

PLANNING BOARD, JANUARY 3, 2017

MINUTES

(As Amended at meeting of February 7, 2017)

CALL TO ORDER: Chairperson Sandra Venner called the meeting to order at 7:40 PM

ATTENDANCE: The Chair, Vice Chair Ronald Barnes, Members John Thomas & Karol Flannery in attendance.

APPROVAL OF MINUTES:

1. **MOTION:** To approve the minutes of December 6, 2016, with the following amendment; Under OLD BUSINESS: Project Updates, Item 4 FREEDOM WAY to add the phrase “prior to winter shut down” at the end of the last sentence after no further inspections needed and Item 5 REGENCY VILLAGE to strike the last sentence “No further inspections needed”. **VOTE; 3 Yes / 0 No/ 1 Abstain Motion Approved.**

PUBLIC FORUM: The board invited Town Departments and Residents to attend a discussion of possible changes to the Zoning By-law in the Rural Highway District. The board has received a report from Zoning Consultant Attorney Pam Brown, with suggestions for improving the options for development for this mixed use zone running east and west along the Route 110 Corridor, (East & West Main Street). The original purpose of this zone was to encourage commercial development, creating a zone of mixed use, but mainly business uses; however, since the 2004 By-law re-write, only one mixed use Commercial/ Residential development has been proposed on West Main Street and one project on East Main Street currently before the board. Development has been residential, mainly over 55 housing. The board held this meeting to listen to town departments and the residents along the corridor to suggest ways and ideas to improve the zone and encourage development geared to its purpose. The Chair began the session by informing those attending, that before any changes would be made, an advertised Public Hearing would be held and the exact language for any amendments would be available and then these amendments would go before Town Meeting for a vote by the town. The board wishes to make further options for the zone available but also discover what types of development are wanted by the persons living in the area. She also made it clear that these changes would apply to new developments only. She pointed out the area included in the zone from the map and then opened the discussion by use of the suggested ideas from the Consultant’s report.

The purpose of the zone would remain the same, the changes are sought to make the purpose work, as little interest has been shown in commercial development and so large housing developments have been built, mostly with variances granted by the ZBA, all of which are over 55 Special Permit Uses. In short the district is just not working as intended. It was hoped that the housing portion of the mixed use would be developed as affordable housing in accordance with state regulations, only one has been of this type. The board would like new residential development to be affordable, not forty B; but regulated by the board, driven by the commercial component.

Comments and suggestions regarding the commercial use include the restriction regarding the square foot allowed for each individual business, only 5,000 sq. ft. Many felt that this would hamper a business from enlarging if successful and suggested at least 1,500 sq. ft. as more viable. Allowing drive-up windows at least by Special Permit was felt to be a good idea and several uses should be deleted as obsolete, for example video and movie rental, but Home Occupations should continue to be allowed, many of the

remaining lots on the roadway are small and small business run out of an owner occupied residence should be encouraged. At the suggestion of Member Flannery, the board will look more closely at section 9.5 Dimensional Requirement and Setbacks and see what makes sense with the area currently available for development. The problem of out front parking will also be addressed, as this has been a major issue with any commercial development proposed. DPW Director Robert Sinibaldi also addressed the issue of water supply, questioned by Member Thomas, for more development and informed the meeting that his department was in the process of re-developing the well fields in town, as the current well structure is old and nearing its life span. This re-development could double or even triple the water supply. The ongoing process of increasing water main sizes will also increase the low water pressure currently in the area.

(The entire report from Zoning Attorney Pam Brown is available at the Planning Office.)

NEW BUSINESS:

1. **Form A/ RR Locust Street/ Cormier:** The board has received a request from the applicant for an extension of determination to January 24. **Motion:** To accept the request for extension for the ANR received from applicant's legal representative Philip Parry to January 24, 2017. **Vote: 4 Yes / 0 No Motion approved.**
2. **Special Permit for Reduced Frontage Lot & Common Drive:** The board set the date to open the Public hearing on this Special Permit to begin on February 7th. The applicant will be informed.
3. **Revised Open Space Plan: Motion:** To approve the Open Space Plan for 2016-2020 as put forth by that Committee. **Vote: 4 Yes / 0 No Motion approved.**
4. **FY 18 Board Budget: Motion:** To approve the expense and salary budget as prepared by the Chair for Fiscal 2018 to be presented to the Finance Committee. **Vote: 4 Yes / 0 No Motion approved.**

CORRESPONDENCE:

1. **Warrants:**
 - a. **Motion:** To approve two by-weekly payroll warrants for Clerk Pat True in the amount of \$244.66 each. **Vote 4 Yes / 0 No Motion approved.**
 - b. **Motion:** To approve a warrant in the amount of \$67.50 for Schwaab for the purchase of a date received stamp for the board to be paid from board expense. **Vote: 4 Yes / 0 No Motion approved.**
 - c. **Motion:** To approve a warrant in the amount of \$882.80 for KP Law for legal consulting in regards to the Quail Ridge Infrastructure Surety Account to be paid from Bd. Expense, item Legal Consult. **Vote 4 Yes / 0 No Motion approved.**
 - d. To approve a warrant in the amount of \$759.94 for North of Boston Media for Legal Ads from the following escrow accounts: Lily Management, \$180.94, Dolphyn Motors, 128 W. Main for \$193.00 and Alternative Therapies Inc., \$386.00 17 Broad St., all for legal ads for Public Hearings. **Vote 4 Yes / 0 No Motion approved.**
 - e. **Motion:** To approve a warrant in the amount of 36.00 from KP Law for phone consultation with the Chair in regards to Quail Ridge Surety from Bd. Expense, item Legal Consult. **Vote: 4 Yes / 0 No Motion approved.**
 - f. **Motion:** To approve Horsley Witten Invoice #39443 in the amount of \$1,098.32 for inspections at the Quail Ridge Development in regards to the outstanding DPW issues with erosion and flooding Site visit and report, to be paid from project escrow acct.. **Vote 4 Yes / 0 No Motion approved.**

- g. **Motion:** To approve Horsley Witten Invoice # 39646 in the amount of \$67.50 for inspection at Freedom Way, 106 East Main Street, to be paid from project escrow account. **Vote 4 Yes / 0 No Motion approved.**
 - h. **Motion:** To approve Horsley Witten Invoice # 39646 in the amount of \$202.50 for inspections at the Abby Road Project 22 Bear Hill Road to be paid from project escrow account. **Vote 4 yes / 0 No Motion approved.**
 - i. **Motion:** To vote to approve a warrant in the amount of \$368.79 to reimburse Clerk Pat True for the cost of certified mailing for abutter's notices for the Public Hearing for Alternative Therapies to be paid from project escrow. **Vote 4 Yes / 0 No Motion approved.**
 - j. **Motion:** To approve a warrant from SiteOne Landscape Supply in the amount of \$138.87 for material used by the DPW at the Quail Ridge Project to be paid from the Quail Ridge Surety Account. **Vote: 4 Yes / 0 No Motion approved.**
 - k. **Motion:** To approve a warrant in the amount of \$18,168.99, to close the Planning Board Escrow Account for Con Edison Development established for the Merrimac Solar Project, East Main Street and return the funds to the applicant as the project is now completed. **Vote: 3 Yes / 0 No Motion approved.**
2. **APPEALS BOARD:** Petition for Denahey, 4 North St., for Accessor Use, In-Law Apt. No board action.
3. **COMMUNICATIONS, NOTICES & ANNOUNCEMENTS**
- a. Surrounding Town Notices: Haverhill Development Modification, Crystal Springs & St. acceptance So. Cogswell & Waterfront Zone Line Adjustment. No board action necessary.
 - b. The next meeting will be January 17, 2017.

ADJOURNMENT: 9:50 PM