

Call to Order:

The meeting was called to order at 7:36 p.m. in the 3rd Floor Conference Room of the Town Offices. Present were Chairman Zachary Bergeron, members Vincent Chiozzi, Joan Duff, Ann Knowles and Neil Magenheim, and Associate Member Rocky Leavitt. Also present were Paul Materazzo, Director of Planning & Economic Development, Lisa Schwarz, Senior Planner and Jacki Byerley, Planner.

Minutes:

Ms. Knowles stated that she has non-material changes to the minutes that were grammatical in nature. She gave those changes to Ms. Byerley.

On a motion by Ms. Duff seconded by Mr. Magenheim the Board approved the minutes of November 26, 2018 as amended. **Vote:** Unanimous (5-0).

1 Minuteman Road and 161 River Road:

Mr. Bergeron opened the public hearings for 1 Minuteman Road and 161 River Road, applications submitted by One Minuteman LLC c/o Brickstone Properties for a Special Permit for Major Non-Residential Project and a Special Permit for ID2 Zoning District Uses.

John Smolak of Smolak & Vaughn, an attorney representing the applicant reviewed the project. The site consists of two parcels which will be combined for a 4.99 acre site. The development will include three separate buildings housing a daycare center, restaurant/retail building and a bank. Mr. Smolak stated that the Zoning Board of Appeals has approved a special permit for a banking establishment and a side yard setback variance from 40 ft to 7 ft which allows for improvements further away from wetlands. The existing building at 1 Minuteman Road was a bank that discontinued operations in 2004. Since that time the applicant has used the building as their offices. The existing building at 161 River Road is a single family home. Both buildings will be torn down. The applicant has filed a Notice of Intent with the Conservation Commission and will be heard on February 5th. Mr. Bergeron asked if the residential home is currently occupied. Attorney Smolak stated that the home has been abandoned for some time.

Austin Turner of Bohler Engineering, an engineer representing the applicant, reviewed the topography and groundwater conditions, property constraints and stormwater system. He noted that more than half of the property is wetlands or wetland buffer zone and there is a 14-15 ft topography change which makes the site challenging. The primary access to the property will be off of River Road. The applicant has contracted Vanasse and Associates to conduct a traffic impact assessment. Mr. Turner reviewed the placement of the buildings on the site which include a 10,000 square foot childcare facility, a 10,000 square foot building that will house two retailers and a sit down restaurant, and a 4,000 square foot bank. There are access points off of both River Road and Minuteman Road to satisfy the Fire Department and Police Department. Primary utilities will come from River Road and they are currently working with engineering on the location of the sewer connection. Street trees will be placed along River Road and groundcover will be placed in internal islands as appropriate. The stormwater will be placed mainly in underground chambers under the parking lot with a small amount going to an existing aboveground basin.

1 Minuteman Road and 161 River Road (cont'd):

Mr. Magenheim asked if there will be a slope on the east side of the property in front of the detention basin. Mr. Turner stated that the buildings are elevated at the River Road grade and there will be grading along the sides of the building making the difference in elevation 6-7 feet. Ms. Knowles asked if there will be raingardens or any other low impact development technologies besides the stormceptors. Mr. Turner stated that the Conservation Commission wants to maintain as much of a buffer as possible, so that doesn't afford much ability for surface stormwater technologies. There will be large recharge galleries under the parking lot. The site will also have stormwater quality units.

Mr. Bergeron asked if the site will be accessible on foot for the hotels and other businesses in the area. Mr. Turner stated that the site will be accessible by foot and trails may be added on the north side of the property to activate the area. Ms. Knowles stated that she would like to see native species incorporated in the landscaping plan. Mr. Turner stated that he would welcome suggestions of specific species. Ms. Knowles noted that the addition of native species on the north side of the site would lead to a more natural transition.

Mr. Leavitt asked if the secondary entrance onto Minuteman is both an entrance and exit. Mr. Turner stated that it is both. Mr. Leavitt asked if an easement is required for that access. Mr. Turner stated that an easement is already in place. Mr. Leavitt asked about snow storage noting the proximity to the wetlands. Mr. Turner noted that the plan includes provisions for snow storage, but there is limited room for storage onsite. He stated that anything that cannot be stored onsite will be trucked offsite. Mr. Leavitt asked about earth movement. Mr. Turner stated that they will have to import fill onto the site. Mr. Leavitt asked if they are meeting the parking requirement. Mr. Turner stated that the requirement is 144 parking spaces and they are providing 145 spaces.

Mr. Chiozzi asked if movements will be limited at the direct exit onto River Road. Mr. Turner stated that it is a full access driveway. Mr. Chozzi noted that a left hand turn onto River Road is very dangerous in both the morning and the evening. It would be safer for those taking a left hand turn to do so at the signalized intersection on Minuteman. Mr. Chiozzi asked about the drop off and pickup for the daycare center. Mr. Turner stated that they anticipate that parents will park and walk their children into the daycare center.

Mr. Magenheim asked about the daycare center capacity. Mr. Turner stated that 40 parking spaces are provided and the regulations are 1 space for every 10 children, and one space for every employee. Ms. Duff asked about seating capacity for the restaurant. Mr. Turner stated that it would be a casual sit-down restaurant with 108 seats. Ms. Knowles asked about the hours of operation of the restaurant. Mr. Turner stated that they do not have a tenant, but they are in talks with a potential tenant who would be open breakfast through dinner.

Jim Jozokas, of Jozokas Architecture, Inc., an architect representing the applicant showed renderings of the three proposed one story buildings. Mr. Bergeron asked if the design of the buildings would be reviewed by the Design Review Board. Ms. Schwarz stated that per the Bylaw the Board could require DRB review. Mr. Bergeron and Ms. Knowles stated that they would like the applicant to go through the DRB process.

1 Minuteman Road and 161 River Road (cont'd):

Mr. Bergeron stated that throughout the public hearing process the Board will review information from the DRB, follow up on IDR comments, stormwater management, landscaping and traffic information.

On a motion by Ms. Knowles seconded by Mr. Chiozzi the Board continued the public hearings on 1 Minuteman Road and 161 River Road Special Permit for Major Non-Residential Project and Special Permit for ID2 Zoning Uses to February 12, 2019 at 7:30 PM. **Vote:** Unanimous (5-0).

146 Dascomb Road:

Mr. Bergeron opened the continued public hearings on 146 Dascomb Road, a Special Permit for Major Non-Residential Project and a Special Permit for ID2 Zoning District Uses. He noted that at the last meeting, the Board had their first discussion with the applicant and the Town's peer reviewer on traffic. It was determined at the last meeting that the discussion tonight would center around internal site circulation for both vehicles and pedestrians.

Rick Friberg of TEC, Inc., an engineer representing the applicant, gave a presentation on the internal site circulation. The presentation included vehicle access to the parking areas and access to the buildings from the parking lots. Internal and external pedestrian access to the site was discussed. Based on feedback from the Board, the applicant's representative will look at adding a crossing area from building D to the green space and a drop off and pick up area. The Board also requested more information on the Tewksbury fire truck turning radius, policing of parking from overflow of commuter parking, animating the green spaces with kiosks or other events for merchants use. For future discussion the applicant will look at conducting a probing analysis for ledge and the proximity of ledge removal to the residential area, along with committing to a process to inform the public of the ledge removal; a balloon test for the cell tower if it should be moved.

Keith Saxon of 15 Wethersfield Drive ask if the grade change near Interstate 93 is 20ft. Mr. Friberg stated that the grade change is 4%. Mr. Saxon noted that some of the parking spaces on Level 1 of the garage are on land owned by Restaurant Depot. He questioned if the Board could approve parking on land the applicant does not own. Mr. Friberg stated that they have multiple reciprocal easements with Restaurant Depot including for parking.

Krystle Solimine of 2 Surrey Lane asked where ledge is located on the property. Mr. Friberg pointed out the current location of the cell tower and noted that there are visible rock outcroppings in that area. He stated that they anticipate the presence of ledge but at this time the limits are unknown. He expects any ledge on the property is located approximately 1,000 ft from the nearest residence. Mr. Bergeron noted that ledge is an identified topic for a more in-depth discussion at another meeting. Mr. Friberg stated that they are committed to a public process outside of the Planning Board process regarding any blasting of ledge including meetings and notifications.

Glen Gnabasik of 5 Glen Meadow Road questioned the number of parking spaces and the parking requirements. Ms. Byerley noted that the applicant is providing 13 more parking spaces

146 Dascomb Road (cont'd):

than required (1,760 provided, 1,747 required.) Mr. Bergeron noted that at this type of development, much like the downtown, a person may park once and visit multiple businesses. Mr. Materazzo added that the peer reviewer has recommended the Board reduce the parking requirement due to the shared uses. Mr. Friberg stated that they determined their parking number by calculating the parking requirement for each use independently and adding those individual numbers up. Mr. Bergeron noted that the undesirable parking proposed closest to Interstate 93 could be programmed as greenspace that can be activated as parking if necessary.

Courtney Driscoll of 1 Carriage Hill Road asked where the cell tower will be moved to. Mr. Friberg stated that the location has not been determined by the applicant and cell tower owner.

Glenn Gnabasik of 5 Glen Meadow Road asked if there will be a designated area for ride share drop-offs and pick-ups. Mr. Friberg stated there is not such an area planned because it will have predominantly office workers. Mr. Gnabasik felt that the compact size of the site could lead to dangerous pick-ups and drop-offs without a dedicated area. Mr. Friberg noted that the best solution in his opinion was for people to park in parking spaces. Ms. Byerley stated that the Board can ask the peer reviewer about this issue. Mr. Chiozzi noted that most people will drop their passengers off in front of the store that they are going to, not at the designated drop off area. He felt that with a 24 ft travel lane, there was enough space for cars to pass another car that is dropping someone off, so a designated drop-off area was not necessary.

Courtney Driscoll of 1 Carriage Hill Road asked about traffic mitigation and if the neighborhoods in the area would have "No Parking" signs so that people would not park on residential streets and walk to the development. Mr. Bergeron stated that the applicant is trying to provide adequate parking onsite so that parking in residential neighborhoods will not be an issue. In his opinion he didn't feel that the neighborhoods are close enough for people to want to park there. He added that in regards to people currently using the residential streets as a turn around, the applicant is proposing better access onto Dascomb Road towards Tewksbury from 93 that will make those turnarounds less desirable to motorists. The applicant is also proposing sidewalks and crosswalks for safety and as traffic calming measures. The peer reviewer has agreed with these measures. In regards to the flashing crosswalk beacon, the applicant is looking for other options based on resident feedback.

Chris Huntress of 17 Tewksbury Street noted that people may park at the Park and Ride across the street on Frontage Road and walk across five lanes of road to get into the site. He asked if there will be a safe pedestrian route from the Park and Ride. Mr. Friberg stated that proposed mitigation includes crosswalks with pedestrian push signals that will get people safely across the street at a signalized intersection.

Evan Sermos of 6 Carriage Hill Road noted that the Park and Ride is full every morning. He asked if the development will be dependent on that lot for overflow parking and if there will be time limits on how long one can park in the development. Mr. Friberg stated that there is not intent for any guests of this development to park at the Park in Ride nor are they relying on the Park and Ride to provide enough parking for the site. He added that as part of their parking

146 Dascomb Road (cont'd):

management plan they would have to look into if their site is being used as an overflow lot for the Park and Ride and they may have to implement monitoring.

Krystle Solimine of 2 Surrey Lane noted that Kerry Plaza in Tewksbury is renting parking spaces from the Mobil Gas Station because they do not have enough parking spaces for their clientele.

Keith Saxon of 15 Wethersfield Drive questioned the lack of fire lanes. Mr. Friberg stated that the Fire Department has reviewed the plan and are satisfied with their access for fire protection. All of the buildings and the parking structure will also have sprinklers for immediate fire suppression. Ed MacDonald of 4 Carriage Hill Road asked if the Tewksbury Fire Department is satisfied with their access in case they had to come in to assist Andover. Mr. Friberg stated that Tewksbury was represented at the IDR and they did not raise any concerns, but he could touch base with them regarding this item specifically.

Keith Saxon of 15 Wethersfield Drive asked if the applicant needs to obtain an earth movement special permit. Ms. Byerley stated that an earth movement special permit is not required when applying for a special permit for major non-residential project.

Mr. Bergeron stated the next public hearing on February 12th would focus on the phasing plan, site plan and the approval process of future site plans.

The Board at their meeting held on January 8th had previously voted to continue the public hearings to February 12, 2019 at 7:45 PM.

Other Business:

Mr. Materazzo informed the Board that the Board of Selectmen have been discussing having an annual Fall Town Meeting and Austin Simko, Town Clerk, was present to discuss this idea with the Board. Mr. Simko stated that the BOS is considering having an annual Fall Town Meeting devoted to zoning articles. The intention of this is to hopefully shorten the annual spring Town Meeting, and also to allow for a greater focus on zoning articles. He suggested that the Board start to think about this because the BOS may be asking their opinion shortly.

Mr. Simko stated that he has no opinion on this proposal, and noted that there are both pros and cons associated with it. The Board discussed the fact that the Town cannot legally keep non-zoning articles off a Fall Town Meeting warrant nor could they keep zoning articles off of the Annual Town Meeting warrant. Mr. Simko stated that some towns intentionally place certain financial articles on the fall warrant. Mr. Simko also noted that the town in the near future may move to electronic voting which could shorten the length of Town Meeting. He added financial articles presented at December Town Meeting could possibly affect the tax classification.

Mr. Chiozzi noted that in any given year there are on average between 3 and 12 zoning articles. Ms. Byerley stated that in years that there are a large amount of zoning articles, many of them are housekeeping articles. There are generally only one or two larger zoning articles. Ms. Knowles asked Mr. Simko if the other towns that hold annual fall town meetings get a good turnout. Mr. Simko stated that he spoke to a number of towns and low voter turnout was not

Other Business (cont'd):

mentioned. He stated that most of those communities stated that it works out well for them, however it is a habit and tradition for their communities.

Mr. Chiozzi asked when a fall town meeting would take place, noting that if it were to take place in October, the public hearings would take place in the summer. Mr. Simko stated that December is a possibility because primaries are in September and general elections are in November. Mr. Chiozzi noted that December is very close to April when annual Town Meeting is held. Mr. Bergeron asked how far the Selectmen are in their discussions. Mr. Simko stated that the Selectmen have had a process discussion and raised the idea of having a joint meeting with the Planning Board to discuss further.

Mr. Bergeron stated that this Board has discussed this in the past as an extra business item. He stated that logistically there would be growing pains and hurdles with it that may not be worth the time and effort. He noted that there is a cost associated with holding a Town Meeting. Mr. Simko stated that the cost of Town Meeting is approximately \$16,000. Mr. Magenheim noted that the fall town meeting could go more than one night.

Mr. Simko asked the Board if they would like to proceed with a joint discussion of this with the Selectmen, and if so when they would like to have the discussion. The Board agreed that they would welcome a discussion with the Selectmen. Mr. Bergeron noted that it will change the timing of everything the Planning Board does and it will create a considerable amount of extra work for both the Board and staff. He added that he sees the fatigue once Town Meeting goes into the third night and is finally getting to the zoning articles. Ms. Byerley offered that the zoning articles could be placed higher in the warrant so that they are not the last thing taken up.

Adjournment: The meeting was adjourned at 10:05 P.M.

Documents:

Minutes:

- Andover Planning Board Draft Minutes of November 13, 2018.

1 Minuteman Road and 161 River Road:

- Site Development Plans for Proposed Brickstone Companies Multi-Use Development dated December 21, 2018
- Application for Special Permit for Major Non-Residential Project for 1 Minuteman Road 161 River Road
- Application for Special Permit or ID2 Zoning Uses for 1 Minuteman Road and 161 River Road

146 Dascomb Road:

- Dascomb Road Site Circulation, January 22, 2019, TEC, Inc.