

PLANNING BOARD
Meeting Minutes
Tuesday, July 19, 2011
Town Hall, 120 Main Street
7:00 PM

1 Present: T. Seibert, R. Glover, J. Simons, M. Colantoni, R. Rowen

2 Absent:

3 Staff Present: J. Tymon, J. Enright

4 Meeting began at 7:00pm

5 **POSTPONEMENTS**

6 CONTINUED PUBLIC HEARING: 1679 Osgood Street, Definitive Subdivision for 9 single-family
7 residential lots, common driveway, and frontage exception special permits.

8 CONTINUED PUBLIC HEARING: 401 Andover Street, Renewal for a Wireless Special Permit.

9 CONTINUED PUBLIC HEARING: 5 Boston Hill (a/k/a 5 Boston Street), Renewal for a Wireless
10 Special Permit.

11 CONTINUED PUBLIC HEARING: 0 Methuen Street, Single lot Definitive Subdivision

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13 **BOND RELEASES**

14 Bake N' Joy, 351 Willow Street: Request for release of a \$5,000 performance bond.

15 J. Tymon: Bake N' Joy was approved for a Site Plan Review last October for the expansion and
16 reconfiguration of the parking lot. The landscaping looks good. Recommended to release the bond.

17 **MOTION**

18 A motion was made by R. Glover to release the remaining \$5,000 performance bond for Bake N' Joy, 351
19 Willow Street. The motion was seconded by R. Rowen. The vote was unanimous.

20

21 Watts Regulator, 815 Chestnut Street: Request for release of two \$3,000 performance bonds.

22 J. Tymon: Has not received an as-built so the bonds can not be released.

23

24 **PUBLIC HEARINGS**

25 CONTINUED PUBLIC HEARING: 140 Academy Road, Application for a Land Disturbance Permit in
26 connection with proposed construction of five detached single-family homes to be located on Stevens
27 Street.

28 J. Tymon: Received a review last week from L. Eggleston which was forwarded to the applicant.

29 Reviewed all the items listed in the review. The primary concern is that the water flow looks like it flows
30 directly from the hill in back of the lots to the houses and across the driveways. There is a swale at the
31 bottom of each driveway. L. Eggleston would like a swale between the homes so the flow will not go
32 across the driveways. There needs to be a drainage easement which the applicant is working towards.

33 Jim Fairweather, Andover Consultants: Reviewed how they will change the grades and add swales to
34 pull the water away from the driveways. Addressed each item listed in the review report.

35 J. Simons: Asked if consideration was given to using a common driveway for the last two properties.

36 J. Fairweather: It was looked at. A common driveway would be a little less steep; however, prefers the
37 separate driveways. A berm between the two driveways will separate them which will be better in the
38 event the neighbors do not get along.

39 J. Tymon: Has spoken to G. Willis. He wanted the culvert under driveway 2B to be changed from 8" to
40 12". He also does not want the foundation drains to be tied into the infiltrators in the front yard.

41 J. Simons: Believes hearing could be closed at the next meeting and voted on.

42 J. Tymon: asked for a continuance until the end of August be signed by applicant T. Patenaude.

43 **MOTION:**

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44 A motion was made by R. Rowen to accept the extension of the time to render a decision for 140
45 Academy Road. The motion was seconded by M. Colantoni. The vote was unanimous.

46
47 NEW PUBLIC HEARING: 350 Great Pond Road, Application for a Watershed Special Permit to
48 construct an addition to an existing home and a new garage.

49 J. Tymon: The application is for a Watershed Special Permit for a modification to a single family home.
50 The construction will consist of an addition, new garage, and razing an existing garage. The outside
51 consultant review just came in this morning. It isn't clear from the application exactly what will be taking
52 place. Need clarification on the project scope and whether the house will be demolished or not. Listed
53 each of the concerns listed in L. Eggleston's review report.

54 Phillip Christiansen, Representing the owner: There is an error on the plans. The driveway is not gravel,
55 it is a paved driveway. The property is wooded with the exception of a small area in the front. There is a
56 relatively steep grade from the back of the house down to the wetlands. Ran into the issue of demolition
57 vs. addition when the architect was brought on the job. As the owner and architect worked through the
58 scope it didn't make sense to keep the house and the decision for demolition rather than an addition was
59 made.

60 Bill Balkas, Architect: The house would be razed and a new foundation would be constructed. The
61 grades will be slightly different.

62 P. Christiansen: The disturbance area will be added to the plans. Getting all of the roof water into the
63 ground is an issue. As an alternative, proposed replacing all or some of the paved driveway with a
64 pervious pavement.

65 J. Simons: Asked what the distance of the house to the lake is and how much further the disturbance it.

66 P. Christiansen: The current distance is 130.2 feet and proposed is 128.7 feet. The proposal has no more
67 clearance towards the lake than the current house. The footprint and deck are within the cleared area.

68 J. Simons: What is the size of the house, current vs. proposed?

69 P. Christiansen: current 2,800 sq ft vs. the proposed 3, 900 sq. ft.

70 J. Simons: This is a new house, not a reconstruction, so all the zoning will have to be looked at. Further
71 approval from the ZBA may be required. Asked J. Tymon to review what is required to do this.

72 J. Simons: Asked is all the roof runoff could be put into dry wells.

73 P. Christiansen: The grading in the back of the house makes it very difficult and additional excavation
74 would result in more disturbance. The alternative proposed is to replace some of the current driveway
75 with a pervious pavement.

76 J. Simons: At the next meeting L. Eggleston's comments should be addressed.

77 P. Christiansen: Will discuss with J. Tymon the precedents set for tearing down and reconstructing
78 houses and applying to the Zoning Board if that is required.

79 T. Seibert: Reviewed the calculation for the new square footage.

80 P. Christiansen: Stated he has reviewed how the calculation was done with the Building Inspector. The
81 Inspector said he is ok with it and that it has been done this way before.

82 R. Rowen: If it is difficult to put the infiltrators behind the house is it possible to move the new
83 foundation a couple of feet further from the lake to provide more room behind?

84 P. Christiansen: Will look into it.

85 R. Rowen: Suggested that in the new configuration an infiltrator or rain garden is put at the end of the
86 driveway if there will be runoff from the driveway towards the lake.

87

88 **DISCUSSION**

89 288 Sutton Street "Mathews Way", 5 Lot Definitive Subdivision Decision

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90 J. Tymon: Asked by DPW to present a letter submitted by Gene Willis, Town Engineer, to the Board.
91 The DPW found the language in the Decision for 288 Sutton Street unacceptable. The specific language
92 that they object to is that the Decision states, “the project has been reviewed by the DPW and found to be
93 acceptable”. All of DPW’s reviews and responses from the applicant were provided for the Board to
94 review. Believes the DPW objects to the fact that it does not conform to all of the subdivision standards.
95 The Planning Board did accept it as a private road and made the Decision based on the fact that it is going
96 to remain private. That was one of the recommendations made by the DPW and it has been incorporated
97 into the Decision. All of the issues related to Sutton St., the public way, were addressed. All of the fire
98 and safety issues were reviewed by the Fire Dept. and they provided a letter commenting on the very last
99 plan that was approved and they were fine with it.

100 J. Simons: Duly noted. Believes it is probably more a function of personal preference and aesthetics than
101 it is of anything fundamental.

102 R. Rowen: Clearly if it were to be a public way we would put more credence into the desires of the DPW
103 because it would be theirs to maintain.

104

105 **MEETING MINUTES:**

106 **MOTION**

107 A motion was made by R, Glover to approve the July 5, 2011 meeting minutes. The motion was
108 seconded by M. Colantoni. The vote was unanimous.

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110 **ADJOURNMENT**

111 **MOTION**

112 A motion was made by R. Rowen to adjourn the meeting. The motion was seconded by R. Glover. The
113 vote was unanimous.

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115 Meeting adjourned at 7:40pm

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117 Meeting Materials: 7/19/2011 Agenda, Eggleston Environmental review letter dated 7/14/2011 for 140
118 Academy Rd, Christiansen & Sergi, Inc memo dated 6/16/2011 re: watershed special permit application
119 for 350 Great Pond Road, Site Plan of Land for 350 Great Pond Rd dated 6/17/2011, Eggleston
120 Environmental review letter dated 7/19/2011 for 350 Great Pond Rd, Letter from Gene Willis, Director
121 of Engineering Town of NA dated 7/14/2011 RE: 288 Sutton Street “Mathews Way”, correspondence
122 documents between Planning, DWP and applicant regarding 288 Sutton Street, Meeting Minutes for
123 Planning Board meeting held 7/5/2011