



# TOWN OF NORTHBOROUGH

Town Offices

63 Main Street

Northborough, Massachusetts 01532

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Approved 5/21/07

## Planning Board Meeting Minutes March 19, 2007

**Members Present:** Rick Leif, Michelle Gillespie, Bob Rosenberg, Don Hewey, George Pember

**Others Present:** Kathy Joubert, Town Planner; Fred Litchfield, Town Engineer; Ziad Ramadan, Richard Kane, Michelle Rehill, Leslie Harrison, Kara Buzanoski, DPW Director; David M. Durgin, Fire Chief; Andrew Baum, Places Site Consultants; Jean Langley, Library Director; Stewart Roberts, J. Stewart Roberts Architects; Mark Donahue, Esq., Fletcher Tilton & Whipple; Pat Dunford, VHB; Chris Quinn, Quinn Engineering; Mike O'Hara, Douglas Prentiss, Nitsch Engineering, Inc.

Chairman Leif opened the meeting at 7:00 pm

**7:00 pm Continued Public Hearing RE: Scenic Road Application of Ziad Ramadan for 325, 331 & 337 Newton Street, Assessors Map 7, Parcels 35, 36 & 37**

### **Ziad Ramadan**

- Kara Buzanoski, DPW Director, sent foreman to look at trees to be cut and Foreman agreed to which trees will be removed by Applicant
- Showed pictures taken today with snow on ground and pictures without snow

Board members discussed the photographs with applicant

### **Ziad Ramadan**

- Utility poles are very close to the edge of pavement on Newton Street
- Wants to make the road safer

### **Kathy Joubert**

- Members were provided with Town Engineer's letter and 2 from DPW Director in packets
- March 15th letter from Town Engineer
- March 16<sup>th</sup> letter from DPW Director
- Memo put together by DPW Director and Town Engineer

### **Fred Litchfield, Town Engineer**

- Letter indicates the stone wall is in the right of way
- Appropriate for Planning Board to issue a permit
- Fairly significant curve areas on Newton Street (about 14 feet wide) where 2 of 4 driveways come out
- Poorest pavement and site distance areas

- Understand applicant is trying to develop 4 ANR lots
- Not clear what improvements suggested by applicant
- Advised Board to ask for plan indicating improvements to Newton Street
- Significant grade issues, lack of drainage, site distance and pavement width issues
- No objection to development of lots
- Would like to memorialize what kind of improvements and when Town can expect him to be responsible for them
- Not much in the line of drainage
- Conservation Commission has had issues
- Wants him to do what he has to do without impacting wetlands
- Suggest to require him to produce the plan prior to issuing the scenic road decision or tie it to occupancy permits or have as conditions to scenic road approval

**Rick Leif**

- Seems like improvements are not clear
- Talked about filling of some broken pavement

**Fred Litchfield**

- Important if you're going to be adding houses to Newton Street to bring road up to town minimum road standards
- Important to figure out what the improvements need to be and at what point they need to be done

**Rick Leif**

- List of 7 items to be completed to bring Newton Street up to min town standards
- Didn't talk about when they were going to be done
- Makes sense what Town Engineer has said about memorializing the proposed improvements
- Difficult for the Planning Board to design the improvements

**Fred Litchfield**

- Let the applicant go back to drawing board
- A significant amount of ledge
- Widening issues may be out of his control
- May need to shift the road or work with neighbors
- Needs to incorporate those 7 items

**Don Hewey**

- Seems like items are involved with possible other development but should be incorporated into these 4 lots
- Widening should play into it, trees taken down
- Items for subsequent development – applicant should seek approval when doing it

**Ziad Ramadan**

- Don't disagree with Town Engineer
- This is a road maintained and owned by the town.
- Have no problem doing this, but would like to incorporate it into decision and do when future development takes place

**George Pember**

- To Town Engineer or DPW Director - Do you have a guesstimate on the cost of improvements?

**Fred Litchfield**

- Not clear how much ledge

**Kara Buzanoski**

- Would not make a guess on that

**Ziad Ramadan**

- Don't want to do all these improvements without offsetting the costs by doing the subdivision

**Bob Rosenberg**

- Town Engineer wants documentation

**Ziad Ramadan**

- Documentation costs a lot
- Will come back to you on approval for subdivision
- Agreed to fix spots on the road
- Will widen the road in front of the lot as much as I can, want to widen the curve in front of the lot
- To do a good job in widening the road, you have to cut all the trees to move the poles back.
- If the poles don't get moved back, you can't do much.
- Want to improve frontage in front of the three lots

**Michelle Gillespie**

- I agree with Mr. Hewey.
- Approach is on 2 different projects
- Subdivision is long-term
- To Town Engineer: What do you think needs to be done to make the street safe for these three driveways before us tonight?
- Address that tonight – subdivision is down the line

**Fred Litchfield**

- Not asking for improvements to be made now
- Suggesting a plan be made so we can see what the improvements are
- Mr. Ramadan may decide not to do them
- 2 plans submitted by applicant – 1 is ANR plan and 1 is plan not stamped by engineer or land surveyor
- Concerned second plan is not valid although it is adequate for the scenic road application
- Show stone wall and lot in correct place
- For purpose of determining road width, drainage, etc., the plan is not adequate
- Needs to produce a plan to make sure we're all in agreement that the improvements are reasonable for the roadway
- Not a lot of choices where the driveways come out without being at a 20% grade

**Ziad Ramadan**

- Planning on coming to the board with a subdivision
- Waiting for weather to improve to do some perc testing
- Will be a complete plan for the road
- Doesn't make sense to do one now

**Rick Leif**

- Could approve with condition that plan for improvements would be submitted
- Always been a need for certain road improvements to be done in relation to the 3 lots proposed
- One condition would be a plan for overall improvements for the subdivision

**Fred Litchfield**

- Could relate that to each lot
- There are some sight distance issues in Newton Street
- If you bring drives onto existing grades then it lowers the roadway
- That driveway becomes more steep if the road is dropped in front of the driveway.
- Hope is that we can work these out before driveways are built
- Would like to have a plan for the improvements so the town and the developer know what is expected.

**Ziad Ramadan**

- Would like to do subdivision with preliminary plan

**George Pember**

- Concern is that if you get your approval and sell off the 3 lots and determine that in order to do the road widening you need a slope easement and the owner says no, where are we?
- Or if you want to take down trees and they don't want to – where are we?
- We need to be comfortable that once lots relinquished and sold off, we don't have problems with future plans to widen those road and whatever else.

**Ziad Ramadan**

- Have 3 buildable lots and have right to access to those lots
- Don't have to do improvements to Newton Street
- Issue is that it's not a subdivision – already a form A and taxed as buildable lots

**Rick Leif**

- Do need approval to make the cuts

**Ziad Ramadan**

- I can do 15 feet as of right.

**Don Hewey**

- But not at the location you want
- Two cuts are already there, it would just prevent you from doing the extra driveway in the back.

**Ziad Ramadan**

- One in back is not even a subdivided lot
- It's a future lot – don't have a form A for it

**Rick Leif**

- To Kathy Joubert: Is there a way he can develop without scenic road approval?

**Kathy Joubert**

- In the bylaw there is the ability to open up to 15 feet of wall.
- Bylaw reads 15 feet and up to 1 cubic foot of wall per linear foot of wall
- Depends on the wall

- Some stone walls have virtually been disbanded over the year – deteriorated over the years.
- In this case, I think there's more significant wall – not just a couple of rocks.
- Applicant is here because he applied to remove it in 3 different areas.

**Rick Leif**

- Our assumption should be that the permit is required or these lots could not be developed.

**Kathy Joubert**

- As both the Town Engineer and DPW Director pointed out, the bylaw itself is very limited.
- Refers to removal of stone wall and/or trees in right of way
- It's really the only place where driveway cuts can logistically happen here.
- Wouldn't be going contrary to your bylaw to issue scenic road conditions for these 3 driveways
- Board should be looking at how to capture these roadway improvements in the scenic road decision
- Something to be said for putting in requirements, but need to be reasonable

**Bob Rosenberg**

- Issue Town Engineer is raising is sight distance
- For a private single driveway, is there any sight distance requirement?
- Concern is where driveway is being placed on the corner
- Approaching traffic can't see someone coming out of driveway
- Will there be reasonable sight distance under current conditions?
- If subdivision planned and conditions worked out for the road, will it affect it?

**Fred Litchfield**

- There are no sight distance requirements for driveways.

**Bob Rosenberg**

- He's removing trees and stone wall in a place that's never going to be safe for people driving by it.
- Not the issue here, but think we should have a plan showing improvements
- 6 school bus trips a day on a narrow road and no room to avoid anything

**Ziad Ramadan**

- Plan to make the road safe no matter what
- Perhaps condition would be that issuance of occupancy permit for house on third lot subject to approval of slope and access to Newton Street by Town Engineer

**Michelle Gillespie**

- That's reasonable
- To Kara Buzanoski: Do you know how many trees have been taken down?

**Kara Buzanoski**

- Six or eight trees have been taken down.

**Michelle Gillespie**

- Could there be a condition that he plant 6-8 trees somewhere else in town?

**Don Hewey**

- What are the parameters we operate under?
- 3 lots and a request for driveway
- Easement for lot 3 doesn't exist yet
- Cut not physically on lot 3, but on lot 2
- Thirty-five foot cut not just for the drive to lot 2, but to facilitate a driveway for house that doesn't exist yet nor the lot
- Has everything to do with future plans and not for lot 1
- Understand we need to deal with the access to lot 3, but if access to lot 3 isn't legally there, how do we address?

**Kathy Joubert**

- Deed will have to reflect the owner has the right to cross and re-cross
- Similar situation – even though back lot doesn't exist, he still controls all the land and would have to be referenced in the deed
- Would rather see a common driveway than 2 individual driveways

**Fred Litchfield**

- The plan that's presented doesn't show the back lot.
- Need to present a plan showing the back lot.

**Ziad Ramadan**

- I would have to go through wetlands to get to it
- Trying to reserve easement to get in and out to lot in the back
- Once I sell the houses I will not own the land and will not have access.

**Rick Leif**

- Any other comments from Board?

**Kara Buzanoski**

- My concerns are the trees and widening of the road.

**Rick Leif**

- Seems you have reached an agreement with some amount of trees being taken down.

**Leslie Harrison 28 Moore Lane**

- Concerned about character of Newton Street
- Widening will decimate the character of the road
- Concerned about destroying one of the most spectacularly beautiful roads in town

**Rick Leif**

- Concerned about cuts in the wall

**Kathy Joubert**

- Three cuts have been requested - suggestion is that only 2 be done
- Have to decide on width of one
- Advertised as 3 driveways

**Rick Leif**

- Part of wider cut to provide for driveway and one for back lot
- Could chose to grant entire width or portion
- A deed would be required for applicant to access back property.

- Conditions – specific conditions go with lots
- Require development of long-term plan for Newton Street including future subdivision plans
- Trees to be planted somewhere else in town to replace 6-8 taken down
- Developing 3<sup>rd</sup> lot - not approved until Town Engineer approves it

**Fred Litchfield**

- Suggest being specific as possible on conditions for 3<sup>rd</sup> lot

**Rick Leif**

- In general terms, agree with planning out longer terms
- Applicant needs approval to go ahead with development
- Condition of development for long-term plan on the road couldn't say more than that it would need to be produced at a certain time to include certain components and be done to the specifications of the Town Engineer and DPW Director
- Would like to see prior to certificate of occupancy approval of Town Engineer and DPW Director
- Don't have an issue with trying to have the plan created before we can go forward
- How should conditions be worded?

**George Pember**

- Concerning sight distance, if we required 200 feet and only 50 feet right now and he comes back and says it is unreasonable, can we amend it at another point in town?

**Kathy Joubert**

- No sight distance requirement for driveways in the bylaw

**Fred Litchfield**

- 2 issues with sight distance – horizontal alignment is poor and grades are steep
- Talk about making it wider and up to town standards – 14 feet is very narrow when bus or DPW truck involved, etc.
- Would like a profile of Newton Street to Cherlyn Drive as to what it is now, suggestions as to what could be done, and how much it would cost.
- If we tell him what we want for a sight distance from the driveway to Newton Street, that's ok because he owns that land.
- No profile on the plan, so can't say if it's 50 feet or 150 feet.
- Going from 50 feet to 200 feet is unreasonable, but 150 feet to 200 feet might be reasonable

**Rick Leif**

- Typically we have scenic road discussions about trees and stone wall removal
- I understand Newton Street has its own problems.
- In fairness to Mr. Ramadan, I think the portions of the wall could be removed and wall repaired to make it look quite nice and don't see any reason why it can't be granted.
- Because of Newton Street itself, the plan for improvements is reasonable and would like to see the applicant work it out with the engineer

**Fred Litchfield**

- Issues about the sight distance of his 2 driveways – his engineers can design it without removing the trees
- As far as long-term plan, if inclined to make him put together the plan at some point then goal would be that Newton Street be upgraded to meet minimum town standard and a 200-foot sight distance

- Understand people like narrow street – but 14 feet is too narrow

**Don Hewey**

- Do not think we should authorize the 35-foot cut
- Lot does not legally exist
- Part of the land he owns that wraps around the property
- Would be appropriate to do it at the time of the subdivision
- Keeps it three lots and proper for the process
- Need to give him at least 20 feet

**Rick Leif**

- How much of an opening would we need to approve there?

**Fred Litchfield**

- Twenty feet would work on lot 2

**Ziad Ramadan**

- Bylaws says temporary removal of wall and if it's put back the way it was before, does not require approval
- During construction I will have to take down part of the wall to get the trucks in.
- Will do a temporary removal and put it back – just to make you aware

**Rick Leif**

- In those areas where stonewall is disturbed, specify that the stones would be replaced and put back in an attractive manner.
- Removal of trees/replacement of trees taken down – each tree to have a minimum diameter

**Kathy Joubert**

- Board can close public hearing and either make a decision or at the next meeting or continue hearing to next meeting.

**Leslie Harrison**

- At last public hearing, thought the Frenchs were going to be here
- Not here tonight, but may want to keep it open for them

**Rick Leif**

- Maybe Kathy Joubert could come up with a draft decision and could be finalized at the next meeting.

Motion to close public hearing: Michelle Gillespie moved to close the public hearing. George Pember seconded the motion and the vote was unanimous.

**Kathy Joubert**

- Board has 21 days to issue decision per the bylaw.
- I will send a draft decision to the Board prior to the next meeting

**Letter from Jeanne McKnight, Kopelman & Paige, town counsel dated March 16, 2007 re: Special Permit Granting Authority question from ZBA**

**Kathy Joubert re: Memo from Kopelman & Paige**



- Question came at request of ZBA: Does Planning Board provide conditions or comments to ZBA when ZBA is Special Permit Granting Authority?
- Are they advisory or mandatory?
- Letter from Town Counsel, included in your packets, states comments from Planning Board would be advisory and ZBA may factor them into their conditions or not.

**Rick Leif**

- We could draft wording that read as conditions and request they be included in their decisions.

**Continued Discussion RE: Site Plan Review for addition & renovations for the Northborough Free Library at 34 Main Street, Assessors Map 63, Parcel 141**

**Kathy Joubert**

- Planning Board memo from last meeting was not sent to the ZBA per instruction from Rick Leif. After memo was sent out to Planning Board members, Bob Rosenberg emailed with some additional questions. Rick stated Planning Board would send memo to ZBA after tonight's meeting.

Jean Langley, Library Director, Andy Baum, Places Site Consultants, Stewart Roberts, J. Stewart Roberts Architects were present.

**Andy Baum**

- Two concerns from last meeting 1.) Transformer – addressed for ZBA application – talked with Mass Electric and 2.) Parking – parking on site and off-site parking
- Went over in detail for ZBA as to how we're making the site work

**Rick Leif**

- Update on lighting and abutter

**Andy Baum**

- Have not met with abutter
- Concern was lighting
- All lighting is very low – about 14-16 feet
- Light is focused downward
- Existing light on utility pole and large spot light on existing pole shining down on the building
- Providing light where pedestrians and parking will be for safety
- Security lighting by the doorways
- Ability to turn off lights during off-hours
- Can come on during dark hours

**Rick Leif**

- Concerned trees to be removed for expansion of parking lot out to Patty Lane

**Andy Baum**

- In terms of options, trees are located on the outside section of the parallel parking areas
- If we were to decrease by 7 stalls and keep trees, we would still be affecting their root system.
- Ability to save the trees was minimal.
- Also trees have caused issues in winter when snow is heavy.

**Jean Langley**

- Did want to mention that trustees have decided it was their role to meet with abutter.
- Have invited him to meet with them if he wants to
- Talked about possibility of locating some trees taken down onto abutters property
- We do intend to address those issues.

**Rick Leif**

- Re transformer: Mass Electric said it can't be underground?

**Andy Baum**

- Spoke with person from National Grid – said he has worked there for 25 years and only put 2 in the ground
- More expensive, much larger enclosure than above ground
- Dangerous and safety hazard for workers

**Rick Leif**

- What about moving it back?

**Andy Baum**

- Originally placed it down in that portion of site, but all conduits coming from the drive would have to be subsurface
- Have to have ability to park truck within 10 feet of the transformer
- Have slope and grade issue on side
- That's why we haven't moved it farther back from the road

**Rick Leif**

- What about landscape screening?

**Andy Baum**

- Landscape plan: National Grid doesn't have a problem with the doors opening in a different direction.
- Will screen front with shrubbery
- Low hedge to break up visual impact
- Existing tree will be removed because of utilities

**Rick Leif**

- Will transformer be completely screened from the street?

**Andy Baum**

- Partially screened
- Hedge will grow to 5 feet - Transformer could be from 5 - 7 foot height
- Will put out to bid and lowest bid wins
- Transformers come in green now

**Rick Leif**

Recommendations:

- Comment recommending that we landscape around the transformer to mitigate appearance from the street
- Comment to reduce parking spaces
- Proposal to locate additional parking at the monument

- Hope it would not need to be used
- Church used sometime and more appropriate
- Comments made about proposed road improvements and the Hudson Street signal
- Try the best we can to keep parking on library side of the street

**Don Hewey**

- Would it be unreasonable to suggest landscaping around transformer?

**Michelle Gillespie**

- Suggested using black lattice metal fence in design review and then putting trees in front of that

**Andy Baum**

- In my opinion, sometimes you try to camouflage and it sticks out like a sore thumb

**Rick Leif**

- Based on location and building itself, would be good to tastefully screen
- To Michelle: Do you feel it would be appropriate for the landscaping plan to be reviewed by the Design Review Committee?
- Who would be right board?

**Michelle Gillespie**

- To Kathy Joubert: What do you think?

**Kathy Joubert**

- It's not before the Design Review Committee and it would add another committee who's not part of the process.
- Personally, I think it should be up to the library trustees.
- Not hearing anything different than comments made at the last meeting
- Condition would have to be worked into what the building inspector can enforce

**Rick Leif**

- To Jean Langley: What do you think about the landscaping?

**Jean Langley**

- The cinderblock wall will be taken down.
- I think when people see it opened up, they'll see that it's a nice area for a garden and would be an improvement from what they see when they drive by Main Street.

**Bob Rosenberg**

- Concern would be with the funding constraints on this project
- Concerned all the plants on the plan will not be able to be done
- I think we ought to recommend to ZBA that they make something a requirement.
- If we are thinking there should be landscaping around it, I think we should say what it should be.

**Don Hewey**

- Have no problem with wording on draft memo
- Decision shouldn't say we are offering the following comments, but that we request or recommend these as conditions

- Second one, we do have to approve and it should reflect that we made a motion to vote on the parking because it is our purview.

**Rick Leif**

- Reword the first one to read:
  - 1) The Planning Board recommends the ZBA attach as a condition of this project landscaping of sufficient height and depth

Mr. Hewey moved that the Planning Board waive the requirement for the number of parking spaces. Ms. Gillespie seconded the motion and the vote was unanimous.

**Kathy Joubert**

- Will make changes to memo and have chairman initial the memo

**Discussion RE: Site Plan Review for Northboro Center Plaza, LLC for construction of a retail building at 14 West Main Street, Assessors Map 63, Parcel 70**

Attorney Mark Donahue , Patrick Dunford, VHB and Chris Keenan, Quinn Engineering, were present and presented a re-cap of the proposed project.

**Mark Donahue**

- In Summer of 2006 appeared before Planning Board on 2 separate occasions
- Showed steps we were taking in working closely with staff and town’s traffic consultant to mitigate traffic
- In addition to 2 meetings with your board, had in excess of 8 meeting with staff and peer review engineers and numerous discussions with one or more of those individuals, and also 3-4 meetings with Design Review Committee
- Filed with ZBA and hearing was closed in January 2007
- Worked with Town Planner to draft decision
- ZBA re-opened the hearing
- Have taken great strides to address concerns
- You should have already seen a January 15th plan, which has been updated to reflect concerns in draft decision
- Important to recognize that the long history lead to development of mitigation plan that the applicant worked with the town and consultants on
- Willingness of applicant and tenants is basically a package deal
- Way that it has evolved doesn’t lend to pulling pieces out of it

**Don Hewey**

- Specifically call to our attention changes since August 2006

**Mark Donahue**

- When here in August 2006, we talked about rendering Pierce Street as 1 way
- End result is the proposed plan and mitigation does not have Pierce Street as 1 way

**Patrick Dunford, VHB**

- Changes from last summer:
- Parking was pushed too close to front, eliminated spaces and moved back – a better design
- Driveway subject to Mass Highway approval and Mass Highway Access Permit
- Introduced island making 1-way traffic flow to reduce two-way traffic and for 2 drive-thru lanes

- 1 drive thru lane is for prescription drop-offs and pick-ups and one is strictly drop-off
- Observed other CVS drive-thrus – queuing contained in the area
- Introduced a striped island in back so some delineation of two
- Delineation is painted – needed to have access for delivery and fire trucks
- Originally an enter-only driveway (front parking)
- Eliminated parking in front and angled spaces to make clear it is one-way only
- Can safely enter but very apparent it is enter only from Pierce Street
- Did reduce parking on site – 44 spaces – satisfactory for anticipated needs
- More efficient and safer site plan
- One big issue was signal at Route 20 and Church Street
- Fire Department has existing problem with traffic back-up
- Emergency preemption does not function correctly and trucks are consistently forced to come out the wrong way.
- New Opticom detectors will be installed at Pierce Street – a push-button for Fire Department
- Concern about operation of the intersection as it occurs today
- Not supposed to be turning left into, or out of, Pierce Street
- Proposed to install a corrugated concrete system that will discourage motorists from making illegal maneuvers
- Helps traffic enforcement of regular motorists and traffic flow for Fire Department
- A greater need because of traffic back up on Route 20 and Church Street
- Emergency signal will be installed in two places to allow Fire Chief to stop traffic for Fire Department
- Will provide \$65,000 for design and construction for emergency signalization above and beyond additional Opticom detectors that we've proposed
- Will be before Mass Highway for site entrance and signalization
- Review and approval of West Main Street curb cut is with Mass Highway
- A collaborative process – final plan a result of many meetings with many staff members and consultants

#### **Chief Durgin**

- Difficult site to work with
- Since July have met many times with the applicant. Very willing to work with staff.
- Has been a give and take process
- Given what's there now and what will be there, I'm very happy
- Plan proposed will serve the intersection well

#### **Rick Leif**

- Are you convinced there won't be a problem with Pierce Street?

#### **Chief Durgin**

- Pierce Street is one of challenges to the site
- Will be signs indicating fire apparatus entering and exiting
- Will funnel traffic down
- Key part is what happened to the top entrance on Pierce Street into the site
- Competing with cars making illegal moves
- Gained a lot with making that one way into the parking lot
- A challenging site and I am satisfied with the final product before the ZBA and you this evening.

#### **Kara Buzanoski, DPW Director**

- In-depth evaluation by staff and consultants

- Comprehensive review of area from Hudson Street and to Monroe Street
- Thought about moving Pierce Street and making Pierce Street one-way
- Went through whole gamut of possibilities for traffic changes that would improve it
- This is product of those discussions

**Rick Leif**

- Pedestrian walkways through the site?

**Pat Dunford**

- Along Pierce Street, sidewalk will be maintained
- Within site, looked at possible installation of crosswalks
- Became impractical to add additional pedestrian walks
- Hard to enforce and more effective to lay it out as a parking lot

**Rick Leif**

- Thought driveway on West Main Street was going to be widened
- Maintaining pedestrian access across West Main Street driveway?

**Pat Dunford**

- From the 4 West Main Street, 2 different pathways
- One out to Route 20 and one towards parking lot with slope
- Concerns for people going across walk and cars turning into site
- Will add cross walk – not on plan
- Did not want to give people a false sense of security
- Keep walk where it is along the street edge
- Whether from Tom’s Market or parking cars essentially, at same point, don’t want to give people a false sense of security
- Lanes going in and out of Main Street site - prevents back-up that would occur if one-way

**Chris Keenan, Quinn Engineering**

- Pathway from Tom’s Market drops 15% towards the pavement
- Have possibility of connecting end of sidewalk onto public sidewalk
- Had also talked about sidewalk and crosswalk
- Would have needed to drop 2 parking spaces and at limit of bylaw with parking right now
- Don’t know that we want to promote parking by others in CVS lot
- Have problem currently with people parking in their parking area and walking to other businesses
- Hope landscape design will help solve the problem

**Rick Leif**

- Will some of the proposed green space prevent people from walking to site from walk in front of Tom’s Market?

**Mark Donahue**

- Owner of the property at 4 West Main Street would have to be amenable to having walkway on side of property extended down to West Main Street sidewalk

**Rick Leif**

- Discussed that there’s a controlled traffic light for pedestrian traffic from Shattuck’s
- Possible pedestrian sidewalk in parking lot in area near crosswalk from Shattucks?

**Chris Keenan**

- Would be at the expense of the landscaping and parking spaces would have to be moved down

**Pat Dunford**

- Protected pedestrian path would have to be 5 feet

**Kathy Joubert**

- One of the issues that staff and Design Review Committee looked at long and hard
- Wanted to provide ability to walk downtown
- By providing these paths we were leading people into parking spaces and parking lots
- Goes back to false sense of security
- Made trade-offs that landscaping more attractive and sidewalk all around the building

**Don Hewey**

- Where will deliveries be made?

**Pat Dunford**

- At loading entrance on back of building
- Biggest trucks – WB50 – will stop in front of drive-thru
- Can only control times when CVS trucks make deliveries
- A limited number of Coke, Pepsi, Boston Globe etc delivery trucks, but generally CVS trucks

**Rick Leif**

- Doug Prentiss recommended to limit size of trucks on site

**Pat Dunford**

- Did provide auto turn diagram showing movement of trucks from street to the site
- Can handle CVS trucks
- Other trucks are smaller than CVS trucks
- Talked about it and received a satisfactory outcome with Nitsch Engineering

**Doug Prentiss, Nitsch Engineering, Inc.**

- Did discuss with staff and applicant
- Tractors/trailers that were referenced, time of day for deliveries etc.
- Comfortable with what applicant has proposed

**Rick Leif**

- Does draft decision address that?

**Kathy Joubert**

- In decision, there isn't anything specific to limiting truck deliveries to specific times. ZBA discussed applicant knows best about scheduling their deliveries to best benefit them and store hours
- References proposed parking area
- Reference to how site plan has been revised

**Rick Leif**

- When do deliveries occur?

**Pat Dunford**

- Talked to regional manager for CVS
- Try to center around 8:00 am in the morning, but sometimes 2 hours before or after

**Rick Leif**

- Hours for store?

**Mark Donahue**

- Will depend on volume of business
- Will start with what it is now and will expand as business expands

**Rick Leif**

- Possible to do deliveries when not open?

**Mark Donahue**

- Rather than narrowing it down, want to make sure no impacts to neighboring community

**Don Hewey**

- To Fred Litchfield regarding his Letter of January 12, 2007 - asking for a written evaluation of the controller box

**Fred Litchfield**

- Letter put together and addressed with the applicant and his engineer with the conclusion we needed to update the Opticom signal
- Fruitful discussion about requiring them to do the work or making a contribution
- Contribution better scenario
- Not sure when the State will make the improvements to Route 20
- Would allow CVS to go forward rather than wait for State

**Mark Donahue**

- Proposed decision requires cash contribution of \$65,000 in conjunction with building permit
- Opticom and island prior to certificate of occupancy issuance

**Rick Leif**

- To Doug Prentiss: Are you satisfied with the proposal?

**Doug Prentiss**

- Difficult site
- Many conflict points
- Minimized with one-way flows
- Comfortable with conditions developed with the plan presented

**George Pember**

- Trying to make the downtown an area where you could park and go to several sites
- Might not have been the only thing, may have been straw that broke the camels back - when Bank of America decided Lowe's customers could not use site - Lowe's moved
- Disappointed can't go across street and enter into building
- Disappointed can't go from Tom's Market to CVS

**Bob Rosenberg**

- Not clear to me as to how a pedestrian on Main Street can reach the front door
- Would have to join the vehicular traffic and walk in driveway



- How does a pedestrian from Main Street reach front door?

**Pat Dunford**

- One option - come down Main Street sidewalk, cross driveway and go around sidewalk on Main Street to Church Street
- Other option is going down grassed area
- Didn't want to promote pedestrian walkway and give false sense of security

**Bob Rosenberg**

- Allowing to continue a pedestrian hazard
- Not saying a painted crosswalk would help
- Give pedestrians a walkway
- Snow would put them two feet out into the street

**Pat Dunford**

- Would require cutting into landscaping
- Would prefer keeping them to right of walkway
- Have no objection to removing landscaping – that's what would have to be done in order to add an additional sidewalk but this is at the discretion of the landowner/applicant

**Mark Donahue**

- Every action on this site has a consequence
- One reason that islands are here is due to concern expressed vehemently by the town that this be kept one-way
- The landscaping contributes to keeping it one-way
- You can recommend the pedestrian walkway to ZBA
- Time to bring closure
- Primary concern is adverse consequences to people driving both ways into the site

**Michelle Gillespie**

- Walk a lot in this area
- If you were to cross over from Lowe's, we all know people will cut through the garden
- Want to prevent this because it's not the correct route
- Want to keep the landscaping
- Sidewalk should not be on the side towards 4 West Main Street
- Design Review Committee specifically wanted to keep the whole area landscaped
- Already been over this a dozen times
- I walk this area all the time and never felt threatened
- Felt more threatened at Pierce Street and Church Street
- Agree with George – would like hedges to end at parking lot

**Rick Leif**

- Wouldn't have an issue with ZBA considering a pedestrian walk to the left of the driveway
- Seems like if we go back to the original memo we sent to the ZBA, items 2 & 3 had to do with pedestrian traffic
- Recommendation would be that we add an item in our next recommendation that they propose a sidewalk to be configured on the westerly side of the driveway
- Also consider hours of delivery on the site
- Clarify what trucks have been agreed upon on the site – limit of size of trucks

**Kathy Joubert**

- The turning movements/turning templates were placed on the plan and ultimate design is that it can fit the size of the fire trucks and trucks CVS uses
- Site plan itself already reflects that

**Pat Dunford**

- WD50 truck is a larger tractor-trailer
- Looked at the delivery truck patterns, fire trucks and other delivery trucks they might have
- Provided auto turn diagrams mentioned earlier

**Don Hewey**

- Modify item #2
- Some pedestrian access
- Leave item #4 in

Debbie Grampietro read back dictated wording for the new review letter to ZBA as follows:

*“The Planning Board would recommend that a sidewalk be extended on the westerly side of the driveway on West Main Street over existing small landscaped area in the parking lot to provide better pedestrian access from West Main Street to the site.*

*The Planning Board would recommend that the ZBA work with the applicant to determine specific hours of the day when deliveries by CVS trucks would be allowed on the site.*

*Any improvements to the Pierce Street/Church Street intersection, including the addition of an emergency preemption signal on Church Street, need to be completed by the Applicant prior to the reopening of the CVS store.”*

Debbie Grampietro prepared the memo and presented it to the board for review.

Don Hewey moved to approve the memo of March 19, 2007 to the Zoning Board of Appeals regarding CVS. Michelle Gillespie seconded the motion and the vote was unanimous.

The memo was signed by Rick Leif, Chairman.

**Old/New Business**

Comprehensive Zoning Reorganization Subcommittee Update and Proposed Zoning Amendment

**Rick Leif**

- Public hearing for proposed zoning amendment on April 3rd
- Would like to have map for Monday night Selectmen’s meeting that shows the IB district
- Board of Selectmen will get a stripped-down version of amendment without the maps
- Will do town meeting presentation at the April 3<sup>rd</sup> public hearing

**Street Acceptances for Town Meeting**

Don Hewey moved to recommend to the Board of Selectmen that Stirrup Brook Lane, Jenkins Drive and Buckhill Road be put on the warrant for acceptance at 2007 Town Meeting. Michelle Gillespie seconded the motion and the vote was unanimous.

### **Copley Woods Amended Subdivision Plans**

George Pember moved to approve the amended subdivision plans for Copley Woods. Don Hewey seconded the motion and the vote was unanimous. The Board signed the plans.

**Next meeting dates:** April 3, May 1<sup>st</sup> and May 15<sup>th</sup>

### **April 3<sup>rd</sup> Meeting Agenda**

#### **Kathy Joubert**

- Public hearing for zoning amendment
- Decision for Newton Street
- Fran Bakstran - demolition bylaw presentation
- Have Judi Barrett scheduled to come in but Subcommittee will not be through with 3<sup>rd</sup> reading of site plan so really no need for Judi to be attend April 3<sup>rd</sup> meeting

### **Continued Discussion pertaining to Letter from Jeanne McKnight, Kopelman & Paige, town counsel dated March 16, 2007 re: Special Permit Granting Authority question from ZBA**

#### **Don Hewey**

- Letter states Planning Board can't put conditions on a special permit that goes to ZBA
- Disagree with letter. Planning Board should approve conditions for site plan review that goes on to ZBA

#### **Rick Leif**

- If we want to continue to pursue this, perhaps we should have town counsel come to one of our meetings.
- We always come back to the fact that the Board thinks one way and town counsel says something different.
- We need her to convince us her opinion is correct.

### **Adjournment**

- Don Hewey moved to adjourn the meeting. Michelle Gillespie seconded the motion and the vote was unanimous.

The meeting adjourned at 11:00 pm.

Respectfully submitted,

Debbie Grampietro, Administrative Assistant  
Planning, Engineering & ZBA