



Haverhill

Planning Board

HAVERHILL PLANNING BOARD Phone: 978-374-2330 Fax: 978-374-2315
MEETING MINUTES

DATE: Wednesday, January 8, 2020
Place: City Council Chambers, Room 202
Time: 7:00 PM

Members Present: Chairman Paul Howard
Member Robert Driscoll
Member Nate Robertson
Member Kenneth Cram
Member Karen Buckley
Member Karen Peugh
Member April DerBoghosian, Esq.
Member William Evans

Members Absent: Member Alison Colby-Campbell

Also Present: William Pillsbury, Jr., Director of Economic Development and Planning
Lori Robertson, Head Clerk

Approval of Minutes: December 11, 2019

December 11, 2019

After board consideration, Member Robert Driscoll motioned to approve the December 11, 2019 minutes. Member Bill Evans seconded the motion.

Member Alison Colby-Campbell – absent
Karen Peugh – yes
Bill Evans – yes
Karen Buckley – yes
April DerBoghosian, Esq.- yes
Kenneth Cram – yes
Nate Robertson- yes
Robert Driscoll – yes
Paul Howard – yes
Motion Passed.

**Planning Board Meeting
1-8-20**

Member Karen Peugh: Read the conduct of hearings into the record.

Public Hearings:

Master Plan Vision Haverhill 2035:

Please note at the January 8, 2020 Planning Board meeting at 7:00 held in the City Council Chambers the board voted on the master plan 2035.

Member Karen Peugh read the rules of public hearing into the record.

Mr. Pillsbury: Last month you will recall we had a very detailed conversation and presentation and we agreed that we would come back tonight for final comments and the action phase of an approval and vote from the Planning Board which is required under state law. That is really where we are this evening. There has been a lot of discussion on the plan. We have brought it forward to a conclusive presentation. From the last Planning Board meeting there have really not been a lot of changes. It's really the same document. We are not approving any zoning this evening. This is really a passage or action on the actual plan itself. This will set the framework for the zoning, which will ultimately be filed with the City Council for action in the weeks ahead. Tonight is an opportunity to make final comments and to hear from anyone who wishes to speak about the plan and then the chairman will entertain a motion. Mayor Fiorentini is here tonight and wishes to speak.

Mayor James Fiorentini: I am here to endorse the plan, answer any questions any of you might have. We have a number of members of the master plan committee here tonight, including Bill Pillsbury and will be able to answer any questions the audience may have. If you have any comments, questions and suggestions for change this is the time. We have spent the last couple of years listening, learning and going throughout the community, online votes and having various meetings. We tried to incorporate as much as we could from the public. The public understands the need for growth in our industrial park but also residential growth. They want the beauty and charm of our city to stay. It takes that balance in the master plan. Do you have any questions for me?

Mr. Dougan Sherwood, Greater Haverhill Chamber President addressed the board. I have had the fortune of serving on the master plan committee. I want to first thank the Mayor and Bill for your leadership throughout the process. I would also like to recognize the team at Utile, for their outstanding work and their leadership. They are smart, forward thinking and thorough. On behalf of the chamber I am here tonight to express my support of the Vision 2035 Master Plan. There are a number of measures and recommendations that particularly relate to rezoning that are important to the economic growth of Haverhill. The proposed changes to Haverhill's industrial areas are among the most significant improvements that I believe can come out of this master plan. Bringing zoning in our industrial areas to our modern times will trigger new development opportunities and create a denser more vibrant work environment. Not only are we at capacity at our current situation in Haverhill but the overall Massachusetts economy is calling out for the new development. The timing of this master plan is good. Again, I want to thank the Mayor, Bill, Tim Love and Will Cohen. I think we are going to be a better City for it. I encourage the Planning Board to recommend voting for the master plan in favorite of it moving forward to the City Council.

**Planning Board Meeting
1-8-20**

Mr. Ken Cavallaro, President of the Greater Haverhill Foundation addressed the board. I have lived in the Haverhill area for the past 50+ years. I am speaking for the foundations support of this master plan. The foundation was one of the drivers of the original industrial park partnering with the City. It started in the mid 60's, grew into the 70's and 80's. That park has been extremely successful when the City was more industrial. The City is changing. It needs more density and more high tech jobs. The way we get that is by changing the zoning to let these companies move in. I think it will be very successful. I read all the time about the city wanting to have better public safety, more in education. We don't get that by raising taxes on the existing base it's by growing the base. By growing the base we do that by bringing in companies, employees, new housing. I think it will be a truly successful plan that is well thought through. It has two years of test. I want to recommend it for passage.

Mr. Mark Andrews, Greater Haverhill Foundation addressed the board. This board's action is essential for the road map of the future. As a town administrator in the Commonwealth, the master plan was a way to access federal and state grants. It's critical you must have a current plan. You have to build your commercial and industrial base which is a constant effort. I see the three amigos here tonight - Eugene O'Neill, Bill Pillsbury and myself all Economic Development Directors. With that being said I think this is a leap forward. It has given everyone in the City to come forward from the neighborhoods to give their input for a very important road map into our future.

Mr. Don Cox of 595 East Broadway addressed the board. Good evening, since attending the recent planning board master plan hearing on December 11th I have taken the time to read the draft and again congratulate Utile, the master plan committee and all involved on a well thought out and developed plan for our city. In the introduction to page 9 the plan states "the planning team has heard, through its outreach efforts, substantial concern in Haverhill around suburban sprawl, need for improved city services, preparing for an aging population, and the importance of protecting open space and physical character of Haverhill. Residents love town and country character of Haverhill. This will be preserved because of the existing land use regulations that protect natural assets and farmland in perpetuity." I appreciate this section because it was my experience participating in the public master plan meetings that protecting open space, preserving our town and country character, and preventing suburban sprawl was a common theme brought up by the public. The plan has great ideas of densifying with village centers in targeted areas, building up in industrial parks and redeveloping downtown to achieve growth and maintain our valued character. Moving on to one concern I have with the plan. At the December 11th meeting I asked if there was any discussion or proposal to change building requirements in special conservation or residential rural zones, specially lot size and frontage. I was told no by this board, that the only proposed change was to the name of the special conservation zone to residential special which I disagree with because it loses the original intention of protecting that zone because of its watersheds and natural resources. But that is beside the point. It appears unknown to the Planning Board and public it is proposed in the current master plan draft to cut the lot size requirement of residential rural in half. One page 36 the plan says "alternatively, other zoning table options like reducing the minimum lot size in residential rural from 80,000 s/f to 40,000 s/f could be considered, along with infrastructure changes relative to allowing private water and sewer. I have attended almost every public master plan meeting I want to state for the record I never saw this suggestion discussed with the public. I am strongly opposed to this idea and believe many in our community would be as well as it would be a serious change to one of the largest zones in our city and allow the suburban sprawl the plan says it aims to prevent. I worry if this sentence remains it will help create the justification to effectively eliminate the residential rural zone or bypass it with ease. I would recommend the sentence on page 36 suggesting halving lot sizes in our rural zone be removed since the public and the planning board have

**Planning Board Meeting
1-8-20**

not had the chance to weigh in on this wide reaching suggestion. It feels slipped in at the last minute with no public input and contradicts the introduction stating the town and country character will be preserved by existing land use regulations. I thank you for your time. I would like to pass this in for the record.

Chairman Paul Howard: Would anyone else like to speak regarding the master plan? Hearing none, I will close the public portion of the hearing and open it up to comments by the board.

Member Karen Peugh: I appreciate all the effort in bringing this master plan forward. I do think it is a very well thought out plan. I am curious of what the support is from other City Departments?

Mr. Pillsbury: Absolutely, I think we have had a number of city departments involved. Mike Stankovich from the Public Works Department and Robert Moore from Conservation both served on the committee. This plan does resolve every matter that is before every department. All master plans make recommendations and the departments undertake studies, such as the School Department, Fire Department and Police Department to further their needs as a department and bring those things through at budget process to the Mayor, making recommendations to the City Council. Departments have been involved and I think I can say confidently, as much as they are not represented here this evening I think the majority of the departments, not all (inaudible). I would note the plan makes recommendations in a whole variety of areas...the reality is the operationalize of this plan comes next. It comes in the zoning changes, these are not before the board tonight or even filed with the City Council yet. Eventually they will be very soon. We are trying to file zoning changes in the future and the discussions will be very robust I am sure. As we have said earlier the approval of this plan tonight is to set the framework and to allow the possibility of these strategies to be implemented. It has never been intended to be the answer. Does that answer your question?

Member Karen Peugh: Yes, I just haven't seen them represented. I just wanted to make sure that they had input.

Chairman Paul Howard: I just want to say that it is a great plan. It was a very open process that included everyone in the city. Everybody was able to comment on this if they wished. I don't think you can ask for any more than that. These aren't recommendations these are possibilities. Its something that can be considered. Ultimately its our decision if we want to do that. The master plan should give us the options that are in front of us and then we weigh those options and make the best decision for the City. I would like to commend everyone who allowed that process to go forward in that manner because its defendable that way. I will turn it over now from comments from the building inspector.

Mr. Pillsbury: I would like to take a minute to thank everyone involved in the process. I have been working with this committee for over a year: James Fiorentini, Allison Heartquist, Shawn Regan, Pamela Price, James Rurak, Gene O'Neill, George Moriarty, Mary Ellen Daly O'Brien, Dougan Sherwood, Lynda Brown, Jenny Arndt, Gary Ortiz, Rob Moore, Mike Stankovich, Michael Drossos, Steven Gullo. We had good participation from outsiders Council President, Melinda Barrett, Councillor Colin LePage and Councillor John Michitson. I have to thank the Utile Team, Tim Love, Will Cohen, Nupoor Monani and John McCartin who started with us.

Member Karen Buckley motioned pursuant to MGL Chapter 41, I move for approval of the City of

**Planning Board Meeting
1-8-20**

Haverhill updated Master Plan – Vision 2035 dated, January 8, 2020. Seconded by Member Robert Driscoll.

Member Nate Robertson – yes

Member Karen Peugh – yes

Member Bill Evans – yes

Member Karen Buckley – yes

Member April DerBoghossian, Esq. – yes

Member Kenneth Cram – yes

Member Robert Driscoll – yes

Chairman Paul Howard – yes

Member Alison Colby – Campbell – absent

Motion Passed.

List of all documents and other exhibits used by the public body during the meeting.

Master plan January 2020

Zoning Amendment Sober Homes:

Please note at the January 8, 2020 Planning Board meeting held at 7:00 pm in the City Council Chambers the board considered the recommendation of the Planning Director, William Pillsbury, Jr., to forward a favorable conditional recommendation for a zoning amendment to Chapter 255, Section 18.1 Sober Homes.

Member Karen Peugh read the rules of public hearing into the record.

Mr. Pillsbury: This is a zoning amendment relative to the registration of sober homes. It was a document filed by City Solicitor William Cox. The role of the Planning Board is to make a recommendation to the City Council on the ordinance.

Chairman Howard asked if anyone from the public wished to speak. Hearing none, we will close the public portion of the hearing and turn it over for comments from the Planning Director.

Member Nate Robertson: What does this amendment consist of? Does this require every sober home to register with the City?

Mr. Pillsbury: The concerns that have been raised by the City Council in asking for this ordinance dealt with a presumed approval for similar facilities such as this. There are other City's that implemented similar ordinances. It provides for the registration of such sober homes and addresses issues of concerns to the City and its neighbors.

Member Nate Robertson: Would it be the City Council or Planning Board that approves these registrations?

Mr. Pillsbury: I don't think in the process of having to file a registration...we have registrations of abandoned buildings for example that doesn't have to go through the council...it maybe set up in the City Clerk's Office. I don't have a definitive answer on that.

**Planning Board Meeting
1-8-20**

Member Nate Robertson: My concern is in the midst of the opioid epidemic and the vulnerable population, my worry is that if you ask a sober home to register with the City and then vote...(inaudible)

Mr. Pillsbury: The registration doesn't require a level of approval. It's just a registration. It's not like special permit with an approval process. I don't believe that is what this is. In certain legal precedents they are allowed to come in anywhere they want. It's to say what is going on in the building. It creates the opportunity to see what is there.

Member Nate Robertson: It seems like the smart thing to do to have them register. My caution would be having the public weigh in every-time.

Member Karen Peugh: When they register it becomes part of the public record.

Mr. Pillsbury: The City could at least know who to contact. I think it's more informational.

Member Nate Robertson: How would a sober home be defined in zoning?

Mr. Pillsbury: We could go to the document to find out that information.

Member Karen Buckley: City Departments? Are there inspections?

Mr. Pillsbury: I believe they get inspected by the state. I would have to imagine there is some degree of safety requirements. My recommendation would be to forward your concerns and comments to the City Council in a conditional favorable recommendation. The conditions would be, to look at the issues that you have raised.

Inaudible

Mr. Pillsbury: That is a matter of contention. A couple of City Departments have raised concerns about that. Attorney Cox is down with the flu so that is why he is not here. I'm probably doing a terrible job at answering these questions.

Member Bill Evans made a motion to make a favorable conditional recommendation to the City Council as recommended by Planning Director, William Pillsbury, Jr. Seconded by Member Robert Driscoll.

Chairman Paul Howard - yes
Member Robert Driscoll - yes
Member Alison Colby-Campbell- absent
Member Kenneth Cram-yes
Member Karen Buckley-yes
Member Karen Peugh-yes
Member Nate Robertson-yes
Member Bill Evans- yes
Member April DerBoghossian, Esq. – yes
Motion Passed.

**Planning Board Meeting
1-8-20**

List of all documents and other exhibits used by the public body during the meeting.

- Conservation Letter, 1.6.20
- Building Department Letter, 1.6.20
- Fire Department Letter, 12.30.19
- Ordinance- William Cox, City Solicitor, 12.4.19
- Comment due sheet

Special Permit for 235 Essex Street:

Please note at the January 8, 2020 Planning Board meeting held at 7:00 pm in the City Council Chambers the board considered the recommendation of the Planning Director, William Pillsbury, Jr., to forward a favorable conditional recommendation for a special permit for 235 Essex Street.

Member Karen Peugh read the rules of public hearing into the record.

Mr. Stephen Pascoe of 52 Colby Road, Danville, NH addressed the board. My wife and I are real estate investors. Our focus is on distressed and under managed properties. We have a portfolio and its just under a 100 units; 35 units being in the City of Haverhill. We are here to ask for permission to move forward with this project at 235 Essex Street. It's a vacant lot at this time. We are looking to build a multifamily building that we think will fit good for this area. It will provide much needed units in the neighborhood. At this time I would like to have Steve Stapinski address the board. Matt Juros will give you all the information on the property.

Mr. Steven Stapinski of 66 Park Street, Andover addressed the board. We prepared the special permit site plan that you all have received for the development. This site is next to O'Reillys Auto Parts. This property is on Little River. Lafayette Square is somewhat of a village center for High Street, Essex Street, Broadway and Hilldale Avenue. If you go back to 1825 on this site everything along the Little River except for the Steven Mill which are across Essex Street was all vacant land. By 1828 it had been developed with multifamily housing. Essex Street was all multifamily housing from Lafayette Square almost to the Hamel Mills. It stayed that way up until the 1920's. When I was a kid there was some buildings populated on the site. At one time there were actually 7 multifamily buildings on the site. The buildings that were built along little river were built right up to the bank of it. The City established a layout of the Little River part of the conduit along Washington Square that went all the way up to the Steven Street bridge. They went right to the face of the old existing building. Those foundations are still there. If you go over to Haffner's (when I was a kid Haffner's was the Haverhill Gas Company). If you stand over at Haffners you will see the old brick wall and the slope coming up from the little river. We are proposing to redevelop the paved area of the site because it's a river. We come under the jurisdiction of the Rivers Act. We have to file a Notice of Intent with the Conservation Commission. That would happen after we got the definitive plan approval and that would only happen after we got the special permit from the City Council. The site is serviced with sewer and water. We would be connecting that into the building. In order to help reestablish a street line....with the parking facing the back of the site. The parking is more or less hidden from the street. The limit of our work would be the no disturb zone that the City of Haverhill has. That is about it. I would turn it over to Matt Juros the architect from the project.

**Planning Board Meeting
1-8-20**

Mr. Matthew Juros (Fishbrook Design Architects) of Wingate Street addressed the board. We meet all zoning requirements for the CG zone. The use we are applying for is multifamily housing. After talking with Mr. Driscoll about the location relative to the front, we are looking to have the building take its place in the street scape of Essex Street. We are nestling it up to the front lot line, we are a tenth of a foot off on one corner and 4.4 off the lot line on the other corner. For parking....the building is next to site that contains O'Reilly's Auto Parts. We control that site as well. The parking for that property is on the lot that we intend to improve as part of our development. We need to account for O'Reilly's parking as well. O'Reilly's requires 23 spaces. For multifamily dwelling the code requires 1.5 parking spaces per unit we are requesting to develop a 27 unit building. That would be 40.5 parking spaces required by the code. The total that needs to be provided on the site by code is 64 spaces total required. We provide 66 spaces, 63 regular spaces and 3 handicapped spaces. We are allowed 36 dwelling units on a lot this size. We intend not to ask for parking, that is why we are only going for 27 units. This will be a mixed of studios, 1 bedrooms and 2 bedrooms. Right now the unit mix has 6 – 2 bedrooms.

Member Robert Driscoll: The setbacks with the green space in front...I thought there would be zero setback.

Mr. Matthew Juros: A tenth of a foot is what we landed with the most up to date site plan. I will refer to this plan...We did the design process as one iteration and Mr. Stapinski washed through that...by the time we get to the next one we will reconcile it. Its that sliver of grass.

Member Robert Driscoll: It looks a little bigger than that sliver of grass...

Mr. Matthew Juros: This plan was an earlier iteration.

Member Robert Driscoll: That is the one I would be in favor of.

Mr. Matthew Juros: It is a three story, wood framed building with an elevator. There is a central lobby space accessed from the street and also from the parking in the back. On the upper level we have a public amenity roof garden. Public for residents in the building. There are three additional units up there as well. We are trying to make this building fit in terms of scale with the other buildings on the street. We have a neighborhood here that has some single family residences that have gabled roofs and clapboards. We also have some industrial buildings. We have older historic brick buildings. We are trying to find the right aesthetic that speaks about the time that we are living in. This will create a building that will take its place and marks its place in time but also doesn't clash with the other buildings. Because we have some commercial buildings and some residential buildings we scaled down to be respectful of the residential buildings. We felt like we would take the approach and mirror some of the commercial buildings that are still active and vital on Essex Street. The exterior clapboard is cement fiber product which is used on a lot of multifamily buildings. It holds its color and doesn't fade in sun. The windows are operable aluminum. We have a green glazed brick accent. We have certain floors that have units with open corner windows. That is our approach to the exterior of the building. We want to be careful in what we tell passer-bys and occupants on the street with the street scape. Having the building too close crowds the street and pedestrians. We want to be sensitive to that. I take Mr. Driscoll's question to heart. My first pass was well back from the street. We also want to be careful that we don't want to create an ambiguous lawn up front when we have an urban street scape. We want to find the right balance to not crowding the street but also not creating a place that will

**Planning Board Meeting
1-8-20**

encourage loitering. We are intending to take the solar orientation of the roof space and put solar panels on the roof that will power the common areas.

Chairman Paul Howard: In that rendering would that building be at the end of the sidewalk, on the right hand side?

Mr. Matthew Juros: That is right. The more up to date plan moves this forward. We have parking out back that is fine and set. We want to make sure that if we push it farther back we are going to be able to reserve the required parking because our intention is to respect the code.

Chairman Howard: You won't have that once you move forward.

Mr. Matthew Juros: That is right. Steve worked out a more detailed parking layout, it pushes the building forward.

Chairman Howard: You are not going to say that there will be zero grass on the right hand side of the building?

Mr. Matthew Juros: That is correct. There is still...

Chairman Howard: Not right to the sidewalk....

Mr. Matthew Juros: It's a pie shape piece of grass.

Chairman Howard: There wouldn't be any of that landscaped....

Mr. Matthew Juros: There would just be this landscaped. This grass would be cut back to here.

Member Nate Robertson: I like the project a lot. I think it is modern looking. From the plans this evening the building looks contemporary. It will look like a breath of fresh air. I love the old feeling of the older buildings we have but I think it is important to have mix. We are in the midst of a housing shortage, statewide and along the entire east coast. Folks are having trouble finding housing and keeping housing this seems to check all the boxes.

Member Kenneth Cram: With the building right at the corner, vehicles coming out of there...they have no site distance.

Mr. Matthew Juros: We have the ability to pull forward right here. O'Reilly's Auto Part is an existing business. We have the same site line constriction as we got (inaudible).

Member Kenneth Cram: If the sidewalk is 5' wide and your car is 18' long and the drivers eye is let's say 6-7' back from the front of the car he is looking at the side of the building. He is going to have to inch out into Essex Street in order to be able to see. That is why I like the other plan better where there appears to be 2-3' of additional area. I think what you can probably do and I am not sure of the regulations but I notice that we have 9x19 parking spaces in the rear with 24' wide aisles. I would be willing to accept 9x18 stalls and you could pick up 4' in the back and work with that to bring the building back and at least improve the site lines for cars coming out.

**Planning Board Meeting
1-8-20**

Mr. Matthew Juros: We appreciate that input. That's the type of balance we would be happy...the approach to laying out the units

Inaudible.....

Mr. William Pillsbury: Matt, could you please go to the microphone. We are transcribing these minutes for City Council.

Member William Evans: Can you explain the community living areas?

Mr. Matthew Juros: Yes, sorry. The approach to laying out the units that we took is based on the City of Boston's compact living guidelines. This is a year-long research effort that the City of Boston conducted to look at ways of 1. Assessing the preferences and needs of those that are served by the housing market. 2. Also to find ways to meet those needs and regulations. This allows for smaller units and a larger number of units. They would set aside room for common areas and open it up to all tenants. We are not using our guidelines to increase our density but we are following the market research that represents in terms of preferences of the rental community. These are 29-38 year old, 40% of them work from home. Around that same percentage own their own cars and they will often look for community events and look to take part in community activities. These would include a community kitchen, dining and living, working, laundry area. All of the units are fully equipped with kitchens and all of the amenities that require standard living. If you want to entertain friends you can sign out the community kitchen and dining area and prepare a big meal. Community living areas are a place where people would go and watch the game, etc.

Member Kenneth Cram: How are these community areas policed? Who is going to make sure it stays clean?

Mr. Matthew Juros: This requires a level of management beyond what you would find in less attentive properties. That challenge needs to be met by Steven Caprice. Typically when you rent you put together a community and you are looking for people who are going to live properly, respect each other and the place that they live. These amenities are controlled. You have to sign them out. You are not anonymous, people will know who you are. There is management present in the building. It's a successful phenomenon when its done properly.

Chairman Paul Howard: It would become the landlord's problem.

Mr. Steven Pascoe: All of our properties whether they are in New Hampshire or Massachusetts, we walk our properties at least once every couple of days. In this particular building we would monitor everything. We would be in and out of the building routinely. We own and manage the pizza place on the corner of High Street. We have Ruth's House and a couple of other properties down on Washington Street and Hilldale Avenue. Our network of progress is focused on these areas. We definitely have a plan of management that is far superior to many of the landlords.

Mr. William Evans: I think it is a beautiful building. (inaudible)

**Planning Board Meeting
1-8-20**

Mr. Steven Pascoe: Speaking of community, as an ongoing practice support our community. We team up with local organizations all the time and offer our support in many different ways. We aren't just taking out of the City we also believe in giving back. I won't get into the details, but we do give back. We are here for the long haul.

Member Bill Evans: This is quite the investment.

Member Karen Buckley: You own Ruth's House? Do you own the whole section?

Mr. Steven Pascoe: We own the right side. Ruth's House has the parking lot, Ruth's House and the three apartments above. The left side is not owned by us. There are three units on the left side.

Member Karen Buckley: There is a plywood on that property covering the building.

Mr. Steven Pascoe: I will check out where the plywood is but we don't recall any plywood. I will check it out tomorrow.

Member Robert Driscoll: What would the rent be in the new building?

Mr. Steven Pascoe: We have not selected rent at this time. We are offering, although we are not obligated to, three units at an affordable level.

Member Robert Driscoll: What is the grayish building on the plan?

Mr. Steven Pascoe: That is O'Reilly's Auto.

Chairman Howard: Having the building up front there is no site distance.

Member Robert Driscoll: Having the building set back you at least have a shot. Is there a spot over there?

Mr. Steven Stapinski: That's Bradford Towing's parking. In order to reduce the parking we would need to go before the Zoning Board of Appeals. Haverhill doesn't have anything that allows the Planning Board or Building Inspector to just randomly change the parking. Right now this is designed by right. The building meets the setbacks and parking requirements. If we didn't go to the Zoning Board of Appeals the only other way is to push the property back into the no disturb zone. Along Little River we are trying to give the City a conservation easement along the river. Someday they will probably want to extend from Winter Street a walkway down to Washington Square. I would think that is what they would want to do.

Mr. William Pillsbury: There is a unique feature that we haven't talked about...the back portion of this site is Little River.

Mr. Steven Stapinski: We show on the plan a 25' conservation....

Mr. William Pillsbury: I want to get on the record...the previous meetings it was talked about a walkway...its not in the future its really supposed to be part of this plan.

**Planning Board Meeting
1-8-20**

Mr. Steven Stapinski: We are going to give the easement to the City but we are not going to build a walkway. There really is no place to build a walkway.

Mr. William Pillsbury: That maybe contrary to what conversations we have had.

Mr. Steven Stapinski: I'm sorry I wasn't aware of that.

Mr. Steven Pascoe: We offered the 25' easement in the back, a few park benches and a little sitting area back there. On the left side of the property we would have a pervious section to access that easement.

Mr. Matthew Juros: That was the conversation with the Mayor on site the other day.

Mr. William Pillsbury: For the record because this is going to City Council in the form of our minutes can you just restate what you are plans are for the Little River frontage. Did I hear you say you would be doing some clearing of that area?

Mr. Steven Pascoe: We will be clearing that back area just beyond the pavement area. We would be offering a 25' easement with 2-3 park benches....

Mr. William Pillsbury: Actual physical improvements?

Mr. Steven Pascoe: Physical improvements back there with access through this walkway. It's not going to be pavers. It will be a pervious material with just a walking area to get back...

Member Robert Driscoll: Is it hot-top?

Mr. Steven Pascoe: No this would be a stone dust.

Mr. Matthew Juros: There are a couple of different options....

Mr. Steven Pascoe: Reclaimed asphalt.

Mr. Matthew Juros: Something to that effect. It's a previous material that will allow rain water to soak into the soils. We have a subsurface drain/retention system under the parking lot. By adding this walkway we won't be adding to the impervious cover of the site.

Mr. Pillsbury: Is it possible to have it on the site plan between now and the time you are heard by the City Council, you will amend your file and actually incorporate that into the plan.

Chairman Paul Howard asked if anyone from the public wished to speak? Hearing none, I will close the public portion of the hearing and open it to comments from the Planning Director.

Mr. William Pillsbury: the review of the plan indicates this project complies with all zoning requirements. The density of this proposed plan is consistent with the surrounding neighborhood. Importantly it affords the opportunity to improve the Little River frontage area of the site incorporating public access and beautification of the area along the Little River. My recommendation would be a

**Planning Board Meeting
1-8-20**

conditional favorable recommendation to the City Council with the conditions being to modify the site plan showing the things that we talked about for the easement. 2. Also, consideration to the issues raised by the Members tonight regarding the placement of the building and site line. 3. Also the incorporation of the city department letters as part of the city council special permit approval.

Chairman Howard: I think it's a great project. I don't want the project to be jeopardized by this but if its possible to do this...you will not be able to see for a right hand turn.

Member Kenneth Cram: This is shared parking with O'Reilly's Auto. Have you down any parking counts? Do we know that O'Reilly's definitely needs on a daily basis 20 parking spaces.

Mr. Steven Stapinski: I think the issue here is compliance to zoning. This is taking a site plan that fully complies with zoning and saying the use today is going to be the use tomorrow. O'Reilly's wasn't O'Reillys 5 years ago. It was different auto parts store and before that it was something else. The point is the building is going to be owned by my client and he needs to have a building that meets the zoning relative to retail. Whether its O'Reillys particular use that may require 10 spaces less he may end up with small supermarket in there in the future. That requires at least that amount of spaces. The effort has been made to make it zoning compliant so we didn't need to go to the zoning board.

Mr. Steven Pascoe: I would like you to also keep in mind the reason we are not going for 36 units and asking for a parking variance is because we are trying to fit in with the neighborhood, keep the building to a certain height so it blends in better. Anything beyond 27 units doesn't really work. We are investing a lot of money in a distressed area that we are hoping that we are going to do well with. We are kind of where we are at with the number of units. We would like you to keep that in mind as well. We will definitely will put a lot of consideration to see what we can do.

Chairman Paul Howard: As a landlord you want safety for your renters. We see a concern and I think that it is something that should be looked at.

Mr. Steven Stapinski: I have compact spaces already incorporated.

Member William Pillsbury: I would like to see that they revise the site plan to incorporate the Little River aspects and also give consideration to the Planning Board Members concerns. Also, that the plans be filed prior to the City Council meeting.

Member Karen Buckley made a motion to make a favorable conditional recommendation to the City Council as recommended by Planning Director, William Pillsbury, Jr. and his comments of what he would like to see. Seconded by Member Nate Robertson.

Member Nate Robertson - yes
Member Robert Driscoll - yes
Member Alison Colby-Campbell- absent
Member Kenneth Cram-yes
Member Karen Buckley-yes
Member Karen Peugh-yes
Member Nate Robertson-yes
Member Bill Evans- yes

**Planning Board Meeting
1-8-20**

Member April DerBoghosian, Esq. – yes
Motion Passed.

List of all documents and other exhibits used by the public body during the meeting.

- Floor Plans, 11.15.19
- Special permit plan, 11.1.19 Merrimack Engineering Services
- Revised special permit plan, 12.3.19, Merrimack Engineering Services
- Conservation Letter, 12.9.19
- Water/Wastewater Letter, 1.6.20
- Water/Wastewater Letter, 12.6.19
- Water/Wastewater Letter, 1.6.20
- Fire Department Letter, 12.2.19
- Building Department comments, 12.2.19
- Comment due sheet
- Comment due sheet – revised
- Steve and Caprice Pascoe Letter, 11.19.19

Definitive Escrows:

Scotland Heights Escrow:

Please be advised upon the review of the escrow file it was noted that the above cited Agreement will expire on February 8, 2020 for completion of all work and the funding will expire on March 8, 2020. You are required to follow-up with an updated agreement using the date recommended by the city engineer for completion of all work. Please submit an extension of the Agreement for the February 12, 2020 Planning Board meeting considering that this agreement is due to expire on February 8, 2020 and funding on March 8, 2020. If not received for the February 12, 2020 meeting the board will have to attach the amount being held for completion all remaining work.

Please call the Planning Department if you have any questions or concerns regarding the expiration and possible attachment of the above cited Agreement.

List of all documents and other exhibits used by the public body during the meeting.

- **Escrow Materials**

Form A Plans:

David Fletcher for 68 Liberty Street: It was noted the building inspector commented on 12-30-19 “Lot B frontage 200’ required has 330.98’; area 2 acres required has 2.30 acres. Access-has access Lot B appears to be in a RR zone meets all requirements for area, access and frontage for a RR and SC zone.” Member Karen Buckley motioned to approve the Form A plan. Seconded by Member Nate Robertson. All members present voted in favor. Motion Passed.

Endorsement: None at this time.

**Planning Board Meeting
1-8-20**

Meeting adjourned.

Signed:

Paul Howard
Chairman