

Planning Board Meeting Minutes
Tuesday, August 2, 2016
Champagne Meeting Room, 50 Carby St. – 7:00 PM

Call to Order:

The meeting was called to order by Chairman Chris Pfaff at approximately 7:03 p.m. WestCAT was granted permission to videotape the meeting.

Present:

Planning Board members present: Chris Pfaff, Steve Olanoff, Trevor Laubenstein, Mike McCusker and Dave Atkins. Staff members present: Town Planner Abigail McCabe and Janice Barba, Planning & Land Use Specialist.

Westwood Estates Subdivision - (443 Canton St., Wight Lane & 9 Hedgerow Lane)

In accordance with Ms. McCabe's board meeting summary, she recommended that the board consider continuing this public hearing without testimony taken, as plan revisions have not been submitted since June and suggested September 20 meeting date based on availability of the two alternate board members.

Action Taken:

On a motion by Mr. Olanoff and seconded by Mr. McCusker, the Board voted 5-0 to continue this hearing to Tuesday, September 20th, 2016 at 7:00 p.m. in the Champagne Meeting Room, 50 Carby Street.

University Station - Request by Westwood Marketplace Holdings, LLC (WMH) for Release of Covenant for Phase I/Core Development Area

Ch. Pfaff recused himself from this agenda item and left the Board table due to a conflict of interest and Vice Ch. Trevor Laubenstein presided over this agenda item.

Present included: Dan Bailey, Special Town Counsel from Pierce - Atwood; Paul Cincotta of New England Development and Developer's Attorney John Twohig of Goulston & Storrs.

The Town and Planning Board's special legal counsel, Dan Bailey, explained that the property owner, the entity known as Westwood Marketplace Holdings (WMH), has requested that the Planning Board Release them from the Public Improvement Infrastructure Covenant for secured completion of public infrastructure improvements at University Station. Mr. Bailey gave the Board a summary of WMH's agreement to sell Phase I to a real estate investment company and presented a roadway layout plan showing the public infrastructure improvements, a Release of Covenant, and a Partial Certificate of Completion signed by DPW director Todd Korchin (including a cost estimate provided by Town Engineer Jeff Bina for all incomplete work).

Town Planner & Board Comments:

- Board members exchanged questions and answers with Mr. Bailey.
- Ms. McCabe summarized incomplete items for which the \$75,000 will be held for completion. The incomplete items are to replace five street lights that have been damaged, granting of drainage easements, CSX completion for improvements at the rail crossing on University Avenue, replaced of damaged or unhealthy trees, and removal of temporary fencing/walls at the old sound wall.
- Town Engineer Mr. Bina answered questions of the board regarding the cost estimate for the remaining work.
- A board member asked about crosswalks located between Harvard Street and Canton Street. Ms. McCabe stated that she confirmed with DPW Director Todd Korchin that the unpainted driveway crossings, previously existing driveway crosswalks will be repainted as requested by a board member.
- A board member requested repainting of road sidelines. Mr. Bina explained that repainting sidelines will narrow the road and will not be repainted.

Action Taken:

On motion by Mr. McCusker and seconded by Mr. Atkins, the Board voted four votes in favor to Release the Covenant dated December 17, 2013, recorded with the Norfolk Country Registry of deeds in Book 31996, Page 114

390 Washington Street – EIDR & Special Permit Public Hearing

John DeSousa of Seacoast Consulting, LLC was present on behalf of the Applicant and gave a summary of the proposal which includes the redevelopment of the existing building to a convenience store, two double-sided gasoline refueling stations, façade improvements including new windows and roof, restriping the lot for five parking spaces, construction of a canopy and a landscaping plan. Mr. DeSousa informed the board that the traffic circulation will be changed to one way to improve traffic conditions and confirmed that the right of way owned by Roche Brothers will remain open and unobstructed.

Town Planner & Board Comments:

- Applicant has requested waivers from the following sections of the zoning bylaw: 7.3.7.1.6 & 8 (storm drains, water and sewer shown on plans); 7.3.7.3 (traffic study); 7.3.731.6 (stormwater report) and 7.3.7.7 (model)
- Ms. McCabe briefly summarized staff comments received from town staff and Town Engineer Jeff Bina was present to discuss the existing drainage on site which drains into Washington Street and out to Purgatory Brook.
- Signage needs relief from the ZBA and the existing, freestanding, non-conforming sign recommended to be removed. Staff was more supportive of a smaller pylon sign or canopy sign.
- Lighting must be recessed or flush with the canopy.
- Light poles are currently at 20' and Town Planner recommended to be lowered to 15', but light levels comply with zoning.
- Board members had question about elevation changes, the details on the appearance and branding of the canopy and the façade, as brick was shown on the plans but the stucco was stated to be used instead.
- Town Engineer Jeff Bina asked if the Applicant is going to consider stormwater improvements. (Mr. DeSousa reported that stormwater/DEP regulations prohibit the installation of infiltration systems within existing 25' monitoring wells.) Applicant emphasized the difficulties with the site because of the gasoline use and strict requirements related to monitoring wells. Mr. Bina expressed concern about contaminants that runoff from this site to Purgatory Brook. Board members agreed with Mr. Bina and asked the applicant to make stormwater improvements for the next hearing. Board requested applicant demonstrate all options for water quality control and runoff improvements be provided. Suggested applicant work with staff.
- A board member stated that the Pedestrian and Bike and Safety Committee reviewed this application and it does not support the waiver of a traffic study. (Mr. Bina responded to this and stated that he reviewed ITE trip generation rates and found the numbers to be decreased, due to the elimination of the service bays in the station, which showed a lessening of vehicle trips, and improved circulation.)

Public Comments:

- Jim Sperber, attorney for Roche Bros. was present to express his concern that the right of way will be inaccessible, concern that the proposal calls for one way traffic flow over the 25 ft. right of way, which could cause conflict with vehicles entering from their sight going the opposite direction, question the required number of parking spaces based on the proposed size of the convenience store use, questioned deliveries, and traffic increase.
- R. Shanshury, Park Circle asked if the convenience store to sell liquor or have KENO machines. Also suggested more plantings on the north side of the property because it appears that less were proposed on north than on the south landscaped area.

Final Comments:

- Board members generally agreed that further examination of the current stormwater conditions is necessary. Ch. Pfaff suggested that Mr. DeSousa work with the Town Engineer on options for improvement.
- Mr. DeSousa responded that the fuel supply trucks will likely refill approximately once per week.

Action Taken:

On a motion by Mr. Atkins and seconded by Mr. McCusker, the Board voted 5-0 to continue this hearing to Tuesday, August 23rd at 7:00 p.m. in the Champagne Meeting Room, 50 Carby Street.

14 Washington Street - (Hogan Tire Center)

This hearing had been left open so as to allow time for Conservation Commission review, which was completed and approved on 7/13/16. This hearing is ready to be closed.

Action Taken:

On a motion by Mr. Olanoff and seconded by Mr. Laubenstein, the Board voted unanimously in favor with one abstention (M. McCusker) to close this hearing.

Committee Meetings:

Islington Task Force - Thursday, September 8th at 7:00 p.m., at the ICC Sanctuary to discuss the Petruzziello proposal.

Other Business:

ZBA Applications – Prime Dealership at 375-411 Providence Highway was granted signage relief on 7/20 for sign area for wall signs and three 20 ft. pylon signs. No further Board comment.

The **Moving Together Conference** - September 29 at Boston Park Plaza – The Planning Board budget will cover one board member’s registration fee. Please let Ms. McCabe know if you are interested.

Tree Removal – 295 & 315 University Avenue Minor Modification to EIDR

Town Engineer Jeff Bina was present to request the Board’s consideration for a minor modification to the Board’s previously approved EIDR landscape plans for 295 and 315 University Avenue to remove two trees that are blocking visibility at the intersection of the railroad crossing and creating a public safety hazard. The request for the tree removal is being made by CSX as part of the University Station related infrastructure improvements that are part of the Development Agreement between the Town and the Developer.

Action Taken:

On a motion by Mr. Olanoff and seconded by Mr. McCusker, the Board voted 5-0 to approve a minor modification of the 2004 EIDR plans for 295 University Avenue to remove the southernmost tree along University Avenue and replace with a bush.

On a motion made by Mr. Olanoff and seconded by Mr. McCusker, the Board voted 4-0 (Mr. Laubenstein was out of the room) to approve the minor modification to the 1998 EIDR plan for the removal of the tree at 315 University Avenue between the railroad tracks and the side property line.

Meeting Minutes for Planning Board Consideration – Draft minutes from the meetings of 6/14 and 6/28 and 7/12 were distributed to the Board members for consideration.

Action Taken:

Upon a motion by Mr. Olanoff and seconded by Mr. Laubenstein, the board voted unanimously in favor to approve the minutes as amended.

Adjournment:

Upon a motion by Mr. McCusker and seconded by Mr. Laubenstein, the Board voted unanimously in favor to adjourn the meeting at approximately 9:40 p.m.

List of Documents

• Planning Board Meeting Summary for 8/2 meeting, dated 7/29/16	PDF
• Westwood Marketplace Holdings – Certificate of Partial Completion, Exhibit A Street light plan, Exhibit B Drainage Plan	PDF
• University Station Aerial Views with Pedestrian Crosswalks Identified	PDF
• University Station – Harvard St., Rosemont Ave. & University Ave. Layout Plan	PDF
• University Station – Letter to D. Bailey from J. Twohig of Goulston & Storrs dated, 8/2/16 re: University Station Building Permit Fees Account	PDF
• Planning Board summary for Westwood Estates Subdivision revised 07/28/16	PDF
• Planning Board summary for EIDR & SP Application for 390 Washington St., dated 07/28/16	PDF
• Application and plans for 390 Washington Street public hearing	PDF
• Email from J. Doyle, Building Commission comments re: 390 Washington Street, dated 07/26/16	PDF
• Town Engineer’s Comments to Town Planner, RE: EIDR #390 Washington Street, dated 07-28-16	PDF
• Public comment letter and exhibits from James Sperber, Roche Bros, letter dated July 1 2016	PDF