

Call to Order:

The meeting was called to order at 7:40 p.m. Present were Chair, Joan Duff, members Vincent Chiozzi, Jay Doherty, Lelani Loder, and associate member Zach Bergeron; also present was Paul Materazzo, Director of Planning.

Bancroft School Update:

Tom Deso, Chairman of the School Building Committee and Ann Gilbert, member of both the School Building Committee and School Committee gave the Board an update of the Bancroft Elementary School Construction Project. In the fall of 2010, the Town entered into a Project Funding Agreement with the Massachusetts School Building Authority (MSBA) which defined the budget for the project at \$44.7 million. During the design phase, the Town used two independent estimators to make sure the project was kept within the budget. The project was ready to be bid in the summer of 2011, but a lawsuit and multiple appeals by abutters stopped work for one year. Updated estimates showed the project would be over budget, so the committee identified \$3 million in value management and the architect redesigned the plans and specs with all non-essential items taken out. The project went out to bid and the low bids came in 15%-20% higher than the estimates. The final cost of the project is estimated at \$5 million - \$6 million over budget. The MSBCA requires the Town to have contingency money; however this money is specifically earmarked in certain amounts for design, pricing, construction and owner's contingency, and can only be used for those phases. All bids for the project have been opened and contracts have been awarded up to the original \$32 million construction budget. The remaining contracts are being held until additional money is approved, but the contracts need to be awarded within 120 days of opening the bids, which would be March 1st. After that time the Town would have to go rebid the remaining contracts, and it is assumed that bids would be even higher.

Members of the Board questioned Mr. Deso about the contingency funds. Mr. Deso let the Board know that the original amount the state required for contingency was just under \$6 million, which was about 3% of the project and there is roughly \$2 million left. The committee will be asking to put more money in contingency, roughly \$100,000 in case of unforeseen issues. Mr. Chiozzi asked if the state would let them revisit the overall cost to be able to be reimbursed for more since the project had the unusual circumstance of being delayed for a year. Ms. Gilbert answered that they already approached the state, and they were told that the number stands.

Mr. Bergeron asked when the bids were first put out. Mr. Deso answered that the bid for the access road construction on West Knoll Road was put out in June 2012, it came in under budget and the work was done over the summer of 2012. The rest of the trades were bid in August of 2012, some of which were filed sub-trades and some were non-grade, which can be negotiated by the construction manager. The project has a construction manager-at-risk instead of a general contractor because the MSBA gives a 1% reimbursement for using a CM-at risk. Mr. Chiozzi asked what the construction manager's fee is and Mr. Deso answered that it is a fixed percentage that can be negotiated. The group has been setting aside a small amount of money from each awarded contract as a small almost contingency to be able to pay the construction manager. The new school is 25% constructed and all time critical awards have been made. The biggest unknown of the project going forward involves the demolition of the existing school. Testing has been completed for asbestos and other items, and further testing results should be in soon to

Bancroft School Update (cont'd):

determine how much money will be needed for the demolition. There is still a risk that an environmental factor will be found during demolition that will require cleanup.

Ms. Duff asked if the \$5 million overage included the litigation costs. Mr. Deso answered that it included the litigation costs, which were about \$400,000. Other direct unexpected costs from the litigation were a \$65,000 berm that had to be put in place based on the settlement and the architect's fee of \$200,000 to redesign the plans and specs based on the value management. Ms. Gilbert reiterated that the Town cannot change the scope of the project per their agreement with the MSBA. The state has no liability: if the project stops, they will stop funding the project and will ask for any monies already distributed back. Mr. Deso added that the building committee is quite confident with their current estimates.

The Board felt that it needs to be clarified for the public that more money is needed because the price of the entire project has increased, not that the price of what has not been constructed has increased. The price increase can be attributed to the year long delay that resulted from the abutters' lawsuit. The project was estimated and budgeted in 2010 but the first contracts were not able to be bid until 2012. The contracts that have already been awarded came in with a sum higher than the 2010 estimate and the bids that are currently open, but not awarded, also came in at a sum higher than expected. There were also unexpected costs that were a direct result of the litigation with the abutters.

Ms. Loder asked what else, other than another lawsuit could stop the project and raise the costs. Mr. Deso felt that the only thing that could stop the project would be a natural disaster. Ms. Gilbert added that there is no way to say with 100% certainty that nothing else will happen, but the state is working as a partner with the Town, and they have to constantly show the state their numbers and estimates. The state will not let the Town move forward if something is off with the numbers. The state also requires a contingency and the Town plans on carrying a little more than is required.

Design Review Board Signage Warrant Article:

Craig Gibson, Chairman of the Design Review Board gave a brief overview of an article that the Design Review Board would like to propose at Town Meeting to relax the signage dimension limitations on awnings. Awnings with lettering up to 3 inches high are currently exempt from the bylaw. The bylaw allows for up to 4 ½ inch high letters with approval of the DRB. The DRB would like to change the bylaw so that any lettering up 6 inches is allowed without having to apply for a variance. Most awnings are 1 ft tall, so this would allow the lettering to take up half of the awning.

Mr. Chiozzi asked if they had considered changing the dimensions to 6 inches exempt with 9 inches possible at the approval of the DRB. Mr. Gibson answered that he would take that suggestion back to the DRB. The Board did not voice any objections to proposed article.

Other Planning Related Business:

Mr. Materazzo reviewed the updated language for the Senior Residential Community Overlay District including the affordability aspect, number of units, height restrictions and open space. A

Other Planning Related Business (cont'd):

minimum number of 10% of the units will be restricted to those making up to 80% of the median area household income as determine by HUD. There will be 200 independent units and 200 bedrooms based on comparables in the region. The height along River Road will be consistent with a single family home with height going up towards the back of the property. The open space acreage has been set at 30% permanently protected, 20% common open space with a density bonus at 50% permanently protected.

Mr. Materazzo informed the Board that the ID2 area has been finalized to include the northern portion of River Road in the area of Route 93 and the lower triangle of Dascomb Road. The uses proposed are personal service establishment, retail sales establishment, convenience store, grocery store, dry-cleaning operation, restaurant and indoor commercial recreation facility. Retail would be limited to 25,000 s.f. for a single user. The special permit criteria includes language that the proposed development must not adversely impact the existing retail environment in the General Business Districts, specifically downtown Andover. The Board was uncertain whether this language should remain in the criteria. There is also language in the criteria that gives the Board a say on the design to keep any buildings in line with the character of the community and provisions for adequate traffic mitigation, The criteria does allow a flexibility for shared parking, which is not normally allowed.

Mr. Materazzo briefly reviewed the other articles that the Planning Board will be involved with including Street acceptance, rezoning of the Town Yard area, change in the definition of Fast Food and Retail Sales Fast Food and the update of the Watershed Protection Overlay Map.

Adjournment: The meeting was adjourned at 9:04 p.m.