

HULL PLANNING BOARD

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Minutes: September 13, 2017

Members Present: Harry Hibbard, Chair; Steve Flynn; Joseph Duffy; Steve White; Jeanne Paquin; Nathan Peyton

Members Absent: Jason McCann, Vice-Chair

Staff Present: Chris DiLorio, Director of Planning and Community Development

7:30 p.m. Hibbard called the meeting to order.

Conflict of Interest/ Open meeting law reminder

Hibbard reminded board members to complete their online training and certification.

Site Plan Review for 673-677 Nantasket Ave.

This is a continuation of a site plan review for 673-677 Nantasket Avenue, which concerns a new 5,325 square foot building for use as a liquor store. This is a relocation of A Street Liquors. Attending the meeting for the applicants were Richard Tibbetts, principle, Taylor Tibbetts, owner, Don Ritz, architect, John Cavanaro, engineer. John Chessia, a consultant for the town, was also present.

Ritz said that since the meeting on August 23, they had had a second meeting with the Design Review Board (DRB) and responded by revising the architectural drawings, the site plan, and the landscape plan in response to comments from DRB, the Planning Board, Fire and Police Departments, and Sewer Department.

These changes included:

- Clarification that there are no railings on the porch
- Revised display windows (three 5'x6' display windows)
- Building height clarifications

Paquin noted that the height of the building was 16' 6" on the new plans and the signage was different on the original plan. She also noted the difference in numbers of lights between the two plans. She further stated that the west elevation was unclear and the height of the light poles was unspecified.

Paquin also asked about the use of the second floor, which in the previous meetings the owners were not sure that they were going to build. Ritz said that the second floor will be built, as they have gotten more information about fire regulations and building materials. He has sent a communication to the Building Department about this. It will be used for storage only, which he said will allow them to have a second floor without having to have a sprinkler system.

Cavanaro said that changes to the site plan included some spot elevations along the sidewalk and some existing utility connections. It also included a new storm water treatment unit for runoff. He said that it also added some spot elevations for proposed conditions in addition to existing conditions, and added detail regarding water gas and sewer connections. He stated that potential changes to elevations will be in inches. He noted that there is an accessibility problem to solve in some places, as some areas have flush sidewalks and some have vertical curb. He said that they have committed to replacing the sidewalk and are trying to figure out what to do with the curbing. They want to maintain an accessible path on both sides of property. He said that they have had preliminary discussions with Jim Dow about coordination of light signals. They have also extended the mulch and planting bed to the property line.

Chessia said that the plans he had been given to review were dated 7/20/17 and that therefore he had not seen the new plans that were given to the board today. He noted that concerns included the impact of lighting on residential areas and said that there was nothing specific on what types of lighting would be there or how much of a spread between lights there would be. He said that the utilities should be on the plan and the applicants should get comments from DPW about drainage, in addition to the Sewer Department. He noted that there was no information on what the plantings would consist of. He also noted that boards are sometimes concerned about loading trucks backing up the streets. He suggested asking Police and Fire Departments about the turn onto A Street. Tibbets noted that they have had a meeting with Police and Fire.

Hibbard read the comments from the Design Review Board into the record. [See document.] The DRB stated that it favorably reviewed each element of the project, and noted that they recommended that the first parking space be replaced with a green space if the town will allow one of the street parking places to be counted as parking for the business.

Hibbard noted that some details are still needed before the board can approve the site plan. DiIorio stated that these include:

- Clarifying the height change from 14’6” to 16’6”
- West side building elevation
- Clarify height of light poles: 10’ hooks, light at 8’
- Marking over the entrance
- Make landscaping plan more official
- Discussion with light plant regarding traffic signals at intersection
- Back elevation and whether there is an awning
- Floor area regarding parking
- Second floor indicated as storage

DiIorio will send the board’s list to the applicants.

The board discussed the curbing and whether it would be granite or concrete. Flynn noted that the DRB said that it should be granite. Paquin noted that the DRB is advisory to the Planning Board and the board can choose to adopt or not adopt their suggestions. The board noted that it could recommend granite and that the applicants should get information about the cost differential.

Hibbard reminded the applicants that the board needs to approve the accurate details of the project. Duffy noted that conditional approvals have not turned out well in the past and therefore the board avoids making them. Paquin requested that the narrative be updated to reflect new details.

The board will meet with the applicants in two weeks to review their final plans.

Duffy stated that the board should come up with a procedure to review plans that would include the submission of the plans prior to the date of the meeting. Paquin added that the board needs to manage the expectations of applicants in order to let them know that site plan review is often a three-meeting process.

Minutes

The board voted on minutes as follows:

Motion	Paquin	Motion to approve the minutes of May 28, 2017.
Second	Flynn	
Vote	Unanimous	

Motion	Paquin	Motion to approve the minutes of July 12, 2017.
Second	White	
Vote	Unanimous	

Motion	White	Motion to approve the minutes of July 26, 2017, subject to minor edit.
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Second	Flynn	
Vote	Unanimous	

Marijuana Zoning

DiIorio updated the board on a notice that had appeared in the Hull Times regarding the moratorium bylaw public hearing. He stated that when towns are re-zoning, there are processes that have to be followed, one of which is to post public hearing notices on the bulletin board 14 days in advance of the hearings. The board posted it only 13 days before. The Attorney General's office said that in order to remediate this, the town needed to post a notice in the newspaper, giving anyone who feels that the error was deliberately misleading or that the lack of a day affected their ability to go to the meeting, to file a complaint.

Hibbard noted that the board is meeting with the Board of Selectmen the following day and there will be an edited version of the draft bylaw in the packet. He said that the board won't be discussing the bylaw tomorrow, but will notify the selectmen that they are on a second draft and will have one for review soon. He said that in a recent conversation with Selectman Jennifer Constable, she had suggested that the community discussion about whether or not to have marijuana sales in town at all should precede the discussion of the zoning for it. Hibbard said that he didn't agree with Constable on this matter. He also stated that he thinks that the Marijuana Task Force will recommend that the town have a referendum to prohibit retail marijuana.

The board reviewed the draft of the overlay bylaw. They discussed the timing of the Town Meeting, which would have to vote on the zoning bylaw before the town votes on a referendum. Hibbard said that if the overlay district is only for medical marijuana, it would not control recreational shops, and that if a referendum then failed, it would be too late to restrict retail. Flynn stated that the bylaw should include both so that the town has control of it. DiIorio recommended that the board specify more restrictions in the recreational bylaw, because the state already has created them for medical sales.

Hibbard said that he would like to make detailed progress on bylaw at the next board meeting.

Other business

Flynn announced that the Capital Outlay Committee is having a meeting on infrastructure relating to sea level rise on October 19 at 7 p.m. at the high school.

At 9:30 p.m. the Board voted unanimously to adjourn on a motion by Paquin, seconded by Peyton.

Minutes approved:  Date: 10-25-17

The following documents were submitted and are part of the official records:

- Planning Board agenda for 8/23/17
- Site plan packet for 673-677 Nantasket Ave.
- ANR report on 154 and 156 Samoset Ave.
- Draft medical marijuana district bylaw