

Saugus Board of Selectmen
February 10, 2016

*****MEETING MINUTES*****

AGENDA
Saugus Board of Selectmen
February 10, 2016 at 7:30 PM
Town Hall Auditorium, 298 Central Street
Saugus, MA

Call to order.

Invited guests: Justin Tabbi

Correspondence:

- 1.) Casa Vallarta, 114 Broadway re: request to return application to ABCC for reconsideration.
- 2.) Police recommendation re: "No U-Turn" sign on Mader Street.
- 3.) Roller World, 425 Rear Broadway re: request for correction of number of seats in snack area.

Citizen's Comments

Continued Hearings: 0

Public Hearings:

7:45 PM Friendly's Ice Cream, LLC, 777 Broadway, for Special Permit (S-2) to allow a drive through window, to be located at, 777 Broadway, Assessor's Plan 1036, Lots 407 & 408.

7:55 PM RJ Carr Jewelers, LLC, for change of location of Valuable / Used Goods License from 469 Lincoln Avenue TO: 350 Central Street.

Old Business:

- 1.) Hilltop re: update on liquor license.
- 2.) Sully C's, 168 Broadway re: update on liquor license.

New Business:

- 1.) FY17 budget meetings & review of Guiding Principles.
- 2.) DRAFT Selectmen's Annual Report July 1, 2014 – June 30, 2015
- 3.) Discussion & determination on when to close the Annual Town Meeting Warrant.

Manager's Report: Appointment to the Saugus Council on Aging.

Approval of minutes: January 20, 2016

Appointments: Affordable Housing Trust Board of Trustees; & Cemetery Commission.

Member's Comments:

Citizen's Comments

Executive session: for the purpose of contract negotiations with non-union personnel / Town Manager.

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The Saugus Board of Selectmen met on February 10, 2016 at 7:30PM in the Town Hall Auditorium, 298 Central Street. Present: Selectmen Scott Brazis, Jeffrey Cicolini, Jennifer D'Eon, Mark Mitchell and the Chairman Debra Panetta.

Invited guests: Justin Tabbi

Justin Tabbi was present and the Board thanked him for all his volunteer work and presented him with citation.

Correspondence:

1.) Casa Vallarta, 114 Broadway re: request to return application to ABCC for reconsideration.

Attorney Richard Magnan, 194 Central Street was present and explained the supplemental documentation requested by the ABCC and requested the Board resubmit for reconsideration.

Selectman Cicolini moved to resubmit application to the ABCC for reconsideration. Chair seconds 5-0.

The Chair requested to take a couple of agenda items out of order.

Manager's Report: Appointment to the Saugus Council on Aging.

The Chair said the Manager has recommended Judy Worthley.

Selectman Brazis moved to confirm the appointment of Judy Worthley to the Council on Aging to expire December 31, 2018. Chair seconds.

Roll call vote: Selectman D'Eon, yes; Selectman Brazis, yes; Selectman Mitchell, yes; Selectman Cicolini, yes; Selectman Panetta, yes.

Selectman D'Eon moved to take Old Business: Hilltop update out of order. Chair seconds 5-0.

Old Business: Hilltop re: update on liquor license.

Attorney Peter Rossetti, 436 Lincoln Avenue was present with Dennis January, 38 Main Street. Mr. January explained since the December 8th update they have designed some plans in line with the Town's economic development plan and will be presenting to the corporate stockholders in late April and asked the Board for 90 days. Selectman Cicolini said he understands why they are requesting 90 days rather than monthly but because of the nature of the time since the license has been used would like an update in late April and asked if he could arrange the meeting with stockholders before April 27th. Mr. January said yes and informed the Board that the project will be a two year project. The Chair said they have been closed since 2013 and if the Board holds a show cause hearing and takes the license it would make it more difficult to do something on the land and agreed to extend to April 27th. Selectmen Mitchell suggested 1st meeting in May. Selectman Cicolini said they will schedule their meeting before so there will be update on April 27th.

Selectman Cicolini moved to schedule update at the April 27th meeting. Chair seconds 5-0.

Correspondence, continued

2.) Police recommendation re: "No U-Turn" sign on Mader Street.

Selectman D'Eon moved to approve the No U-Turn sign on Mader Street. Chair seconds 5-0.

3.) Roller World, 425 Rear Broadway re: request for correction of number of seats in snack area.

The Chair explained the error on application and correction to 50 seats in snack area.

Selectman D'Eon moved the Board vote to make correction of seats from 2500 to 50 seats in Roller World snack bar area. Chair seconds 5-0.

Citizen's Comments None.

Continued Hearings: None

Public Hearings:

7:45 PM Friendly's Ice Cream, LLC, 777 Broadway, for Special Permit (S-2) to allow a drive through window, to be located at, 777 Broadway, Assessor's Plan 1036, Lots 407 & 408.

John Sypek, managing director 1 Federal St, Springfield, was present and explained the building was constructed in 1985 and the drive through opened in 1988 and are looking at re-opening it and have met all requirements of the Zoning By-Law and showed pictures of Westfield site that re-opened. The Chair said there are 2 curb cuts and asked about markings. Mr. Sypek described markings on plan submitted. The Chair asked if there will be a limited menu offered. Mr. Sypek said yes. The Chair said they did need to go before the Planning Board and the Chairman is present. Mr. Sypek said there was

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question about hours and the application stated 6am to 11pm and said they are not asking to modify hours.

Any to speak in favor or opposition?

Attorney Thomas Valkevich, 99 Walnut Street was present representing property owner in favor.

Peter Rossetti, Chairman Saugus Planning Board was present and said the Planning Board did have a hearing on Thursday and said there was a minor issue with conservation; the fire dept recommended the plan accommodate fire apparatus; they discussed speaker volume because it abuts residential; and the Planning Board did not feel a site visit or traffic study would be needed. The Chair asked about conservation order of conditions. Mr. Rossetti said there is an open issue regarding development in rear. Mr. Sypek said he met with conservation and said there is no violation and explained in 1985 when built they didn't close out the order and they are doing that now. Selectman Cicolini asked if it expired. Mr. Sypek said it needs to be closed out and then apply for new permit.

Selectman D'Eon moved to close the hearing. Chair seconds 5-0.

Selectman D'Eon moved to grant the request of Friendly's Ice Cream, LLC, 777 Broadway, for Special Permit (S-2) to allow a drive through window, to be located at, 777 Broadway, Assessor's Plan 1036, Lots 407 & 408 with the following conditions: hours of operation to be the same as restaurant hours of operation; fire department recommendation that the access / egress not to be hindered; approval of conservation commission and Planning Board required. The Chair added the following conditions without objection: any changes in plans must come back to the Selectmen and Planning Board for approval; Building Inspector's comment that a Special Permit is required by the Zoning Board of Appeals per Article 7; must have Building Inspector approval and Planning Board approval on all plans or changes of plan; and speaker volume to be monitored and adjusted as needed. Chair seconds

Roll call vote: Selectman D'Eon, yes; Selectman Brazis, yes; Selectman Mitchell, yes; Selectman Cicolini, yes; Selectman Panetta, yes.

7:55 PM RJ Carr Jewelers, LLC, for change of location of Valuable / Used Goods License from 469 Lincoln Avenue TO: 350 Central Street.

The Chair read letter requesting to withdraw the application at this time to advertise the correct address.

Selectman Cicolini moved to allow the petitioner to withdraw without prejudice. Chair seconds 5-0.

Old Business, continued

1.) Hilltop re: update on liquor license. (Taken up earlier out of order)

2.) Sully C's, 168 Broadway re: update on liquor license.

Attorney Michael Utke, 21 Cummings Park, Woburn was present and explained after last meeting he did file in court on behalf of his client and has a hearing date on February 18th. The Chair asked if any further work has been done. Atty Utke said he doesn't know but there are people in the building and it looks like they are working on the Boston Market side. Selectman Cicolini said time is of the essence and suggested they come back the first meeting in March for update. Atty Utke agreed and said his client is also pursuing any interest in the license to have a "plan B" in place. Selectman Brazis thanked him.

Selectman Cicolini moved to schedule update on March 16th meeting. Chair seconds 5-0.

New Business:

1.) FY17 budget meetings & review of Guiding Principles.

The Board discussed dates and will schedule a budget meeting on February 22nd at 7pm.

The Chair read the Guiding Principals voted 2012 and no changes were offered.

2.) DRAFT Selectmen's Annual Report July 1, 2014 – June 30, 2015

The Chair offered two changes and some typos.

Selectman D'Eon moved to accept the report with updates. Chair seconds 5-0.

3.) Discussion & determination on when to close the Annual Town Meeting Warrant.

The Board will close the Annual Town Meeting Warrant on April 6th.

Manager's Report: (Taken up earlier out of order)

Approval of minutes: January 20, 2016

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Selectman Cicolini moved to table the minutes. Chair seconds 5-0.

Appointments: Affordable Housing Trust Board of Trustees; & Cemetery Commission.

Selectman Cicolini moved to reappoint Ann Marie Waugh to the Affordable Housing Trust Board of Trustees to expire December 2017. Chair seconds 5-0.

Selectman Brazis moved to reappoint Marion Dawicki to the Affordable Housing Trust Board of Trustees to expire December 2017. Chair seconds 5-0.

Selectman D'Eon moved to appoint David Ferraro to the Cemetery Commission to expire December 2018.

Selectman Cicolini requested the Cultural Council be posted.

Member's Comments:

Selectman Mitchell sent his best wishes to the Town Manager to get well soon.

Selectman Brazis moved for 5 minute break. Chair seconds 5-0.

The Chair called the meeting back to order.

Member's Comments, continued

Selectman Cicolini thanked the manager, DPW and contractors for their efforts working the two snowstorms; and wished his mom a happy birthday.

Selectman Brazis also thanked the DPW Director, DPW and vendors handling the 2 storms; wished a happy birthday to Mrs. Cicolini; said he hopes the manager feels better; and thoughts and prayers to family of woman that lost her life this morning in a horrific accident.

Selectman D'Eon also thanked DPW; and wished Mrs. Cicolini a happy birthday; wished all a happy Valentine's Day; and announced mobile food pantry for veterans.

The Chair announced "Books in Bloom" event at the library; Boy Scout Troop 62 annual roast beef dinner; wished all a happy Valentine's Day; agreed with the Board the DPW did an excellent job.

Selectman Brazis wished Advocate reporter Chris Roberson well on his new job.

The Chair also thanked Mr. Roberson and thanked workers at the cable station for all the work they do.

Citizen's Comments None.

Selectman Brazis moved to adjourn. Chair seconds 5-0.