

**PLANNING BOARD  
SEPTEMBER 12, 2016  
MINUTES**

Russ Burke called the meeting to order at 7:05 PM at the Town Hall.

Members present: Barringer, Burke, Giger, Perkins, Svarczkopf, and Wilson

Member absent: Vega

**14 & 20 STATION AVENUE – PUBLIC HEARING ON MODIFICATION OF THE SPECIAL PERMIT**

Attorney Bob Collins, Stan Dillis of Ducharme & Dillis Civil Design Group, Inc. and Dan Quaile of Lincoln Architects LLC represented the Applicant on this matter. Collins provided a brief overview of the plan modifications explaining that the western façade of the addition was changed to brick, the western roof wall of the addition was raised to attenuate sound and screen the rooftop mechanicals, and a balustrade system was added to the rooftop at the rear of the addition to add a visual barrier of the rooftop mechanicals.

Burke read letters from Bob Collins (dated 9/12/16) and Fran Stanley (dated August 30, 2016) into the record.

Barringer questioned the seating plan as depicted on Sheet A3 versus the parking calculation. Collins responded that the original application only provided 6 off-street parking spaces. The number of off-street parking spaces were increased when the Applicant purchased the adjacent property and decided to use it as a parking lot.

Collins submitted a written waiver request that the parking shown on the site plan is sufficient to serve the mix of commercial uses originally proposed for the first floor and a single residential unit on the second floor. Once the commercial uses have been determined, the owner should consult with the Planning Board as to a waiver under Section 218-23 if needed.

Burke reminded the Board that the property owner committed to allow municipal parking when the need arises.

Giger expressed preference for the parking condition proposed by Bonavita in last week's draft of the decision. That condition specified that 24 parking spaces will be adequate to serve the proposed uses (one residential dwelling and restaurant establishment); however, at no time shall the restaurant establishment exceed 57 seats unless a further waiver is granted by the Planning Board). He said that he wants the rear wall of the addition extended up to provide the same level of sound and visual attenuation as on side. He wants evergreens added to both sides of the rear corner of the addition to soften the look of the addition.

Dillis responded that a red maple tree is proposed along the rear lot line as part of the landscaping plan. Collins agreed to add vegetation to both sides of the rear corner. The Applicant will propose a number and species of plantings for Planning Board review and approval at a future date.

Burke said that he is in favor of granting the waiver request for 24 off-street parking spaces for 102 restaurant seats. He reminded the Board that the Applicant expanded the number of parking spaces beyond what was originally approved and that the Applicant doesn't have the ability to create more parking spaces. He is also in favor of adding landscaping and the balustrade to the rooftop in the rear to screen abutters.

Pertaining to Giger's request to raise the wall to screen the rooftop mechanicals and ameliorate noise, Collins responded that they don't want to create a bathtub effect and block the circulation of air. He stated that noise mitigating material can be added behind the balustrade. Quaille concurred- he is particularly concerned about structural issues associated with snow load.

After requesting feedback from the public, Barringer made a motion to close public hearing. Giger seconded the motion. Wilson said that he reviewed the materials received, including the minutes, of the August 25, 2016 meeting that he missed. He feels that he is qualified to vote on this matter. The vote was unanimous.

Barringer made motion to grant a waiver of 9 parking spaces such that the parking is sufficient to serve a 102 seat food establishment (as shown on sheet A3) and single residential dwelling. Perkins seconded the motion. The vote was unanimous. Collins asked that the Planning Board combine this new language with the proposed language in Condition #1.

Giger asked for clarification of the balustrade design. Yeakel responded that the balustrade on the rear of the addition will be identical to balustrade that currently faces the Town Hall. Giger asked if the rooftop mechanicals will be visible from the abutting property. Quaille responded that they will be painted a color that will enable them to blend with the building. They will not be easily visible.

The Board asked Bonavita to add a condition stating that the owner shall install additional coniferous, non-invasive plantings along the north and southwest elevations of the addition to soften the effects of the brick wall. The proposed number and species of plantings are subject to Planning Board review and approval prior to installation.

Barringer made motion to approve Special Permit PB 2016-22 for 14 & 20 Station Avenue subject to the discussed amendments. Giger seconded the motion. Barringer, Burke, Giger, Perkins, and Wilson voted in favor, Svarczkopf was opposed.

#### **NESSP TEMPLE – MINOR SITE PLAN MODIFICATION**

Nalin Mistry and Forest Lindwall of Mistry Associates, Inc. represented the Applicant concerning this matter. Lindwall described the changes made to the site plan since the last version. He explained that the landscaping plan was modified to include a net increase of 4 trees and 3 shrubs. The sidewalk along the western side of the western portion of the loop road was extended 2/3 of the way along the parking lot and looped into a ramp. Lindwall explained that the Applicant is willing to bring the sidewalk to the end of the paved parking lot but snow loading may be a problem in this location. The stone dust path was reduced to a 6' width per prior agreement with the Board. The photometric plan was revised and submitted for Board consideration.

Mistry explained the status of construction. He explained that the contractor has made a concerted effort to clean up and stabilize the site. He also explained that the proposed LED lights will be mounted on 25' tall poles placed 125' apart. The light will be focused downward so that it shines on roadway and parking lot areas only. If approved, the lights will be installed within a couple of weeks.

In response to questioning, Mistry explained that the power has been upgraded and brought to a pole at the street.

Mistry submitted a written waiver request for installation of wood utility poles with lights and overhead wires rather than buried conduit along the site roadways. No wires would connect to the temple- they will be buried in this location. The rationale for requesting this waiver is the preponderance of ledge.

Giger asked if lights would be placed on top of the landscaped mound. Mistry responded no.

Barringer asked if bulbs could contain standard correlated color temperature (CCT) of 3000K instead of 4000K. Mistry responded that he will ask GELD if that is possible and will forward their response to the Board.

Burke expressed disappointment that the wires won't be underground but stated that overhead wires are not totally out of character with Town. He agreed with Barringer that warm light is preferable.

The Planning Board expressed satisfaction with the current configuration of the sidewalk along the western side of the western portion of the loop road.

Alinda Zawierucha, abutter who is a resident of Littleton, said that she is happy with the modifications to the entrance road but wishes that abutters were notified of the meeting. She is concerned about a few of the trees at the top of slope. Lindwall responded that he isn't concerned but is willing to add guy wires to stabilize at-risk trees until they reestablish their root systems.

Zawierucha asked what efforts will be made to screen her property from street lights and the headlights of cars turning into the facility. Lindwall responded that trees and shrubs will be planted at the current trailer location in accordance with the landscaping plan. He cautioned against planting additional trees because of the need to maintain adequate site distance.

Perkins responded that white pine trees should be planted instead of juniper shrubs to screen from street lights. Lindwall agreed to make this change.

Barringer made a motion to approve a waiver to allow construction of a 1.5:1 rock slope rather than the standard 2:1 vegetated slope in two areas as follows:

- Cut slope on the right side of the Access Drive STA. 2+00 to STA. 3+00.
- Fill slope along the parking area on the northerly side of the Access Drive STA. 16+60 to STA. 20+80.

Wilson seconded the motion. The vote unanimous.

Barringer made a motion to grant a waiver to allow installation of 25' tall wood utility poles with lights and overhead wires rather than buried conduit along site roadways. Wilson seconded the motion. The vote was unanimous.

Barringer made a motion to approve the modifications to the Level 1 Site Plan Review Decision for NESSP Temple for 1003 Boston Road that was originally approved by the Planning Board on June 12, 2014 as enumerated in the letter to Edward Cataldo dated September 13, 2016, as amended. Wilson seconded the motion. The vote was unanimous.

#### **CRYSTAL SPRINGS ESTATES**

Bonavita explained that she visited the site earlier today to check on the status of the project in advance of the Planning Board's recommendation for road acceptance petition. She said that overall the site looks good although the stone dust path was eroding in places and vegetation was growing through in others. She presented photos depicting this. She said that she spoke to Attorney Bob Collins, who represents the developer, about touching up the stone dust path prior to the Town Meeting. He agreed to this. She also mentioned that she has not yet received a letter from Tom Delaney confirming that he is satisfied with the street trees.

Svarczkopf asked if the path has to be ADA compliant. He suggested that the path should be brought up to ADA compliance and enhanced prior to public acceptance. He pointed to the ADA-accessible stone dust trail from Nod Road to river as being a good example.

Svarczkopf made a motion to send a letter to the Board of Selectmen stating that there is an open bond for this project and that the Planning Board wants the following items addressed: enhancement of the stone dust path so that it is ADA-compliant and a determination from the Tree Warden that the street trees are acceptable, alive and in good health. Diseased and distressed trees should be removed and replaced. Barringer seconded the motion. The vote was unanimous.

#### **DALE LANE - CHAPTER 61A (GILSON)**

Burke explained that the Conservation Commission advised the Board of Selectmen that they would like to purchase the Gilson parcel using existing funds. The Board of Selectmen asked the Conservation Commission and potential purchaser if they could negotiate some sort of compromise since the potential purchaser was open to placing a conservation restriction on a portion of the property. The two parties seem to have reached a compromise such that the purchaser will place a conservation restriction on 16 acres (a portion of the Gilson property and land currently owned by the purchaser) leaving a single building lot for offspring. Through this strategy, the land will be preserved as permanently protected open space at no cost to the Town. The potential purchaser requests that they have a year to a year-and-a-half to execute the conservation restriction. It is likely that the Board of Selectmen will make a decision on this matter shortly.

#### **POWDERHOUSE ROAD DISCONTINUANCE – LAWRENCE ACADEMY**

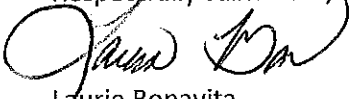
Giger reported that Town Counsel determined that Powderhouse Road is not owned by the Town therefore the Warrant Article pertaining to its discontinuance was withdrawn.

#### **MINUTES**

Giger asked Bonavita to modify the first sentence of the last paragraph on page 1 of the draft August 25<sup>th</sup> minutes. The words "or residential sprinkler" should be added to the phrase as follows: "If a proposed cistern is greater than 1,000 feet or more from any residential dwelling in the development, then additional cisterns or residential sprinklers shall be installed." Perkins made a motion to approve the minutes of August 25, 2016 as amended. Giger seconded the motion. The vote was 4 in favor with Wilson abstaining from the vote.

Barringer made a motion to approve the minutes of September 8<sup>th</sup> as presented. Svarczkopf seconded the motion. The vote was unanimous.

Giger made a motion to adjourn. Barringer seconded the motion. The vote was unanimous. The meeting adjourned at 9:05 pm.

Respectfully submitted,  
  
Laurie Bonavita  
Land Use Director/Town Planner