



MEETING MINUTES

Wednesday, August 16, 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 7:03 pm

Roll Call by Thomas Lucey

In Attendance:

THOMAS J. LUCEY, CHAIRMAN

DAVID W. HATFIELD

JAMES H. MCBAIN

JOSEPH PRIDE, CLERK

CHARLES L. TARBELL

GREGORY W. MCINTOSH, ALTERNATE

KASUMI HUMPHRIES, ALTERNATE

Not Present:

MICHAEL L. FEELEY, 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 McGrail to continue this matter until the meeting on September 13, 2023, in that we are still in the process of reviewing drainage with William Renault, the Town Engineer. The current extension for the Board to render and/or file a decision is through October 31, 2023.

Chip moved to continue this matter until September 13, 2023.

Joe seconded

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



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Not Present:

MICHAEL L. FEELEY, ALTERNATE

Joseph Pride Read the Legal Notice

REQUEST TO CONTINUE:

(23-66, 23-67, 23-68) MEERA LLC & SKYGROUP INVESTMENTS, LLC – 1 AUDUBON ROAD

A request from Attorney McGrail to continue this matter until the meeting on September 13, 2023 in that we are still in the process of compiling additional sign information and the client is not available for tonight's meeting.

The current extension for the Board to render and/or file a decision is through October 31, 2023.

Dave moved to continue to September 13, 2023.

Joe seconded

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

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KASUMI HUMPHRIES, ALTERNATE

Not Present:

MICHAEL L. FEELEY, ALTERNATE

Joseph Pride Read the Legal Notice

REQUEST TO CONTINUE:

(23-77, 23-78, 23-79) NORTH EAST WAREHOUSE BOSTON, LLC

A request from Attorney McGrail to continue this matter until the meeting on September 13, 2023 in that we are still in the process of working on items requested by the Board and our Architect is recently back from overseas. The current extension for the Board to render and/or file a decision is through September 30, 2023.

Attorney McGrail requested to extend the time for the Board to render and/or file any decisions until October 31, 2023, the applicant has agreed.

Dave moved to continue to September 13, 2023 and to allow an extension until October 31, 2023.

Joe seconded

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

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Not Present:

MICHAEL L. FEELEY, ALTERNATE

Joseph Pride Read the Legal Notice

REQUEST FOR CONTINUANCE:

(23-88) 8 ALBION STREET – VISETH CHHUM & TASTING BOBA, LLC

A request from Attorney McGrail to continue this matter until August 16, 2023, in that they are still working on the revised sign design.

Dave made a motion to continue to September 13, 2023, Joe seconded.

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

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KASUMI HUMPHRIES, ALTERNATE

Not Present:

MICHAEL L. FEELEY, ALTERNATE

Joseph Pride Read the Legal Notice

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:

Attorney McGrail explained that progress has been made on this project.

- An easement with the Town, Albion Street Cultural Exchange and WMGLD and has been agreed upon
- TAC has issued their letter and it's as clean as can be.
- Bill Renault has issued a letter with some items he would like done.
- They would like a blessing on the architectural plans tonight.
- And O&M Plan will be available at the next meeting and the Engineering requests will be on the plans for the next hearing.

Brian presented the architectural plans.

Floor plans have not changed.

Elevations have been gone over and also reviewed with Jim McBain.

Materials were reviewed again. A materials board will be made and be on-site.

Chip pointed out in the materials the sandstone should not state "as similar" it has to call out the exact material. They agreed to take that wording out.

Jim asked about signage. They need detail.

Also, detail on directional signage in the garage and near elevator.

They will condition it.

Greg asked about wording regarding the vending windows that may be changed.

If any changes have to be made on the front building it will have to come back to this Board.

Brian presented the site plan with the easements

Right of way easement with the Town for the Cultural Exchange.

The WMGLD easement details were presented, they have a transformer on the land, which will allow them to add a transformer to be utilized for their properties along with others.

Town Engineers comments and requests were read by Brian.

Public Testimony:

None

Plans Presented:

- Site Plans, prepared by Engineering Alliance, Inc, dated July 14, 2023
- Floor Plans, Elevations and Renderings, prepared by KHALSA, dated 8/11/23
- Memo from VHB, dated 8/15/23

Next Hearing:

- Draft decision/conditions
- Draft O&M
- Updated materials page
- Final TAC letter
- Final Engineer Letter

Dave made a motion to continue to September 13th.

Joe seconded

Reg. voting members – Dave, Tom, Jim, Chip, Joe

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Not Present:

MICHAEL L. FEELEY, ALTERNATE

Joseph Pride Read the Legal Notice

CONTINUED HEARING:

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

Attendees: Attorney Brian McGrail, John Ogren, Donny Lo, Brian O'Connor, James Emmanuel, Chris Santoro

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

Discussions:

Attorney McGrail explained they have been working with Jim McBain to finalize architectural plans.

They were asked to make the side of the building, running along Main Street, to look better and also the entrance needed updating.

John Ogren has been meeting with the Conservation Commission and feels they are pretty much all set to close the public hearing on September 5th.

A power point presentation was presented:

- First John Ogren presented the site plan which has not changed much from the last presentation.
- Architecture and elevations along Main Street were presented, they added recessed balconies to add rhythm and texture and break up the volume. Also on the lower level some material changes were made to create a visual break.

- Aerial elevations were presented.
- Dog walk area and fencing with ivy was presented.
- Two options for the entrance were presented.
- James Emmanuel presented revised landscape plans

Jim said he is happy with the way this has progressed to this point. He likes option 1 for the entrance.

Jim asked James Emmanuel how the plants under the overhang will survive. James explained.

Joe asked about the material being used on the balconies.

He also likes option 1 for the entrance.

He also asked if they considered solar panels on the roof.

It was explained because of the condensers there really isn't room for solar panels.

Chip asked where all the vents would be located.

They do not know at this point where they are located; Dave pointed out preferably the Board likes them on the roof.

Kasumi asked if they were introducing bollard or landscaping lighting. They answer is not yet.

The Board wondered if they had seen a photometric plan. John Ogren reviewed the plan with the Board.

The Board wondered if the lighting fixtures were dark sky compliant.

Tom asked them to talk to the team and come back with a full presentation on lighting.

Greg asked at the last meeting if they could look at gaining more open area, they would not need the relief. Was that explored? John Ogren said they did look at it and they would lose parking spaces.

Charging stations are required by the WMGLD to have separate meters for charging stations.

Chip does not like either entrances that are being presented. It looks like a hospital entrance.

Tom wants to make sure the noise emulating from the rooftop condensers/HAVC equipment meet requirements.

Jim wants them to make sure they show where the elevator override will be.

Dave asked about designated visitor parking and would like the spaces called out, maybe out front. Donny Lo agreed to designate a certain number of spaces. They will review at the next hearing.

Jim wants parking to be free and in the O&M plan so people do not park in the street or in visitor parking.

Donny Lo said they usually charge for tenant parking, it is very important and it does control parking on the site. Sometimes they partner with zip cars or a car rental company. There was a lot of discussion about parking.

Chip brought up the shuttle service at the Quannapowitt project, he suggested that this project should talk to them and partner with them.

Public Testimony:

None

Plans Presented:

- Memo from Fire Chief Michael Sullivan, dated 8/8/23
- Memo from DPW/Engineering-Tim Wilson, dated 8/15/23
- Memo from VHB, dated 8/15/23
- Memo from Hayes Engineering, dated 7/21/23
- Draft Stormwater Pollution Prevention Plan, prepared by Hayes Engineering, dated 7/25/23
- Site Plan, prepared by Hayes Engineering, dated 7-25-23 (with engineering comments)
- Floor Plans & Elevations prepared by Cube 3, dated 8/8/23

Next Hearing:

- Parking
- Lighting
- Current Town memos that just came in
- Final/revised landscape plan – ivy and species under overhang with sizes
- Update renderings, elevator override, vents, rooftop
- Draft O&M
- Draft conditions

Dave moved to continue to September 13, 2023

Joe seconded

Voting Members – Dave, Tom, Chip, Jim, Joe

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Not Present:

MICHAEL L. FEELEY, ALTERNATE

Joseph Pride Read the Legal Notice

CONTINUED HEARING:

(23-70, 23-71, 23-72) 460-466 & 472 MAIN STREET – A&E REALTY TRUST

Purpose: Applications for Special Permits and Site Plan Approval to allow a 16 unit Garden Apartment Building with other uses including Retail/Service Establishments

Attendees: Attorney McGrail, Steve DeFuria

Discussion:

Attorney McGrail explained that they are done with TAC there is a memo coming.

Steve DeFuria reminded the Board of the floor plans, they have stayed the same since the last presentation.

The appearance of the building has stayed the same.

More in-depth details of the windows, parapet details, retail banding detail, cove lighting band detail, bracket details and materials board was put together and presented. They will bring material samples to the Building Department for review.

Chip feels the back of the building is a box and is very flat.

There was lots of discussion on how to make the back of the building look better.

Kasumi asked if they looked into the handicap lift and which way the door swings. Mr. DeFuria reviewed their thought process.

Public Testimony:

None

Plans Presented:

- Floor Plans, Elevations, Materials, Streetscapes, prepared by Phoenix Architects, dated 8/16/23

Attorney McGrail requested they skip a hearing and come back September 27th.

Dave moved to continue to the September 27, 2023 hearing.

Joe seconded

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

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KASUMI HUMPHRIES, ALTERNATE

Not Present:

MICHAEL L. FEELEY, ALTERNATE

Joseph Pride Read the Legal Notice

NEW HEARING:

(24-5) 211 LOWELL STREET – LINDSEY DITONNO

Purpose: Special Permit to widen an existing driveway

Attendees: Lindsey DiTonno – (homeowner)

Discussion:

Mrs. DiTonno explained is looking to widen her driveway by 9 feet.

Mrs. DiTonno presented her existing and proposed conditions.

The driveway is very shallow because of where the garage sits.

Chip asked if she talked to the Engineering Department yet, she has not.

Tom read the Conservation Commissions memo – not their jurisdiction, but suggested good housekeeping during the project due to the proximity of the Saugus River.

DPW Engineering memo commented

1. Will lose an on-street parking spot
2. The applicant's contractor shall be required to file for the appropriate permits. (See memo for details)

The Board was very impressed with Lindsey's plans and presentation and had no problems with extending the driveway.

Public Testimony:

None

Plans Presented:

- Plot plans demonstrating existing and proposed driveway and plan of land, prepared by Lindsey Barbee, dated June 28, 2023 and July 3, 2023

Dave made motion to grant the Special Permit to allow the proposed widening of the driveway according to plot plan dated 6/28/23 and 7/13/23 with the condition that the applicant adhere to the comments of the Engineering Department and Conservation Commission.

Joe seconded

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

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KASUMI HUMPHRIES, ALTERNATE

Not Present:

MICHAEL L. FEELEY, ALTERNATE

Joseph Pride Read the Legal Notice

OTHER MATTERS:

200-400 QUANNAPOWITT PARKWAY – CCF QUANNAPOWITT PROPERTY COMPANY

Present: Attorney Brian McGrail, Matt D'Amico, Allison Desbonnet (landscape architect)

Attorney McGrail explained they are requesting a minor modification as it relates to landscaping and Matt will give an update on the status of the project.

The landscape plans were modified on March 8, 2023. They would like to change some of the species. The reason for the adjustments is because of how these species will relate to soil conditions now that they are actually working on the project.

They are also looking to increasing the height of the fence in the dog park.

They will also have to move some of the trees to a new location so the trees will grow properly.

The number of species and trees and shrubs will stay the same.

Conservation has already approved these changes.

A detailed landscaping plan has been prepared and presented to the Board.

Chip said he looked at all the changes and plans and has no problem with them. They will probably be back again once they start planting. Chip is happy they are taking a serious look at how these plants will best grow.

Dave moved to find that the landscaping updates presented tonight dated 8/16/23 and prepared by Copley Wolff Design Group are minor modifications.

Joe seconded

All in favor – Dave, Chip, Jim, Tom, Joe

NOTE: Matt D'Amico said the Callahan sign will be removed by the end of business tomorrow. D'Amico updated the Board on the progress of razing the building, he said it will take about 4 months of demolition activity and should be done by Christmas. Next will be preparing for the foundation. He said the site is a very complicated site from a geotechnical standpoint.

Matt will come back after each phase begins to update the Board.

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KASUMI HUMPHRIES, ALTERNATE

Not Present:

MICHAEL L. FEELEY, ALTERNATE

Joseph Pride Read the Legal Notice

OTHER MATTERS:

62 & 76 FOUNDRY STREET – 62 FOUNDRY LLC

Present: Attorney Brian McGrail

They are looking to relocate two parking spaces.

There was an easement that belonged to the neighbor which has been moved. Now that the easement is moved they would like to move two spaces to the back which will make them easier to access.

The project is going to be changing ownership and nothing else is expected to change.

No questions from the Board – fine with them – reasonable request and solution.

Dave made a motion to accept these changes as a minor modification as presented tonight per the plans dated July 13, 2023, prepared by Alan Engineering, LLC

Joe seconded

All in favor – Dave, Jim, Chip, Tom, Joe

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Not Present:

MICHAEL L. FEELEY, ALTERNATE

Joseph Pride Read the Legal Notice

OTHER MATTERS:

95 AUDUBON ROAD – T-MOBILE

Present for T-Mobile – Michael Walsh

Mr. Walsh explained that T-Mobile would like to swap nine panel antennas and add three remote radio heads on the existing building and add one base station cabinet within the existing area.

Plans were presented.

Dave moved to find that what is presented tonight satisfies the standards for an eligible facilities request according to the Middle Class Tax Relief and Job Act of 2012, according to the plans revised through 4/5/23, and prepared by Advanced Engineering Group, P.C. at 95 Audubon Road.

Joe seconded

Reg. voting members – Dave, Jim, Chip, Tom, Joe

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Not Present:

MICHAEL L. FEELEY, ALTERNATE

Joseph Pride Read the Legal Notice

OTHER MATTERS:

465 WATER STREET – DISH WIRELESS

Present for Dish Wireless – Yacine Nouri

Mr. Nouri explained that Dish Wireless would like to add three antennas and three remote radio heads to the tower and a 5' x 7' ground mounted equipment platform to the current facility.

Mr. Nouri presented plans and the Board asked a few questions.

Dave moved to find that what is presented tonight satisfies the standards for an eligible facilities request for 465 Water Street, according to the Middle Class Tax Relief and Job Act of 2012, according to the plans prepared by American Tower Corporation, revised through June 2, 2023.

Joe seconded

Reg. voting members – Dave, Jim, Chip, Tom, Joe

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Not Present:

MICHAEL L. FEELEY, ALTERNATE

APPROVE MINUTES:

Dave made a motion to approve the June 28, 2023 minutes as written.

Joe seconded

All members were in favor.

Dave made a motion to approve the July 12, 2023 minutes as written.

Joe seconded

All members were in favor.

The meeting adjourned at 9:48 p.m.