Plan

Jim Hanley of Civil Design Consultants and Dick Cuoco appeared for the ANR plan for 70 Frasier Lane. Mr. Hanley stated they have an application for an approval not required for a lot on Frasier Lane that is approximately 146,863 sq. ft. so it exceeds zoning significantly, there's about 262' of frontage on Frasier Lane and the zoning is R40. Mr. Hanley referenced an original 2001 subdivision for Frasier Lane. The proposal in front of them tonight is to cut the two lots in half leaving one unbuildable and leaving one compliant with zoning and buildable. Mr. Cuoco stated he went through the records and read the minutes, he wasn't part of the permitting, but he was in the audience for most of it while it was being done so he spoke to Atty. O'Neill, and he walked him through some of the logistics of how this came to be. On the original subdivision plan lot 20 was shown it had a driveway, house, there's a sewer easement that traverses through it to connect the sewer that was going to be connected from Green Meadow Rd. down to Frasier Ln. He pointed out a vernal pool on the abutting lot and stated in the past that vernal pool was associated with a potential wildlife habitat with natural heritage and endangered species, so they asked and took it out of the building line. Mr. Cuoco also stated that there was concern by one of the commissioners at the time that the several replication areas that were going to be proposed on the site would not actually revegetate properly, 20 years later they are the most robust vegetated wetlands you could ever find in Tewksbury. The big thing is, in 2018 they did a permit for lot 18 & 19 that they wanted to add on a garage and a pool, and they went back to natural heritage and they have since update the bio map of the area and they have a letter in the file that says its still a growing pool but its not longer considered that entire area as a viable habitat. He then stated at the time the Town had an appetite for open spaces, and now they no longer do. He was notified earlier that day that the town rejected and offer from 2 owners of 13 acres of land that immediately abuts Rogers Park for open space. They don't think the place when the subdivision was first approved is still consistent today. They came back with the offer, lets cut this into 20A and 20B and we can still have some open space if that is what is the driving force here, but he doesn't believe that

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

that is the case anymore. They can either have an ANR Plan with an endorsement that removes the note from the original recorded plan that says not a building line, they still have to file with conservation and go through all that, or they can subdivide it into 20A & 20B and the developer will either keep ownership of 20B or he'll probably convey it with 20A. Mr. Cuoco stated he felt it was important to give the history of the natural heritage with the wildlife habitat and they actually have a Notice of Intent plan they will be filing where they do still keep the integrity of the buffer zone for the pool so that that won't be changed, they aren't doing away with the vernal pool, just the potential habitat.

Mr. Fowler stated he appreciated the explanation. He clarified that all of that land would be used for 1 house, he doesn't have a problem with that because it fits the code and it'll be a nice private lot.

Mr. Delaney stated he doesn't see a problem with it either, there's a lot of land to only have to build one house on, he thinks it's fine.

Mr. Fratalia thanked Mr. Cuoco for his explanation. He doesn't understand why the town doesn't want to take the land space since people are always complaining about open space, it doesn't make sense to him, he's rather see it be open space for everybody rather than encumbered into this parcel and him paying for the whole piece of land.

Mr. Ryder thanks Mr. Cuoco for the explanation.

Mr. Fowler stated the reason he's surprised about the Town's opinion of this is in general, sure that parcel will have a large piece of land, but it's not protected. It's not protected from what you don't want them to do on it, cut the trees down, move it around, this doesn't seem like the right thing to do. It's not their decision, but if they put their thought processes together maybe they should send them a letter on our thoughts on this.

Mr. Cuoco stated they will put a conservation easement on 20B so that the person that owns 20A will not be able to do anything like that at any point in time.

MOTION – Mr. Fowler made a motion to approve the Approval Not Required Plan for 70 Frasier Lane. The motion was seconded by Mr. Ryder and unanimously voted 5-0.

(C) 1788 Main Street – John Peterson of Metro Sign on behalf of Joseph Aubut c/o Nan T. Vadaro – Sign Special Permit (continued from 2/28)

John Peterson appeared on behalf of Metro Sign and Awning for the Sign Special Permit for 1788 Main St. Mr. Peterson stated they are going to retrofit the current cabinet that is there with a new sign that will be illuminated, and they are also looking to add an electronic message center base underneath the other side. The poles that are there will remain intact, just painted white and the property owner is going to be responsible for the planter pictured.

Mr. Ryder asked if the existing setback is 23'. Mr. Peterson stated they have 15' they found on the plot plan. Mr. Ryder stated it's a tough lot where it falls so close to the street, the building itself. Mr. Peterson stated the sign is actually in the parking lot.

Mr. Fratalia stated he knows they need some waivers; the sign is only 7" higher and 9" wider, that's really irrelevant to him as far as adding that much more space, it's just not a big deal. He asked if Mr. Peterson had any idea what's going to be used or what's going to be displayed on the message board. Mr. Peterson stated he believes when they have specials and deals, just letting people know about that. Mr. Fratalia stated he doesn't have a problem; he likes the way the sign looks and it's better than what's there now.

Mr. Delaney stated he feels as though it's the same, his questions have been answered, as long as it's staying where it is. He asked when the display is put up is the top of the sign where it has the address, and everything stays like that all the time or does that change as well. Mr. Peterson stated it stays like that. Mr. Delaney clarified it was just the bottom part of it and Mr. Peterson stated yes.

Mr. Fowler stated this to him is fine. It's maintaining its standard, it's maintaining its position, just upgrading it such as a lot of others are doing so, he's in favor of this.

Mr. Johnson stated the only thing for him is that in the past he doesn't think they've said anything about maintaining the quality of the resolution of the electronic sign, so that's important to him. There is one sign he can think of, and it didn't

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

occur to him that the Board would have needed to worry about that. Mr. Fowler asked if they usually ask them if there's the ability to maintain that. Mr. Johnson stated, yes, that's talking about the brightness, he's talking about the quality because, the MVP one, from what it was originally and what it looks like now its not clear anymore, it's not like the other signs pretty much everywhere else. Mr. Fowler asked if it had poor resolution. Mr. Johnson said yes, he vaguely remembers they had one but needed to replace it and what they replaced it with is just not as good as what was there, and it wasn't something that he thinks the Board would have thought of with these. He just wants to make sure that it maintains a high-quality resolution so that it has that nice new up to date look which is why we are kind of okay with these. Mr. Peterson stated that his company did Atamian down by the highway and Wamesit Lanes. Mr. Johnson stated he wants the Board to add that in as a condition, that the resolution and quality will be maintained as it is at the beginning through perpetuity. Mr. Ryder asked wouldn't they have the ability to go back anyways as a special permit. Mr. Johnson stated yes, it would be stretch to say the quality of it as opposed to when we discussed we talked about brightness and what you're putting on it and that kind of thing, he just feels like this is one more step now into the future not they they've got more of them and it seem s to be sort of the wave they are going with, they want to make sure that these things stay looking goods they don't end up with the electronic version of these old signs that they just want to get rid of. Mr. Fowler suggested they get the opinion of Mr. Peterson, he asked if this is something he is aware of, that sometimes they can replace it with a sign that is not so nice. Mr. Peterson stated he's sure it has something to do with the bulbs inside, that they could just replace on that electronic message board. Mr. Johnson stated he vaguely remembers the one going in not being as nice as the one that was there. Mr. Fratalia stated it was probably a cost factor. Mr. Johnson stated his expectation to Mr. Peterson. Mr. Peterson stated they would do it through hours of operation. Mr. Johnson stated they would just stick with what was in the packet, 12AM -6AM is when it's not supposed to be on.

There were no questions from the audience.

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

MOTION – Mr. Ryder made a motion to approve waivers under Section 5232 D1, Section 3252 D2, Section 3252 D4, and Section 3252 D7. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

MOTION – Mr. Fratalia made a motion to approve the Sign Special Permit for 1788 Main St, with conditions discussed. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

(D) 160 & 170 River Road – Trull Brooke Golf Course, Inc. – Site Plan Special Permit & Land Disturbance Permit

MOTION – Mr. Fratalia made a motion to waive the public reading. The motion was seconded by Mr. Ryder and unanimously voted 5-0.

David Plunkett, Roy Trull, Jim Hanley, and Meera Cousens appeared for the Site Plan Special Permit & Land Disturbance Permit for 160 & 170 River Road. Mr. Plunkett stated he believes everyone present is aware of Trull Brook Golf Course. It is one of the great business operations in town, it's been in operation since 1963 and before that was farming area. As part of the submittal, they have included a history of the business operation going back to the initial grant in 1962 and the different variations over the years in 1972 & 2011. It's a situation where we have this business operation, as with any business has to respond to changes, ha to always try to improve and be competitive and what they have there is a proposal that's going to allow the course to be better presented services in a more orderly fashion and actually will be better for the neighborhood. Mr. Plunkett referenced the plans and stated the parking lot that's currently in existence right along River Road is going to remain there, but not for the purpose of the clientele, its strictly going to be for tournament play and as it is right now it doesn't happen all that often, but it is a component of any golf course, Mr. Trull is looking at a situation that will allow them to deal with that and remove and conflict with tournament operation and the day-to-day operation. The new parking area at the back is going to be the primary parking area and that's where your daily golfers are going to be coming in off of River Road. This will allow them to isolate the tournament golfers, they're using that front parking lot area, the existing clubhouse now, for the purpose of staging the tournaments and having that after tournament processing and then the back, what is currently housing the tennis site is going to more for the location of the foursomes coming in for their arranged tee time. They are reacting to a change in trends, right now the structure that's there is housing tennis, the trend now is the golf simulators, that's what people are looking for, they are looking to use that back area for use more

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

aligned to that. Ms. Cousens stated the site is located in the R40 zoning district on the combined area of both 160 & 170 River Rd, approximately 127 acres and the total frontage along River Rd is approximately 943'. There are 2 existing buildings on site, the indoor tennis court building located at 160 River Rd and existing clubhouse which is located at 170 River Road. Currently there's one driveway curb cut for 160 River Rd. and 2 driveway curb cuts at 170 River Road, so the project consists of realigning the center driveway to provide access to a proposed 200 space parking lot which is located north of the existing tennis building. The proposed project eliminates the western most driveway so there will be a total of 2 curb cuts on River Rd. Additionally the applicant proposes to reconfigure the existing parking lot near the clubhouse to bring it into compliance as well as providing drainage facilities, utilities, and landscaping. A stormwater management system is proposed to mitigate the impacts of the entire project. They are proposing an infiltration basin near the central driveway entrance, stormwater runoff from the proposed access drive will be collected via deep sump catch basins and will discharge into the infiltration basin. A second infiltration basin is proposed northeast of the 200-space parking lot, this basin will receive the runoff from the entire new parking lot. Ms. Cousens stated the reason they are here is because they need to file a Land Disturbance Permit since they are disturbing approximately 6.2 acres of land. Also, they filed an application for a site plan special permit for the parking lot expansion. Currently there are 161 parking spaces and based on the proposed use of the 2 buildings a total of 273 parking spaces are required and the project proposes a total of 334 parking spaces, an additional 173 spaces over the existing and an additional 61 spaces over the required amount. They received comments from the DPW on Friday and have a planned meeting with Mr. Hardiman on Wednesday for clarification of some of the comments in his letter.

Mr. Fowler stated its good they are looking to the future, and he can see that they are doing this and why they are doing it and he said the word picturesque, and it is a wonderful place and an asset to the Town of Tewksbury and its not going to change by doing this. Mr. Fowler asked about signage to direct people to go one way or x or for the tournaments or a function. Ms. Cousens stated that is a good idea, they show signage on the plan, they don't have specific details on what the signage has but she thinks that is something they can take a look at. Mr. Trull agreed with the idea of additional signage stating they have to keep people on the day to day to go to the new parking lot and during the tournament know absolutely to park in the right parking lot. Mr. Fowler asked if they rent extra golf carts for tournaments when needed. Mr. Trull stated they don't have that need anymore, he's purchasing a new fleet right now, he has 90 carts.

Mr. Fratalia asked if the tennis program was staying, applicants answered no. He stated usually they receive a concept plan in front of them but that did not happen. Mr. Plunkett stated there was a discussion with Planning Development and all the town department heads and the reality is this is a situation where there's no permit needed relative to the use because golf is and approved recreational use at the site and they aren't triggering anything requiring any type of permit. Mr. Fratalia stated golf simulators are a great idea, its well-used at the other facility in town, he looks forward to the changes, Trull Brook is a legendary golf course in town. He asked if they are adding restaurant space. Ms. Cousens answered yes, the combined total seats between the buildings is 100 seats and they are proposing 315 seats between the two buildings, an additional 215 restaurant seats. Mr. Fratalia stated he thinks its well needed there, he had a tournament there before and they couldn't accommodate them so hey had to leave and go to Wamesit Lanes for the banquet and food, having everything at one facility is a great, great idea and he looks forward to all the changes.

Mr. Delaney asked what road the existing parking lot was on. Mr. Trull answered River Rd. Mr. Delaney stated he was confused, he thought River Rd was out where the gas station and the strip mall is. Mr. Delaney then referenced a letter from the Fire Department, stating that all of the things listed would be in the building permit, the only thing he thinks he read was the existing parking lot they wanted 2 entrances. Ms. Cousens stated that was not something she was aware of and asked if it was in the letter. Mr. Delaney stated he was looking through his stuff and that is what he thought he read, that the only thing the fire department had a problem with is they were looking for 2 entrances on the existing parking lot, he doesn't know if it's true or not. Other than that, the concept and everything is a great idea, Trull Brook is a wonderful golf course, the people that are there are wonderful, he loves the fact that now you can take our cart back into the parking lot. He stated again that the one thing he was concerned about was what the fire department was looking for.

Mr. Ryder stated that he thinks what Mr. Delaney is referencing is 1D in the letter from Lt. Sulwiski(?). He stated he thinks this is a great rendering of what they intend to do, he thinks it's going to be another value to the course and continue good business over there, he thinks as of right now it looks great.

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

Mr. Delaney stated the nicest thing of all is now when you have a tournament there you don't have to go to another facility for the banquet which has been happening in the past. Now they can have their banquet there which is a plus for everybody.

Mr. Johnson asked for more clarification on the plan for the front parking lot, what exactly is the plan to keep people from going in there, where do they now send everybody out of, is it not the clubhouse that's there. Mr. Trull stated there is day-to-day operations, the day-to-day pro shop clubhouse will be where the tennis building is. Mr. Johnson asked if there is a plan to keep people out of there. Mr. Trull stated, it's not finalized, like Mr. Fowler said about signage it's going to be absolutely necessary, and it might actually take some sort of horses or something like that. Mr. Johnson stated that he would have to retrain everybody. Mr. Trull agreed, it's going to be a force of habit for everybody to pull into that parking lot. Mr. Johnson stated the fact that they won't be sending folks out of that clubhouse is going to make a big difference because no one will want to park at the far end of the new lot knowing that's where you got to come out of unless someone is coming to pick you up. If they are going to be up at the new facility that at least alleviates some of the reason what people might use the other parking, but he is going to have to do something, just initially, to retrain everybody. Mr. Trull said they may place some freestanding signs in the parking lot directing people to the correct parking lot. Mr. Johnson asked how much operation there is once the snow hits. Mr. Trull stated that the indoor tennis is open, Mr. Johnson pointed out that he's planning to get rid of that and Mr. Trull stated that the tennis industry is pretty stagnant, set where it's at, when the summer comes along people want to play outside, there's plenty of free beautiful tennis courts, so why would they pay him. Mr. Johnson stated that was an excellent point, that is what he was leading into, this will allow him to be a little more year-round than before making it worthwhile with the indoor simulators. Mr. Trull said it will help out, especially the food and beverage, being able to have that year-round will attract higher trained individuals for the food and beverage operation and to step up their food operation also. Mr. Johnson stated if you don't help the business grow and you don't help the businesses to well and the businesses decide that it's just not worth doing it anymore what happens to this piece of property, what goes in there if this isn't there. Let's keep that in mind because a good portion of this is R40 so that means houses so he wants to remind folks again, when we do this, we have to think bigger picture too when we're thinking about whether or not something makes sense and that's certainly a concern, you don't help the businesses grow, what happens, that's certainly one of the reasons on his radar, he doesn't have an issue with what's in front of him. They have some work to do with the town engineer for his list. Mr. Johnson stated one of the things Mr. Plunkett left out is that this course is the site for the varsity golf team for the high school, none of this will change any of that obviously.

Mr. Frataglia stated as an introduction to the golf program, he has to give Mr. Trull credit, his son went to Tewksbury High School in 1998, he went up and did some volunteer coaching at the high school for the golf team years ago. He wasn't aware of the fact that all of the tee times are provided by the Trull family free of charge for the golf team, so the golf team goes up there and plays all its practice rounds, all their summer programs, all free of charge by the Trull family. His son graduated 20 odd years ago and he thinks it's still going on, he was blown away by that, such a nice gesture by the Trull family so he has the opportunity to thank him for that. Mr. Trull stated that was something started by his father in the 70s, and it absolutely continues.

Mr. Johnson opened the hearing up to the audience.

Michelle Backie, 20 Yorkie Way, stepped forward to address the Board. Ms. Backie stated she lives across the street, but at the far end of Yorkie Way set back off the road. She got a better look at the plans because she talked to Meera & Roy after their conservation hearing and she got a copy of the plans so she can kind of see what is going on. She is a little taken aback by the new entrance because she's lived there for 10+ years now, she's lost 2 granite mail posts and 1 regular mail post, she's had a car accident at the end of her driveway and now it seems that this new entryway is going right across the street from her neighbor, and they just have a berm out there. She has seen guys flying out because they are late getting home to their wives, or they've had a little bit more to drink. She's not against it at all she thinks it's a good thing, she likes how the parking lot is on the other side, she thinks the dumpsters should be on the other side too. She's just concerned of the curfew that will be in place in the summertime. She likes how they are moving to main road to the upper parking lot because we hear the guys show up at 5 in the morning, swearing, yucking it up right out front, you can't open your windows. She's just a little concerned, she knows that there may be some compromise that they could work with Roy to accomplish. Maybe have the town put a sidewalk across the front of her neighbors' land because that will stop a car harder than a berm, it'll go right through their home, and she just thinks that a "STOP" sign is the most important signage that you're going to have to have there. It's going to triple the volume coming and going out of there in the

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

summer months. She likes to be away as much as possible and like she said she's set back off the road, but she's concerned for her neighbors and their very young children, they're right there. It looks like the driveway is going to go right through that stone wall, she could be mistaken and maybe her and her neighbor need to walk over there to kind of understand a little bit more because they're not against it, it's going to clean up that lower parking lot so that there'll be less frivolity at 5 in the morning and late in the afternoon. She just wants to make these points now and it's all about River Road, it's not about the construction it just the safety of that whole area right now and it's not safe right now, they've had incidents over the past 10 years, so she's just concerned. It seems to her that it's tripling the capacity over there, she just doesn't know where this 2.5 humans in a vehicle came into play she thinks the math was a little wrong because golfers come it's like 1 or 2 guys so the 2.5 she thinks is a little high, she didn't understand that as part of the plan and then who is the contractor who is going to assume all this, have they identified a contractor and done a whole bid process. Mr. Trull stated no. Ms. Backie asked if the relocation of gas, electric & water had anything to do with her side of River Rd. It was stated that it was all on site, Mr. Johnson explained they are just tapping into their own on site. Ms. Backie stated in the plans it looks like they are going underneath and over, and they will definitely be disrupted in the fall. Mr. Fowler stated it was well documented in the document the Board received that the town did not want to have any of the water flowing into the pipes in the street, they wanted to stay on site. Ms. Backie stated it's going to go on the other side down the hill I understand, and she was very happy at the conservation meeting to find that out because River Rd. is a flood. Mr. Fowler stated it's not going out there. Ms. Backie stated just the construction disruption, they are going to have to be patient with that, but she thinks a sidewalk in front of her neighbor's whole entire property would be a little bit safer for that new entryway if that's indeed where it's going to be. Mr. Johnson asked if there's something internal that you might want to put coming up to the exit that would slow the traffic down. Mr. Plunkett stated that driveway is there right now and they're actually eliminating the driveway facing the site with he back to River Rd. the driveway furthest to the left is being eliminated. There certainly could be something in terms of putting something. Ms. Cousens stated they have a 'STOP' sign, they show a stop sign on the drive. Mr. Fowler stated he was going to suggest that they come in with a drawing, not of all the signs, this is going to be a learning curve, but things might change as they go along. If they could just show the design of the sign they are going to have on site, he's sure it'll be very stylish and fit the need very well. Obviously, the stop sign is a stop sign, but there should be a stop sign at the end of that driveway. Mr. Trull stated if they have a sign, usually a permanent sign is posted to the side on a post so he thinks people are so used to pulling into that lower parking lot, the existing main parking lot, that will actually have to have maybe a horse at some point saying 'Main Parking Lot' with arrows pointing up their internal driveway directing them towards that driveway because they are going to have those people that are just so used to coming in, pulling in that parking lot. Eventually they will get trained, but for the time being they'll have free standing signs that they can move around to direct people. Mr. Johnson stated that looking at now the way the parking lot is, it's going to take you right past the new facility and you're going to want something to keep people at a slow speed coming down that path now because they are coming right by the new clubhouse before they head out. For safety internally they're going to want to have something that's going to keep people from getting a head of steam going out of the parking lot. Mr. Fowler asked that Mr. Trull confer with Meera and Jim as to what their thoughts are on it. He's not pointing for a bump, because that's just what they are, a bump, but maybe a rumble strip, an occasional spot of a rumble strip, not drastic but just enough to slow people down and they work great, but Jim and her are the experts on that who can let you know. Ms. Backie stated that she just wanted to state her concerns living there as long as she has. She's a golfer herself, she's played over there, she's gone to the clinics, she would really like to see it thrive and be successful. Like she said, they live right there on that front area, and it just has to be a safety issue.

Mr. Plunkett asked for some kind of decision to move forward stating they will obviously have to deal with Mr. Hardiman. Mr. Johnson stated that obviously this last piece, just something that's going to have to deal with the safety of slowing folks down and dealing with how that entrance area will be dealt with, they have to figure out what that is so that if they're going to come back in looking to finish up that has to be t's crossed I's dotted, otherwise they will just end up having another discussion about it, push it off again. Obviously, they aren't dealing with the building, they're dealing with a parking lot and that's really it. So, if they can get themselves squared away with the town engineer and deal with that issue there really isn't much more to this that the Board is involved in. A lot of it is going to be on them, they can't submit this stuff on Friday afternoon before the meeting and that's when they are trying to square it all away, they know they have 2 weeks, figure they have 1 week, and they are more likely to maybe do that but not if they are scrambling at the end.

Mr. Delaney asked how soon they would like to break ground. Mr. Trull stated he was discussing that today, they were hoping to start this fall, maybe in September, get the parking lot in September October November depending on what the construction schedule would be shutting down the tennis operation for an opening of the golf simulator building for December 2023. They have to try to get the parking lot done at the low point of the golf season, so they aren't dealing

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

with the golfers. Mr. Fowler stated its good that he's ahead of the game by bringing it now. Mr. Trull stated he doesn't know where the price of hot top is after the last couple weeks. Mr. Ryder stated \$125/ton. Mr. Trull stated it increased 50% so how much sense does it make to put a parking lot in with an artificial high price of hot top, hopefully things normalize by this fall.

Mr. Johnson stated they will set this for 7:15 PM on March 28.

MOTION- Mr. Fratalia made a motion to continue the Site Plan Special Permit & Land Disturbance Permit for 160 & 170 River Road to March 28, 2022, at 7:15 PM. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

(E) 30 International Place – Lowell Five Cent Savings Bank – Special Permit

Applicant requested continuation to 3/28/22

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

MOTION- Mr. Fratalia made a motion to continue the Special Permit for 30 International Place to March 28, 2022, at 7:10 PM. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

(F) 91 Washington Street – Oakway, LLC – Use Special Permit

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

Dick Cuoco and Dennis Sheehan appeared for the Use Special Permit for 91 Washington Street. Mr. Cuoco stated there was an existing auto body shop on the property and like everyone else in this economy, trying to figure out how to make their way in the world today. They are hoping to apply for a license to sell used automobiles, in order to apply to the Board of Selectman for a used automobile permit they require the use to be approve for a use special permit for automotive sales. This is located in the HI1 zoning district, so in the HI1 zoning district you're allowed to do this if you get a special permit from the Planning Board. This property was obviously built many, many years ago it's been there for quite some time functioning as a body shop but in order to keep ahead of the curve and make sure that businesses stay in town and thrive and do well, they feel that if they could get the used car license, they would be able to better facilitate their business operation. Mr. Cuoco stated that Alex met Dennis out there this week and she had a couple of suggestions that might be put into the permit, and they have no objections to those comments she had made, which the Board has a copy of. What you may have seen if you've gone out there is that there's probably a few more vehicles in the lot than normally are in the lot and here we go again it's the old supply chain that used to be get a fender in a week and now you're lucky if you get a finder in 3 months, but that situation is getting better. They've also made some arrangements to not take vehicles in that they know they are pretty far out on getting the parts, having them park off site in a different location. This is step one if the Board sees fit to grant the Use Special Permit for this property they would then go to the Board of Selectman and apply for the used car license and then the selectman would put on the restrictions of how many vehicles you're allowed to have and what size and types. They don't anticipate that they'll be going after construction type vehicles, it'll be basically passenger vehicles, you can't get into the auction without having a used car license.

Mr. Fowler stated it is what it is. You have a parking space, you put X number of cars in there now same parking lot, same amount of cars, so its up to you guys to determine what's going to be in there so he's fine with that.

Mr. Fratalia stated this isn't something new, it happens in other parts of town. Mr. Cuoco stated yes, with the exception HI1 basically the Town consciously said this is a part of town that we think this business should be located and so that's why HI1. Mr. Fratalia stated it makes sense to him as well, he has no problem with that.

Mr. Johnson stated out of the comments on here its really just number one, the 2 waivers that they will need to deal with. He guesses they will leave it to the Select Board to deal with the limitations just because in this case its easier for one-stop shopping for that than for them to put something there and then it conflicts or something else.

There were no questions from the audience.

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

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

MOTION- Mr. Fowler made a motion to approve the two waivers, a pre-existing building closer than 50' from the street and the existing parking closer than 15' from the lot line. The motion was seconded by Mr. Delaney and unanimously voted 5-0.

MOTION- Mr. Ryder made a motion to approve the Use Special Permit for 91 Washington Street. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

(G) 133 Clinton Street – HRM & D, LLC – Use Special Permit

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

Dick Cuoco and Dennis Sheehan appeared for the Use Special Permit for 133 Clinton Street. Mr. Cuoco stated the property they are looking at is a vacant lot on Clinton St. and as he said in his introductory letter the applicants are instrumental in providing the floats for the experience of Memorial Day and patriotic parades. Its getting to the point where they have many, many floats and putting them together in the garage just makes it very, very difficult. This particular lot that they're proposing to do it on, both the building inspector and the previous building inspector have all been very cooperative, as has Mr. Sadwick, Mr. Montuori and Ms. Lowder, that they need to get a contractor's yard to allow National Grid to put in a power drop on a pole that's right in front of the lot so that they can have power to use equipment to assemble the miscellaneous floats & have a little lighting out there because as shown when they are decorated they don't get decorated in 5 minutes it takes quite some time to decorate them. Mr. Cuoco then referenced photos displayed of past floats and vehicles used. Mr. Cuoco stated the parade is pretty vital to the patriotic activity committee and they think it's a fairly benign use for the sight and they don't think they are asking for much and hope that the board would consider granting them a Use Special Permit on this property.

Mr. Fratalia stated he has been to the site, a pretty busy site down there. He hasn't been down there for a little while, but he did get lost down there. A lot of vehicles down there, a lot of work being done down here but he wants to thank Dennis and Maureen for all they do for the parade, if it wasn't for them, they wouldn't be having parades because all the floats come out of their operation. He has no problems with the Use Special permit.

Mr. Fowler stated he feels the same way. They should be proud of themselves for the work they do, he knows it's embarrassing, he can see it all over this young man's face, but it's been known how much work he puts into it, he's seen him working in there. He stays away from it because he has enough work to do, he doesn't need another project, but if he needs help call.

Mr. Delaney stated he thinks what they do is wonderful, without them we wouldn't have a parade, so he has no problems with anything they want to do down there at all.

Mr. Ryder echoed the other board members stating thank for everything Mr. Sheehan does. They greatly appreciate it as a town.

Mr. Cuoco stated Ms. Lowder had some notes.

Mr. Johnson stated they aren't conditions; they are just things they are going to need to do. Mr. Johnson asked if they had an issue with the first one. Mr. Cuoco stated no.

There were no questions from the audience.

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

MOTION- Mr. Fowler made a motion to approve the Use Special Permit for 133 Clinton Street, with the understanding listed on the sheet. The motion was seconded by Mr. Delaney and unanimously voted 5-0.

(H) 60 Highland View Road – Highland View Realty Trust: Site Plan Special Permit, Special Permit, and Land Disturbance Permit (continued from 2/28)

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

Matt Hamor, Hans Guardian, and Tony Beams appeared for the Site Plan Special Permit, Special Permit & Land Disturbance Permit for 60 Highland View Road. Mr. Hamor stated Hans is from the Netherlands so he has come over for a couple weeks to be here in order to get through the Planning Board process, they are much more in tune with everything that happens within this building so any question as to how the operation works, what's going to be anticipated for the use within the building, they would like to get a lot of that out of the way this evening in that regard. Mr. Hamor stated that they just finished up some new elevations today, so they don't expect they will have to make that formal submission to Board as well. He can run through the elevations; he knows there was some detail that was initially observed that was lacking in their prior submission. They have updated the elevations with the new plans, and they also have an updated floor plan. Referencing the plans, Mr. Hamor showed the view from the street, the actual architectural elevation providing the height, the typical size of the panels, in this case is 3'2" wide by 6' in height so each panel which is a tempered glass, they are actual structural glass components. There are 6 gables that project down the length of the building to accommodate retractable ventilation in operation from the roof of the building itself. Going to the opposite side of the building, which is being called the head house which is where the operation of the mechanical portion of processing and doing the operation of the facility itself is taken care of on this side which is solid. Along the entire side, on both sides, will be those glass panels, the elevations are shown on the plan. Mr. Hamor stated they have spoken to the neighbors, there's 2 direct neighbors adjacent to the project. Mr. Hamor presented the floor plan, pointing out the head house at the back of the building stating all the activity & processing portion of the facility will happen here. He then pointed out the production floor plan, a propagation area as well as a research and development section of the building. The site plan hasn't changed too much, there were a lot of comments related from the engineering department to reducing the curb cut widths, adding some more drainage mitigation along the direct abutter and they've added a solid white vinyl fence that'll be 6' in height. Mr. Fratalia asked if it would just be on one side, Mr. Hamor stated yes, there possibly could be fences on the other 2 sides but those would end up being chain link fences for security reasons. Mr. Hamor then presented a plan of the sweat path for the fire truck, enabling the fire truck to come through the site off of Highland View Road. Mr. Hamor then stated they made a submission to the engineering department about a week ago and they expect it wasn't enough time to go through that submission with the stormwater report in the plan set, so they are expecting hopefully to get something back by the end of this week, it'll give them enough time to go in and meet with Kevin or do any plan revisions if need be for the meeting on the 28. Again, Hans & Tony are here if anyone has any individual questions about the facility, he'd like to turn it over to them.

Mr. Ryder asked if it was just growing, are they going to package there and ship, what's the process, just to understand the traffic in and out of there, how many people are going to be working there, how fast does it produce, are they speeding up the process here, what's the turnaround time? Mr. Beams stated so this facility is half research and development and even the production side of it really is development production so at full scale in their strongest week they might produce 300lbs of strawberries, which is pretty small just for perspective. In terms of the packing, they would certainly be able to pack that on site, this fruit will just go to a select number of boutique grocers. 6 people maximum at the facility at any one time probably 2 technicians, a grower and at most 3 engineers. The engineers will be in the robotic shop that's on half the side of the head house adjacent to the R&D section. Mr. Ryder stated okay, he just thinks that helps people understand what type of traffic flow they're going to have. Maybe on a day one two box trucks coming in and out. Mr. Beams stated if they could fill a box truck in a month that would be amazing, this is probably more like SUV, it's in a week 200lbs. Mr. Ryder asked if this was the first type of building or production. Mr. Beams stated this is the company's first own structure, there are many R&D greenhouses globally, all of them a bit unique, so this may be the first half production development half research development of 13,000 sq. ft. so it will be a little unique but certainly not generally unique.

Mr. Fowler stated this is one place he wants to visit when it's done, it sounds interesting, exciting, he can see it on their faces, God bless them for doing it, it's going to be great. As they probably know, not to push them, but Tewksbury has been known as the carnation capital of the world historically. Is there a chance we could be the strawberry too? It looks exciting and again it's a place he'd like to visit.

Mr. Delaney stated he goes along with everybody here; he thinks it's wonderful and he thinks it's awesome for the Town of Tewksbury. It's another thing that makes our town just a little bit better, so thank you.

Mr. Fratalia stated at the last meeting he asked Mr. Hamor, it's not just strawberries correct, it's berries per se? Mr. Beams stated if he doesn't mind a little bit of that's sensitive in terms of sort of competitive so he'll say it's berries, it's nothing you wouldn't find at the grocery store and everything he listed is a possibility and nothing too far outside. Mr. Fratalia stated so all the above could come out of the facility at some point. Mr. Beams stated yeah, the R&D facility is around just around 3,000 sq. ft. so they are going to have 5,000 sq. ft. of robotic testing on the strawberries and then they've got the

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

southwest corner which is propagation which is the earliest part of the plant's development so seed to seedling the germination and propagation and then they'll transplant into full growth. They've only got about 3,000 sq. ft. to do anything other than strawberries, but they hope to certainly try one of the ones listed and as the years go on hopefully get to move one to some of those other ones. Mr. Fratalia stated he loves the concept, back in the 50's Tewksbury was the carnation capital of the world and it's great for the town of Tewksbury.

Mr. Johnson stated he has nothing to add. Obviously, they have some stuff they have to deal with the town engineer so that'll be their biggest piece left at this point. He doesn't think there's really anything left for them, the fence was one a couple of the other clarifications given today were pretty much it. I sees they now have some waivers listed, I don't think anyone saw anything they had a problem with, they just need to sort themselves out with the town engineer. Mr. Hamor stated that some of the stuff came in today unfortunately so they will be making a submiss over to Ms. Lowder in the morning with all those materials so everyone can be distributed those.

There were no questions from the audience.

Mr. Fowler stated that he likes this project so much. There's something when he saw the preliminary plans, he wanted to say something he knew he shouldn't, he would have voted for it then, good job.

Mr. Delaney stated he would certainly vote for it right now.

Mr. Johnson stated they will continue this until 7:20 PM on March 28.

MOTION- Mr. Ryder made a motion to continue the Site Plan Special Permit, Special Permit & Land Disturbance Permit for 60 Highland View Road to March 28, 2022, at 7:20 PM. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

(I) 85 French Street – CIL Realty of Massachusetts: Land Disturbance Permit (continued from 2/28)

Applicant requested continuation to 3/28/22

MOTION- Mr. Fowler made a motion to continue the Land Disturbance Permit for 85 French Street to March 28, 2022, at 7:05 PM. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

Mr. Johnson asked if anything else was anticipated for the next meeting. Ms. Lowder stated no, the deadline has passed for that meeting.

Old Business

There was no old business.

New Business

Mr. Fratalia asked for clarification as to why they won't be accepting any more land in town for open space. Ms. Lowder stated there were 2 recent submissions for donated open space to the town. Given the topography of the land, the wetland and some of the conditions on the site the town determined it would be more hazardous to accept the land than to not because when the town accepts the open space the also accept responsibility for any of the maintenance, the liabilities, fallen trees and things like that. Given the condition of the land it was determined it would be more of a liability than a benefit. It's not a blanket we don't accept open space, the particular parcels that were under consideration. Mr. Fowler stated that's what he was going to ask if it was a case-by-case basis. Ms. Lowder stated the parcel that Mr. Cuoco referred to specifically, it wasn't a flippant decision. I discussion was had between her, the conservation agent, the town engineer the assistant town manager and they came to a consensus that ultimately it would not have served a benefit because its so wet nobody would have been able to enjoy it even via passive recreation. Mr. Fratalia asked if it abutted Rogers Park. Ms. Lowder stated it does. Mr. Fratalia asked if it continued on, he's been up Rogers Park himself with his dog and he ended up going in the very back there all the way over to the back, it was walkable. Under the powerlines and all that right? Ms. Lowder stated she's not sure its where the power lines are, its behind 2 residential lots and in developing the lot for single family homes the developer offered to donate the land to the town and the town decided it wasn't going to be advantageous enough to accept the liability for the land. Like Mr. Fowler asked, it's a case-by-case basis, we don't take it lightly and any open space that they can preserve they're certainly open to it just some parcels make it really difficult to

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

do so. Things Mr. Cuoco brought up, the open spaces associated with some of the residential design subdivisions and a lot of the time they are preserved in perpetuity but under the direction of the homeowner's association because of the risks associated with the type of land that's there.

Correspondence

Mr. Ryder mentioned earlier, the invite for viewing the new elementary school.

Adjournment

MOTION- Mr. Fratalia made a motion to adjourn the meeting at 8:50 PM. The motion was seconded by Mr. Delaney and unanimously voted 5-0.

Approved on: March 28, 2022

List of documents for the 3.14.22 meeting

Documents can be found in the Community Development Office

- A. 7:00** Approval of Minutes: February 14, 2022; February 28, 2022
- **February 14, 2022 – revised per notes**
 - **February 28, 2022**
- B. 7:00** Committee Reports/Administrative Actions
- 1- Committee Reports
 - 2- Town Planner's Report
 - **Memo from Alexandra Lowder dated 3/11/2022**
 - 3- 821 Main Street – Preliminary Subdivision Plan
 - **Cover letter from Civil Design Consultants dated 3/8/2022**
 - **Form B dated 3/10/2022**
 - **Preliminary subdivision plan dated 3/8/2022**
 - 4- 70 Frasier Lane – Approval Not Required Plan
 - **Cover letter from Civil Design Consultants dated 3/10/2022**
 - **Form A dated 3/10/2022**
 - **Approval not required plan dated 3/7/2022**
- C. 7:00** 1788 Main Street – John Peterson of Metro Sign on behalf of Joseph Aubut c/o Nan T. Vadaro: Sign Special Permit (*continued from 2/28*)
- **Application dated 1/18/2022**
 - **Memo from Alexandra Lowder dated 2/25/2022**
 - **Plot plan dated 11/16/1998**
- D. 7:00** 160 & 170 River Road – Trull Brook Golf Course, Inc.: Site Plan Special Permit & Land Disturbance Permit
- **Cover letter from Civil Design Consultants dated 2/10/2022**
 - **Special permit application dated 2/9/2022**
 - **Land disturbance permit application dated 1/24/2022**
 - **Fire truck turning exhibit dated 2/10/2022**

TEWKSBURY PLANNING BOARD MINUTES

March 14, 2022

- Letter from Attorney David Plunkett dated 2/9/2022
- Proposed floor plans dated 1/11/2022
- Site plans dated 2/10/2022
- Letter from Lt. Sawicki dated 2/17/2022
- Memo from Alexandra Lowder dated 3/11/2022
- Letter from Kevin Hardiman dated 3/11/2022

- E. 7:05 30 International Place – Lowell Five Cent Savings Bank: Special Permit – *applicant requested continuation to 3/28*
- Special permit application dated 2/2/2022
 - Site plan dated 1/26/2022
 - Architectural rendering dated 2/5/2021
 - Letter from Attorney Doug Hausler dated 3/7/2022
 - Email from Mark Bertonassi to Attorney Hausler dated 3/7/2022
 - Memo from Alexandra Lowder dated 3/11/2022
- F. 7:10 91 Washington Street – Oakway, LLC: Use Special Permit
- Cover letter from Woodland Design dated 2/15/2022
 - Special permit application dated 2/15/2022
 - Plot plan dated 2/16/2022
 - Memo from Alexandra Lowder dated 3/11/2022
- G. 7:15 133 Clinton Street – HRM & D, LLC: Use Special Permit
- Cover letter from Woodland Design dated 2/15/2022
 - Special permit application dated 2/15/2022
 - Plot plan dated 2/16/2022
 - Memo from Alexandra Lowder dated 3/11/2022
- H. 7:20 60 Highland View Road – Highland View Realty Trust: Site Plan Special Permit, Special Permit, and Land Disturbance Permit (*continued from 2/28*)
- DPW response letter from LandPlex LLC dated 3/4/2022
 - Auto-turn swept path analysis plan dated 3/4/2022
 - Revised site plans dated 3/4/2022
 - Memo from Alexandra Lowder dated 3/11/2022
 - Architectural drawings dated 3/11/2022
 - Planning response letter from LandPlex LLC dated 3/14/2022
- I. 7:25 85 French Street – CIL Realty of Massachusetts: Land Disturbance Permit (*continued from 2/28*) – *applicant requested continuation to 3/28*
- Memo from Alexandra Lowder dated 3/11/2022
 - Email from Andy Baum dated 3/9/2022

Old Business

New Business

Correspondence

- Email from Eric Ryder dated 3/11/2022

Adjournment