



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

DECEMBER 10, 2012 MEETING MINUTES

Time: 7:00 – 8:30 pm

Location: Swampscott Senior Center, 200 Essex St

Members Present: P. Jones, A. Ippolito, J. Blonder (after 8:15p), S. Belkin, G. Potts

Others Present: Pete Kane (Town Planner); Jerzy Wabno (petitioner); Tom Wabno (petitioner); Bob McCann (attorney); Dan Fox (petitioner); Peter Ogren (architect); Julia Faia (resident); Kim Faia (resident); Michael Faia (resident); Larry Lee (resident); Marc Mahoney (resident)

Meeting called to order at 7:00 pm by Patrick Jones, Chair.

MEETING MINUTES

On a motion made by A. Ippolito and seconded by G. Potts, minutes of the meeting on Nov 5th were approved unanimously.

SITE PLAN REVIEW

12SPR-4 – 21 BUENA VISTA STREET

The site plan review for the petition to modify the previously-granted site plan special permit was continued from the hearing on November 5th. The petition was submitted in order to move the proposed new two-family structure to the northwest corner of the parcel (per ZBA request), make changes in the landscaping plan to accommodate clear-out request by the Fire Department and remove additional trees along the northeast property line.

Tom Wabno presented copies of the existing conditions of the site and a revised site plan of proposed landscaping to screen and provide privacy from surrounding homes (where the oak trees had been).

The plans were shared with the abutters who expressed need for more mature trees than those proposed. An extensive discussion took place between the Wabno brothers, Planning Board members and abutters Kim and Michael Faia (41 Buena Vista St).

Michael Faia said the height of the retaining wall could possibly be increased from 2' to 3' on the opposite plot line where trees could be planted. Kim Faia said 6' trees are slow-growing and that the preferred tree height should be

measured from ground up, not root ball. Trees should be between 10 and 12' high for privacy between Faia property and 21 Buena Vista site. Michael Faia said the Wabnos have the right idea, they just need to plant taller trees. Town Planner Kane reminded the meeting that some of the plantings should be for the Wabnos site benefit as well, not just for the abutters.

Kim Faia was concerned about how the decision of the Planning Board would be monitored to ensure compliance. P. Kane said a copy of the plans and decision will be available in the Building Inspector's office. The Building Inspector is charged with the responsibility of monitoring compliance. Kim Faia was also concerned about the health and longevity of the plantings and what would happen if plantings do not take. Michael Faia told the meeting that landscaping nurseries have a practice of warranting trees for one year after planting.

Chair Jones reminded the meeting that there needs to be a reasonable time frame for trees to mature. He suggested chateleer pear trees for growth to 25' in height and 30' width.

Jerzy Wabno said they have to comply with the Board requirements. S. Belkin raised the possibility of requesting the Building Inspector report back to the Planning Board in one year. P. Jones said the decision could contain a condition for compliance with Planning Board requirements as a condition for issuing building permit and CO (certificate of occupancy).

Abutter Larry Lee told the Board he has a lot of concerns about water and sewer connections and said no one from Town has come to trace the water lines for 19 Buena Vista. Also said foundation has been poured, sewer lines have been dug up and gas piping has been broken up. P. Kane asked Mr. Lee if he has contacted DPW Director Gino Cresta about utility connections. He reminded Mr. Lee that 19 Buena Vista is not part of this discussion which is about 21 Buena Vista. P. Jones said part of the Planning Board decision (12SPR-1) was the petitioners would submit sewer and utility plans to DPW and the Board is under the assumption that has been taken care of with DPW and Building Inspector.

T. Wabno said they have tried several times to contact Larry Lee and have been unable to do so. He said they hired an engineer to handle the water and sewer matter. Wabnos will run new water and sewer lines from the street and this proposal was approved by DPW's Gino Cresta. They will disconnect the old water and sewer lines. Mr. Lee said the ZBA decided the Wabnos had to deal with Larry's water and sewer lines. P. Jones suggested Mr. Lee get copies of the ZBA decision to check the language on this issue.

Chair Jones said there needs to be a little more development with more mature trees and arborvitae. T. Wabno said the new owner of the property will need to care for the plants around 21 Buena Vista.

T. Wabno also stated that they want to build up the ground next to the fence on the east property line. Chair Jones said replacing the rhododendron with arborvitae will improve the screening. P. Kane reassured Kim Faia that everything will be available at the Building Inspector's office. Appeal may be filed within 20 days of the decision filing with the Town Clerk. An appeal can be made by anyone objecting to what was approved. Work that is approved can't be done until the end of the 20-day appeal period.

Chair Jones stated the following recommendations in order to approve the site plan modification for 21 Buena Vista:

- Another honey locust tree will be planted about 10 feet to the northwest of the proposed honey locust;
- The two rhododendrons just north of the proposed honey locust to be replaced with arborvitae. Chief Potts wants minimum of shrubs to allow clear movement of fire equipment;

- Additional arborvitae to be planted between southern side of building and proposed blue spruce;
- Measurements of the plantings as marked in the plans are to be defined as measured from ground level to top of the planting (rather than using the root ball);
- All arborvitae will be 10 to 12 feet in height when planted;
- All rhododendron will be 10 to 12 feet in height when planted.
- Tree warranty provided by the nursery for one year from planting date.

A. Ippolito made a motion to approve the site plan with the above recommendations. Motion was seconded by G. Potts. Planner P. Kane will draft up the decision and submit to full Board for review prior to finalization and submission to Town Clerk.

PETITION 12-36 – HARBOR LANE

The site plan special permit application is for the previously-approved subdivision of land owned by Bertram Living Facilities that created four lots and Harbor Lane (which was never built). Application seeks to combine those four lots back into one lot and build a single-family home in excess of 3,000 sf.

Attorney Robert McCann informed the Board there is an approved subdivision plan for the site at present which the petitioner wants to abandon. The ZBA will be asked to create one building lot for a single-family residence and asking for approval of a dimensional variance (for street frontage). The approved single-family residence site will be sold to a contractor/developer. Landscaping for the site should be left to the ultimate owner.

Abutter Marc Mahoney requested screening buffer and a swale to keep the water going back into the wetlands.

Peter Ogren reviewed the area of wetlands, telling the Board the highest and best use would be to construct a single dwelling. There are isolated areas of wetlands which could be eliminated as they are not protected. The proposed plans show what could be built on the lot.

A. Ippolito said drainage is the only thing she would be looking at. P. Kane asked if the petitioned has filed with the Conservation Commission and R. McCann said not yet but they will do so. He told the Board it is their intention to get the lot approved and sold as a buildable lot. The new owner will have to come to the ZBA for approval of their respective plans. A. Ippolito said this is an unusual request. “We don’t see the frontage as a big issue. You will end up back in front of the Planning Board.”

Chair Jones said there are no recommendations on this proposal. Attorney McCann asked if the Planning Board would make favorable recommendation of approval for a buildable lot. S. Belkin said the plan the petition is presenting is commendable. She seconds favorable action. The Planning Board will recommend favorable action approving the site as a single-family buildable lot.

NEW BUSINESS – POLICE STATION CONSTRUCTION UPDATE

Chair Jones provided an update to the Board regarding the construction of the new police station. Construction has been delayed by a burst pipe and some additional issues. TLT is falling behind and the Police Station Building Committee is seeking outside counsel.

SITE PLAN REVIEW RULES & REGULATIONS

The Board reviewed the “Guide to Site Plan Review & Special Permit” as the unified rules and regulations for the Planning Board and Zoning Board of Appeals.

A. Ippolito stated she likes the format. J. Blonder moved to approve the guide and fee schedule update. Unanimously approved.

Planner P. Kane said the document won't be published until it's approved by the ZBA (at next ZBA hearing). Once both Boards have approved the rules & regulations and new fee schedule, P. Kane will do a press release to advertise the updates.

ZONING BYLAW REVIEW SUBCOMMITTEE

Chair Jones asked for a Planning Board member to volunteer for the Zoning Bylaw Review Subcommittee. Board member George Potts volunteered. P. Kane has spoken with the Lynn Area Chamber of Commerce to find potential volunteers. He would also like to speak with the Rotary Club. P. Kane will act as support to the subcommittee. So far, Steven Iannaccone, Susan Munafo and Gene Barden have expressed interest. S. Belkin will follow up with a construction contractor who may be interested.

COMMUNITY VISIONING STUDY

P. Kane reminded Board members that MAPC will be presenting the findings and recommendations from the downtown community visioning study next Monday night at the library. A. Ippolito said she will send her comments on the drafted recommendations.

Next Planning Board meeting will be Jan 14th.

J. Blonder moved to adjourn, motion unanimously approved at 9:15pm.

Helen Kennedy
Planning Board Secretary

