



# TOWN OF SWAMPSCOTT

OFFICE OF THE

## PLANNING BOARD

ELIHU THOMSON ADMINISTRATION BUILDING  
22 MONUMENT AVENUE, SWAMPSCOTT, MA 01907

### MEMBERS

PATRICK JONES, CHAIR  
ANGELA IPPOLITO, VICE CHAIR  
SYLVIA BELKIN  
JEFFREY BLONDER  
GEORGE POTTS

### STAFF

HELEN KENNEDY, SECRETARY  
S. PETER KANE, TOWN PLANNER

## MAY 7, 2012 MEETING MINUTES

**Time:** 6:05 – 6:55 pm

**Location:** Swampscott High School

**Members Present:** P. Jones, A. Ippolito, S. Belkin, J. Blonder, G. Potts

**Others Present:** Pete Kane (Town Planner), Leslie Gould (resident, Lynn Area Chamber of Commerce), affiliates of zoning bylaw article for flag allowance, affiliates of Atlantic Crossing developers of Temple Planned Development District, Sarah Pruitt (resident), John and Margaret Paine (residents), Mary O'Hare (resident)

Meeting called to order at 6:05 pm.

Vice Chair Ippolito seated as chair to open the meeting; Chair Jones was delayed to the meeting.

### MEETING MINUTE REVIEW & APPROVAL

Board members reviewed meeting minutes from April meetings. Blonder made a motion to approve. Potts seconded the motion. Unanimous approval of the minutes.

### PUBLIC HEARING FOR ZONING BY-LAW WARRANT ARTICLES

Vice Chair Ippolito opened the continuance of the public hearing from April 23, 2012, for the zoning by-law warrant articles that would be going before Town Meeting later in the evening. The continuance was set to provide petitioners of two of the articles to revise their proposals and resubmit to the Planning Board for consideration.

### *ARTICLE 17 - FLAGS FOR COMMERCIAL PURPOSE IN B-1, B-2, B-3, AND I DISTRICTS*

Ippolito explained the article proposal to provide allowance for flags for commercial use within the business and industrial districts. Ron (with Lynn Area Chamber of Commerce) provided an overview of the revisions they had made to the article. They utilized Marblehead's current bylaw language pertaining to flags, but with two revisions: set a smaller size for the flag, and requiring that the flag only be placed so that it projected from the face of a building. Blonder inquired how many businesses might be interested in putting up flags. Leslie Gould responded that the Chamber had received three calls from businesses soon after enforcement of the Building Inspector started to have flags removed. Beklin asked about flag maintenance. Ippolito noted that

maintenance is covered currently in the bylaws for all signage (which the flags would fall under). Blonder motioned to recommend favorable action on the article. Jones seconded the motion. Unanimous approval by the Board to recommend favorable action on the article.

#### *ARTICLE 18 – TEMPLE PDD REZONING*

Ippolito opened the Article 18 review by outlining the intent of the original article as submitted to the Board of Selectmen. Bill Luster was then given the floor to explain the revisions made to the article based on the April 23<sup>rd</sup> hearing. He stated that based on their evaluation, they looked at the regulations for the other Planned Development Districts (PDDs) in town. They found that if you flipped the “open space requirement,” you could infer a 65% building coverage. They then calculated the average building coverage of their current subdivision plans which came out to 42%. Blonder pointed out that the numbers being shown are concept but could change before subdivision and site plan review. The developer (Luster) feels a proper design could downplay the feel of density.

Luster noted that they are suggesting the restriction under the land disposition agreement be 99 years instead of 30 years as originally planned. This would mean that buyers would not be able to add to or modify the building footprints for 99 years after purchase (and follows with subsequent buyers).

Luster said that if the Planning Board would like to include a “maximum building coverage” line item to the grid language of the article, they would suggest 50%. Belkin noted that she is concerned by the small setbacks rather than the building coverage number. Luster responded that the current PDD regulations for the Temple site allow for units to be side-by-side (as the zoning is for a single building of up to 42 units). He continued that these setbacks should still fit within the neighborhood. Blonder inquired what type of community input they have sought as he has received three phone calls about this article. Luster stated they had a meeting with neighbors that resulted in the team making some revisions to the subdivision plan and building facades. Belkin noted that an abutter to the site spoke with her about it and that they described this proposal as “not as horrible” as the current PDD option. Luster stated that Orchard Circle actually has about the same parcel-to-acre density as this project. He described the development as condo living in single-family homes. Potts said his own home probably has more building coverage than the one suggested and that this proposed option may be better than a single building. He feels the sell may be difficult to Town.

Jones noted that the Board still has the ability to evaluate the project during site plan and subdivision reviews. But also stated this is a zoning change – by not including “maximum lot coverage,” they would be opening up potential issues if another project comes forward instead of the current proposal. He then stated though that Town may be afraid of the large number (50%); however he feels 50% is reasonable. Town Counsel noted that there is the ability to extend limitations/restrictions beyond 30 years.

Jones opened to public discussion. Mary O’Hare (precinct 6) asked if there was consideration for zero lot lines (allowing two neighboring homes to abut one another and provide more spacing on the other sides). Luster said they didn’t feel zero would work in the market. She then said she felt the building designs should be varied to take away the feel of density. Sarah Pruitt (precinct 6) asked what the sale price was (\$2.2M as answered by Town Counsel) and said this land could be used for playing fields instead. Jones noted that this land is set for redevelopment based on Board of Selectmen decisions.

Jones then asked the Board how they felt about adding a lot coverage line item. All agreed, though Belkin said she wasn't sure how to translate them.

Luster feels this village-style format will work well. Belkin responded that she felt it might work in a place like Topsfield but this is already a dense neighborhood and thinks this is unfair to them. Luster feels this option is better for the neighborhood than the current PDD option.

John Paine (across street from Temple on Humphrey) said he and his wife are concerned and want to make sure whatever happens is the best use of the property. Feels this option is better than the current PDD option.

Blonder motioned to recommend favorable action on the article with the added condition of "maximum building coverage" of "50%" line item. Seconded by Ippolito. Final vote was 4 to 1 with Belkin against.

#### SITE PLAN SPECIAL PERMIT APPLICABILITY

The Board discussed the response received from the Inspector of Buildings related to his decision that petition 12-6 (286 Humphrey St) did not require a site plan special permit. Ippolito led the discussion and stated that she disagrees with the Building Inspector. She feels that this interpretation of the bylaw doesn't conform to its intent. Potts agreed. Board agreed the Building Inspector's determination warranted an appeal to the ZBA.

Ippolito motioned to close the meeting. Seconded by Belkin.

Meeting adjourned at 6:55 pm.