

**Call to Order:**

The meeting was called to order at 7:30 p.m. Present were Chairman Zach Bergeron, members Vinnie Chiozzi (arrived at 7:31 p.m.), Jay Doherty, Joan Duff, Ann Knowles and Associate Member Austin Simko; also present was Jacki Byerley, Town Planner.

**180-182 Jenkins Road:**

Mr. Bergeron opened the public meeting on 180-182 Jenkins Road, a Preliminary Subdivision Plan.

Ms. Byerley stated that this is the second Preliminary Plan that the applicant has brought before the Board for this property. This plan has 16 lots, the same as the prior plan with the only change being the open space is now moved to the rear of the property by Harold Parker State Forest.

Ian Rubin of Markey & Rubin, the engineer representing the applicant stated that the Preliminary Plan is for a cluster subdivision with 16 lots. The open space has been put at the end of the cul de sac to abut Harold Parker State Forest. Mr. Rubin showed a proof plan of the subdivision to prove that 16 one acre lots with 180 ft of frontage can be achieved with a conventional layout. Mr. Rubin stated that that all lots will share a common septic system. An additional three lots can be used for wetlands replication and drainage. Town water ends on Jenkins Road but it can be looped up to the proposed cul de sac. Bradford Pond which the street is named after is part of the Harold Parker State Forest in North Reading.

Ms. Byerley reviewed her memo with the various comments received at the Interdepartmental Review:

**DPW:**

- A drainage/stormwater management report needs to be submitted, there has been some overflow on Jenkins Road that will need to be reviewed.
- A retaining wall will not be allowed to hold up the roadway.
- Around Lot 7 there is historically some water seepage that should be looked at.
- Water connection should take place in Andover not North Reading as suggested at the IDR by the applicant.
- Soil test pits are required for the detention area and the right of way that need to be witnessed by the Town.
- Look at possible conflicts with the proposed roadway and the driveways of 178 and 182 Jenkins Road.
- Easements from the lots to the shared subsurface disposal will need to be private and located outside of the Right of Way.

**Health:**

- The Board of Health will be meeting on February 22, 2016 to vote on the preliminary plan. The Health Director has provided a copy of his recommendation.

**Fire:**

They need to show the waterline with the hydrant locations.

**180-182 Jenkins Road (cont'd):**

- Sprinklers will be necessary if the dwellings are further than 50 feet from a 20 wide foot drive.

## Police:

- Clearing for sight lines will be necessary.

## Conservation:

- An Abbreviated Notice of Resource Area Delineation (ANRAD) for all resource areas present on site under the Act and Bylaw prior to any subdivision application will need to be filed with the Conservation Commission (email attached)

## Building:

- Informed the applicant of the unsafe conditions with the collapsing barn and the temporary electrical service on the property needs to be remedied immediately.

## Planning:

- A sidewalk will need to be constructed or a waiver requested.
- The property also owned by the applicant at 178 Jenkins Road should be looked at to bring into compliance with zoning.

Ms. Byerley informed the Board that the Board of Health voted to disapprove the Preliminary Plan at their meeting on Monday night.

Mr. Bergeron stated that the Planning Board cannot approve the Preliminary Plan as is. Ms. Byerley reminded the Board and the applicant that a Preliminary Plan is meant to give feedback to the applicant. Based on the original feedback from the Board the applicant has moved the open space. She noted that is in in the Board's hands if they would like the applicant to make more revisions.

Ms. Knowles stated that she felt the new layout was better than the original plan. She noted that they eliminated the strangely shaped lots but added that lot 12 is still a strange shape and not square to the street. Mr. Rubin noted that there is a large incline on lot 17. Ms. Knowles stated that she prefers that lots be square to the street. Mr. Rubin explained why that particular lot is shaped in that way, but stated that if that is what the Board wants to see, he doesn't see why he couldn't do it. Ms. Knowles stated that she would like for them to consider it.

Mr. Bergeron asked if they are trying to accommodate a certain size on the pathway to Harold Parker. Mr. Rubin stated that the pathway would be 20 ft wide which is adequate for pedestrian travel. Ms. Knowles asked if there is access to Harold Parker as is, and if this site will be an effective addition to it. Mr. Rubin stated that what will be done with the open space is still up in the air. Mr. Bergeron suggested that the applicant begin conversations on connectivity with Harold Parker because they may be able to directly connect to an existing trail. Mr. Rubin showed a map of Harold Parker and noted that there is a road in the state forest near the land of the proposed subdivision. Ms. Duff wondered if there was parking allowed on that road. Mr.

**180-182 Jenkins Road (cont'd):**

Rubin stated that he could discuss with representatives from Harold Parker how this land would tie and what the benefit of it would be.

Mr. Doherty informed the applicant that they should take care of the violations noted in the letter from the Inspector of Buildings before they come back before the Planning Board. He noted that in all the years he has sat on the Board he has never seen a letter like that from the Inspector of Buildings. Mr. Rubin stated that his clients have informed him that when they have an approval of their Preliminary Plan from the Planning Board and can move on to a Definitive Plan they will demolish the building. Mari Shankar, the applicant stated that they took care of the electrical service before the Inspector of Building's letter was issued. Mr. Chiozzi informed Mr. Shankar that he should not put a requirement on the Town to grant him something before he takes care of the violations. Mr. Rubin stated that the applicants do not own the property, they are only the developers. They will take care of the problems if they know they are going ahead with the definitive subdivision. Mr. Chiozzi informed Mr. Shankar that before he comes back to the Planning Board every violation should be resolved.

John Ely of 174 Jenkins Road asked what the rationale is of moving the open space from the front of the property to the back of the property where there is already thousands of acres of open space. Mr. Bergeron stated that the idea was to provide connectivity for the local residents to the existing trails. Ms. Byerley added that applicant has chosen to come in with for a cluster subdivision which requires open space. The Town wants any open space to be usable open space, and for it to connect to existing open space if it can. Mr. Ely stated that in regards to the road in Harold Parker, it is an old dirt fire road that you can't drive or park on. Mr. Chiozzi asked Mr. Ely is he had lived there a long time. Mr. Ely stated that he has lived there since 1954.

Ms. Byerley reminded the Board and the applicant that a Preliminary Plan is a non-binding decision. The applicant does not need an approved Preliminary Plan to go forward with a Definitive Plan.

On a motion by Ms. Duff seconded by Mr. Chiozzi the Board moved to disapprove the Preliminary Subdivision Plan entitled Bradford Pond Drive located at 180 and 182 Jenkins Road for failure to meet the design standards of the Subdivision Rules and Regulations and the intent of a cluster subdivision as proposed. **Vote:** Unanimous (6-0).

**254 South Main Street:**

Mr. Bergeron opened the continued Public Meeting for 254 South Main Street a Site Plan Review Dover Use. Ms. Byerley informed the Board that the applicant's engineer has requested that this item be continued to the Board's March 8<sup>th</sup> meeting.

On a motion by Ms. Duff seconded by Mr. Doherty the Board the discussion on the Phillips Academy Field house Site Plan Review Dover Use be continued until March 8, 2016 at 8:15 p.m. **Vote:** Unanimous (6-0).

**Other Business:****Town Meeting Articles:**

Ms. Byerley informed the Board of additional Town Meeting articles requesting over \$100,000.00 that the Board has to vote on in an advisory role per the Town Charter.

Ms. Byerley reviewed the three additional Town Charter articles. An article entitled Lovely Field Turf Replacement for \$500,000.00 is being requested by the Director of Municipal Services. She stated that unless the Board needs additional information she recommends the Board take No Action on the article.

Ms. Byerley stated the Ballardvale Engine House Improvement Project Fund is a private article requesting \$3,000,000.00 for the construction and related expenses including architectural services for the Ballardvale Fire Station. Ms. Byerley recommended the Board take no action unless they would like additional information. The Board discussed how this item has been before Town Meeting multiple times requesting various amounts of money. Ms. Knowles questioned if at some point the Board should just recommend disapproval. Mr. Bergeron noted that as citizens the members of the Board may say no, but as a Board they do not really have grounds to say no. Mr. Chiozzi stated that the problem with the article is that the addition would not physically fit on the parcel. He stated that he is okay with taking No Action.

Ms. Byerley stated an article entitled Memorial Playstead Playground Construction is another private article asking for \$120,000.00. Ms. Duff asked what the Board did previously on the Ballardvale Playground. Mr. Chiozzi asked if the playground has a location. Ms. Byerley stated that she believed the location is trying to correspond with the Board's recommendation in the approved Park Plan, and this is how the resident wants to raise the funds to put a playground in the Playstead. Ms. Byerley stated that she is recommending that the Board take No Action because the Board previously took action by putting the Park Plan together, and Town Meeting as a body can vote as to whether they want to expend the funding. Mr. Bergeron stated that his concern with something like this is that he agrees with what was recommended as part of the whole Park Plan exercise and he doesn't want things done in a vacuum. He believes this article does things in a vacuum. It's taking a piece of it but not looking at the whole Playstead. Mr. Chiozzi asked if there is a drawing that goes along with the article to show a layout. Ms. Byerley stated that there was no drawing submitted with the article, and she is not aware of any drawing. She offered that the proponent may have something prepared for Town Meeting. Mr. Bergeron stated that he thinks No Action is fine. Mr. Chiozzi stated that he thinks No Action is fine for all three articles.

On a motion by Ms. Duff seconded by Mr. Doherty the Board moved to take No Action on the three annual Town Meeting Warrant Articles both private and public one of which is the Lovely Field Turf Replacement, one is the Ballardvale Engine House Improvement Project, and on the Funding of a Playground on Memorial Playstead behind the Doherty School. **Vote:** Unanimous (6-0).

**Adjournment:** The meeting was adjourned at 8:04 p.m.