

A regular meeting of the Planning Board was held on Wednesday April 27, 2016 in the Merritt Center at 600 Market Street 2<sup>nd</sup> floor. Co-Chairman Faria called the meeting to order at 7:00 PM and adjourned at 10:15 PM Present: Co-Chairmen John Faria and Alan K. Dresios, Vice Chairman Heather Sievers, Michael Sheehan and Clerk Charles B. Wills arrived at 7:08 PM Also Present: Phil Crawford Chairman Board of Selectmen, Peter Ogren Hayes Engineering, and Attorney Jay Kimball

**1. 7 PM CONTINUED PUBLIC HEARING VIOLET CIRCLE, Marco and Julie Tammaro**  
*Motion by Sievers seconded by Dresios the board unanimously voted to grant the applicant's written request to continue of the public hearing to May 25, 2016 at 7PM. Motion by Dresios seconded by Sievers the board unanimously voted to grant the applicant's written request to extend the action date to September 30, 2016.*

**2. BOARD OF APPEALS CASE RECOMMENDATIONS**

**#16-07 Kareem Abu-Zahara, 331 Salem Street** Applying under Section 11 and its subsections, to demolish the existing single family dwelling and construct a new single family dwelling: Mr. Abu-Zahara presented his proposal to the Board *Motion by Faria seconded by Wills the board unanimously no objection to the proposal.*

**#16-08 BTL T0055 Salem, LLC and Robin Lauziere, 555 Salem Street** Applying under sections 10.10 and 11.4 for a special permit/finding to construct a building on the on premises to be connected to the existing building at 553 Salem Street: Attorney Jay Kimball presented the proposal to the board. Intend to remove the lot line between the parcels, construct a new building for day care and connect it to the existing day care building located at 553 Salem Street, considerably more square footage when the lots are combined, allow merger of the lots, tear down existing structure on 553 Salem Street. *Motion by Sievers seconded by Faria the board unanimously voted no objection to the proposal provided a plan of a single lot is recorded.*

**3. MARKET STREET - Discussion Design Review Compliance Process with Walter Adams**

Adams stated he expects a 10% - 15% tenant change a year and his term ends when the Planning Board decides; one unresolved issue is the unscreened utilities on some tenant façades. WS Development always does a pre-review of all tenant plans (façade, signs and lighting) before he sees them. Adams said things haven't worked out that well; about a ¼ to 1/3 of submissions have glaring mistakes, not huge - an example the maximum wattage for a blade sign is in the Design Standards. He always double checks the design standards. Wills stated the present process charges the tenant is for the review and National pays Adams; it's a wash. He would like to keep the same process. Faria believes we can adopt regulations to charge the tenant a fee for review. Adams stated construction has not started on Building 11. The Board agreed to keep Adams on. The parties discussed payment for Adams services when National Development no longer pays his fee; charging a fee to any proposed tenant for façade, sign and lighting plan reviews. **Pat Campbell Patrice Lane** was concerned about safe passage for ArborPoint residents walking to the shopping area. Faria responded the board is strictly limited in what we can do under the law. Adams stated there are two designated paths that are on the plan and in place. Some towns have flashing lights to allow pedestrians to cross. **Bruce Siegel LIFE member** stated he is on the LIFE Board and is aware of this issue. He is also concerned about the wall and roadway curve limiting sight in and out of the property. Faria commented this is private property.

**4. 898 SALEM STREET, PERLEY BURRILL PROPERTY– Discussion Subdivision**

Correct address is 906 Salem Street. Phil Crawford Chairman Board of Selectmen, Peter Ogren Hayes Engineering, Attorney Jay Kimball and several area neighbors were present for this preliminary discussion. Attorney Kimball noted they have had discussion with the neighbors. Mike Merullo a mortgage holder is interested in creating a subdivision. There are some economic issues: extent of hazardous cleanup and cost; \$225,000 owed in taxes and profit margin. The town does not want to buy the property and do the cleanup. Peter Ogren of Hayes Engineering presented two plans. The first: three lots - two on the proposed street and one on Salem Street. The second: Four lots: one on Salem Street, two on the proposed roadway and a park on Witham Street. The lot on Witham Street has 100 feet of frontage, the requirement at the time the area lots were created, but does not meet the current 110 foot frontage requirement. Mike Merullo, who owns a hazardous clean up company, stated everything comes back to hydrocarbons on the property or adjacent properties and wants to do more test pits. Ogren noted the cul-de-sac has a forty-five foot radius, twenty foot paved way with curb and no sidewalks. **Julie Davie, 4 Witham Street**, whose property abuts the “park” lot, is not in favor of the park. They clean up syringes etc., parked cars dealing drugs. She feels at night a park will bring more problems. The police have come by several times but they cannot be there all the time. Several residents agreed with Davie’s comments. **Stacy Dillon, 892 Salem Street**, asked about contamination under buildings and Faria asked if the contamination migrated to adjacent lots. Mike Merullo stated the contamination is centralized but the environmental engineer wants to do some more test pits. **David Battaglia 21 Fairview Avenue** would like to see maintenance of the green space where Fairview Avenue splits into East and West. The maintenance of the green space is the responsibility of the town, however there has an “Adopt an Island” program with the DPW. Crawford said they would come in with the 4-lot subdivision if they think they can get a frontage variance. Dresios noted the surrounding lots have 100 foot frontages. Under subdivision control, the Board has the ability to waive the frontage requirement; a Board of Appeals Approval for a frontage variance would be required. The board consensus is in favor of a waiver and variance.

**5. GEORGIE’S WAY – Request To Rescind The Subdivision, Julie Tsakirgis**

Tsakirgis want the property to go back to one lot. Faria stated he would talk to Town Counsel Mullen on the matter.

**6. FENCES**

Charles Wills said a neighbor at the corner of Smith Farm Trail and Lowell Street was putting up a fence. He is concerned if fences are at street corners it would block the sight line/distance. He continued that many towns have a bylaw to guard against a fence and shrubs at street corners. The board agreed to look into the matter and submit an article for the October 2016 Town Meeting Warrant.

**7. ZONING MAP**

Mrs. Randle advised the board of her meeting with Tim Fountain of CAI. CAI produces the town tax maps. CAI produced the 2002 map. MAPC produced the latest map that did not include utilities from the previous map. CAI will e-mail their scope, and cost.

**8. ZONING BYLAWS**

Dresios discussed the zoning bylaw updates summation dated May 1, 2016 he e-mailed to the members. The document lists the amendments in order of adoption. Faria and Dresios will meet with Randle on May 4<sup>th</sup> to go over the updates.

**9. MASTER PLAN**

Faria suggested a subcommittee of two, who will hold public hearings. Any of the members can go but are not required to. Sievers noted last year she and Dresios considered a steering committee incorporating other departments. The selectmen did not implement the last plan, and departments that feel they were not served well would be less likely to participate; if someone has not participated, the process could be daunting. The board agreed to establish a priority list, what is the most pressing issue in town now, how to implement and why. CFAC has been working the last year or more on a plan which would be helpful. CFAC was established by the Board of Selectmen initially to make recommendations; now the CFAC makes suggestions. ***Motion by Faria seconded by Sheehan the board unanimously voted to establish a master plan subcommittee composed of Heather Sievers, Michael Sheehan and Alan Dresios to work on the master plan and establish priorities.*** The subcommittee agreed that Sievers head the committee.

**10. MINUTES** the minutes of the March 29, 2016 and April 22, 2016 meeting were approved as written.

**11. ITEMS FOR THE MAY 25, 2016 AGENDA**

- National Development
- Safety, Screening, Payment
- Zoning Map
- Scenic Road Bylaw
- MGL 40D - Faria wants to take a look at the law.

**ITEMS FOR A REVIEW/WORKING SESSION**

The Board will vote at each monthly meeting if a second meeting is needed. This will not include new business or continued public hearings. ANR plans and subdivision plans submission are accepted as required by MGL

The Board will meet on Wednesday May 11, 2016 at 7PM will include:

- Scenic Road
- Rules and Regulations
- 40D
- Review of Status of Master Plan Committee

Respectfully submitted,

Kathy L. Randle, Planning and Land Use Assistant  
**APPROVED: JUNE 8, 2016**