

**Call to Order:**

The meeting was called to order at 7:33 p.m. Present were Chair, Joan Duff, members Vincent Chiozzi, Jay Doherty, Eric Macaux, Lelani Loder, and associate member Zach Bergeron; also present were Paul Materazzo, Director of Planning and Jacki Byerley, Town Planner.

**St. Augustine's School:**

Ms. Duff opened the public meeting that was continued from the March 27, 2013 meeting for review of the Site Plan Review Dover Use for St. Augustine's School on a proposal for the construction of a 6,915 s.f. gymnasium. Ms. Duff explained the Planning Board's role on a Dover use application. Since the last meeting, a site walk was conducted and Ms. Duff observed dismissal time on her own.

Ms. Byerley reviewed the items that were left unresolved from the March 27<sup>th</sup> meeting. A drainage peer review letter was received from ESS Group dated April 4<sup>th</sup> stating that the applicant has addressed all of their comments and the project is designed in compliance with the MassDEP Stormwater Handbook and the Town of Andover Subdivision Rules and Regulations. The Department of Public Works has verbally stated that they are satisfied with all plans that have been submitted. Mr. Doherty clarified that the role of the Planning Board on this project does not extend to critiquing the school's arrival or dismissal procedures. Mr. Byerley agreed that it does not and that the Board needs to focus on the proposal of the gymnasium.

Dr. Lowell Rosman, 51 School Street, stated that when he first moved to his property thirty four years ago, the convent did not house the CCD program; it was in the basement of the school and did not generate traffic on St. Augustine's Way. He expressed that if the private way is not patched until construction is complete, an intolerable situation for those who live there would be created due to the amount of dust. He reiterated that the Archdiocese needs to be brought into this process to make all decisions due to previous broken agreements with the Parish. Any conditions imposed on this project have to be followed. Ms. Duff stated that once the building permit is signed it cannot be changed by the Archdiocese and asked Ms. Byerley to explain the process. Ms. Byerley added that once the Board makes a decision, their recommendations go to the Inspector of Buildings. When the School applies for their building permit, the Inspector of Buildings reviews the approval to make sure that certain things have taken place before he issues the permit. This applies to all permits from foundation to final occupancy, and permits will not be issued if the school is not following the imposed conditions. Mr. Macaux added that the letter received from the Archdiocese confirmed that Fr. Gori had the authority to file the application with the Planning Board. The conditions imposed on the project have to be followed no matter what, even if the Archdiocese does not agree with them. Mike O'Dea, Facilities Director of St. Augustine's stated that the Parish has been through a similar process with the construction of their Parish Center. The Archdiocese did not get involved in that process and all procedures were properly followed.

David Giangrande of Design Consultants, Inc., the engineer on the project, stated that the first part of construction will be fixing the drainage issue in front of the Big's property and putting in appropriate utilities. After that the binder coat will be put on to eliminate the dust issue. The roadway will not be fully paved until the construction is finished. Dr. Rosman asked how many months it would be before the binder coat is put on. Mr. Giangrande stated that the project needs

**St. Augustine's School (cont'd):**

to be put out to bid, but they are hoping that construction can start this summer, and the utility work would be one of the first items of the project. Susan Big of 49 School Street added that when the building permit was pulled to put in a water line for the fire hydrant last year, the plan stated that the road would be put to binder coat afterwards and it has yet to be done. Ms. Duff stated that the focus for tonight's meeting is the gymnasium, but it has been stated that there is a desire to get the road to binder coat by the summer.

Ms. Byerley reviewed her recommended fourteen conditions to the Board from her memo dated April 8, 2013. Mr. Macaux asked if the state laws on Dover use prohibit the Planning Board from setting a condition that the roadway be to binder coat before construction begins. Ms. Byerley stated that the conditions of approval do not come into effect until the first building permit is issued, so the Board has no authority to demand the roadway be paved now. She stated that Condition No. 3 calls for a construction sequencing meeting prior to construction that will set forth a timeline for the road to be paved. Fred Callanen, 9 Chestnut Street, asked if dust control was addressed in the conditions. Mr. Bergeron read aloud Condition No. 7 which addressed dust control measures.

On a motion by Mr. Macaux, seconded by Mr. Doherty, the Board voted to close the public meeting for the Site Plan Review Dover Use for St. Augustine's School. **Vote:** Unanimous (5-0).

On a motion by Ms. Loder, seconded by Mr. Chiozzi, the Board voted to recommend approval of the Site Plan Review Dover Use to construct a gymnasium on the St. Augustine's School property to the Inspector of Buildings with the above mentioned conditions as stated in Jacki Byerley's memo dated April 8, 2013. **Vote:** Unanimous (5-0).

**Warrant Articles 2013 Town Meeting:**

Mr. Materazzo explained to the Board that for bonding purposes, the Board is required to take a vote on any warrant article that is over \$100,000 and either recommend for approval, disapproval or take no action. At the meeting of March 27<sup>th</sup> the Board requested more information on the articles pertaining to the Ballardvale Fire Station, Doherty Middle School Improvements, High School Tennis Court Improvements and Chandler Road Land Acquisition. Representatives for each article addressed the Board.

**Warrant Article 17 – Ballardvale Fire Station Restoration**

Richard Bowen of 12 Bannister Road gave the Board an overview of the warrant article that he has proposed to restore the Ballardvale Fire Station. He informed the Board that the issue of the Ballardvale Fire Station has been ongoing for 60 or 70 years and a committee has been working for almost four years to try to find a new site for this fire station. The committee has narrowed the sites down to two or three, but the preferred location on the South School property has met with resistance. The parking lot of the Faith Lutheran Church on South Main Street has also been identified but there are wetland issues and the property is not Town owned. The South Main Street site is two miles east of the present location and response time is critical. Mr. Bowen referenced a statistic that for every 40 second it takes to respond to a fire, the fire will double in size. The older structures that are prevalent in Ballardvale make response time even

**Warrant Articles 2013 – Ballardvale Fire Station Restoration (cont'd):**

more critical. Two of Andover's major industries, Gillette and Wyeth are located on Lowell Junction Road and it will take much longer for fire trucks to get from South Main Street to Lowell Junction than from the site of the present station. Mr. Bowen stated that the \$500,000 he is proposing to rehabilitate the current fire station is a lot less than the millions of dollars it may take to build a new station. The Ballardvale Fire Station has served the Town sufficiently for 122 years and there is no reason why it cannot continue to do so with the proper addition. Mr. Bergeron asked if there was a study done to determine where the best area of Town for a replacement station would be. Mr. Materazzo answered that there have been studies but this article is particularly asking for \$500,000 to renovate the existing facility. Ellen McKeough, 5 Surrey Lane, stated that she lived in that area off of Dascomb Road and it was very important to her that Ballardvale have its own fire station.

**Warrant Article 49 – Doherty Middle School/WWI Memorial Auditorium Renovations**

Ed Ataide Superintendent of the Building Maintenance Division informed the Board that the Doherty School project is part of a multi-year Master Plan to renovate all of the schools. It involves upgrading all of the ADA compliance of the buildings, correcting the stormwater management of the sites to meet current regulations and correcting traffic flow and security at the sites. This particular project has been moved up in the schedule due to the impending construction of the Youth Center at the same site. Parking will be increased from 296 spaces to 333 spaces as the site serves the Senior Center, the Town Offices, the Doherty School and the Youth Center. Mr. Ataide reviewed the documents handed out to the Board of the parking design and traffic flow plans for the site. Mr. Doherty asked if the current spots in front of the Senior Center will remain in place. Mr. Ataide answered that those parking spots are outside of the scope of this site, so they will stay in place and are additional spots over the 333 that he referenced. Mr. Chiozzi asked if Saturdays were factored in to the parking plan when there are many soccer games being played at the fields. Mr. Ataide reiterated that they are adding 37 more spaces than are currently there, and there is nowhere else to add parking without eliminating green space. Ms. Byerley asked if a drop-off and turnaround onto Barlet Street will be added. Mr. Ataide answered that a brand new turnaround that has not existed before is being added to the site. Mr. Chiozzi asked if the parking available adjacent to the park has been included in the count and Mr. Ataide answered that it has not because it is out of the scope of the project. Mr. Ataide clarified that the extra parking spaces are being added to the Doherty School. He also stated that the new turnaround will be constructed without having to take down any existing trees. Ellen McKeough, 5 Surrey Lane, stated that it is very important to the neighbors that the trees stay in place.

**Warrant Article 32 – AHS Tennis Courts Renovation**

Buzz Stapczynski, Town Manager, introduced Brian Frykenberg of 5 Appletree Lane, a member of Friends of Andover Tennis who brought the condition of the courts to the Town's attention. Mr. Frykenberg informed the Board that the high school tennis courts are public courts that are used by the high school tennis teams and make up 2/3<sup>rds</sup> of the public courts in Town. The courts are almost 25 years old and are in serious need of renovation to the point where if they are not renovated, they will have to be closed next season. The renovation would entail resurfacing which would take out the old asphalt and put down a new laser graded surface, and the replacement of the fence that goes around the courts. The Andover tennis community consists of

**Warrant Articles 2013 – AHS Tennis Courts Renovation (cont'd):**

800 youth and 400 adults and these courts are underutilized because they are in such disrepair. Friends of Andover Tennis will be contributing \$40,000 to these repairs and also plan on adding extra features such as benches and an equipment shed in a future Phase II. Mr. Doherty asked for clarification on if the fence is going to be replaced or if the existing fence will be used. Mr. Frykenberg answered that two out of four sides of the fence are warped, so it makes more sense to replace the entire fence. Ms. Loder asked if the courts were locked after a certain time of day. Ed Ataide answered that the courts are never locked. Ms. Loder then asked if they plan to lock the courts after the renovation. Mr. Stapczynski answered that locking the tennis courts throughout Town is difficult because you would have to have someone to lock and unlock them each day. The skate park has to be locked due to liability issues. Mr. Stapczynski informed the Board that the Board of Selectmen has recommended approval for this article in the amount of \$350,000 and \$40,000 has been raised by the group to offset that cost. Mr. Doherty asked if these were the only outdoor tennis courts in Town. Mr. Stapczynski answered that there are also tennis courts at Rec Park. Ms. Loder asked if Rec Park was lit until 10PM and she was told that it was. Ms. Byerley asked how many courts were at the High School and Mr. Frykenberg informed her that there are seven courts and the high school coaches would like to have as deep a roster as possible to avoid making cuts to the team.

**Warrant Article 33 – Land Acquisition 141 Chandler Road**

Buzz Stapczynski, Town Manager, showed the Board a map of the area of 141 Chandler Road, which is owned by Mr. Park and adjacent to the old Ledge Road Landfill which is currently the site of Deyermond Field. The Town has purchased land on Blanchard Street which will become the new site of the Deyermond Sports Complex next year. The Town has been going through the process with MassDEP to close the landfill and as part of that process. Soil testing at that site revealed an arsenic issue, and it was also discovered that trash was put in various places on the Park's property which is also a wetland. The Town has received approval from the Conservation Commission to cap the landfill. The Merrimack Valley Planning Commission studied the site and rated it number 1 of potential solar farm sites in the area, and the Town is going to pursue that plan. In discussions with the Town's consultant, CDM, it has been advised that the Town should buy the contaminated property from Mr. Park to facilitate the cleanup effort. The Town has reached an agreement with Mr. Park to purchase Parcels A and B. The Town is also in the process of swapping land with AVIS due to runoff from the landfill going on to AVIS property. Mr. Park has agreed to the appraisal number of \$725,000 for the two parcels and \$50,000 for closing costs and fencing around his property which is an active farm with livestock. The Selectmen have recommended approval for this article. Ms. Loder asked if Mr. Park's parcels are contaminated. Mr. Stapczynski stated that they are contaminated due to runoff. Mr. Macaux asked if the non-wet pieces of Mr. Parks's property will be rolled into the future plans of the Town for the property or if those pieces being wet challenge future plans in any way. Mr. Stapczynski stated that the wet property does not challenge any future plans. Once capped that area will be a great solar field. It could have been redeveloped in to ball fields, but the Town would not have been able to put an irrigation system in without more extensive capping that would have been cost prohibitive. Mr. Doherty asked how long the capping period is before the solar farm can be put in place and Mr. Stapczynski answered 3-5 years. Thanks to advances in technology the process is treat in place as opposed to excavation. Mr. Doherty asked about the

**Warrant Articles 2013 – Land Acquisition 141 Chandler Road (cont'd):**

revenue that would be produced for the Town from the solar farm. Mr. Stapczynski answered that they have not gotten in to the revenue piece yet but it is part of the whole picture.

Brad Weeden of 5 Summer Street asked if once the land is purchased from Mr. Park, if there will be any contamination on his property. He also asked how the line is drawn for contamination with a concern for lawsuits down the road. Mr. Stapczynski stated that extensive testing has been done on the site and Mr. Park's property, and the attorney should draw up the paperwork in a way that the Town is protected. Mr. Macaux asked if the land proposed to be purchased fully encompasses what was delineated as contaminated and Mr. Stapczynski answered that it was. Richard Robidoux, 21 Brundrett Avenue, asked if there was an acreage size of what will be purchased from Mr. Park and Mr. Stapczynski answered that he did not have the exact number but he believes it to be 11.5 acres.

**Warrant Articles 53 and 54 – Reichhold Land Acquisition**

Bob Douglas, Director of Conservation, gave the Board an overview of the warrant articles put forth to purchase the land of the former Reichhold Chemical Company located on Lowell Junction Road. There are currently three buildings on the site; an administrative building, a block building and an approximately 100'x275' warehouse building. A multimillion dollar cleanup has taken place on the site over the last decade. The Town currently own land behind the property which has direct access to the Shawsheen River and includes Serio's Grove an area used for scout campouts. The majority of funds needed to purchase the land is available through conservation funds and previously allocated funds. This Town Meeting, they are asking for \$400,000 to complete the acquisition.

Mr. Macaux asked what the expected total cost will be. Mr. Stapczynski answered that the appraised value is \$1.75 million. Mr. Doherty asked what will happen to the buildings onsite. Mr. Douglas showed the Board a preliminary plan for the site. The perimeter of the parcel, which is ¼ of the land, will be funded by Conservation funds and will become Conservation land with a park like status and possibly a kayak/canoe launch. A majority of the remainder of the land could become four sports fields which will help improve Andover's shortage of playing fields. Mr. Doherty asked if the land accessed by Tewksbury Street was earmarked by the Town for fields. Mr. Douglas answered that it was purchased with the intent to be fields, but the Town realized that the Blanchard Street site, purchased at the same time, was more flat and easier to develop into fields. The Tewksbury Street land is sloping but there is available fill from Andover High to bring in to level it out and Andover Soccer has expressed interest in using it, so it may still become fields. Mr. Stapczynski added that the site is not impossible to have fields on; the issue is with accessing the land due to the slope of the driveway from Tewksbury Street.

Ms. Loder asked if the difference between the Conservation Grant and the PARC Grant is that they are two sources of funding. Mr. Douglas answered that each grant has different restrictions, for example the Conservation Grant calls for passive recreation so no structures or ball fields could be built on that land. The PARC Grant land would become ball fields. Mr. Douglas stated that they are asking the Town for \$400,000 at Town Meeting and are applying for grants in the amount of \$600,000 so there is a possibility to recoup some money. Mr. Doherty questioned if it will take years to get the current site to look like the preliminary plan. Mr. Stapczynski

**Warrant Articles 2013 – Reichhold Land Acquisition (cont'd):**

answered that Reichhold was closed in 1991 and the Town received approval in 2001 to buy 47 acres, but the transaction couldn't take place until it was cleaned. Serio's Grove was cleaned first and bought by the Town in 2006. Reichhold is now ready to file their RAO with MassDEP to show that the cleanup is finished and ready for purchase. There are no immediate plans for ball fields but the plan has been drawn up for when the Town is ready. The administration building could be converted into bathroom and storage facilities, the cinderblock building would be torn down and the warehouse building could be used for off season Town equipment storage. Ms. Loder asked how many acres the land across from the river is, which had been considered last year for a solar array. Mr. Stapczynski answered about 10 acres. Ms. Loder asked if the topography is too difficult for fields there. Mr. Douglas answered that the topography is very difficult for fields. Ms. Loder asked if they acquire that land then they would own land on both sides of the river and Mr. Douglas answered yes. Mr. Douglas added that the Blanchard fields were funded largely by private funds and has gone up fairly quickly, and he has been approached by different groups who would be interested in using the fields. Mr. Stapczynski added that the warrant article was originally for \$550,000 and it is now only \$450,000. James Landy, 32 Brundrett Avenue, stated that he thinks this is a nice idea and he enjoys seeing things like this for the future of the Town.

**Warrant Article 58 – Land Transfer High Plain Road**

Mr. Douglas informed the Board that years ago when the Durant family was building their house on family land on High Plain Road, the surveyor made a large error and a corner of his home is on conservation land. Mr. Douglas has been working with Mr. Durant for about five years to arrange a land swap so that another piece of his yard can be transferred to conservation and the piece of conservation land transferred to him. Both areas have been appraised and Mr. Durant is offering the Town the land as well financial compensation for the difference in the appraised value of the land. Mr. Stapczynski added that to correct this problem, Mr. Durant is paying the Town \$8,500.00 for the difference in the appraised values. Mr. Doherty asked how much land was involved and Mr. Douglas said that he believed it was less than a ¼ of an acre. Mr. Stapczynski added that Mr. Durant will not be able to sell his land until this issue is fixed.

**Preliminary Warrant Articles P-51, P-52 and P-53 - ID2 District**

Ms. Duff opened the public hearing that was continued from the March 27, 2013 for the proposed Preliminary Warrant Articles P-51, P-52 and P-53 to see if the Town will Amend Article VIII, Section 2.1 of the Zoning Bylaw by adding at the end of Section 2.1, ID2 – Industrial District and amending the Zoning Map to establish and ID2 District as shown on the plan titled, "Proposed Zoning District ID2 Dascomb Road" and "Proposed Zoning District ID2 River Road."

Ms. Duff recapped previous meetings and stated most of the concerns brought forth were about buffering, traffic and the size of the area considered. Mr. Materazzo clarified that the areas of the zoning change are the industrial district in the Northern portion of River Road and the industrial triangle on Dascomb Road that abuts the Town of Tewksbury and Interstate 93. He explained that built in to the article are checks and balances which are criteria that each development must meet. These are that any proposed development must have a positive economic impact for the Town, be in harmony with Town's Master Plan, be consistent with the

**Warrant Articles 2013 – ID2 District (cont'd):**

character of the neighborhood, and provide adequate traffic mitigation and proper landscaping and buffering. Tim Vaill of 9 Bancroft Road, Chairman of the Economic Development Council described the types of uses recommended as uses that people stop at on their way home from work, and added that it excludes big box type stores. Every single proposal will need to go through the rigorous process of the Planning Board. From the EDC's viewpoint, this zoning change is a good idea because it will provide more shopping opportunities and uses for residents of West Andover, many of whom also work in this area, keeping dollars in Andover that would normally go to abutting Towns. By adding these amenities, the area will be more attractive to employers and prospective employees, which will retain tax dollars and create new tax dollars.

Jeff Spagat of the Economic Development Council and Minuteman Park stated that there is not a lot of area to develop in Minuteman Park which is from Interstate 93 west. There is one empty parcel that abuts Interstate 93 that is currently approved for a 325,000 s.f. building which could house a potential 10,000 employees. A permit for that could be pulled today and generate a lot of traffic, but this zoning change would void that approval and they would have to start over from square one. If this is turned into a retail site, they would now need to go to MassHighway and MEPA to get approvals. Mr. Spagat, like the residents, does not want more traffic, and he wants the character of the area to remain vibrant.

James Landy, 72 Brundrett Avenue, asked if the line could be moved further east away from residences on Brundrett, so that retail stores could not be up against his backyard. He would like to see the focus more on the areas closest to the highway. Mr. Materazzo answered that the working group and the Board could consider moving the line. Mr. Spagat stated that in a practical matter, the office buildings that are next to Brundrett Avenue will remain there. Ms. Duff stated that moving the boundary is something that should be discussed.

Carol Andre, 5 Fossen Way, asked why the whole district is being rezoned if there is only one empty parcel to be developed. Mr. Spagat answered that there may be other smaller parcels, but there is nothing as significant as that parcel that could be turned into something of concern like Target. Ms. Andre suggested the uses be fine tuned due to the availability of many of those services within a mile's drive. She expressed concern about increased traffic on the weekends and evenings from commercial properties. In her opinion this change doesn't feel right and is not right for the Town. Ms. Loder stated that she lives in that area and works for Cummings Park in Woburn where they have every one of those amenities. She sees many people walking to the amenities instead of using their cars. Speaking as a resident, she went to Starbucks downtown on Saturday morning and couldn't find parking, but if there had been a Starbucks off of River Road she would have gone there instead. She added that many businesses in Cummings Park are not open on the weekends because they only tailor to the employees.

Ellen McKeough, 5 Surrey Lane, expressed concern that once uses are added, the door is open for changes down the road, so she would also prefer a reduction in the number of uses. She works in that area and everything that she needs is available to her, an in-house cafeteria, in-house gymnasium, free coffee and dry cleaning delivery. She wouldn't have a problem with a coffee shop or another sit down restaurant, but she is concerned about people being attracted off of the highway to come to the area. When making decisions about neighborhoods, the Board

**Warrant Articles 2013 – ID2 District (cont'd):**

needs to defer to the residents who have made their homes there. Mr. Bergeron reminded the audience that each opportunity is allowed only by Planning Board approval. Each specific item would be focused on individually, and the neighbors would have the opportunity to voice their opinion to the Planning Board. Ms. Duff added that she has lived in West Andover off of River Road for 32 years and to have a place like a convenience store to pick up quick items would be a good thing. If this zoning passes, whether the community wants a dry cleaner or not would be something that would be taken up at the Planning Board. Mr. Bergeron stated that he lives off of Dascomb Road and has to buy certain items in Tewksbury. He would welcome an opportunity to keep his money in Town as much as he can. Mr. Spagat added that some people are fortunate and work at companies that offer in house amenities, but there are many smaller companies in the area that cannot provide any amenities and are looking for them. Mr. Doherty commented that the list of uses was compiled when area employers approached Planning staff and said that this is what they need to retain employees and stay in the area.

Owen Matthews, 5 Donald Circle, asked for clarification on who was asked about this zoning change. Mr. Materazzo answered that for the past few years it has been a combination of area residents and businesses that are constantly asking what the Town can do to create more services in West Andover. Previously, two developers brought forth private articles for an overlay for this. Providing more services in West Andover is part of the Master Plan going back to 1992. Mr. Matthews stated that these types of things were proposed in the late 1980s or early 1990s. There are lots of empty office/medical type buildings that are empty, specifically the building on the corner of River Road and Route 93. Mr. Materazzo clarified that under current zoning, a medical use, which would be perfect for that particular building, is not allowed. This change would offer great opportunities to recycle buildings into non-retail uses. Mr. Matthews added that if there was a Starbucks anywhere in that area, traffic would be a nightmare, so he is not only concerned about big box stores. Mr. Materazzo stated that the Planning Board would probably have a hard time approving such a use if they could not mitigate traffic, and to combat big box stores, the square footage is capped at 25,000 s.f. Sandra Matthews, 5 Donald Circle, asked for an example of 25,000 s.f. and Mr. Materazzo informed her former Market Basket was about 35,000 s.f. She then asked what the limitations on height would be and Mr. Materazzo answered that it would be the same that is currently allowed in the industrial district which is 50 ft. The setbacks are 50 ft front, 40 ft side and 40 ft rear, which will allow for flexibility with the parking. Ms. Matthews asked if the access to the area would remain the same through Minuteman Park or if it would change. Mr. Materazzo answered that it may change based on the proposals brought forth. Ms. Matthews then asked if a crime analysis has been done for the area. Ms. Loder answered that vacant buildings are a magnet for criminal activity, but when there are more people around it is a deterrent to crime. Mr. Macaux added that public safety is part of the interdepartmental review process that each proposal would go through. Ms. Matthews added that she is worried that money and the potential tax revenue will win out over the neighbors' concerns. She asked if there was ever a survey done of how many of the employees of the park are Andover residents. Mr. Materazzo answered that in the coming weeks he will be having meetings at different companies in the area with Andover residents.

Ms. Loder asked members of the audience to offer what they do not like about the area today without even considering the zoning change. Carol Andre, 5 Fossen Way, stated that she does

**Warrant Articles 2013 – ID2 District (cont'd):**

not care for the signage of certain businesses such as Chili's with their neon, sky high illuminated signs, because it is not a good representation of Andover. She would prefer any businesses to have to keep with the residential character of the Town. Mr. Materazzo stated that the signage would have to conform to current ID district standards. All proposals would have to go through the Design Review Board process, to make sure that it fits in to the fabric of the community, which is not required by the current zoning. This reboots the process to give the Town more control in those areas. Ms. Andre questioned that if they would have to fit into the character of the larger neighborhood or the immediate neighborhood which already has Chili's. Mr. Materazzo answered that the Design Review Board is very good at making sure a project is "Andover-centric" and not anywhere USA.

Gerry Caruso, 12 Somerset Drive, asked Mr. Vaill if he had the numbers on the tax revenue increase. Mr. Vaill answered that specific numbers have not been run, but it is based off of the expected increase in demand for the area which will increase property values, as well as more spending done locally which will lead to an increase in sales taxes and property taxes. Mr. Materazzo added that the backfilling of vacant buildings will increase tax revenue, and tax dollars will be retained from companies staying put. Mr. Caruso asked Mr. Spagat if there are buildings available in the office park that would be suitable for the mixed use of retail or restaurant with offices above, or if there was land available to build such things. Mr. Spagat answered that there is buildable land available that is already permitted for a 325,000 s.f. building, but they would like to scrap that plan see what would be best for the park and the neighborhood. Mr. Caruso commented that the things that jumped out at him were the relaxed standards on setbacks compared to other districts, and the ability to reduce the parking spaces. Mr. Materazzo stated that they were looking to align this district with the Industrial A district, and the Planning Board current allows parking flexibility in office developments, and have done this routinely at Minuteman Park. If a use doesn't need all of the parking, they would rather not force them to cut down every tree just to add parking. Mr. Caruso asked if the parking requirement for the grocery store at 1 space per 300 s.f. is a requirement in other districts. Mr. Materazzo answered that that is similar to what grocers look for and some ask for more. Mr. Caruso added that he is a member of the Land Policy Institute in Boston and he has looked at this site extensively. He agrees that this is a more reasonable place to put this zoning, but he was hoping that more restrictions could be put in to place, such as not allowing anything right on River Road and requiring more buffering. Mr. Materazzo answered that since they do not have an end user for this area, they are trying to provide as much flexibility as possible to allow these uses to evolve. Mr. Caruso asked if specific buffer zones for the few properties on Old River Road can be put into the zoning. Mr. Materazzo stated that the original zoning language in the 1950s for the ID district called for a 300 foot buffer from any residences, and carrying that language into this article may be something that could be an amendment on the floor of Town Meeting. Mr. Caruso commented that he lives about a mile down the road, he is not against the article, he just wanted to provide help with thinking it through.

James Landy, 72 Brundrett Avenue asked if the Board thinks that there will be a supermarket in this district. He also expressed concern about the 25,000 s.f. cap because to him that seems like a mall. He questioned the claim that businesses are leaving because of a lack of amenities when the Board just approved an addition for a new business that is coming to the area. Ms. Loder

**Warrant Articles 2013 – ID2 District (cont’d):**

informed Mr. Landy that the business he is speaking of received a TIF which was a big influence for them to come to Town. Mr. Materazzo clarified that the 25,000 s.f. threshold relates to the retail sales component only, and that cap was put in place to exclude big box stores. Medical uses would be treated like any other office development. Mr. Macaux stated that building a mall in the area would most likely not pass the muster of fitting in to the character of the neighborhood. Each development would also have to prove that they would not negatively affect the traffic. Ms. Duff reminded the audience that the Planning Board will not be deciding to approve this zoning; it will be decided at Town Meeting.

Carol Andre, 5 Fossen Way, asked how much space is available to be developed on the East side of River Road. Mr. Materazzo pointed out the building on Old River Road at the intersection of Interstate 93 and River Road that is prime for a medical use. He stated that off of Old River Road there is a vacant parcel at 5 Campanelli Drive. It doesn't have a lot of visibility off of River Road so this may be more suitable for a recreational facility or a medical use. There are not many large vacant parcels on the east side of Interstate 93, so the market is not there for new construction. Ellen McKeough of 5 Surrey Drive added that putting these uses further back from the road discreetly will not make a mess of the neighborhood. Mr. Doherty recommended the Board keep the discussion open for one more meeting.

On a motion by Mr. Macaux, seconded by Ms. Loder, the Board voted to continue the public hearings on Preliminary Warrant Articles P-51, P-52 and P-53 to see if the Town will amend Article VIII, Section 2.1 of the Zoning Bylaw by adding at the end of Section 2.1, ID2 – Industrial District and amending the Zoning Map to establish and ID2 District as shown on the plan titled, “Proposed Zoning District ID2 Dascomb Road” and “Proposed Zoning District ID2 River Road” to Tuesday, April 23<sup>rd</sup> at 7:30p.m. **Vote:** Unanimous (5-0).

The Board decided to hold off on taking an opinion on any of the other warrant articles discussed tonight until the next meeting on April 23<sup>rd</sup>.

**Adjournment:** The meeting was adjourned at 10:10 p.m.