

Saugus Board of Selectmen
November 12, 2013

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

AGENDA
SAUGUS BOARD OF SELECTMEN
November 12, 2013 – 7:30 PM
Town Hall Auditorium
298 Central Street

- 1.) Call to order.
- 2.) Invited Guests: 0
- 3.) Approval of minutes: October 8; October 22 @7pm; October 22 @ 7:30pm; & October 31, 2013

4.) Correspondence:

Organizations: A-Vinyard Church re: request for banner
Licensing: B-American Legion re: request for change of manager to Debra Dion Faust
C-Hilltop writ of attachment re: High Country Investors, Inc. (Hilltop)
Other: D-Conduct of Elected Officials and Municipal Employees By-Law
E-Collector/Treasurer re: request to vacate foreclosure on 6 properties
62 Clifton Avenue - Parcel ID F4/7/21
"0" Waverly Avenue – Parcel ID F4/4/6
"0" Waverly Avenue – Parcel ID F4/6/2
"0" Waverly Avenue – Parcel ID F4/5/2
"0" Waverly Avenue – Parcel ID F4/5/4
F-Police Dept. re: request for holiday temporary traffic barriers.
Appointments: -Zoning Board of Appeals.

- 5.) Citizen's Comment Period
-citizen's comment guidelines.

6.) Continued Hearings:
-Adalberto Gimenes d/b/a Home Town Pizza, 23 Essex Street for variance to waive the external grease trap requirement under Article IV, section 21 of the Town of Saugus Sewer Rules & Regulations. This hearing is being held under Article III, section 12 of the Town of Saugus Sewer Rules & Regulations. (continued from: 10/22/13)

7.) Public Hearings:

8:00 PM D'Amore's Pizza & Deli, Inc., 304 Lincoln Avenue, for transfer of Common Victualer's License and Entertainment License FROM: KAL Purveyors, Inc. d/b/a King's Pizzeria at 304 Lincoln Avenue.

- 8.) Town Manager's Report
- 9.) Member's Comment Period
- 10.) Citizen's Comment Period
-Saugus Concerned Citizens re: unanswered questions.
-Eustis St. area residents re: Revere development.

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The Saugus Board of Selectmen met on November 12, 2013 at 7:30 PM in the Town Hall Auditorium. Present: Selectmen Paul Allan, Stephen Castinetti, Maureen Dever, Debra Panetta and the Chairman Ellen Faiella. The Town Manager Scott Crabtree was also present.

Invited Guests: None this evening.

Approval of minutes: October 8; October 22 @7pm; October 22 @ 7:30pm; & October 31, 2013

Mr. Castinetti moved to accept the October 8 minutes. Ms. Panetta offered amendment. Chair seconds 5-0.

Ms. Panetta moved to accept the October 22 minutes. Mr. Castinetti seconds 5-0.

Mr. Castinetti moved to accept the October 22 minutes. Mr. Allan seconds 5-0.

Ms. Panetta moved to accept the October 31 minutes. Chair seconds 5-0.

Correspondence:

A-Vinyard Church re: request for banner.

Ms. Dever moved to approve 3x20 banner to be hung per Town regulations November 22 to December 22.

Patty Hubbard, 411 Essex Street was present and explained the banner will be 3x30.

Ms. Dever amended her motion to include a 3x30 banner with standard conditions. Chair seconds 5-0.

C-Hilltop writ of attachment re: High Country Investors, Inc. (Hilltop)

The Chair asked the Manager to pass it on to legal counsel.

B-American Legion re: request for change of manager to Debra Dion Faust

Ms. Faust was present.

Mr. Castinetti moved to grant the request of change of manager. Chair seconds. Ms. Dever speaking on the motion said she supports the motion and requested she complete available training. 5-0.

D-Conduct of Elected Officials and Municipal Employees By-Law

Mr. Castinetti moved to withdraw his request pending the vote of Town Meeting. Chair seconds 5-0.

E-Collector/Treasurer re: request to vacate foreclosure on 6 properties

62 Clifton Avenue - Parcel ID F4/7/21

“0” Waverly Avenue – Parcel ID F4/4/6

“0” Waverly Avenue – Parcel ID F4/6/2

“0” Waverly Avenue – Parcel ID F4/5/2

“0” Waverly Avenue – Parcel ID F4/5/4

Collector / Treasurer Wendy Hatch was present and explained process.

Ms. Panetta moved the Board vote to allow the judgment for foreclosure dated March 27, 2013 to be vacated and title of the following properties: 62 Clifton Avenue, “0” Waverly Avenue (F4/4/6), “0” Waverly Avenue (F4/5/2), “0” Waverly Avenue (F4/5/4), “0” Waverly Avenue (F4/6/2) be returned to its owners as stated in the foreclosure judgment. This vote is based on payment received in the amount of \$53,328.87 for outstanding Fiscal 2010-2014 real estate taxes and water / sewer charges with all applicable interest, penalties, and fees. Chair seconds 5-0.

F-Police Dept. re: request for holiday temporary traffic barriers.

Sgt. VanSteensberg was present and explained request. Ms. Dever asked dates. Sgt. said before Thanksgiving through New Years.

Ms. Dever moved to approve the request. Chair seconds 5-0.

The Chair took Mr. Decareau out of order.

Citizen's Comment Period

-Saugus Concerned Citizens re: unanswered questions.

Gene Decareau, 388 Central Street, congratulated the Board.

Appointments: -Zoning Board of Appeals.

Mr. Castinetti explained the Board held an interview and since that time another applicant came forward and suggested scheduling interview. The Board will schedule interviews at 7PM on 11/19.

Citizen's Comment Period

-citizen's comment guidelines.

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Ms. Dever said she had requested a conversation regarding the guidelines adopted in August and asked the Board consider rescinding the citizen comment period guidelines and consider allowing citizen comment period to occur as it has in the past and the chairman can inform the speaker the Board may not express an opinion, or recommendation or decision at that time but may place on next agenda and said she agrees there should be guidelines but should allow citizens to express concerns and said it should occur earlier in the meeting. Ms. Panetta agreed there should be guidelines in place and believes citizens should be able to speak and would like to look at what we have. Mr. Allan said he prefers going back to the original guidelines and due to the overwhelming response to question 2, the topic should be changed to "concerned citizens comments". The Chair agreed citizens should be able to speak and that there should be guidelines. Ms. Panetta asked if it was being suggested to throw out the guidelines. Ms. Dever said it is important to have a time limit and feels they should rescind the vote and take ideas forward. Ms. Panetta suggested the Chair look at guidelines and draft something to review at next meeting and suggested it be posted on-line so people understand.

Continued Hearings:

-Adalberto Gimenes d/b/a Home Town Pizza, 23 Essex Street for variance to waive the external grease trap requirement under Article IV, section 21 of the Town of Saugus Sewer Rules & Regulations. This hearing is being held under Article III, section 12 of the Town of Saugus Sewer Rules & Regulations. (continued from: 10/22/13)

The Chair said the Board received letter requested to continue the hearing and request extension on compliance deadline and read. Ms. Dever said she has tried to research the issue and said the Rules & Regulations were adopted in 1987 and would like the Plumbing Inspector to come and talk about technology available.

Ms. Dever moved to continue the hearing to Nov. 26th and hold compliance in abeyance and have the Plumbing Inspector give the Board guidance. Ms. Panetta said she would like opinion from CDM and environmental attorney. Mr. Castinetti said he is a proponent of hearing from the Plumbing Inspector and Health Director. The Chair said the Board should be educated on the options. The Manager suggested the Board has two issues, to make decision on granting a waiver, and make decision on alternative and to look at the regulations and said they need to look at legal requirements regarding agreement with Lynn Water & Sewer. Mr. Castinetti said it is a balancing act noting the Town's obligation under an ACO. Ms. Dever said looking at the regulations is long term but need information on alternatives to educate themselves.

Ms. Dever moved to grant the request to continue the hearing to Nov. 26th and to hold compliance deadline in abeyance until January. Chair seconds 5-0.

The Chair asked the Manager to coordinate the departments.

8:00 PM D'Amore's Pizza & Deli, Inc., 304 Lincoln Avenue, for transfer of Common Victualer's License and Entertainment License FROM: KAL Purveyors, Inc. d/b/a King's Pizzeria at 304 Lincoln Avenue.

Anthony Cogliano, 27 Serino Way was present with applicant Anthony D'Amore, 94 Graves Rd. Revere. Ms. Dever asked hours of operation. Mr. D'Amore said 6am to 11pm. Ms. Dever asked about seating. Mr. D'Amore said 38. Mr. Castinetti asked if they saw comments from departments. Mr. D'Amore said yes. Mr. Cogliano said the external & internal traps were cleaned and he has added language in the lease. Mr. Castinetti asked about CO detector. Mr. Cogliano said it will be taken care of. Mr. Castinetti asked about fire extinguishers. Mr. D'Amore said they are in. Mr. Cogliano said he will follow up with fire dept. Ms. Panetta asked if he was purchasing the business. Mr. D'Amore said yes. Ms. Panetta asked if he has done this before. Mr. D'Amore said for 25 years.

Any to speak in favor or opposed? None.

Ms. Panetta moved to close the hearing. Chair seconds 5-0.

Ms. Panetta moved to grant the transfer of Common Victualer's License and Entertainment License FROM: KAL Purveyors, Inc. d/b/a King's Pizzeria at 304 Lincoln Avenue TO: D'Amore's Pizza & Deli, Inc., 304 Lincoln Avenue with the following conditions: 7 days a week 6am to 11pm; seating of 30. Chair seconds 5-0.

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Manager's Report

-said there was incident at Bly Bridge which was a computer glitch that has been corrected.
-said he had a scheduled meeting regarding Suffolk Downs but it was postponed but had met in the past to discuss preliminary traffic study and impact on Saugus. Ms. Dever asked if there were any minutes of the meeting or summary to share. The Manager said there were no minutes.
-said he's looking into applying for grant from MAPC for tech and planning grant.
-gave background on Revere development, is approximately 11 acres in Saugus and 40 acres in Revere has been acquired by an entity and Revere re-zoned property to commercial and he met with the developer and he doesn't have plans yet and he did respond to trucking complaints and said once the house was torn down, it stopped and said Mr. Luongo and the Building Commissioner have been there and have spoken with the neighbors and the developer has agreed to put a locked gate and said they need to have a plan to access Rte. 1. Mr. Castinetti asked about prohibiting trucking. The Manager said they need traffic study and the activity is intermittent.

Robert Camuso, 27 Eustis Street, said the Revere property should be accessed through Revere and said there is dumping and said it's not fair to the residents. Mr. Castinetti said it's an on-going issue and thinks the primary responsibility is to Saugus residents and they should do whatever they can to shut down Eustis Street. Ms. Dever said she was invited to walk the property and noted a number of concerns trucking, drainage, homes impacted by increased water, and infrastructure and asked if they could restrict tonnage. Mr. Castinetti said they did talk about that. Ms. Dever said a traffic study was voted and asked if it was done. The Manager said part of the application to get restrictions is you have to have an engineering study and it has to be on-going, but this activity is intermittent and it will not reveal heavy trucks. Mr. Castinetti said there hasn't been much activity since the house was taken down and asked if there is any other roads. Mr. Camuso said Franklin Street.

Helen Chwaliszewski, 21 Eustis St., said last 10 years have been a nightmare and said there are sink holes, water problems and kids hanging out.

Tom Curcio, 22 Eustis Street, said they should leave it a dead end.

Steve Swezey, TMMP2, said it's been going on too long and need to find way to keep trucks off a residential street.

Ms. Rovcanin, 24 Eustis Street, said there was ca gas line break.

Betty Glazebrook, 18 Eustis Street, said there's a neighbor with trucks running a business there.

Steve Smith 25 Eustis Street, said they should use Rte. 1 access.

The Chair said if they have caused damage to the street, the Town should have them address it and said there has been on-going dialog and asked the Manager if they discussed correcting the problems. The Manager said they have documented issues and once they have a document the Town will be in a better position. The Chair asked time frame. The Manager said he was told they don't believe there's a break in the area.

Sgt. VanSteensburg said the police dept. would like to do whatever they can but their hands are tied, they cannot enforce no trucking and need a study to apply to the State and because work is intermittent it will not show results they would like and said there is a portion of the application that the Board can explain the issues for them to take into consideration. Ms. Dever asked over the last few years if there has been traffic hearings on Eustis St. Sgt. said yes and signs were posted. Ms. Panetta asked how long a study would take. Sgt. said he was not sure. The Manager said other challenge is offering an alternative route. The Chair said there is a covenant on Weylu's property with certain restrictions.

Bob Cox, TMMP4, said he served on the Board of Appeals through the Caddy Farm hearings and described the issues and said traffic studies and infrastructure studies were done and should be on file.

Ed Harrison, 34 Eustis Street, described things that go on there.

Jim Schultz, 32 Eustis Street, said he sold the property on Muzzy Street to the developer and said it is a dead end street and Muzzy Street goes a different route and said there are a number of roads off that property they could use and noted problems in the area.

Bill Brown, TMMP6, described route through from Eagle Rd.

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Tom Lovasco, 23 Eustis Street, said he doesn't understand the access issue. The Manager explained the offer to put a gate.

Chris Trahan, 1 Clifton Street, described traffic with detour for Lincoln Ave. project.

Kevin Dill, 21 Laurel Street, said it is affecting all streets around there.

Tony Chianca, 13 Clifton Street, said his property is half in Saugus & half in Revere said they should use Rte. 1 access and said the church property is in land court.

Stephen Horlick, 6 Bacon Drive, said he asked for report from Building Inspector and said DPW did a report and should be on file and described how they handled a proposed development in Lynn.

Robert Luongo, Economic Development Coordinator said he has been in contact with the developer and they have just started planning, but have not indicated yet but said they will inform us and we let them know Saugus wants to be involved in the planning process and said Saugus will protect the interest of the residents. The Chair suggested communication being most important that the residents chose liaisons to help disseminate information to neighbors.

Debbie Lloyd, 19 Anawan Avenue, said she would like to be informed also.

Ms. Dever thanked everyone for coming and asked they sign the sheet with e-mail or contact info. Ms. Panetta suggested the Town Website post a folder for residents to get information.

Ms. Dever moved to request within 14 days the following information be provided to the Board: access and integrity of the roadway; drainage / water / sewer sufficiency; Inspectional Services to look into the contractor's yard in the neighborhood; get CDM in to get the ball rolling and said she does not want to wait for the developer's plans, but wants to be proactive. Mr. Allan asked if there is any legal recourse to temporarily closing the street to trucking until the Board gets legal opinion. Chair seconds 5-0.

Chair called recess at 10:07 PM.

Chair called the meeting back to order at 10:14 PM.

Citizen's Comment Period

J. Brian Costin, TMMP7, congratulated the Board and thanked the outgoing Selectmen for their service. Mr. Costin said he noticed the North Saugus area does not have ADA street signs and asked, if possible, to put this back on the DPW agenda.

Ms. Panetta said Mr. Tozza, Bike to the Seas, requested she make a couple of announcements: Ms. Panetta announced the Board is invited to the annual dinner on Nov. 16th and said they received a grant and invited the Board to attend on Nov. 20th.

Mr. Castinetti thanked everyone that came out on Veterans Day.

Mr. Castinetti requested the manager provide information on costs savings with new ambulance service. The Manager said he thought that was sent to the Board but will follow up.

Ms. Dever said since there is no contract yet, asked the Manager provide highlights. The Chair said it will be on next agenda.

Ms. Panetta announced Saugus River Watershed Council comedy night.

Mr. Allan moved to adjourn. Chair seconds 5-0.

Meeting adjourned at 10:21PM.

Respectfully submitted,

Wendy Reed, Clerk