

PLANNING BOARD
Meeting Minutes
September 2, 2014
Town Hall, 120 Main Street
7:00 PM

1 Present: J. Simons, L. Rudnicki, L. McSherry, D. Kellogg

2 Absent: P. Boynton, M. Colantoni

3 Staff Present: C. Bellavance, M. Egge

4

5 Meeting began at 7:00 pm.

6

7 **ANR REQUEST**

8 140 Academy Road, Matthew Caffrey: Requesting endorsement for an ANR change of lot line and
9 creation of new lot.

10 M. Egge: Applicant is requesting endorsement of an Approval Not Required subdivision plan for
11 changing of a lot line and creation of new lot. The lot would be buildable and meets all requirements for
12 ANR.

13 Matthew Caffrey: Lot was created per Mr. Stevens request. Lot will be conveyed out to Center Realty
14 Trust to be held in perpetuity as non-buildable. Intended to create a buffer for the house.

15 MOTION: A motion was made by D. Kellogg to direct the Town Planner to approve the Form A for 140
16 Academy Rd. The motion was seconded by L. McSherry. The vote was unanimous in favor.

17

18 **BOND RELEASE**

19 Autumn Chase Subdivision (Abby Lane, Molly Towne Road), Charlie Carroll: Requests the release of a
20 Site Opening Bond (\$5,000) and partial release of phase 1 (\$19,410) and phase 2 (\$6,930) roadway
21 bonds.

22 M. Egge: Ted Regis of Professional Finders Inc., is acting on behalf of Charlie Carroll, requesting the
23 partial release of bond money for autumn chase subdivision. In July of 2012, the board had approved the
24 release of this amount, but Mr. Carroll requested the board retain the funds. DPW has approved the
25 release.

26 J. Simons: Do you know how much money is left in the bond?

27 M. Egge: Didn't have information currently, but will verify.

28 MOTION: A motion was made by D. Kellogg to release the bonding for the Autumn Chase subdivision
29 in the amounts specified. The motion was seconded by L. Rudnicki. The vote was unanimous in favor.

30

31 Berrington Place Subdivision, Charlie Carroll: Requests the release of a driveway bond for Lot 7 in the
32 amount of \$1,000.

33 M. Egge: The applicant requests the release of a driveway bond. The driveway has been completed and
34 bond release requirements have been fulfilled. DPW has signed off on the driveway.

35 MOTION: A motion was made by D. Kellogg to release the driveway bond for Berrington Place, Lot 7
36 with all accrued interest. The motion was seconded by L. McSherry. The vote was unanimous in favor.

37

38 **PUBLIC HEARINGS**

39 CONTINUED PUBLIC HEARING, Merrimack College, 315 Turnpike Street: Merrimack College
40 requested a continuance via letter and email sent at 4:13 PM, September 2, 2014.

41

42 NEW PUBLIC HEARING: 1211 Osgood Street LLC: Application for Site Plan Review Modification.
43 Applicant proposes to amend previously issued Site Plan Review Modification special permit by
44 removing Condition 1, to allow for a restaurant use in 2,094 sq. ft. of the building.

45 M. Egge: Applicant is requesting a modification to the existing permit to eliminate condition 1 to allow
46 restaurant use on-site. Zoning reviewed the proposal, and have approved it as submitted.

47 J. Simons: Do we have the information regarding the number of parking spaces on-site.

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48 M.Egge: According to owners and zoning analysis, based on times of day businesses operate, the number
49 of spaces should be sufficient.

50 Board: Expressed concern with types of uses and what parking requirements would need to be met based
51 on those uses.

52 M. Egge: Showed table of current uses, parking requirements, and expected needs (prepared by applicant)

53 Greg Smith, 1211 Osgood St LLC: Reviewed chart of uses and parking requirements. Referenced
54 business hours for existing businesses; indicated that he anticipates that after 5-6pm the lot would have
55 appx. 37 spaces available, of 32 required.

56 Board: Questions of type of restaurant and whether alcohol will be served

57 G. Smith: Thai restaurant, alcohol will be served

58 Board: Discussion of what the reasoning was regarding the original stipulation of no restaurant permitted.
59 Requested meeting minutes/additional information regarding that original decision to be provided at the
60 next meeting.

61 James D'Angelo, 1211 Osgood St LLC: said the origins of the "no restaurant" stipulation resulted from
62 board member comments provided during a modification request that the parking prohibits restaurant use.
63 Now relying on the shared parking ordinance to remove the condition as parking is mostly open after
64 5pm. Noted that proposed Thai restaurant operator indicated that appx. 25 percent of clientele are
65 lunchtime diners. Parking accumulation study done on Friday afternoon, more than 37 spaces available
66 during Friday afternoon. Short a certain number of spaces, but demonstrates in parking table that after
67 existing businesses shut down around 5-6 pm, there is enough space to accommodate peak demand.

68 L. McSherry: Asks about validity of calculations regarding existing conditions versus if the unleased
69 tenant spaces are leased.

70 J. D'Angelo: Could include it as a condition, but am seeking either denial or approval with conditions.

71 D. Kellogg: Expressed concern over enforcement ability of any conditions.

72 Board: Requests original decision/minutes, further discussion of parking allocated to bakery

73 J. D'Angelo: No spaces specifically for bakery, but 10 would be allocated

74 Board: Discussion related to number of tables in the bakery and location of dumpster. Requests re-count
75 of parking spaces on a longer period of time. Requests to speak with proposed Thai Restaurant owner.

76 J. Simons: Raised issue of employee parking on-site or off-site

77 D. Kellogg: Questions related to availability of alcohol, service, and bar

78 Restaurant Owner: Alcohol will be served at table and at a bar

79 Board: Explored possibility of employee parking off-site. Expressed sentiment of wanting the business to
80 be successful, but concerned about potential impact of overflow parking on neighbors – particularly from
81 a restaurant use.

82 J. D'Angelo: Stated would re-count parking study throughout the entire day, and explore possibilities for
83 arranging employee parking plan.

84 Board: Open hearing to public

85 Mark Baily, Barker St.: Attests to how good of a neighbor the 1211 Osgood St. site has been. Very
86 responsive. Primarily concerned with the service of alcohol and hours of operation of any new use.

87 J. Simons: How does the traffic flow currently?

88 M. Baily: Commercial traffic is fine, delivery trucks have a tight U turn up Barker so occasionally trucks
89 brush lawns or mailboxes. However this use wouldn't change this effect. Currently businesses are fairly
90 quiet in evening hours.

91 J. Simons: Can you elaborate on hours of operation?

92 Apichat Chuenprapa (Restaurant Owner): Lunch hours from 11:30am to 2:30pm, and M-Th from 5pm to
93 10pm, and F-S from 5pm to 11pm.

94 Board: Discussion of existing lighting controls. Continue hearing at the next meeting.

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96 NEW PUBLIC HEARING, Bradstreet Partners, LLC, Bradstreet School Redevelopment: Application for
97 Site Plan Review. Applicant proposes demolition of existing dilapidated school building, construction of
98 a new fifteen unit residential apartment building, construction of a new two-story commercial building
99 and related site and utility work within the Downtown Overlay and General Business Zoning Districts.
100 M. Egge: Bradstreet Partners LLC is proposing the demolition of the old school building and construction
101 of new residential and commercial buildings. Site Plan Review Permit within the downtown overlay and
102 general business zoning districts. We would like the board to decide whether a stormwater review is
103 necessary given the site is already mostly impervious.
104 Mark Yanowitz, Bradstreet Partners LLC: Provided project background on application process. Provided
105 project overview of existing conditions, parking, building locations, and landscape. Talked about history
106 of demolition permit delay and commemoration of Bradstreet School. Discussed overall expected benefits
107 of the project.
108 J. Simons: Discuss more about the traffic flow, dimensions, what was studied – has a traffic study been
109 submitted?
110 M. Yanowitz: No specific traffic study. Discusses current proposed parking locations.
111 J. Simons: What about traffic flow, for example is Saunder’s two way?
112 M. Yanowitz: Yes, both entrances are two way. No designated residential or commercial spots
113 J. Simons: Do you meet the zoning requirements for parking?
114 M. Yanowitz: Discusses numbers of parking spaces in the proposal.
115 J. Simons: Elaborates on the need to understand expected parking requirements are reasonably met and
116 reduce impacts on neighbors.
117 M. Yanowitz: We have been meeting with neighbors and exploring what other options are available for
118 expanding parking.
119 Board: Requested elaboration on on-street off-site parking calculations within a 200’ radius of property.
120 M. Yanowitz: We will provide more clarification on the parking calculations for off-site
121 Board: requests overview of locations of commercial and residential spaces, entrances, parking, general
122 site logistics. Is the main entrance from Main St or parking lot?
123 Board and M. Yanowitz: Discussion of pedestrian access, and building entrances to commercial site. J.
124 Simons requests elaboration on pedestrian connection to the rear of commercial space from main street
125 along a 7’ walkway along the side of the building. There would only be limited deliveries to rear of
126 commercial space.
127 Board and M. Yanowitz: Discussion on size of units and access to residential building. Three entrances to
128 Saunders. Requests elaboration on possible pedestrian connection between residential building and
129 commercial building to the side of the site. Small 3’ sidewalk to the side of the site exists. Board requests
130 exploring stronger pedestrian connection between residential building to the commercial building.
131 M. Yanowitz: Explains draining plan for the site.
132 Board and Curt Bellavance: Discussion of why we should or should not review the stormwater review.
133 Board decides that the peer review is needed due to prior precedents.
134 M. Yanowitz: Reviews planned aesthetic designs and storefronts
135 J. Simons: Types of materials?
136 M. Yanowitz: PVC materials, fiber cement siding
137 J. Simons: Requests photos of the types of materials
138 L. Rudnicki: Requests details on site grading
139 M. Yanowitz: Reviews expected slopes, grading, and stormwater management. There will be a reduction
140 in the flow going to Saunders.
141 J. Simons: Requests review of the aesthetics of the residential building

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142 M. Yanowitz: Explains façade plans and which direction each side is facing.
143 Board: Requests photos of the site access from Saunders street. Deliberation on the aesthetic facing of the
144 facades and where the gables should be located. Requests the applicant review lighting and landscaping
145 M. Yanowitz: Shows site plan with light posts and talks about building perimeter lighting. Smaller
146 planting areas.
147 Bill Perkins: For next meeting, will provide scale drawing of the buildings and landscape
148 Board: Opens hearing to the public
149 Paul Taylor, 38 Saunders St.: Requests detail on the volume of drainage as compared to existing
150 conditions.
151 B. Perkins: Explains proposed drainage plan. Reduction in runoff to Saunders, and more water running
152 over land to Main St.
153 Paul Denton, Saunders St.: Requests whether a traffic study was done
154 J. Simons: There was no traffic study done
155 P. Denton: expresses concern over trucks for deliveries circling down Saunders
156 B. Perkins: Explains the type of tenancy they expect may not require heavy deliveries, and if so then in
157 the morning. Tried to meet most requirements of the downtown overlay district, and design for deliveries
158 as best as possible. Hamstrung a little in that they must generally follow what the board of selectmen
159 approved.
160 J. Simons: Encouraged the developer to reach out to the residents and neighbors.
161 B. Perkins: indicated that they have been working to develop a reasonable parking plan
162 Carl Langlois, 66 Saunders St.: Expresses concern over through traffic, and parking for the apartments.
163 Notes that there are existing no-parking signs across from his home on Saunders.
164 J. Simons: clarifying that there are no-parking signs currently on Saunders, and the concern is if there are
165 extra folks parking on the street then that removes it. Mentions that we could explore stickering or
166 restricted parking for nearby residents.
167 C. Langlois: Expresses frustration over street parking, snow plowing, and concern over through-traffic.
168 J. Simons: Understand the concerns, but must limit the discussion on not making existing conditions
169 worse, not necessarily remedying existing problems.
170 Board and C. Langlois: Discussion on through-traffic from Heavenly donuts and other pathways,
171 restricted turns, and managing traffic on Saunders. Asks C. Bellavance about Fire/Police's opinions on
172 safety of streets and parking.
173 C. Bellavance: Notes that every street is different and regulated differently.
174 Board: Requests additional information from Police/Fire regarding safety and parking. We will try to
175 address the concerns in a way that does not make the problem worse.

176
177 **DISCUSSION ITEMS**

178 Planning Board List and Signature Authorization: Approve the letter noting the updated North Andover
179 Planning Board list and signature authority for the North Essex District Registry of Deeds
180 M. Egge and Board: Signature Authorization needs to be revised to properly reflect the term expirations
181 and proper spelling of names. To be signed at next meeting.
182
183 2015 Planning Board Meeting Schedule: Approve the proposed 2015 Planning Board Meeting Schedule
184 L. Rudnicki: Proposes to strike the August 4th meeting date from the board calendar.
185 Board: Discussion of proposal. Agrees to strike August 4th, 2015 meeting from the 2015 calendar. The
186 remaining schedule is approved.

187
188 **OTHER BUSINESS**

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189 J. Simons and Board: Proposal to schedule joint-meeting with the Andover planning board and possible
190 Merrimack College Site Visit.

191
192 M. Egge: Town received a grant to remove invasive species from behind Osgood Hill, Conservation
193 Commission has approved.

194
195 **MINUTES APPROVAL**

196 MOTION: L. Rudnicki makes a motion to approve the August 19 2014 Meeting Minutes, L. McSherry
197 seconds, Minutes approved by unanimous vote

198
199 MOTION TO ADJOURN: D. Kellogg makes a motion to adjourn, L. McSherry seconds. Meeting is
200 adjourned.

DRAFT