

PLANNING BOARD
Town of North Andover

Approved 9/15/15

John Simons, Chairman
Lynne Rudnicki
Peter Boynton



David Kellogg
Lora McSherry

Tuesday July 7, 2015 @ 7 p.m. Town Hall, 120 Main Street, North Andover, MA 01845

1 Present: J. Simons, L. Rudnicki, L. McSherry, D. Kellogg, P. Boynton

2 Staff Present: K. Cheetham, B. Wolstromer

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4 **J. Simons, Chairman:** The Planning Board meeting for Tuesday, July 7, 2015 was called to order at 7 p.m.

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6 **LOT RELEASE**

7 166,170 & 180 Salem Street (Map 37D Lot 21): Jack Cahill requested release of Lots 1 & 3 to begin construction

8 of 2 new homes. The DPW has recommended a bond amount of \$1K per lot.

9 K. Cheetham: The DPW has reviewed the site. There's an as-built plan for the property and a letter from the

10 engineer certifying the work. The DPW provided a bond estimate of \$1K per lot. All the legal paperwork and the

11 deed restrictions have been recorded. The town will not have any responsibilities associated with this property, it

12 is a private way.

13 Jack Cahill, (79 Old Village Lane, developer 166 Salem Street): I constructed the approved renovation at 166

14 Salem Street and established two buildable lots that were approved in 2008. The approved debris pile in question

15 remains under a tarp and is not fenced in. It is comprised of stones, sod and loam which are to be used for the

16 construction of retaining walls, etc. during the construction of the two new homes. It will be removed when the

17 first foundation goes in.

18 L. Rudnicki: Asked several questions about the property: such as tree removal, the development schedule, the

19 stone wall and any outstanding conditions in the Watershed Special Permit.

20 J. Cahill: 89 trees were planted on the three lots. The Watershed Special Permit was resolved with the initial

21 approval. We have not updated the development schedule for the new lots. The sidewalk fund has been addressed.

22 The sewer is stubbed to each of the lots. We submitted an as-built and letter from our engineer to certify the work

23 is completed.

24 L. Rudnicki: You will be required to submit a final as built when you finish the new lots. According to the

25 Decision, there are still a fair amount of items that need to be completed. The private driveways and the

26 stormwater have to be constructed, the final site cleanup, site restoration, site screening, street trees, lot and site

27 erosion control.

28 J. Simons: Addressed concerns of the status of the roadway and sewer and whether any future work will be

29 required in the right of way. Given the significance of the watershed and potential site disturbance and risk to the

30 town he felt \$7,500 per lot was a fair amount. We will release the bond when the work is completed.

31 **MOTION:** L. Rudnicki made a motion to release lots 1 & 3 upon receipt of a \$7,500 Performance guarantee per

32 lot and completion of the appropriate paperwork. D. Kellogg seconded the motion. The vote was 5-0, unanimous

33 in favor.

34
35 Regency Place 464 Appleton St. (Map 65 Parcels, 8, 9 & 55): Applicant requests lot release to begin construction

36 of single family homes.

37 K. Cheetham: Regency Place is a subdivision located at 464 Appleton Street. The Decision is complete and a

38 basic plot plan is in your packets. The road is in and they want to release the lots and begin construction. The

39 utilities are set and the DPW has reviewed the site and they recommended a bond amount of \$45,500.

40 Christiansen and Sergi has accepted that amount from DPW.

41 J. Simons: Typically, the developer doesn't establish the bond amount. It usually comes from the DPW based on a

42 detailed analysis and we receive more information than we have here. I am uncomfortable approving this without

43 detailed documentation. The bond amounts protect the town's interest. If we wait two weeks is that a problem?

44 There is nothing here that states the DPW approved this.

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45 P. Christiansen: We were asked by DPW, Gene Willis, to provide an estimate for the work that is remaining.
46 P. Boynton: The email provided does not mention DPW.
47 K. Cheetham: The email provided was the one that had the numbers and details.
48 L. Rudnicki: We need to consider our funds for the as-builts and the stormwater for the homes. I'd be willing to
49 release three lots with the added contingency if the applicant agrees we can modify this per the DPW approval.
50 P. Christiansen: We originally had 6 lots, a modification occurred now there are a total of 8 lots. They have plans
51 and can submit building permits as soon as this is resolved. Losing two weeks is significant. Perhaps we add a
52 20% contingency for the release of the requested three lots.
53 J. Simons: Requested the Planner to speak with DPW to validate the amounts in order to render a decision
54 contingent to what was discussed.
55 **MOTION**: D. Kellogg motioned to authorize the Planner to immediately release 3 lots with a bond amount of no
56 higher than 20% more than the \$45,500. Prior to that, a detailed DPW site work budget will be sent to the
57 Planning Board members stating the DPW established amount. The applicant agrees to allow the Planning Board
58 to adjust the amount of the Performance Bond. (If the DPW recommended bond amount is over 20% of the \$45K
59 the applicant has to come back to the Planning Board.) L. McSherry seconded the motion. The vote was 5-0,
60 unanimous in favor.

61
62 **B. BOND & ESCROW RELEASE**

63 110 Sutton Street (Map 17 Lot 9): Bob Carberry of Chippendale Dance Studio seeks release of bond funds
64 (\$2,500) for completion of landscaping. Applicant seeks release of \$2,500 bond.

65 K. Cheetham: Provided updated site photos and a project history of landscape plans. The original plan was
66 approved in March of 2013 and that plan changed during construction. The applicant placed gravel on the site.
67 The Board agreed on the gravel, yet required a landscaping plan. The applicant has installed trees and relocated
68 some landscaping per the request of the Board.

69 Board: The Board members expressed concern over the front portion of the site being used as a parking lot. At
70 one point there were photos of cars parked in this area. They felt that the landscape plan was not executed with
71 regard to specified planting locations.

72 Bob Carberry (Applicant): The previous Town Planner approved the gravel and landscape plan. We planted (3)
73 azaleas, (6) arborvitaes; you asked for (3) 7 ft. trees, we planted (3) 14 ft. trees, spaced further apart because
74 they're wider trees. We spaced the river birches so they could grow and fill in. The crushed stone is there for
75 drainage purposes. Foundation plantings would not be a good idea in that location. Snow shoveled off the roof
76 ends up there. Perhaps we restrict parking to the area of concern and it solves the issue.

77 L. Rudnicki: Held up a color sketch that the applicant had originally proposed, showing a lawn with plantings. We
78 approved the building partly because of the landscaping plan. The building has a flat panel and the windows aren't
79 New England style windows. The trees should be in the middle of the area to block parking access; instead they
80 were placed on the street. It doesn't break up the façade. We felt the same about the arborvitaes. The simple
81 solution is to leave the trees and introduce raised mulch mounds with plantings to block parking permanently.

82 J. Simons: We're not going to release the bond and we recommend you execute the approved landscape plan with
83 raised mulch mounds.

84
85 [Continued] 1018 Osgood Street (Map 35 Lot 19): Cafua Realty Trust LX, LLC requests bond release for project
86 completion (\$10,000) and release of Escrow (\$1,900) JFJ Holdings, LLC.

87 K. Cheetham: The applicant is not requesting the release at this time.
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89 640/660 Great Pond Road (Map 63 Lot 11): Rolling Ridge facility at United Methodist Church, release of Escrow
90 balance of (\$1,608.50)

91 K. Cheetham: This was a WSP permit for a driveway at the smaller parsonage on the property (#640) from
92 2007/2008. I have inspected and photographed the site. I have a letter from the Director of Community
93 Development, Building Inspector and an engineer proving the work is substantially complete.

94 MOTION: D. Kellogg made a motion to release the escrow balance (\$1,608.50) for 640/660 Great Pond Road. L.
95 McSherry seconded the motion. The vote was 5-0 unanimous in favor.

96

97 **PUBLIC HEARINGS**

98 [Continued] 242 Dale Street: Julie Nigro & Rob Barter (Map 64 Lot 30): Request for Watershed Special Permit to
99 construct an above ground pool, deck, patio and fencing & removal of four trees.

100 K. Cheetham: This project received a NOI from the Conservation Commission and the project will not impact
101 endangered species habitat. The peer engineer had minimal comments. You may want to review the retaining wall
102 per the engineering comments. A draft Decision for the WSP is in the meeting packets. I'm seeking guidance on
103 the Special Conditions you would like to include. Draft Decision was reviewed and amended by the Board

104 J. Simons recommended the escrow balance be rolled into the \$1K required bond amount.

105 MOTION: D. Kellogg made a motion to close the public hearing. L. McSherry seconded the motion. The vote
106 was 5-0, unanimous in favor.

107 MOTION: D. Kellogg made a motion to approve the Watershed Special Permit for 242 Dale Street, as amended
108 and subject to all the Planning Board members receiving an amended copy for review. L. Rudnicki seconded the
109 motion. The vote was 5-0, unanimous in favor.

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111 [Continued] 1600 Osgood Street: OSGOD Permit for Solar Project (Map 34 Lot 17): Applicant request for time
112 extension

113 MOTION: D. Kellogg made a motion to approve the request for continuance with an extension to August 19,
114 2015. L. McSherry seconded the motion. The vote was 5-0, unanimous in favor.

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116 **D. GENERAL DISCUSSION:**

- 117 • 4 High Street: West Mills (Map 54 Lot 1): Applicant seeks review of scope and timing for demolition of
118 Building #37.

119 David Steinbergh presented an overview of the modifications to 4 High St. - West Mill

120 The developer explained that due to structural reviews, the existing culvert area between the two mills that
121 travels underneath the proposed parking lot cannot support heavy trucks, cars, etc. They are proposing a
122 re-orientation of the parking lot, landscaping and drainage. An open deck will be designed to float over
123 this area in the center of the parking lot. The vehicle approach and circulation patterns to the center lot
124 will change slightly.

125 In addition, the original permit featured the reuse of one portion of Building #37. The applicant now
126 wishes to demolish Building #37 entirely (80K sq. ft.). After demolition, the area will be grassed until a
127 feasible redevelopment plan emerges. The building was not structurally sound and is not historically
128 significant to the site. The schedule for demolition is late August and through the fall. The parking lot and
129 landscaping will be phased in. All would be in place when the ground freezes mid-December. The
130 developer is working with National Grid to identify where power is located on site. The applicant will file
131 with Planning and Conservation on July 8, 2015. Town Planner confirmed that the bonds need to be in
132 place for the demolition projects. This is to be considered a modification to the Site Plan approval.

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- Planning Board Membership & Signature Page for Registry: Planning Board would like to wait on the authorization to allow the new Town Planner the ability to sign documents requiring recording at the Registry of Deeds. J. Enright will maintain signing capability. Water Quality Research: Planner reviewed the water treatment plan on the website and noted annual water quality reports are there. P. Boynton would like a presentation reviewing long term trending of the pretreated lake water quality as it relates to watershed protection. Town Planner to schedule this presentation with DPW for a future meeting.
 - Watershed: The Board agreed to carry the watershed notification/education piece (mailer) that was started by the previous Town Planner on each upcoming agenda until that effort is completed.
 - Working Group: Planner initiated a Trails Meeting with the working group at the DPW 7/8/2015 and will update the Board on any Trails developments. Dropbox: Planner asked whether the Board would be willing to utilize this system as a way of organizing meeting documents. The Board requested all Decisions be in the packet folders when bond releases are requested.

146 **MINUTES APPROVAL**

147 The Board noted amendments & clarifications to minutes specifically lines 12, 37, 97, 182 & 185.

148 **MOTION:** P. Boynton made a motion to approve the minutes for Tuesday June 16, 2015, as amended. L.
149 Rudnicki seconded the motion. The vote was 5-0 unanimous in favor.

151 **ADJOURNMENT**

152 **MOTION:** P. Boynton made a motion to adjourn the meeting, motion seconded by L. Rudnicki. The vote was
153 5-0, unanimous in favor. Meeting adjourned @ 9:00 p.m.

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155 **MEETING MATERIALS:**

156 Administrative: July 7, 2015 Agenda; DRAFT June 16, 2015 Meeting Minutes; Staff Memo;

157 110 Sutton Street: 110 Sutton St. Revised Landscape Plan, 131203 Meeting Minutes, Aerial View, Arborvitae, As
158 built & landscape plan, Azalea, Birch 1, Birch 2, D. Mund notes re PB meeting, Image of landscaping, June 15
159 Image 2, June 15 Image, June Mtg Min 2014, Staff Thoughts, Street View 1, Street View 2; 170 & 180 Salem
160 Street: Aerial View, DPW Estimate, Interim As Built Plan 7-22-2013, RE Bond Estimate for 170 & 180 Salem
161 Street; 242 Dale Street: 242 Dale base map, 242 Dale St. WSP Decision Draft, Aerial View 242 Dale, JS
162 Response, LE Comments, SITE DEV. PLAN 6.9.15; Regency Place: 2 of 7 Regency Place Lot Plan 1, 150106
163 Decision Modification DRAFT 2, Bond Estimate, Monitoring Report 6-24-15; West Mill: Notice of Decision-
164 Attachment A, West Mill- 141222-West Mill-Revised Drawings; [Additional Hard Copy Materials Supplied from
165 Planner Files Meeting]; 660 Great Pond Road: 660 As-Built, 660 Minor Modification Letter from Planner
166 6/27/2008, Watershed Decision 9/19/2007; 166 Salem Street: 166 Salem Street WSP Decision 4/16/2009.