

**PLANNING BOARD**  
**Meeting Minutes**  
**Tuesday, April 17, 2012**  
**Town Hall, 120 Main Street**  
**7:00 PM**

1 Present: T. Seibert, M. Colantoni, R. Rowen, D. Kellogg, L. Rudnicki  
2 Absent: J. Simons  
3 Staff Present: J. Tymon, J. Enright

4  
5 Meeting began at 7:00 pm.  
6

7 **POSTPONEMENTS**

8 **CONTINUED PUBLIC HEARING: 26 Main Street**, Application for Special Permit-Site Plan  
9 Review. Applicant proposes construction of an eight (8) unit residential condominium project  
10 with two (2) parking spaces per unit on a lot with access to Main Street via existing easements on  
11 two (2) existing lots fronting Main Street at 22-24 and 28-30 Main Street and an existing curb  
12 cut at the noted lots.  
13

14 **CONTINUED PUBLIC HEARING, 70 Elm Street**: Application for a renewal of a Wireless  
15 Special Permit for the operation of an existing wireless communication facility within the  
16 Residential-4 (R-4) Zoning District under Sections 8.9 and 10.3 of the North Andover Zoning  
17 Bylaw.  
18

19 **CONTINUED PUBLIC HEARING, 358 Dale Street**: Application for a Watershed Special  
20 Permit. Applicant seeks to construct a new single family residential dwelling along with  
21 associated driveway, landscaping, utility and other improvements.  
22

23 **PUBLIC HEARINGS**

24 **CONTINUED PUBLIC HEARING, 498 Chickering Road**: Application for Special Permit-Site  
25 Plan Review. Applicant proposes demolition of a Mobil gas station and construction of a 3,159  
26 sq. ft. bank building, with three drive-through bays, twenty four (24) parking spaces, landscaping  
27 and stormwater management in the General Business Zone (GB).

28 **J. Tymon**: The applicant has requested a postponement until May 1, 2012.  
29

30 **NEW PUBLIC HEARING, 1320 Osgood Street**: Application for Special Permit-Site Plan  
31 Review. Applicant proposes to construct a parking lot.

32 **J. Tymon**: This is a residential building that has been purchased by Paul MacDonald and re-  
33 fitted for an insurance company office. They need to add parking, mainly for employees. The  
34 existing curb cut will be used. The front parking area will be for visitors and a handicap space.  
35 The rear parking will be for employees. L. Eggleston's stormwater review was just received  
36 today. A landscaping plan needs to be submitted.

37 **Stacey Carpenter, Caspian Associates**: MTM Insurance is looking to move into the existing  
38 structure. The parking area will be extended to the back of the property with a driveway to it and  
39 a bio-retention in the back. The stormwater review comments were received today and they will  
40 be addressed at the next meeting.

41 **R. Rowen**: Are there any issues with the state related to the curb cut? Is a traffic study required?

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42 J. Tymon: There are not any issues related to the curb cut. The applicant will ask for a waiver  
43 for the traffic study. The parking is essentially for employees. There is limited customer traffic.  
44 Most of the business transactions are done over the phone and internet.

45 S. Carpenter: Using the existing curb cut allows for a better site line.

46 J. Tymon: Suggested ideas and examples for the landscape plan.

47 R. Rowen: The landscape and drainage plan will be reviewed at the next meeting.

48

49 NEW PUBLIC HEARING, 0 Chestnut Street (a/k/a 300 Chestnut St): Application for  
50 Modification of a Wireless Facility Special Permit.

51 J. Tymon: Sprint Spectrum would like to remove 6 antennas and replace them with 3 antennas, 6  
52 radio heads, new cables, and new cabinets. The required paperwork has been submitted. M.  
53 Hutchins has provided his review report stating that Sprint provided an engineering report stating  
54 there is a need for the modifications to better meet customer need and build out its network and  
55 that the proposed modification results in coverage improvement over a larger area.

56 Jackie Slaga, Representing Sprint Spectrum and SBA Communications: This is a request for a  
57 modification and renewal of a Special Permit. This is an existing facility and everything that is  
58 being proposed will take place within the context of Sprint's existing facility. From a site  
59 perspective and from an area perspective there is really no impact from this modification to  
60 either the site or the area. This project is part of a nation wide project that Sprint is going  
61 forward with to enhance network coverage, improve call quality, and increase data time.

62 R. Rowen: Asked if this modification starts the clock for another three years from now or, if  
63 they are within the initial three year term, do they have to come back for a renewal at the end of  
64 the existing term?

65 J. Tymon: They are past their renewal. The Special Permit was renewed in 2007 and that  
66 Decision was appealed by Mr. Tryder. If there was a tolling date it will have to be calculated.  
67 Without that appeal it should have been renewed in 2010. This application would start the three  
68 year clock all over again.

69 R. Rowen: This is a change in technology from 3G to 4G. From the need perspective, in  
70 addition to the incremental increase in coverage shown by the yellow/green to green on the  
71 coverage maps, there is a gap in the coverage for 4G. The coverage for 4G is going from non-  
72 existent to the solid green on the coverage map.

73 R. Rowen: Asked for clarification on the time table for the old Special Permit as to whether it is  
74 still in effect or not. Essentially, if it is not, this would have to be treated as a new application,  
75 not just a modification.

76

77 **DISCUSSION**

78 Autumn Chase Subdivision: Request for waiver from construction of the sidewalk.

79 Phil Christiansen, Representing the applicants, Jim and Charlie Carroll: Molley Towne Road is  
80 located off Summer Street. There are no sidewalks on Summer Street or the section of Salem  
81 Street that Summer Street connects to. Proposed to pay sixteen thousand dollars into the  
82 sidewalk fund for the town in lieu of constructing the required sidewalk. Explained that the  
83 people in the subdivision do not want the sidewalk. There will be a total of 16 houses in the

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84 subdivision. Currently eight homes have been sold. The subdivision plans show a sidewalk on  
85 one side of the roadway.

86 R. Rowen: Explained the history and purpose of the sidewalk fund.

87 D. Kellogg: Expressed concern that the Board could be making a decision to deny all the  
88 residents something they were expecting.

89 Matt Remis, 34 Molley Towne Road: Stated that he has spoken to a number of the residents. He,  
90 as well as the residents he has spoken to, was surprised to hear that sidewalks were planned.  
91 There is not much traffic on the street and there are several young children. The neighborhood  
92 does not believe there is a safety concern. Suggested he would draft a letter requesting not to  
93 construct the sidewalk and have all the residents sign it. None of the residents want to go  
94 through the process of having their grass and sprinkler systems ripped up.

95 R. Rowen: Would this require a Modification to the Subdivision Plan?

96 J. Tymon: A Modification would require opening up a Public Hearing. The abutters would have  
97 to be notified. The Board could vote that this as an Insubstantial Change which would be written  
98 up as such, time stamped at the Town Clerk's office, and recorded at the Registry of Deeds.

99 R. Rowen: Suggested that if the seven residents sign a letter stating they do not want the  
100 sidewalks then he would not have an issue with declaring it a minor modification.

101 P. Christiansen: Discussed the current bond status for the subdivision and the possibility of  
102 rolling over the bond for the first phase to the next phase rather than requesting a partial release  
103 and then filing an additional bond.

104 R. Rowen: Requested that Gene Willis write a letter substantiating the dollar amounts required  
105 for each phase.

106

107 **MOTION**

108 A motion was made by M. Colantoni to approve the meeting minutes for April 3, 2011. The  
109 motion was seconded by T. Seibert. The vote was unanimous.

110

111 **ADJOURNMENT**

112 **MOTION:**

113 A motion was made by D. Kellogg to adjourn the meeting. The motion was seconded by T.  
114 Seibert. The vote was unanimous.

115

116 The meeting adjourned at 7:35 pm.

117

118 **MEETING MATERIALS:** Agenda, 1320 Osgood St. Corp. site plan review application, 1320 Osgood  
119 St. site plan, 300 (a/k/a 0 Chestnut St.) Chestnut St.: site plan review application, Special Use  
120 Application 300 Chestnut St submitted by Jackie Slaga, as agent for SBA Communications dated  
121 February 2012, Existing Conditions 300 Chestnut St. dated 2/21/12, Sprint Vision Cumulative Noise  
122 Study dated 2/27/12 prepared by Hudson Design Group, RF Engineering Affidavit dated 3/15/12  
123 submitted by Ryan Monte de Ramos, Radio Frequency-Electromagnetic Energy Compliance Report  
124 prepared by EBI Consulting, Structural Analysis dated 11/30/11 prepared by FDH Engineering, Mark F.  
125 Hutchins Review dated 4/16/12, Letter dated 4/5/12 from Eugene P. Willis, Director of Engineering RE:  
126 Autumn Chase subdivision, Letter dated 4/12/12 from Eggleston Environmental RE: 358 Dale Street,  
127 draft 4/3/2012 meeting minutes.