

Approved 12.1.15

Town of North Andover
PLANNING BOARD

John Simons, Chairman
Lynne Rudnicki
Peter Boynton



David Kellogg
Lora McSherry
Regina Kean (Associate)

Tuesday November 17, 2015 @ 7 p.m. Town Hall, 120 Main Street, North Andover, MA 01845

1 Present: L. Rudnicki, L. McSherry, D. Kellogg, P. Boynton, R. Kean

2 Absent: J. Simons

3 Staff Present: J. Enright, B. Wolstromer

5 L. Rudnicki: The planning board meeting for Tuesday, November 17, 2015 was called to order at 7 p.m.

7 **PUBLIC HEARING:**

8 201 Sutton Street, DaVita Dialysis: Application for Site Plan Review Modification. Applicant seeks to amend Site
9 Plan Review Special Permit issued 3/4/1997 by revising Special Condition #1 to allow for no more than 22
10 dialysis stations.

11 J. Enright: The Planning Board issued a special permit for Site Plan Review in 1997 for a dialysis business. Within
12 that special permit there was a condition that the number of dialysis stations was not to exceed (19 without coming
13 back to the Planning Board for review. A building permit was recently issued and three (3) additional stations
14 were added. The applicant had requested an insubstantial change to allow for the increase a few months ago. The
15 Board opted to approve a temporary modification which gave DaVita Dialysis 90 days to file for a Site Plan
16 Review Modification. During our pre-application meeting, we discovered there was a Variance granted by the
17 ZBA in 1997 which allowed for a reduction in required parking from 50-37 spaces, a site plan was approved yet
18 those spaces were never lined at the site. The applicant is here to present a proposal to line the parking spaces and
19 to make some site improvements.

20 Phillip Henry (Civil Design Group): We have made two subsequent minor revisions to the filing after discussions
21 with the Planner and having received comments from the Fire Department. Reviewed the Site Plan and described
22 improvements to the dumpster enclosure, landscaping, and sign. The Plan adequately addresses the Fire
23 Department concerns. Presented alternatives for snow stockpile locations and handicap parking spaces. For 37
24 total parking spaces there are 2 handicap parking spaces required.

25 L. Rudnicki: Are any spaces currently marked handicap now? For a turning radius, spaces 1 & 2 seem most
26 suitable.

27 P. Henry: Parking spaces 12 and 15 are marked and they are used equally by our handicap patients.

28 L. McSherry: Do you believe you have a shortage of HC parking?

29 Dianna Holm, Facility Manager-DaVita Dialysis: No, we haven't received complaints regarding HC parking. We
30 received one complaint about an ambulance blocking a handicap spot.

31 P. Henry: Reviewed alternative locations for compliant handicap spaces. In order to maintain 37 total spaces and
32 at least three handicap spaces a modification to the island adjacent to space #14 could be made.

33 L. Rudnicki: According to your ZBA waiver it dictates (3) HC parking spaces 2-standard and 1-van. I suggest
34 flipping the cross-hatch between 1 & 2, & keep 12 & 15). We can't waive the ZBA requirements and you don't
35 want to incur land disturbance issues.

36 J. Enright: 12 and 15 do not meet the code. The modification to the island will allow for 14 and 15 to be brought
37 to code. This plan will need to be reviewed with Conservation. The NAFD has sent correspondence confirming
38 their concerns have been adequately addressed.

39 L. McSherry: Are the ramps ADA compliant?

40 P. Henry: Yes.

41 J. Enright: I have drafted a Decision. If you'd like you can condition the Decision that Conservation must
42 review of the proposed Site Plan to determine if a filing is required. The Site Plan dates will be need to be updated
43 once the modification to the handicap spaces is made.

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44 **MOTION:** D. Kellogg made a motion to close the Public Hearing on DaVita Dialysis, 201 Sutton Street. L.
45 McSherry seconded the motion. The vote was 4-0, unanimous in favor. (The Board reviewed the Draft Decision
46 and made minor revisions)

47 **MOTION:** L. McSherry made a motion to approve the SPR Modification dependent on a revised Site Plan
48 showing HC parking spaces, review with the Conservation Department, and the other amendments discussed. D.
49 Kellogg seconded the motion. The vote was 4-0, unanimous in favor.

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51 **DISCUSSION:**

52 288 Sutton Street, Mathews Way, John Smolak: Request for insubstantial change to determination to remove
53 requirement for installation of home sprinkler systems. [Discussion to be held 12/1/2015]

54 Osgood Smart Growth Overlay District (OSGOD) Committee: J. Enright confirmed the Board members have
55 received a copy of the memo dated November 3, 2015 from the Town Manager to Chair of the Board of Selectmen
56 regarding a recommendation for appointment of a committee for review and to make recommendations for
57 modifications to the OSGOD bylaw. L. Rudnicki and P. Boynton expressed interest. J. Simons will be contacted
58 for input.

59 Lake Cochichewick Cleanup: P. Boynton reported the lake cleanup day (11/7/15) was very successful. Over 100
60 volunteers participated and this will be an annual event.

61 Water Quality Research: (Presentation on pre-treated water quality TBD for an upcoming Planning Board
62 meeting)

63 Watershed Informational Mailer

64 Planning Board Rules & Regulations:

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66 **MINUTES APPROVAL**

67 Approval of November 3, 2015 meeting minutes.

68 **MOTION:** P. Boynton made a motion to approve the November 3, 2015 minutes as amended. L. McSherry
69 seconded the motion. The vote was 4-0 unanimous in favor.

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71 **ADJOURNMENT**

72 **MOTION:** D. Kellogg made a motion to adjourn the meeting. The motion was seconded by L. McSherry. The
73 vote was 4-0, unanimous in favor. Meeting adjourned @ 7:30 p.m.

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75 **MEETING MATERIALS:** November 17, 2015 Agenda, November 3, 2015 Meeting Minutes DRAFT; 201 Sutton Street,
76 Davita Dialysis: 201 Sutton Temp SPR Mod., 1997 ZBA Approved Plan, 1997 ZBA Variance and Site Plan, 1997 Zoning
77 Parking Modeling Sample, 151117 201 Sutton Street SPR Modification Decision DRAFT, 19970207 Fire Chief Letter,
78 19970304 SPR Special Permit, 20151103 Application with Site Plan, 20151103 Narrative, 20151109 Police Dept Comment,
79 20151106 Fire Dept Comment Davita Dial 201 Sutton 11-6-15, 20151112 Revised Site Plan 201_Davita Clinic_Site
80 Plan_Rev_11-10-2015; 288 Sutton Mathews Way: 20110614 Fire Chief Comments, Def Plan Set, Notice of Decision

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