



MEETING MINUTES

Wednesday, May 10, 2023 – ZOOM HEARING

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law, this meeting was conducted by remote participation.

Call to Order 7:01 pm

Roll Call by David Hatfield

In Attendance:

DAVID W. HATFIELD, CHAIRMAN
THOMAS J. LUCEY
JAMES H. MCBAIN
JOSEPH PRIDE, CLERK
CHARLES L. TARBELL
GREGORY W. MCINTOSH, ALTERNATE
MICHAEL L. FEELEY, ALTERNATE
KASUMI HUMPHRIES, ALTERNATE

Joseph Pride Read the Legal Notice

REQUEST TO CONTINUE:

(23-43, 23-44, 23-45, 23-46, 23-47, 23-48, 23-49, 23-50) 314, 330, 336 SALEM STREET – GRANITZ FAMILY TRUST, LLC

A request from Attorney Brian McGrail to continue this matter until May 24, 2023, the petitioner is in the process of reviewing drainage with the Town Engineer. Also, a request was made to extend the time for the Board to render and file a decision through August 30, 2023.

Tom made a motion to continue to May 24th and extend the time to render a decision to August 30th, Joe seconded.

Voting members – Dave, Greg, Jim, Joe, Tom



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REQUEST TO CONTINUE:

(23-51) 377 MAIN STREET – DANA RODRIGUES

A request from Attorney Brian McGrail to continue until May 24, 2023, they are still in the process of reviewing options.

Tom made a motion to continue and Joe seconded.

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CONTINUED HEARING:

(23-14, 23-15, 23-16, 23-17) 369-371 MAIN STREET – KINGMAN BLOCK, LLC

Purpose: Request for a Determination and/or Finding, Special Permits and Site Plan Approval to allow a 20 unit Mid-Rise Apartment Building with a Mix or combination of other uses including restaurant, professional and business offices.

Attendees: Attorney Brian McGrail and Dan Martinez (architect)

Discussions:

Still working on the easement and working with Bill Renault.

Brian is working on O&M and conditions

Daniel Martinez presented renderings, after the last meeting the Board had 3 questions:

1. Bank teller window removed or modified
2. Indicated on the plans what brick color the Board wanted - Jim wants option B for the brick shown on the elevations
3. Different lighting for parking with motion sensors is also specified

Final engineering letter and TAC letter is still needed.

The Board is fine with the architecture.

Jim asked where all the vents will be – Daniel said through the roof. There will be a note on the plan.

Public Testimony:

None

Plans Presented:

- Architectural Drawings, prepared by Khalsa Design, Inc., dated 5/4/2023

Attorney McGrail requested to extend the time for the Board to render and/or file a decision until August 30th.

Chip made a motion to continue to 5/24 and extend the time to render a decision to August 30

Joe seconded

Voting members all in favor – Dave, Chip, Jim, Joe, Tom

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CONTINUED HEARING:

(23-39, 23-40, 23-41, 23-42) 10 BROADWAY – NEW CREEK LLC

Attendees: Attorney Brian McGrail, John Ogren, James Emmanuel, Ahmed Aly, Brian O'Connor

Purpose: Special Permits, Site Plan Approval and Variance to allow a 124 unit mid-Rise apartment building (now reduced to 106 units)

Discussions:

The Conservation Commission still has work to do, Brian explained they also have some more information to get to them, but are making good progress.

Jim McBain has been working with them on the architecture and is making progress.

Brian O'Connor from Cube 3 –

- Reviewed the proposed site
- Reviewed the massing from Main Street, Broadway and North Avenue
- They have been really working on the Crystal Lake side of the façade, Garage Façade, Entrance and Public Plaza
- Reviewed materials - Gray Masonry, Mesh Screening, Vertical Panels Cement Wood/Cedar
- Wood Canopy at the front entrance for warmth and to be welcoming.

James Emmanuel reviewed the landscaping plan and fencing.

Jim McBain explained that at the last meeting they came with a trellis idea on the garage and he thought it was a great idea.

By changing the architecture and materials he thought it was much better

Chip asked Jim Emmanuel how long it would take to get the landscaping to look like the renderings – Jim said probably about 3 years. Chip said the vines will turn into sticks for 6 months of the year and will not hide the garage. Chip wants him to think about the ivy.

Chip also does not understand where the fencing is going.

Chip wondered if the abandoned MBTA lot line needed a fence. Brian said that the property is unkempt and feels it should be a tree lined fenced in area.

Jim Emmanuel feels a 5 ft. fence would be appropriate. Chip wondered if the heights could be varied, depending on what they are trying to hide.

Joe Pride – asked about the green wall/panels.

Joe asked if they considered a fountain – the idea got shot down.

Tom Lucey – still feels this project is way too big, he is not on board, this is way too much and there needs to be more green added. They are replacing asphalt with a building. He cannot support this.

Greg McIntosh – he asked about the green screening around the garage. Brian O'Connor explained the reasoning for the screening. Greg asked how the vines will be maintained. Will it be in the O&M? Emmanuel explained that the vines they use have a length of about 20 ft. and may have to be trimmed a little.

Kasumi – asked if the actual mesh part of the screening was fully enclosed? Can animals get in the garage, where will trash be? Can the mesh be colored green so it is nicer looking in the winter when the vines turn brown? Will there be vegetation on the roof?

O'Connor said they are open to placing planter based trees/greenery on the balcony.

All of the trash areas will be enclosed.

Animals may get into the garage – that is something they have to look at.

The screening may come in a different color.

Jim McBain – will be looking for conceptual concepts from the top to the bottom to see how it comes together vertically.

Jim asked the Board to comment on the texture of the canopy.

Someone commented that the length of the building on Main Street is about 300 feet, the building is about 50 feet high (60 feet is allowed) and it is a 5 story building.

Mike Feely – agrees with Tom that this building is too big. He likes more green space.

Brian said he feels the Board will get positive feedback from TAC and Bill Renault.

Brian McGrail said they meet the parking requirements and they are at their limit and reduced the number of units as much as they can.

Kasumi suggested breaking up the white part of the building on Main Street with recessed balconies, it would not make it look so large and boxy without losing units. Brian O'Connor said on wood frame buildings it becomes challenging to inset the balconies because of the weather. But he is willing to talk about it with the team. Ahmed Aly said the fire department suggested no balconies on the Main Street side of the building.

Dave suggested taking the Board through the relief they are asking for at the next meeting.

Joe would like to see sample materials.

Public Testimony:

None

Plans Presented:

- Power Point presentation prepared by Cube 3, dated May 10, 2023

Tom moved to continue to May 24, and Joe seconded
All in favor – Dave, Chip, Jim, Joe, Tom

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CONTINUED HEARING:

(23-73, 23-74) 610-614 NORTH AVENUE – 335 WASHINGTON STREET, LLC

Purpose: Application for a Variance pertaining to signage and a Determination and/or Finding to construct an addition onto the existing building

Attendees: Attorney Brian McGrail

Discussion:

Brian presented all the signage, Jim McBain worked with them to do the calculations.

Chip asked if balloons, flags, gummy signs etc. are allowed. The Board said it will become enforcement issue.

Public Testimony:

None

Plans Presented:

- Signage Package prepared by AGI, dated 11/4/22
- Site Plans prepared by Allen and Major Associates, revised 5/5/2

Chip moved to Find that the proposed changes, extension and alterations to the building as an auto dealership at 610-614 North Avenue is not more detrimental to the neighborhood as stated and presented in the site plan dated May 5, 2023

Joe seconded

Voting members all in favor – Dave, Chip, Jim, Joe, Tom

Chip moved to grant the sign Variance with the relief as detailed in the memorandum prepared by board member Jim McBain, dated 4/23/23 and revised May 9, 2023, the signs will be internally lit. Those signs and only those signs as presented in the package will be allowed.

Joe seconded

Voting members all in favor – Dave, Chip, Jim, Joe, Tom

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NEW HEARING:

(23-80) 33 EMERSON STREET – NATANAEL D. AND ELIZABETH H. FERREIRA

Purpose: Determination and/or Finding to allow additions onto a two-family dwelling

Attendees: Attorney Brian McGrail, Steve DeFuria (Phoenix Architects) Natanael & Elizabeth Ferreira

Discussion:

Attorney McGrail explained the lot is in the GR District, the deficiencies are the lot width and frontage.

The Ferreira's would like to add an addition and it will give them a better means of egress access to the second unit.

Mr. DeFuria ran through the floor plans and architectural plans.

There will be spiral staircases as means of egress.

Chip asked if outside staircases had to be covered, Mr. DeFuria is looking into that.

Public Testimony:

Joanne Scouler – 51A Chestnut Street – asked if the deck was new in the back. Yes, it will be new. Steve said the screened in porch will be removed and the addition will extend out back.

Plans Presented:

- Plot Plan prepared by Paul Finocchio and John Sullivan
- Floor Plans and Elevations prepared by Phoenix Architects, dated 4-10-23

Chip moved to Find according to the plans dated 5/9/22 for 33 Emerson Street the additions that are being proposed are not more detrimental to the neighborhood and do not enhance the non-conformities however if they did they would not be more detrimental to the neighborhood.

Joe seconded

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NEW HEARING:

(23-81) 1 HARRISON LANE – JAMES & ROCHELLE OWENS

Purpose: Determination and/or Finding to construct an addition onto a single-family dwelling

Attendees: Attorney Brian McGrail, James & Rochelle Owens

Discussion:

Attorney McGrail explained the Owens would like to put an addition onto their single family home.

Brian presented:

- Existing conditions site plan
- Proposed site plan – the shed is removed.
- The current house does not meet the current side setbacks, that is the intensification
- The zoning table was reviewed
- Existing and proposed elevations were presented.

They are before the Conservation Commission and that is going well, they want to make sure this Board is ok with this plan and then they will close it out.

They are also constructing a covered porch in the back, which meets the setbacks.

Greg pointed out that they are going up another story, not just bumping up out, he is concerned about the abutter(s).

It was pointed out that they are installing the windows up high.

No public testimony

Plans Presented:

- Existing and Proposed Site Plan prepared by Vineyard Engineering & Environmental Services Inc, dated 2/28/23
- Floor Plans and Elevations prepared by John W. Vining

Chip moved to Find that the addition as being proposed tonight does intensify the side lot however the increased intensity is not more detrimental to the neighborhood.

Joe seconded

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NEW HEARING:

(23-82) 360 WATER STREET – 360 WATER STREET REVOCABLE LIVING TRUST

Purpose: Variance for a third story

Attendees: Attorney Brian McGrail, Lisa Iacoviello and her husband

Discussion:

Attorney McGrail explained to the Board the Iacoviello's lost their house in a catastrophic fire, they obtained a building permit and rebuilt the house which they were entitled to do according to our bylaw.

Because the house is being built on ledge there is no basement, the Iacoviello's decided that they wanted to finish the attic.

Because of the uniqueness of the topography they looked at the height.

Zoning Table was reviewed.

Height of the building is 36.6' – 35' is allowed

2 ½ stories are allowed in the SR District and this house with the attic finished is 3 stories.

The Iacoviello's neighbors wrote a letter of support, they live at 364 Water Street.

The hardships:

- Rebuild after a fire
- Topography
- Built on ledge
- They cannot have a basement
- There is no detrimental effect to the neighborhood, no one else can see the house.

Public Testimony:

None

Plans Submitted:

- Plot Plan prepared by Paul Finocchio, dated 4/28/23
- Floor Plans and Elevations prepared by JFA Design Group, dated 3/30/23
- Letter of Support from Ann Marie & Stephen Hayes, dated 4/20/23

Chip moved to grant the Variance as presented tonight according to the survey prepared by Paul Finocchio. The hardship is the topography, also to grant the Variance for height and because they have no basement allow them to have a third story.

Joe seconded

Voting members all in favor – Dave, Chip, Jim, Joe, Tom

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OTHER MATTERS:

(22-16, 22-17, 22-18, 22-19) 347, 357 MAIN STREET & 3 CHESTNUT STREET – THE SAVINGS BANK

Attorney Brian McGrail is requesting that a letter be sent to the Building Inspector from this Board stating that all conditions have been met and the Board is satisfied.

Brian explained to the Board they have received a temporary occupancy, landscaping is all done also the fence and landscaping for the neighbor has been done. Chip Tarbell went by the site and is satisfied.

Chip confirmed the work has been done and he is satisfied.

Tom moved to authorize the Chair to give the Building Inspector a letter that they have met their conditions.

Joe seconded

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OTHER MATTERS:

8 ALBION STREET - Pre-application site plan waiver request

Attorney Brian McGrail represents the petitioner

Attorney McGrail said that his client will be filing an application for a Special Permit for fast food with the Board, the business is called Boba Tea Café. One of the requirements of the Special Permit is a site plan review. Brian presented a picture of the building, the building takes up the whole lot – there is no site, just a building. They are requesting a site plan waiver.

Chip suggested that the Town Engineer should be informed to make sure the sewer is sufficient. Attorney McGrail said there will be no kitchen. The Town Engineer will get to comment when the application is filed and circulated to the different Town Departments & Boards.

Chip moved that they waive site plan approval for 8 Albion St as presented tonight.

Joe seconded

Voting members all in favor – Dave, Chip, Jim, Joe, Tom

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APPROVE MINUTES:

Chip made a motion to approve the minutes of April 26, 2023 as written.

Joe seconded

Chip, Joe, Jim, Greg, Dave, Greg, Mike, Kasumi – All in favor

The meeting adjourned at 9:45 p.m.