



*Town of Danvers*  
**Planning Board**

Danvers Town Hall  
One Sylvan Street  
Danvers, MA 01923  
www.danvers.govoffice.com

James Sears, Chairman  
Margaret Zilinsky  
Kristine Cheetham  
William Prentiss  
Aaron Henry  
John Farmer, Associate  
Member

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**Daniel J. Toomey Hearing Room**  
**July 28, 2015**  
**7:00 p.m.**  
**MINUTES**

Chairman James Sears called the meeting to order at 7:00 p.m. Planning Board members James Sears, Margaret Zilinsky, Kristine Cheetham, Aaron Henry and William Prentiss were present. Planner Kate Day was also present.

**STAFF BRIEFING**

Day told the Board that there is a full agenda for the next meeting scheduled for August 11<sup>th</sup>. They have a couple of applications from the Thompsons. There is a minor modification of Edmunds Cove and a Preliminary Subdivision application and Special Permit application for Whipple Hill. Chairman Sears will not be in the deliberation process. Procedurally, because there is a Special Permit, John Farmer can vote on the Special Permit request. As an Associate Member, he cannot vote on subdivisions applications. There will therefore be a four-person vote on the subdivision and a five-person vote for the Special Permit.

Lyons Funeral Home has applied to put an addition on the property. This will be a full Site Plan Application for this site.

Another Thompson project coming before them is Twin Echo Lane/Duffill Drive. They are looking to extend their Tripartite Agreement that expires in September. They are looking for more time to complete the subdivision.

Henry wanted clarification of what was filed for Whipple Hill, and Day said that a Preliminary Subdivision application and a Special Permit application to allow the cluster has been filed. She said that the preliminary plan shows a lotting plan. They do not have to file a complete Definitive Subdivision Plan in order to seek a cluster Special Permit, but need to submit a conventional subdivision layout in order to establish a base number of lots to which they would be normally entitled under a "yield plan."

Day said that there was a Form A application from Bill Riquier and Alicia Corbett to be heard tonight. It is a straight-forward Form A application that had to needed to go through the ZBA for

dimensional relief for the garage on the property. The applicants are seeking to convey a portion of Corbett's lot. Parcel A on the plan abuts Mr. Riquier's property. They needed to go to the ZBA for dimensional relief for the garage on the property. This should have been on tonight's agenda; Day apologized for the oversight. She recommends approving this plan. The comments from the Building Inspector simply noted that the Form A request needed prior approval by the ZBA for dimensional relief.

Prentiss asked if there was a procedural issue that caused this item not to be on the agenda, and Day responded no, taking this up tonight is appropriate and acceptable. He asked if Lot 1 is currently non-conforming, and Day said no.

**MOTION:** Zilinsky moved to find that Planning Board approval is not required for the ANR for 18 & 26 Columbia Road. Prentiss seconded the motion. The motion passed by unanimous vote.

## **PUBLIC HEARING**

**96 High Street.** Request for Site Plan Approval pursuant to Section 4 of the Zoning Bylaw. Applicant D'Amico Limited Partnership proposes to add a second floor to the property to add bathrooms, a conference room and private offices for Century 21's real estate sales branch relocation to this adjacent property. (Assessor's Map 52, Lot 104) (*SPA action date: August 4, 2015*)

Sears read the legal notice. Brian D'Amico, the owner/operator of New Fed Mortgage as well as Century 21 Northshore, both family-owned businesses, addressed the Board. Their architect and engineer were also present. He said that both operations currently exist at 98 High Street. They are trying to get relief to allow more room for the mortgage company and move the real estate company next door.

Domenic F. Valente, of D. F. Valente Architect & Planner, addressed the Board. He said that the building was a one-story building with a pitched roof with a partial second floor. With the necessary expansion, they raised the building up to be a full second-floor to mimic the adjoining building. They are trying to achieve a campus look. The bulk of the work is on the second floor. He described the building rendering saying that there will be shutters on the building with the same entrance format with the other building. Windows and treatment will match what is at 98 High Street. They are looking to replicate the look.

Prentiss asked if the garage was being removed, and Valente said yes. He said that it would be replaced with parking.

Paul Dewsnap, from Dewsnap Engineering Associates, addressed the Board. He said that the single-family building would be changed to make it a real estate office. They are adding a second floor. They are going to remove the garage to add parking. He said that he met with Mike Nelson to discuss runoff. There is an existing paved driveway. The site pitches towards High Street. They will make a high point to force the water go towards the back. Nelson said

that 1,900 square feet of runoff is allowed to leave the site. With this high point being added, 600 square feet will go toward the bank and 1,300 square feet will leave the site. Dewsnap said that there are six parking spaces in the back. There is a shallow retaining wall. There will be no new utilities.

Henry said that this looks like a good improvement of the site. He asked if roof drainage was going to be tied into infiltration. Dewsnap said Nelson said it was okay not to do that and leave it the way it is.

Henry said that it would be interesting if there was some sort of hard connection between the two parking lots. He felt having connectivity between the two sites does not need High Street would be a huge plus. Day recommended a pedestrian connection. Henry thought a pedestrian connection would be a great idea, and Dewsnap said that could be incorporated into the plans.

Cheetham asked if Engineering signed off on the runoff into High Street. Day confirmed this. Cheetham asked who owned the white fence at the back of the site, and Brian D'Amico responded it belonged to the neighbors. James D'Amico addressed the Board and said that the fence was replaced a couple of years ago. The fence went around the entire site, and they thought it did not look good. With regard to the site, they are just looking to free up space. They are not adding any more people to the site. They are adding six parking spaces to the twenty-three spaces they presently have at 98 High Street.

Cheetham asked about landscaping, lighting and snow storage. Valente said that the lighting is a round fixture that sits on a pole that will have down-lighting. These are also available as a wall mount to be attached to the building. He said it throws even light on the ground surface but does not affect neighbors. Henry confirmed these lights would be in the back parking lot, and Valente said they would be in the back and possibly one on the side where the driveway is. Landscaping lighting would be in the front.

Sears asked that the cut sheets for the light fixtures be given to Day. He also asked him to show where the locations would be on the plan. Valente agreed.

Cheetham asked Valente to describe the landscape plan in more detail. Valente said that there are four different plantings and showed the landscaping on the plan. Cheetham asked about the percentage of overall coverage, and Valente responded it was pretty close to fifty percent in the landscaping area.

Zilinsky asked if the table for proposed parking was submitted to Planning. She pointed to an email sent to the applicant requesting three outstanding items. Valente described the calculations to the Board. Zilinsky asked if they were looking for any waivers. She asked Day if they met the parking requirements. Day responded that she asked them for that calculation. Zilinsky asked that they submit this written information.

Zilinsky asked about snow storage. James D'Amico said that all the snow would be removed after 24 inches. Sears asked if the snow would be dumped on the landscaping. Brian D'Amico

said that they push it to the side. They do employ a company that will haul the snow off the site after the first two feet. If they got a 15-inch storm all at once, it would be hauled off right away. He said that they have no problem relocating the snow. Zilinsky asked that they submit what Planning asked for.

Prentiss asked if there were any future plans to make this one lot instead of two. You are presently using calculations using both sites. Brian D'Amico said these are two independent companies. The two parking spots in the front would give them the required number for parking. If we went with the six parking spots, that would be the only waiver. Henry said that eight spaces are needed according to the zoning bylaw, but only six spaces are being provided. Brian D'Amico confirmed this. Their initial plan had two parking spaces out front.

Prentiss said that he did not have a problem with the shared parking between the sites. He would have no problem with the waiver. He said that they cannot count the number of spaces between two properties. This is not one site. They are two separate sites.

Sears told them to request their waiver in writing. Cheetham wanted clarification whether there was going to be a walkway in front for connection between the two sites. Day said she drafted a condition to connect the two properties with a walkway. Sears explained that the need for the waiver is that if one of the properties is sold down the road. Henry, Cheetham and Zilinsky were fine with the waiver. Zilinsky wants to be sure that everything is provided to staff.

Sears pointed out the comments from Engineering regarding stormwater. Dewsnap said that the stormwater report was provided to the Engineering Division.

**MOTION:** Prentiss moved to close the public hearing for 96 High Street. Cheetham seconded the motion. The motion passed by unanimous vote.

**MOTION:** Henry read the Certificate of Action and moved to approve the Site Plan for 96 High Street. Cheetham seconded the motion. The motion passed by unanimous vote.

**76 Newbury Street.** Request for Special Permit and Site Plan Approval pursuant to Section 30 and Section 4 of the Zoning Bylaw submitted by TMC CF New England, LLC for property located in the Highway Corridor District. The applicant proposes to demolish the existing building and construct a 4,738 square foot New England-style retail convenience store along with the installation of three sets of double row dispensers (six gas dispensers). (Assessor's Map 48, Lot 7) (*SPA action date: August 28, 2015/Special Permit action date: September 1, 2015*)

Sears read the legal notice. Attorney John Smolak appeared before the Board on behalf of the applicant, TMC CF New England, LLC. Phil Henry, Project Engineer, and Jeffrey Dirk, Traffic Engineer were also present. Smolak gave an overview of the project stating the property located at 76 Newbury Street is just under one acre in size and surrounded by highway layouts. The property is entirely within the Highway Corridor Zoning District. Smolak stated that the convenience store is allowed by-right, and the gas use requires a Special Permit. He said that the

site is unusual due to all front yard setbacks. The site is like an island. Smolak reviewed the existing conditions plan. He stated that there is presently an 18,000 square foot building on the site. The site has had many uses over the years. He stated that they were looking to raze the site and replace the building with a 4,738 square foot convenience store to be operated as Cumberland Farms. Three sets of double row dispensers will be installed (for a total of six gas dispensers). Above the dispensers will be an overhead canopy that has a fire system. Smolak said that they would be removing the existing paved parking areas along with the building to be replaced with new parking spaces. The access points will be upgraded, but will be in the same locations as they exist today. The site will be landscaped. He pointed to an area that is part of the highway layout, indicating that the pavement will be removed and landscaped. He said that the applicants have met with the Technical Review Committee, Planning Department, Building Department, Police Department and Fire Department and we have incorporated some of their requests into these plans. In addition, they will need to obtain a flammable storage license from the Town, as well as a highway access approval from the Mass DOT. Smolak said that a variance has been granted for a 17 foot setback where 25 feet is allowed which is a less of a non-conforming than the building that exists today. In addition, the ZBA granted a setback variance for the underground tanks and a variance from the impervious coverage requirement. To make up the difference, they are peeling up the paving on the highway corridor. Smolak described the variance that was allowed for signage. There are presently nine signs on the site. This will be reduced to four signs that will add up to 172 square feet. There will be a front entrance sign, one side sign, a free standing sign and a canopy sign.

Philip Henry, Professional Engineer from Civil Design Group, LLC, addressed the Board. He noted that on the existing conditions plan, there is a full access curb cut and a separate right-in and right-out exit separated by a median. He explained that DOT has specific access and no-access points on this on-ramp and along Route 1. The state will allow the applicant maintain that access point. THE DOT asked that the right-in exit be moved closer to the right-out exit.

Aaron Henry asked if taking a right on the ramp from Route 1 to take a left onto the site was an allowable movement. Philip Henry responded yes.

Philp Henry described the site. It would be a 4,700 square foot building that would have a main entrance and a side entrance. There would be outdoor seating with three tables as an added convenience that would be seasonal. He showed the dumpster location and the receiving door. He said that there will be 24 total parking spaces with 12 surface parking spaces along the front of the building. He said that an air tower would be on the left side of the building. The gas offered would be diesel, regular and 93 octane tanks. There would be 6 pumps with 12 fueling positions. The proposed access to the site is at the exact location as presently exists. The right-out lane is at the same spot, and the right-in exit was shifted closer to the right-out exit. The site is flat north of the building and has a walk-out condition. Philip Henry stated that they needed to add two retaining walls. On top of one of the walls will be a white vinyl fence. He showed the guard rail on the plan. He said that there would be a vast improvement to the landscaping. They would be adding 20 new trees and over 200 shrubs and ground cover. He showed the area for snow storage and said the intention was to store snow below the tree canopy. The architectural rendering showed the view of the proposed building. He said that there was a stone knee wall

that wraps around the entire building. The stone wraps around the dispensary area as well as the free-standing sign area. The mechanicals are housed on the left side of the building, behind the building. They can be accessed with a ladder via a gate, and are also accessible from within the building.

Philip Henry described the stormwater stating that the site is surrounded by Mass DOT jurisdiction. They had to look at this site and see what they could do. The groundwater is deep. He described the infiltration system stating that the system collects up to the 100 year storm. There will be no discharge off the site. The roof drain goes into the system.

Philip Henry described the utility plan stating that water, sewer and electric are on the ramp. He stated that they had received one comment relative to the water/sewer separation and they were asked to wrap the water line in a Styrofoam insulation.

Philip Henry described the lighting. Regulations state that footcandles cannot be in excess of 20.0 at the ground with 400 watts being the allowable wattage. He stated that they exceeded the footcandle and wattage requirement under the canopy for security and safety of the fueling dispensers.

Philip Henry said that they were also looking for a waiver from the requirement of a three-foot wide landscaping strip along the entire length of the building foundation. He stated that their building is surrounded by sidewalk. Most of the front of the building is see-through glass and stone veneer. If they had landscaping, there would not be a clear route to the front door. They are running out of space on the side and rear, and they need to provide a sidewalk to the rear of the building. Philip Henry indicated that on the right side of the building, they were going to provide the landscaping outside the seating area.

Prentiss asked if there would be trash receptacle for the outdoor seating area. Philip Henry responded yes, and he can provide a trash plan. Prentiss requested the plan be provided.

Prentiss asked about snow removal. Philip Henry said that a bobcat is used with larger storms.

Philip Henry said that they received a comment letter from the Engineering Division and he went over the memo with the Board.

Zilinsky asked what the percentages were for the landscaping calculations. Philip Henry responded 28% and said that they sought a variance for the extra 2%. Zilinsky asked if they included the land on the state highway with their calculations and Philip Henry responded no. They would fall about 700 square feet short of the requirement.

Cheetham asked if the guardrail was metal or wooden. Philip Henry responded wooden. Cheetham asked if there would be liquor sales, and Philip Henry responded no. Cheetham asked the hours of operation, and was told it would be a 24-hour store.

Cheetham asked if they could confirm if there would be signage or advertising in the windows. The Board was told this would not happen to allow the store clerks to be able to see outside. They want people to see a welcoming store. Cheetham said that she did not have a problem with the waiver regarding lighting.

Cheetham asked Philip Henry to go over the sign on the highway. Philip Henry showed the sign located just south of the right-out. He said that there would be no electronic messaging board. The sign would be a 20-foot high sign that stretches 8 feet in width. The sign will also show the price of gas. Aaron Henry confirmed that the building department was okay with the sign and this was confirmed.

Prentiss asked the height of the sign in relationship to the building. Philip Henry said that the sign was 20 feet tall and the building stretches to 32 feet. It is pitched from 14 feet to 32 feet.

Cheetham asked the canopy from the top of the mansard. Philip Henry explained the height was 21 feet to the canopy and 14 ½ feet to the undercarriage.

Aaron Henry said that he would wait until he hears the traffic presentation for questions.

Sears said that they were going to need to give the applicant a waiver for landscaping. He said that they will entertain the waiver for the two percent. He said that the Board should not have a problem with all the work being done on the highway.

Sears asked if there was going to be screening of the dumpster. Philip Henry said it would be screened with a white vinyl fence.

Jeffrey Dirk, Traffic Engineer from Vanasse & Associates, Inc., addressed the Board. Dirk went over the transportation impact assessment. He explained that this site was perfect for this type of business since a majority of the traffic was pass-by drawing customers from Route 1. About 80% of the traffic is going to come from Route 1 with a right-turn enter and a right-turn exit. He explained that the driveways are limited by the present positions. Site and driveways are being brought up to compliance with state standards. They did traffic counts, vehicle speed measurements in the area and more importantly, site distances at the driveways. There are about 2,000 vehicles per hour that travel in the southbound direction. The posted speed limit is 50 mph. They measured speeds and most of the traffic (85%) travelled at 55 mph. The speeds were measured right at the site. Traffic on the ramp is slow, and it queues back. Site lines are in excess of what is required. At this project, there is no change in level of service. There are already existing delays. There will be one additional vehicle in the queue. He said that the focus is safety of access onto the property. He described the entrance and exits onto Route 1. The design and signs encourage traffic to go into the southbound direction. They are in compliance with state standards. Regarding the on-ramp from Route 114 to Route 1, they looked at crashes on this ramp. Police and Fire confirmed that crashes have gone down in this area. There is a left turn going into the site from the ramp. They want to get the traffic off the ramp. They do not want to block this area waiting to take a left from the ramp off of Route 1, they want to keep that

area clear. There are regulatory signing and pavement markings to not block this left turn. This was discussed with the Mass DOT as well.

Dirks said that they received an e-mail last Friday from Captain Brooks stating his concern with the merge lane. Dirks submitted a plan where the ramp would be widened to allow a full lane to take a left into the site. The added benefit is that if someone was exiting, it would allow room to get into the off-ramp. All improvements are done with the state highway layout. A Highway Access Permit needs to be obtained, and they are required to have a traffic monitoring program. They are required to monitor the site after construction and document what is being generated at the site. They need to go back and look at crashes to determine if there is an increase and make modifications.

Sears concurred that they do not want any crashes at the site. He asked if the hatched lines would be honored and why was that access point needed. Dirk responded that you cannot go back onto Route 114. Sears said that they could go around. Dirk said that the vehicle would have to accelerate and then slow down. Dirk said that they created additional space for the exit. Traffic from Route 1 would follow the curb line. The left lane would be a full lane. Dirk said that they may put in a left turn lane. Sears asked what the distance was from Route 1 to the left turn into the site. Dirk said it was 150 feet to the edge of the driveway. Dirk said the advisory speed on the ramp is 20 mph. This allows sufficient distance to go left. Dirk said that they need to show the lanes on the plan.

Sears said that this would need to be approved by the DOT. Dirk said that they need to show the lane on the plan. Sears asked what if they did not allow people to take a left of the ramp? Only allow a right-turn only out of the site. Sears said that he wants a right-in and a right-out. He does not want a left-in or left-out.

Aaron Henry said that people around here know that they have to go down to the next exit to turn around.

Zilinsky said that the ramp is usually bumper to bumper from Route 114 to Route 1. She asked what is stopping people from going through the site. Dirk said that it would be a difficult move to make. There would be little advantage going through the site. Zilinsky said that it is a barren site. She thinks this project is great, but she is concerned with the traffic.

Aaron Henry asked if a “bulb” could be built at the entrance to force people to go behind the pumps. He felt it might reduce the risk of people driving through the site.

Dirk asked if the Board’s concern was for the traffic related to access and the left turns or how much traffic is going to be generated?

Zilinsky said her concern is the ramp. Her concern is people cutting through. She is concerned with people taking a left turn into the site. She is not happy with the entrance on the access ramp to Route 114. Dirk confirmed that she wasn’t happy with the left hand turn in and out of the ramp.

Sears brought up the site at the Stop and Shop as station. There is a right turn in and an entrance to the site on the ramp. Dirk said that Chief Farrell pointed out this site. Sears said that there was a lot of movement that is confusing to people. He is concerned with the ramp movements.

Prentiss said that the Board touched on everything he was concerned with. He asked about the stop point entering onto Route 1. What is the distance from that entrance onto Route 1 and the right-turn into the site. Dirk said about 100 feet. Prentiss is concerned with people putting on a blinker. Dirk said that a vehicle exiting with the blinker, they car is physically out of the way. The lane drop helps eliminate that confusion.

Prentiss said that most of the traffic queuing has nothing to do with the site. The site will not draw excess cars. Dirk said high speed traffic and high volume is the problem.

Prentiss said that the site won't increase the number of cars, but the circulation needs to work. How much discussion was there regarding that entrance at the ramp?

Dirk said the state looked at this as retail/commercial. There is a full access curb cut there today. They are not going to restrict the access, and are not proposing any changes. Dirk said that the department heads raised the same concerns.

Prentiss asked about truck deliveries. Dirk said that they will enter through Route 1. Prentiss asked if all trucks would be coming from Route 1. He was told the vendors would be given a delivery schedule which is enforced and monitored. Prentiss is concerned with the complexity of the entrance and exits. He felt it was hard to fathom what would be the course of action for the site.

Sears said that the site has never had anything that attracted people. He felt they could have a problem. It is a very competitive market for gas sales on Route 1.

Day said that this application has been through Technical Review Committee. This has not been before the Denver Traffic Advisory Committee (DTAC) which is charged with examining this. If DTAC does not feel comfortable with this, they can send it to an independent peer review consultant.

Cheetham said that they do not have the benefit of a central aisle and asked Dirk to show her where it would begin. Dirk showed her a plan showing the lanes. She said that she was uncomfortable with the Stop and Shop site.

Aaron Henry said it was a thorough plan set and great presentation. He asked if the new landscaping on the highway corridor would be something they would maintain. Dirk said that it would be part of the access permit. Aaron Henry though the access is very technical in nature. He does not like the left off the ramp into the site. He has no problem with the waivers and site design. His concerns are limited to the traffic. He is okay with the right-in and right-out. He is a little concerned with the right-in off of Route 1. He felt it was a short amount of time to take

the turn. He felt a vehicle might not be able to get into the site. He liked the left turn lane into the site. He is uneasy with the access plan. He does not want to defer their judgement to another board. It is very technical in nature.

Sears said that they are not deferring, they are looking for guidance.

Aaron Henry said that they need more feedback. He felt it would be nice to get more specific guidance from Mass Highway.

Day said that Smolak asked to have this come before DTAC before the hearing, but our policy requires that the Planning Board refer applications for DTAC for consideration.

Prentiss asked if peer review would be recommended by DTAC, and Day confirmed this.

Zilinsky said she was comfortable with the site and happy that someone was developing it. She would like to have this looked at by DTAC, and she would be happy with this going to BETA.

Sears said this was an excellent presentation. It was extremely thorough. It is a great improvement. He is nervous about traffic issues. If we need a third party, we may need to call in our traffic consultant.

Anthony Addonizio, owner of the site, addressed the Board. He said that he liked the left-hand turn. He felt that when traffic is queueing, people will let you go through. He felt this was the better way into the site. As for people crossing the site, when the pumps are there, they are going to be swayed from cutting across.

Sears asked what the impact would be on the site if the adjacent site below the Home Depot property was fully occupied and tenanted. Dirk said they took this into account. They also included the CARMAX proposal in the numbers. Sears asked how much on site traffic there would be, and Dirk said they can process 150 to 200 vehicles per peak traffic hour.

Cheetham asked if the Planning Board refers this application to DTAC, will we have feedback from the State for DTAC's consideration? Dirk said that they will not have feedback from the state until they submit a formal application to Mass DOT. Dirk said that they will not submit the application until they have completed the plans the way the Town wants them.

**MOTION:** Prentiss moved to refer the request for Special Permit and Site Plan Approval for 76 Newbury Street to the Danvers Traffic Advisory Committee for technical review. Prentiss seconded the motion. The motion passed by unanimous vote.

## **OTHER MATTERS**

**151 Andover Street.** Request for a Minor Modification to an approved Site Plan pursuant to Section 4 of the Zoning Bylaw submitted by Gienapp Design for property located in the Route

114A Zone District. The applicant proposes to convert a parts storage room to a manual automobile wash bay and renovate one bathroom in the northeast portion of the property. (Assessor's Map 48 and 55, Lot 15A) (*SPA action date: August 21, 2015*)

John Maloney, from Gienapp Design, appeared before the Board. He said that they are taking out a storefront installed in the past along with an overhead door in the ceiling. They are putting a new slab in the space. They are making minor modifications to the bathrooms.

Henry said he had no objections.

Cheetham agreed that these were minor changes, and she is fine with the application.

Zilinsky said she had no problem with the application.

Prentiss said he had no problem and felt it was an improvement to their business.

**MOTION:** Prentiss moved to find that the requested modification represents a Minor Modification to the Approved Site Plan for 151 Andover Street. Zilinsky seconded the motion. The motion passed by unanimous vote.

**MOTION:** Zilinsky read the Certificate of Action and moved to approve the Minor Modification to the Approved Site Plan for 151 Andover Street. Prentiss seconded the motion. The motion passed by unanimous vote.

**480 Maple Street.** Request for a Minor Modification to an approved Site Plan pursuant to Section 4 of the Zoning Bylaw submitted by Beverly Hospital, a member of Lahey Health for property located in the Hathorne West Zone District. The applicant proposes to add a mobile imaging technology pad to the eastern side of the existing structure of Lahey Outpatient Center. (Assessor's Map 18 and 61 (*SPA action date: September 11, 2015*))

Danielle Spicer from Green International Affiliates, Inc. and E. Leydon from Lahey Health addressed the Board. Leydon said that there were here to seek a minor modification to the site plan. They are seeking to add a mobile imaging technology pad to meet oncology demands for the aging population. He felt it would be a great asset for the community. Patients now have to travel to Burlington down Route 128. This is a long ride for people clinically compromised with a disease.

Spicer described the site and the technology pad. There are two existing trees that are going to be transplanted. No lighting is being changed. A pedestrian bollard will be relocated in a landscaping island. There will be a minimal increase regarding impervious area. The parking requirement is 403 spaces. They are well over the required zoning requirement with 428 spaces. They are not touching the handicapped spaces.

Prentiss said he had no questions since the original comments from Engineering were resolved.

Zilinsky said that she has an issue with parking presently on the site. On the south side of the building there are 23 to 24 handicapped parking spaces which she feels are an excessive amount. She asked that they review the use of the handicapped spaces on the south side of the building. She asked if these spaces are not being used, they come back for a waiver to open up the spaces.

Henry said that he had no problem with this application.

Cheetham said that she had no questions or problems. She concurs with Zilinsky that 23-24 handicapped spaces are excessive and felt it was worth looking into.

**MOTION:** Prentiss moved to find that the requested modification represents a Minor Modification an Approved Site Plan. Zilinsky seconded the motion. The motion passed by unanimous vote.

**MOTION:** Cheetham read the Certificate of Action and moved to approve the Minor Modification to the Approved Site Plan for 480 Maple Street. Prentiss seconded the motion. The motion passed by unanimous vote.

## **MINUTES**

June 4, 2015

**MOTION:** Prentiss moved to approve the minutes of June 4, 2015. Henry seconded the motion. The motion passed by unanimous vote.

June 9, 2015

**MOTION:** Prentiss moved to approve the minutes of June 9, 2015. Henry seconded the motion. The motion passed by unanimous vote.

June 12, 2015

**MOTION:** Prentiss moved to approve the minutes of June 12, 2015. Henry seconded the motion. The motion passed by unanimous vote.

June 25, 2015

**MOTION:** Prentiss moved to approve the minutes of June 25, 2015. Cheetham seconded the motion. The motion passed by unanimous vote.

Sears addressed the Board concerning the topic of planning for the I-1 and Downtown area. Nelson, Day, Bartha and the Selectmen are looking into having a further review of the downtown area as a whole. He said there may be some opportunity for grant money to further our study since we are going beyond our scope.

Day said that MAPC is running behind on their report. Cleaves approached us and said that the report would not be ready until early September. She felt it was no longer feasible to be ready with warrant articles for a Special Town Meeting in January or February of 2016. The Selectmen and Town Manager are requesting the Board to look at the C-1 area in the downtown also. Day said that they have told MAPC that they were looking to pursue additional funding for a broader study, with the Town Manager having earmarked \$15,000 to \$20,000 in additional funds for FY'16. Nelson Nygard is hard at work with the parking analysis.

Prentiss asked how many "housekeeping"-type articles are we talking about on the docket for a next Special Town Meeting? Day said they always keep a running list, but there are not many items. She said a lot of challenges have been cleaned up. If we go forward with a February 2017 Special Town Meeting, we could have a lot of zoning recommendations for I-1 Zone and C-1 area. Prentiss pointed out when there were only a few zoning items, Marquis did not want to call a Special Town Meeting. He asked if the new Town Manager felt the same way. Day did not know, but she felt it was good protocol not to combine Annual Town Meetings with zoning warrant articles.

Zilinsky asked that if we start looking at the C-1 area, we will be looking at both I-1 and C-1? She said that they originally wanted to meld the areas in with the adjacent zoning. Is this the option that we are looking at here or is it wiser to look at an overlay with I-1 and zoning as C-1? Day if you would like that to be welcomed and not challenged, the overlay will give them a lot of comfort without a lot of risk of development.

Henry pointed out that they did an overlay with changes to base zoning in the Waterfront District. Zilinsky said that the land owners that are going to see what is going on at 20 Locust street. They may like what can be done. Day felt economics drive a mixed-use residential component.

Prentiss felt you give people options when you do an overlay. Henry felt they were trying to enhance the value of their property. We are not trying to reduce their rights. Day pointed out that one of the principal opponents to the Waterfront Village District were the Lees. The Lees wanted to have more options. Day said the Lees were thrilled with Tapleyville. Henry said that the overlay base zoning change is an educational process. We would not do something that would be a detriment.

Prentiss said that we had people being vocal when we had zoning changes, but not as vocal when you do an overlay. This works because Town Meeting does not see it the same as Waterfront.

Day was recently forwarded a real estate listing for 1.4 million for Lee's property on Harbor Street. They are going to be constrained by the zoning they fought to keep.

Cheetham pointed out that five (5) uses were taken away. It did not feel right, but no one was utilizing those uses.

Day said that they preserved industrial where it is industrial.

Henry felt they did not have to make these decisions at this time. He keep people informed.

Zilinsky felt if they had more time, they could start looking at that commercial area.

**ADJOURNMENT**

**MOTION:** Prentiss moved to adjourn. Zilinsky seconded the motion. The motion passed by unanimous vote.

The meeting adjourned at 10:00 p.m.

Respectfully submitted: Francine T. Butler

The Planning Board approved these minutes on August 11, 2015.