



# *Town of Swampscott*

## OFFICE OF THE PLANNING BOARD

22 Monument Avenue, Swampscott, MA 01907

### **Planning Board Members**

Patrick Jones, Chair  
Angela Ippolito, Vice Chair  
Sylvia Belkin  
Jeffrey Blonder  
George Potts

### **Planning Board Secretary**

Helen Kennedy

### **Town Planner/Energy Efficiency Manager**

S. Peter Kane

## March 12, 2012 Meeting Minutes

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**Time:** 7:15 – 9:20 pm

**Location:** Swampscott Senior Center

**Members Present:** A. Ippolito, S. Belkin, J. Blonder

**Others Present:** Town Planner Pete Kane, Attorney Kenneth Shutzer, Petitioner Ralph DiGiorgio, Engineer Richard Salvo

First order of business was unanimous approval of the February 2012 Planning Board Minutes.

Ms. Ippolito said the Planning Board will review the petition application (12-5), focus on site plan review and make recommendation to Zoning Board of Appeals (ZBA). No vote will be taken on this petition tonight. She pointed out the ZBA is the special permit granting authority in this application, not the Planning Board.

Attorney Kenneth Shutzer was recognized to begin presentation of Petition 12-5 by Ralph DiGiorgio of DiGiorgio & Messina for site plan special permit, dimensional variance and special permit for construction of an independent living facility of 16 residential units (for ages 55+) in one and two-story buildings. Property is undeveloped land on Map 7, lots 213-248 and 250-256. Mr. Shutzer said they are here tonight for an exploratory meeting after which the Planning Board, within 35 days of filing, can make recommendations to the ZBA.

The property is owned by Ralph DiGiorgio who considered two options: single-family homes and/or independent living facilities for people who are getting older and want to down-size their residences. All the homes are designed with ground floor master bedrooms. This will be handled as a

condominium association with one set of rules that will apply to units and will comply with Planning and Zoning Board requirements. The proposal is to extend Vaughan Place to provide a single driveway cul-de-sac to access Vaughan Place without requiring Fire Department equipment to back out of the property. The property up to now has been used as a meeting place for littering teens. Mr. DiGiorgio wants to clean it up, make it attractive for people who can move in and have first-floor bedrooms. Residents will not have minor children so there will be minimal traffic and no demand on the school system.

This has been a problem area because of drainage runoff from the rocky ledge and causing pooling and flooding on Archer St. The drainage problem will be addressed by having all runoff from homes go into drainage system, adding a lot of top soil to absorb water. Attorney Shutzer has mailed 77 abutters notice of meeting on Thursday 3/15/12 to provide abutters with detailed construction information and to answer their questions and address their concerns. This is the first iteration, incorporating maximum utilization of the property. This proposal is less intrusive than those that could have included many more units on the property. There are no plans for this to be a 40B project, want this to be the pride of Swampscott and attract people who want to live in the area. In response to a question about future conversion to Section 8 housing, Attorney Shutzer said the condo documents stipulate that buyers/owners must be 55 or older.

Engineer Richard Salvo was introduced and stated this property at Archer & Vaughan is 4.78 acres with primary frontage along the unfinished Archer Street and 40' of frontage which runs along Vaughan Place. When it rains now, water flows in all directions and causes ponding. Proposed units will be approximately 2,000 square feet with a 24' wide road and 52' radius at cul-de-sac. This project has 14.9% lot coverage, with two-car garages and the property will be served by municipal water and sewer systems. Grading will be "balanced" by blasting and filling with blasted material moved on-site to lower areas, no blasted material will leave the site. Grading has an impact on the storm water. Majority of knoll is rock. Runoff will go to catch basin; reducing storm water on Archer St. Gravity, street curbing and catch basins will be collected into engineered retention pools. From 2.5 acres of watershed currently on the Eureka Avenue side of the site, runoff will be cut in half as a result of the mitigating steps.

Ralph DiGiorgio reviewed the style of the units which will have 12' ceilings and lots of windows. The third building type will have 16'-18' ceilings with a bedroom upstairs. Lawn/snow and trash removal will be taken care of for the entire condo complex. Because of the economy and aging boomers desiring smaller homes, he thinks this is a good design at this time. The selling price will go from \$479,000 to \$549,000. In addition to the condo fee, owners will pay their own taxes, no taxes charged for the association. Per Attorney Shutzer, owners will be taxed on the value of their property based on a per square foot percentage. Upstairs bedroom provides space for grown children or guests. All units will have basements which will require blasting. The low point of the area will be designed and created to mitigate a 100-year storm and it will be a natural feature of the property. No sidewalks, just raised grassy areas on either side of the road. Asked about the amount and duration of blasting, Mr. DiGiorgio said tests will be done to determine the amount of blasting required and blasting has to

conform to established standards and regulations. Majority of blasting will be in the area of the knoll. Areas behind the units will be left in their natural state (trees, vegetation, etc.). Mr. DiGiorgio estimated blasting could last 4 to 6 weeks but that will be determined by tests. The closest unit to neighboring property is separated by about 25'. Circular driveway (cul-de-sac) will be built to Town street construction regulations but is not a public way. The design will be two 12' lanes and will be maintained by the condo association.

**Abutters and neighbors who raised questions or concerns include:**

Patrick Burke, 24 Eureka Ave - Concerned about the blasting period and timing.

Resident of 34 Eureka - Concerned about drainage and increased height on their side of the property. Last storm was probably 5' deep at end of Archer. Are we going to be looking at a whole pile of rock?

Brad Silsby of 2 Archer St. - You will make a bad situation worse. He gets water all the time, showed Board pictures of water after rains. The sewer system there is overtaxed and goes into Lynn infrastructure and the water system is old. This is just another way to try to skirt the development laws of Swampscott. Mr. DiGiorgio recognizes frustration. He had nothing to do with prior owner's proposals. This is my design. I know about the water problem, Town has nothing to do with the drainage. After listening to attendees tonight, he will revisit the drainage problem, he wouldn't want to live that way. We have to follow strict DEP regulations, all street. Will provide findings for review by an independent engineering firm of the Town's choice.

Attorney Shutzer said he thought people would appreciate the effort to resolve the water concerns. Water is damaging property of surrounding houses. This process will mitigate the problem through re-contouring property, additional soil and filling. Changing what is already there will increase the value of surrounding homes (general groan of skepticism from the crowd of about 29 people). Site work on this property has taken a lot of time, money and site preparation. We are telling you that this will mitigate the problem. Drainage is not going to change if we do nothing, it will change for the better if we do something.

Robert D'Andrea of 28 Vaughn Place - Where will water and sewer lines come from? Engineer Salvo: from 8" line and 6" water main on Vaughan Place. Resident of 15 Vaughn Place said there is a private line near his house.

Comments from audience about size of proposed buildings on site. Attorney Shutzer said lot is 211,911 square feet. The lot requirement in Swampscott is 20,000 square feet. R. D'Andrea said don't play us like fools, this is a money issue.

Mrs. Silsby said every house built since theirs had made the drainage worse. R. DiGiorgio said DEP regulations stipulate developer has to take care of all the water that is on the property site. Another abutter said he would be wary about funneling the water off.

Ms. Ippolito: With every increasing home in that area, it got worse. In 2009, Town included independent living and assisted living in bylaws. Mr. DiGiorgio: I am willing to try making this problem go away. I don't want the problem to be worse, I wasn't aware of the extent of the problem. Been successful in a lot of other towns and has not just driven away. Want to go back and start with the drainage studies. This land will get developed, it may not be me, it may be someone else, will give it my best effort to try and solve the problems on this property. Ms. Ippolito: Need to pay attention to what is going on at all the other sites. Wants to see topography plan showing what is going on at the 1.2 acres and where is the water going now. DiGiorgio to Salvo: We will have enough statistics to show where the flow will go. Silsby: small streets that are used between Swampscott and Lynn. A. Ippolito: Bring your argument to ZBA.

Resident of 82 Foster Road at corner of Vaughn Place - voiced concern about "balanced" site as the material blasted from the knoll will not absorb water. Moving filling from left to right will only change flow of water. Need to truck more (absorbent) material in. He gets heavy traffic now from cars cutting through from Lynn. Sixteen units with two-car garages will increase the traffic problem. Have to consider other people living in the area.

Town Planner Peter Kane: Include plans current stormwater flow off site and projections for 5 to 10 years before and after project completion.

At 9 PM Vice Chair Ippolito thanked the neighbors and abutters for their participation and feedback. Board decided there was not enough information provided for them to provide recommendations to the ZBA.

## **Administrative Business**

Town Planner Peter Kane distributed handout of results of town survey. A copy will be placed on Town website along with conclusion sheet of the responses.

Mr. Kane met with Selectmen members Jill Sullivan and Richard Malagrifa regarding the historic district. The proposal for a district study will have to go to the Board of Selectmen and then if a district is found feasible, go before Town Meeting. The Planning Board and the Town Planner need to be included in the communication/decision loop and the proposal needs to be presented to the Board of Selectmen. Sylvia Belkin said an inventory of buildings on Humphrey Street has to be done during the initial phases of the process.

Jeffrey Blonder reminded the Board the articles for Town meeting need to be discussed at the April 9, 2012 Board meeting for public hearing. These articles would include regulations on signage, banners, flags and rezoning the Temple PDD.

Meeting adjourned at 9:20 PM.