

TEWKSBURY PLANNING BOARD MINUTES
April 10, 2023

Call The Meeting to Order

Vincent Fratalia called the meeting to order at 7:00 P.M. Present at the start of the meeting were James Duffy, Jonathan Ciampa & new member Nicholas Lizotte. Chairman Stephen Johnson was absent from the meeting.

(A) Approval of Minutes – February 27, 2023

MOTION – Mr. Duffy made a motion to approve the February 27, 2023, minutes. The motion was seconded by Mr. Ciampa and voted 3-0 with Mr. Lizotte abstaining.

(B) Committee Reports/ Administrative Actions

(B1) Committee Reports

(B2) Town Planner's Reports

24 Pleasant Street

I reached out to the property owner for an update on the status of the cut sheet for the proposed replacement tree. Please see attached response from him dated March 28, 2023, on the subject.

17 Lee Street

The Building Commissioner and I met with the property owner March 17, 2023. The result of that meeting was that the property owner would invite the Building Commissioner to the site to evaluate work that had been done to date and discuss a path forward for the remaining improvements.

On the Horizon

For the April 24, 2023, meeting, we can expect to pick up where we left off with continued hearings. There is also a Sign Special Permit for the youth baseball fields at Chandler and East Street for an electronic message board sign.

Community Market 2023

The Tewksbury Community Market will re-open for the 2023 season on Thursday, June 15. We have started scheduling vendors and are working to get everyone set up with appropriate permits and licenses. We are also working diligently to secure a machine to disperse SNAP food benefits, as we are a newly SNAP-certified market. The market will continue at the Livingston Street Recreational Complex, and we are looking forward to another successful season.

If anyone has any questions about this year's market, you are welcome to contact me or Robert Hayes at the library.

Mr. Ciampa stated if they are going to give 24 Pleasant St a year, he would like to see some sort of paperwork showing they made a purchase commitment to that particular tree. Ms. Lowder stated that information wasn't offered to her, but she will follow up on that. Mr. Duffy stated in the last couple of meetings he's asked for a cut sheet of the information presented to them, what Mr. Ciampa is asking for is what he was really asking for.

(B3) Board Reorganization

MOTION – Mr. Duffy made a motion to nominate Stephen Johnson for Chair. The motion was seconded by Mr. Ciampa and unanimously voted 4-0.

MOTION – Mr. Duffy made a motion to nominate Vincent Fratalia as Vice Chair. The motion was seconded by Mr. Ciampa and unanimously voted 4-0.

MOTION – Mr. Fratalia made a motion to nominate Jonathan Ciampa for Clerk. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

(C) Zoning Warrant Article

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MOTION – Mr. Ciampa made a motion to waive the public reading. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

The Planning Board has sponsored two warrant articles for consideration at Annual Town Meeting. One article is housekeeping with three clarification items. The other is to propose a new section which would allow for the conversion of certain commercial spaces into affordable residential housing units.

1) Conversion of Certain Commercial Units to Affordable Housing

The commercial overlay districts were implemented to kick start development along Route 38 following The Great Recession in 2008. The intention was to encourage mixed uses of both commercial and residential developments to better integrate retail and dwelling uses.

By the time these projects were permitted and constructed between 2015 and 2020 (some of which still have ongoing construction), the economic trends, especially as they related to commercial office space, changed significantly with the pandemic. Many of the constructed office/retail spaces (which cannot accommodate food establishments) have been left vacant, some for years.

This provision would be applicable to a finite number of projects, only those which were permitted with both residential and commercial units as a result of these former overlay districts. It would be applicable to approximately eight developments with 10 commercial units, most of which are 2,000 SF or less. From there, applicants would have to apply for a Special Permit for this conversion, giving the Planning Board ultimate discretion for where these conversions occur, taking into account the unique characteristics of the site.

This change would be a small way to address the severe housing crisis in the region, particularly for Tewksbury whose affordable rental waiting list has over 500+ families. Without the construction of more affordable units, many of these people are expected to wait over 30 years to be placed in Tewksbury. These units would be rented at 80% Area Median Income (AMI) which at present time is a minimum required annual income of at least \$80,000.

This amendment would promote occupation of empty units along Route 38; residential uses are less obtrusive than commercial related to parking and traffic. Additionally, it would be in the intent and spirit of the current Zoning Bylaw, which allows for multifamily developments without the requirement of a commercial unit.

Mr. Fratalia asked if there were 10-12 units max, Ms. Lowder answered possibly, yes. Mr. Fratalia then asked if commercial units that are now occupied become vacant if they will be able to ask for this, Ms. Lowder stated the way it is written now, yes.

Mr. Ciampa asked the feasibility of turning a commercial unit into an affordable residential unit. Ms. Lowder stated she had received some inquiries from owners of projects along 38 asking if this was an option already so there is interest. As far as feasibility that is up to the unit owners who basically have to be up to following a different section of the building code.

Mr. Duffy clarified that recommending this is basically providing a template then each developer is going to have to go through a process and will be on a case-by-case basis.

Mr. Fratalia said he feels this is a win-win, Mr. Ciampa agreed.

Mr. Duffy asked if the demographics changed 10 years from now and there was a desperate need for commercial space, will there be a way to reverse this action. Ms. Lowder stated because they allowed for mixed-use developments already in the bylaw, they should be able to go back.

There were no questions from the audience.

MOTION – Mr. Ciampa made a motion to recommend adoption of the affordable housing article. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

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2) Dimensional Regulations for the Industrial Districts

In previous versions of the Zoning Bylaw including the version dated October 2021, Section 4230 allowed for the construction of more than one principal structure on a lot with a Site Plan Special Permit in any non-residential district.

During the recodification accepted at the May 2022 Annual Town Meeting, this provision was only incorporated into the Business Districts under Section 5.3.3. It was inadvertently left off Section 5.3.4 which governs Industrial Districts, and includes the Industrial 1 (I1), Industrial 2 (I2), and Office Research (OR).

Because the previous Zoning Bylaw made this provision applicable to all non-residential districts through one section, and it was carried over to the Business Districts, it was the intention for this provision to remain applicable to all non-residential districts as the side-by-side comparison between the existing bylaw and the new proposed did not make any adjustments to applicability.

It was an error of omission for this provision to be excluded from the Industrial Districts in the latest adoption of the Zoning Bylaw. This amendment corrects that discrepancy.

3) Clarification to Definition of “Major Project, Town Center”

The current definition of “Major Project, Town Center” is as follows:

“Any development of 25,000 square feet or more.”

This definition does not clarify what “development” means in this case. Further, the term development is not defined in the Zoning Bylaw elsewhere. It is reasoned that “major project” cannot refer to buildings and structures alone, based on the following:

Minimum Lot Area for Major Project in the Town Center: 40,000 SF

Maximum Building Coverage for Major Project in the Town Center: 30%

If a project considered under this provision met the minimum lot area and were to utilize the maximum allowed building coverage, that would be approximately 12,000 SF which is less than half of what would be considered a “major project.”

Therefore, developed area under the definition of a “Major Project, Town Center” should be inclusive of both structures and paved areas. That way, a project of 25,000 SF of development complies with other dimensional requirements for the district while not requiring double the minimum required lot area.

This amendment clarifies the definition in a way that is in alignment with the rest of the bylaw.

4) Adjustments to Sign Size Requirements

To improve upon the provisions of the Zoning Bylaw related to signage, all sign requirements were rewritten to be under one section. Previously, they were spread across multiple sections and were not uniform.

During the rewrite of the signage provisions, the intention was to stagger the allowed size for signage based on how far from the street the buildings or businesses were located. However, the section as it is written today limits the overall square footage of the signs based on the linear measurements of the façade. This makes it difficult for businesses to adequately account for the length of the façade while also having signs tall enough to account for the width. This results in a lot of Sign Special Permits where the intent and spirit of the Zoning Bylaw is well within range.

This amendment retains the original intention of adjusting sign size for distance from the street, but better accounts for length of façade.

There were no questions from the audience.

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MOTION – Mr. Ciampa made a motion to recommend adoption of the housekeeping article. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

Robert Scarano & Dick Cuoco appeared to present a citizen's petition. Mr. Cuoco stated they have a petition in front of town meeting based on section 8.2 multifamily and presented their reasoning for doing so, mainly conflicting requirements and setbacks from section 5.3.2.

Ms. Lowder stated she doesn't have any issue with this, it can only provide clarity.

Mr. Duffy asked what they felt the thought process was behind the 50' setback in 8.2.4. Mr. Cuoco stated it was a carryover from when it used to be a 4-acre site minimum & fell between the cracks. Mr. Duffy stated it's clearly a discrepancy that needs to be cleared up but he doesn't want to handicap a future board or developer that comes in with a 3 or 4 acre site that says they want 15' setbacks. Mr. Cuoco stated his recommendation would be to have a scale at town meeting to display acre and setbacks.

Mr. Lizotte asked how many sites would be impacted, Mr. Cuoco confirmed there were 3 1 acre sites off Livingston St.

Mr. Ciampa clarified that 5.3.2 has less restrictive setbacks & 8.2 has greater setbacks, the article section they want to add is if there's a conflict between the two, they want 8.2. Mr. Cuoco corrected him saying they would want 5.3, Mr. Scarano added that was because there's only 1 acre sites left.

There were no questions from the audience.

MOTION – Mr. Duffy made a motion to recommend adoption of the citizen's petition as amended. The motion was seconded by Mr. Ciampa and unanimously voted 4-0.

MOTION – Mr. Ciampa made a motion to close the public hearing. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

(D) 553 Main Street – Divine Lavish Studios c/o Ketia Valmont on behalf of Tewksbury Route 38 LLC: Special Permit

MOTION – Mr. Duffy made a motion to waive the public reading. The motion was seconded by Mr. Ciampa and unanimously voted 4-0.

Tia Santos & Ketia Valmont appeared for the special permit for 553 Main Street. Ms. Santos stated they would like to open a small venue space to hold small gatherings for a maximum of 70 guests. Gatherings could include baby showers, birthday parties, sweet 16s, they previously have their events at the country club but since that closed they have been looking for a new location so people could still hold their events in town.

Mr. Ciampa ask for clarification on where this was located in the plaza, Ms. Santos stated it was between the massage and dog bakery, Mr. Ciampa clarified the old NorthEast Electrical, he wanted to make sure both applications at 553 main street weren't applying of the same space. Mr. Ciampa then asked what the planned operation hours were, Ms. Santos stated 10-11 PM would be the max & they would go by whatever the town allows.

Mr. Lizotte asked the most common hours the events would occur. Ms. Santos stated most are during the day from 10-3 or 4 or birthday parties from 6-10 PM, most of the time events are 4-5 hours. Mr. Lizotte asked if they would be concentrated around weekends, Ms. Santos stated most events happen between Thursday-Sunday. Mr. Lizotte asked for a rough number on the size of the events, Ms. Santos stated it varies, they would always book for the maximum allowed amount.

Mr. Duffy thought it was a great idea, a nice little event space could fill a need in Tewksbury.

Mr. Fratalia asked if they had prior experience, Ms. Santos stated they have been doing this for 15 years, typically they are off-site at different locations. Mr. Fratalia asked why someone would go to their space opposed to an established place that's already up and running. Ms. Valmont stated most of the established places have one set up, their space would be

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more customized to what the customer wants. Ms. Santos added most of the places he mentioned still have to hire them to bring the magic. Mr. Fratalia asked about alcohol. Ms. Santos stated she would not unless they went to the town and go the proper licenses. Mr. Ciampa expressed concern for people going to the Skybox and returning with alcohol, Ms. Santos stated that would not be allowed. Mr. Duffy stated he saw mention of security on their application, Ms. Santos stated she would have someone there. Mr. Fratalia asked about signage, Ms. Santos stated she would do signage, there is something there already that she would swap out. Mr. Fratalia asked the square footage of the space, Ms. Santos stated its 2,100 sq. ft.

Mr. Fratalia opened the hearing to the audience.

Thomas Skowronski, 45 Navillus Rd – Mr. Skowronski expressed concern about having 2 alcohol establishments in one plaza, Mr. Fratalia stated they were not selling alcohol, they may have it at sporadic functions. Ms. Lowder stated if there were any alcohol to be served on site they would first have to go to the select board for a temporary liquor license.

MOTION – Mr. Duffy made a motion to close the public hearing. The motion was seconded by Mr. Ciampa and unanimously voted 4-0.

MOTION – Mr. Duffy made a motion to approve the Special permit with conditions as amended. The motion was seconded by Mr. Ciampa and unanimously voted 4-0.

(E) 553 Main Street – Lazy River Products on behalf of Arkady Kozhuk Trust: Site Plan Review

MOTION – Mr. Ciampa made a motion to waive the public reading. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

William Cassotis & Steve Stapinski appeared for the site plan review for 553 Main Street. Mr. Cassotis stated they would be in the 8,700 sq. ft. space between Papa Gino's & Ocean State Job Lots. Mr. Cassotis stated Lazy River products was an established business based out of Dracut, MA & they have been open since the onset of legal cannabis in MA in 2019. Mr. Cassotis then gave a detailed description of their current facility in Dracut, stating they have their own products, all products would be coming from the Dracut facility to the Tewksbury location. Mr. Stapinski stated he attended Bob Fowler's first meeting. Mr. Stapinski then went over the site details with the board, highlighting the parking plan. Mr. Stapinski then stated that deliveries would be made by single unit vehicles such as vans or box trucks, there was no need for loading docks. Mr. Stapinski continued that there are significant excess spaces and green areas for snow storage already on the site.

Mr. Lizotte asked the amount of traffic they expect at the facility. Mr. Cassotis stated the facility in Dracut does somewhere between 400-600 customers a day 6 days a week, on the seventh day about 400-500 dependent on weather and other variables. Mr. Lizotte asked if it was evenly spaced throughout the day or concentrated around certain hours, Mr. Cassotis answered they see some spikes like other standard retail, around 5 – 630 PM sometimes a little bump at lunch.

Mr. Duffy stated he doesn't see traffic being impacted there, parking calculations meet the zoning requirement and asked if they are comfortable with the sidewalk requirement. Mr. Cassotis stated he had gone back and forth with Alex on some emails & how it is left today they are fine with. Mr. Cassotis went on to explain how they will give back to the community. Mr. Duffy asked how much square footage the space was, Mr. Cassotis stated the unit itself was 8,700 sq.ft. they will be building out approximately 7,000 sq. ft. and using it for their retail application. Mr. Duffy cautioned Mr. Cassotis about what is put on their proposed sign; Mr. Cassotis stated they would be mindful of the people and eyes that would be seeing it.

Mr. Ciampa stated they have not granted a waiver thus far for the bike rack so had at least like to see a proposed location. Mr. Ciampa asked how they would handle deliveries, Mr. Cassotis stated there is a drive-up bay door at the retail space that was used in the past, they plan to move it to the right away from the pillar and their vans/box trucks will be able to back right in & close the door for secure delivery. Mr. Cassotis then went on to describe how secure the facility will be & how perfect this location actually is. Mr. Ciampa stated he would like some signage letting pedestrians know trucks will be entering and exiting. Mr. Cassotis stated they will most likely have staff blocking both sides when trucks are pulling in

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or out. Mr. Duffy asked what time of day they make deliveries, Mr. Cassotis stated per CCC regulations they have to be scattered & random; they can't be pinned down & scheduled in advance. Mr. Ciampa asked if they planned to ask for a waiver for the sign or if they would reduce it to the compliant size. Mr. Cassotis stated due to the length of the name they will be asking for the waiver. Mr. Ciampa shared he hasn't been in favor of the electronic message boards for any of the retail spaces thus far, Mr. Cassotis stated he feels its basic retail they would be advertising gift cards, similar to the other signs you see up and down 38, it wouldn't blatantly advertise the use of drugs, they currently have billboards on major highways with clean packaging.

Mr. Fratalia asked where the trash would be located, Mr. Cassotis stated they would have bins in the back of the facility, they will not be disposing of any cannabis products, that will go back to Dracut to be destroyed. Mr. Fratalia asked proposed hours of operation, Mr. Cassotis stated they are looking to run the hours for the full amount of time allowed by the town. Mr. Fratalia asked about on-site security if there would be parking lot security. Mr. Cassotis stated there's not a need for parking lot security, if the town requested it, he would look into it, they have security inside the facility. The days of what use to happen when cannabis first came to MA with lines outside doesn't happen anymore. Mr. Cassotis stated they invest heavily in the security they bring in, there will be monitoring outside the facility in the parking lot even allowing the TPD to patch into the cameras at will. Mr. Cassotis then went on to describe how advanced their cameras are. Mr. Fratalia then continued by stating he's not a fan of message boards, especially for a new facility like theirs, he then asked what would be advertised on the message board besides gift cards. Mr. Cassotis stated new product releases, vendors, like any other typical retail. They can't advertise sales, but they can advertise brands to entice people to come in. They are in the sales business, the more these businesses are handcuffed, which they already are the more difficult it is to run these operations. Mr. Ciampa noted there aren't any message boards between town hall and Wamesit lanes, so they aren't being inconsistent. Mr. Cassotis pointed out with the tax to the town the more people he is able to bring in the more revenue the town is making. Mr. Fratalia asked if a majority of business was done online & they just came in to pick up or would be come in and shop. Mr. Cassotis stated his business is probably split right down the middle. Mr. Fratalia asked if he saw any problems only having 7,000 sq.ft. of retail vs. the 40,000 sq.ft. in Dracut. Mr. Cassotis stated not at all because not all the that 40,000 sq.ft. is retail only about 5,000 sq.ft. is, the rest is manufacturing.

Mr. Duffy stated he thinks the board is generally asking these questions about the sign boards because they may have a lot of retail businesses in town, but they do not have any retail marijuana retailers & it's a new concept. They want to welcome the new businesses to town & they hope they do well, but they can't dictate what people put on their signs all they can do is ask & if he came to the next meeting with examples of what he would put on the sign that may be helpful for everybody involved. Mr. Duffy then asked for clarification on where the dumpster area was since this space was landlocked. Mr. Cassotis stated there's a myriad of halls & common area spaces that bring all the business down to where the dumpsters are in the back of the building. Mr. Duffy asked for a plan with the exact location of the dumpsters.

Mr. Fratalia opened the hearing to the audience.

Thomas Skowronski, 45 Navillus Rd – Mr. Skowronski asked if the applicants realized they would be neighbors with a sober house, his issue with the cannabis would be the delivery, there are stipulations put in place about deliveries between 11PM-7AM and the applicant just said he can't control deliveries. Mr. Cassotis stated the hours of operation for the business are going to be from 10AM-8PM so any deliveries they had would have to take place during those hours. They actually don't accept any deliveries past 4PM because of the intake procedure. Mr. Skowronski stated he didn't realize there were 2 meeting for this address, he thinks there would be more people there is they did realize, he has no problem with cannabis its legal, but he is concerned about the neighborhood. Mr. Fratalia clarified the deliveries were going to be made in the front of the building, Mr. Cassotis added their space was located closer to Main Street than the houses.

MOTION – Mr. Ciampa made a motion to continue the hearing to 4/24/23 at 7:30 PM. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

(F) 1699 Shawsheen Street – Pure Tewksbury, Inc on behalf of David DiCenso, 3 ABS, LLC: Site Plan Review

MOTION – Mr. Ciampa made a motion to waive the public reading. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

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Jim Staires, David DiCenso & Ken Cram appeared for the Site Plan Review for 1699 Shawsheen Street. Mr. Staires stated they were there to propose a 3,690 sq. ft. retail cannabis at this location, currently he operates Smyth Cannabis in Lowell and has extensive experience. Mr. Staires then described the existing site stating they would only need to do interior renovation & signage, there are currently 92 parking spots & they are proposing utilizing the neighboring parcel of land at 1695 Shawsheen St. to add an additional 38 parking spots for employees, between the existing and proposed additional lot they will have 20% more than the required parking spots. Ken Cram then discussed the traffic impact study which projected about 780 daily vehicle trips, 390 cars. They don't anticipate much traffic during the morning peak hours, during the evening peak hour there would be 32 trips & on Saturday 70 peak hour trips. Mr. Cram continued by presenting the site plan sharing they would provide a sidewalk from their site southerly to the neighboring site at 1695 so the employees have a safe place to get back and forth.

Mr. Ciampa asked if the Dunkin Donuts drive-thru went behind their building, Mr. Staires stated it did, Mr. Ciampa then asked if the secure loading was in the back and how that would work. Mr. Staires described the spot where they would be parking the van during deliveries that would not be in the way of the drive-thru at all. Mr. Ciampa asked if their traffic study included potential traffic from Andover, Mr. Cram stated they contacted Andover to ask about potential future projects. Mr. Ciampa then asked if included all the spaces in the current lot as available for this establishment, Mr. Staires answered that right now there's 92 parking spots in the lot that is used by customers and employees so the customers for other units in that lot will still be using that lot, they added the neighboring lot for employee parking for all the employees of the plaza. Mr. Ciampa asked about a bike rack, Mr. Staires stated they would add one in, they've done that in Lowell. Mr. Ciampa then stated he did a rough calculation of the proposed signage, and they are within 100' exceeded, Mr. Staires stated they will do whatever is asked in terms of signage, they put on there what was consistent with other tenants in the plaza.

Mr. Duffy showed concern about the proposed parking lot on Shawsheen St. Mr. Staires stated there is some grading they'll have to do, right now it's just woods, they can easily add the 38 parking spaces while staying outside the 100' conservation buffer. Mr. Duffy stated there was no snow storage plan, Mr. Staires stated they are going to add that, the 9 spots along Dascomb Rd. on the plan, the corners are currently used for snow, Mr. DiCenso added that if it adds up he removes it.

Mr. Lizotte asked if the new lot would be solely employee parking, Mr. Staires stated it would be. Mr. Lizotte asked how he planned to keep customers from parking there, Mr. Staires stated its completely separate he doesn't think any customers would choose to park there because it's a significant walk from there to the store, he will put up signage & if the board wants them to do more than that they will. Mr. Lizotte asked if his customers would be using the designated 10-minute parking spots, Mr. Staires stated from their history it depends on what's available and the customer.

Mr. Fratalia asked how many customers were expected daily, Mr. Staires stated they expected 300-400 customers per day to start with the hope it would grow from there. The current store in Lowell started with 250-300 customers & now it's grown to 3-4 times that much. He doesn't expect it to grow as much with the other locations opening as well in the area. Mr. Fratalia asked if they expected Rt. 93 to be the draw, Mr. Staires stated they do, their current store is drawn from the 495 corridor, this idea with this location is to hit a completely different area than they currently hit in Lowell. Mr. Fratalia asked what the peak trips were in the afternoon, Mr. Staires stated there are peak times in this business, they get busy when they open, a little busy around lunch time, busy after work & the busiest hour every day is the hour before they close. They are open until 10PM in Lowell & the busiest hour 99 out of 100 days is 9-10PM. Mr. Cram added he previously stated 32 net new trips. Mr. Fratalia asked if a majority of customers are buying online or coming in shopping, Mr. Staires stated it was 50/50. The customers that order ahead are in the store from 90 seconds – 2 minutes, the customers that walk in are in there for about 3 – 8 minutes. Mr. Fratalia confirmed the size of the retail space, Mr. Staires repeated it was 3,690 sq. ft, Mr. Fratalia stated it seemed small compared to the other applicants, Mr. Staires informed Mr. Fratalia his Lowell location is 3,750 sq. ft. & plenty big, most stores in MA aren't that big. Mr. Fratalia stated they would be asking for a full traffic study, Ms. Lowder informed him they had submitted one, the engineering division reviewed it and didn't have any additional comments, that could change when they receive more information about the proposed satellite parking at 1695.

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Mr. Fratalia opened the hearing to the audience.

Lorraine Korte, 30 Jills Way – Ms. Korte stated she lived across the street and had a number of concerns, mainly traffic. Ms. Korte stated she used to frequent the plaza but doesn't anymore due to it being far too busy and having far too many cars, there's delivery trucks that park in the middle of the lot customers have to maneuver around during the day, there's too much going on there. She has seen customers parking in the gas station and crossing Shawsheen St. its quite dangerous. She feels they are putting a lot on the residential neighborhoods in the area.

Susan Hecht, 29 Jills Way – Ms. Hecht stated there is no parking as it is when there's a function Dave is out there parking cars, there's just not enough parking. The traffic in the area is horrible, she's not against what they are doing she just can't see this going in that small parking lot, people are fighting in the lot now its just crazy.

Susan McCarthy, 31 Jills Way – Ms. McCarthy stated they aren't against the dispensary they are against the location because of the traffic, it's abominable. Yes, they are adding a parking lot, there's already not enough parking there as it is, and they are going to bring more cars in that will empty into the same terrible congested intersection. The parking is all of their concern and it's treacherous there all hours of the day.

Ms. Korte approached the podium to add this will impact the other businesses in the plaza as well and she thinks that needs to be considered as well.

Mr. DiCenso stated they know it's a busy plaza & they told Jim he has to figure something out about parking, they took it upon themselves to purchase the 5-acre lot next door, he doesn't think it will be an issue once they get that lot squared away. Mr. Statires stated they are taking out 25-30 employees that are always parking in that lot will be in the neighboring lot. Mr. Statires added he lives in Andover very close to the intersection of concern, he's not an expert on it he relies on the traffic report.

Mr. Ciampa reiterated that the 3 residents concern was going from Shawsheen onto East St, but the applicant expects most of his traffic to taking a right on Dascomb. Mr. Statires stated he believes a high, high majority of traffic will be coming from Dascomb, there's going to be very few coming from the other direction. Mr. Ciampa asked if there was anything in the traffic study stating how many people would be coming from the various directions. Mr. Cram stated over half the traffic would be coming from Dascomb Rd, only 6% would be coming from East St, they would not be causing a major impact to East St.

Ms. Lowder asked the board if the board would like a third-party review in light of the 3 residents' concerns. Mr. Statires & Mr. Cram agreed to the peer review. Ms. Lowder stated she would have it ready before the next meeting,

Ms. Korte asked how she would get information on the peer review, Mr. Fratalia informed her the next hearing for this would be 4/24 at 7:35PM Ms. Korte asked if she would be able to see the information ahead of time, Ms. Lowder stated it would be available as soon as she was able at the very latest it will be ready the Friday before the meeting and it'll be a part of the meeting materials, she will provide her information so she can contact the office.

MOTION – Mr. Ciampa made a motion to continue the hearing to 4/24/23 at 7:35 PM. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

(G) 1 Main Street – David Plunkett on behalf of C&M, LLC: Site Plan Review (continued from 3/27)

Applicant requested continuation to 4/24/23.

MOTION – Mr. Ciampa made a motion to continue the hearing to 4/24/23 at 7:20 PM. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

(H) 2 Radcliff Road – Ecogy MA V LLC on behalf of Thermo Niton Analyzers LLC: Site Plan Review, Special Permit (continued from 3/27)

Applicant requested continuation to 4/24/23.

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MOTION – Mr. Ciampa made a motion to continue the hearing to 4/24/23 at 7:05 PM. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

(I) 770 Main Street – Butler School, LLC on behalf of The Carciofi Realty Trust: Site Plan Review, Land Disturbance Permit (continued from 3/27)

Applicant requested continuation to 4/24/23.

MOTION – Mr. Ciampa made a motion to continue the hearing to 4/24/23 at 7:10 PM. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

(J) 2122 Main Street – The Stories Company, LLC on behalf of Donuts Village, LLC: Site Plan Review, Land Disturbance (continued from 3/27)

Applicant requested continuation to 4/24/23.

MOTION – Mr. Ciampa made a motion to continue the hearing to 4/24/23 at 7:25 PM. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

(K) 1693 Shawsheen Street – Community Care Collective, Inc. on behalf of Shawsheen St LLC: Site Plan Review (continued from 3/27)

Applicant requested continuation to 4/24/23.

MOTION – Mr. Ciampa made a motion to continue the hearing to 4/24/23 at 7:15 PM. The motion was seconded by Mr. Duffy and unanimously voted 4-0.

Old Business

New Business

Correspondence

Community outreach meeting for 911 East St April 13 @ 6 PM at Callahan’s regarding a cannabis retailer.

Adjournment

MOTION – Mr. Duffy made a motion to adjourn the meeting at 9:21 PM. The motion was seconded by Mr. Ciampa and unanimously voted 4-0.

Approved on: May 22, 2023

List of documents for the 4.10.23 meeting

Documents can be found in the Community Development Department

A. 7:00 Approval of Minutes: February 27, 2023

- **Meeting Minutes February 27, 2023**

B. 7:00 Committee Reports/Administrative Actions

- 1- Committee Reports
- 2- Town Planner’s Report
 - **Memo from Alexandra Lowder dated 4/7/2023 w/ attachment**
- 3- Board Reorganization

TEWKSBURY PLANNING BOARD MINUTES

April 10, 2023

- **No materials submitted**

- C. 7:00 Zoning Bylaw Warrant Article
- **Notice of Planning Board Hearing Relative to Proposed Zoning Bylaw Amendments (2 pages; published 3/22/2023, 3/29/2023)**
 - **Memo from Alexandra Lowder dated 4/7/2023**
- D. 7:00 553 Main Street – Divine Lavish Studios c/o Ketia Valmont on behalf of Tewksbury Route 38 LLC: Special Permit
- **Application packet dated 3/8/2023**
 - **Memo from Alexandra Lowder dated 4/7/2023**
- E. 7:05 553 Main Street – Lazy River Products on behalf of Arkady Kozhuk Trust: Site Plan Review
- **Application packet dated 3/1/2023**
 - **Site plan dated 2/8/2023**
 - **Elevation and floor plans dated 2/3/2023**
 - **Letter from Andrew Stack dated 4/6/2023**
 - **Memo from Alexandra Lowder dated 4/7/2023**
- F. 7:10 1699 Shawsheen Street – Pure Tewksbury, Inc on behalf of David DiCenso, 3 ABS, LLC: Site Plan Review
- **Application packet dated 3/7/2023**
 - **Site plan dated 2/13/2023**
 - **Memo from Andrew Stack dated 4/7/2023**
 - **Memo from Alexandra Lowder dated 4/7/2023**
- G. 7:15 1 Main Street – David Plunkett on behalf of C&M, LLC: Site Plan Review
(continued from 3/27) – **applicant requested continuation to 4/24**
- **No materials submitted**
- H. 7:20 2 Radcliff Road – Ecogy MA V LLC on behalf of Thermo Niton Analyzers LLC: Site Plan Review, Special Permit (continued from 3/27) – **applicant requested continuation to 4/24**
- **No materials submitted**
- I. 7:25 770 Main Street – Butler School, LLC on behalf of The Cariciofi Realty Trust: Site Plan Review, Land Disturbance Permit (continued from 3/27) – **applicant requested continuation to 4/24**
- **No materials submitted**

TEWKSBURY PLANNING BOARD MINUTES

April 10, 2023

- J. 7:30** 2122 Main Street – The Stories Company, LLC on behalf of Donuts Village, LLC: Site Plan Review, Land Disturbance (*continued from 3/27*) – ***applicant requested continuation to 4/24***
- **No materials submitted**
- K. 7:35** 1693 Shawsheen Street – Community Care Collective, Inc. on behalf of Shawsheen St LLC: Site Plan Review (*continued from 3/27*) – ***applicant requested continuation to 4/24***
- **No materials submitted**

Old Business

New Business

Correspondence

- **Community Outreach Notice for Cannabis Retailer at 911 East Street**

Adjournment