

June 6, 2012

## **Meeting Minutes**

The meeting was called to order at 7:00 PM

### **1. Roll Call**

**In attendance:** Dan Bowie, Henry Coe, Paul Dahn, Sue Grolnic, Jim McCarthy, Bonnie Sontag and Cindy Zabriskie

**Absent:** Don Walters and Noah Luskin

Andrew Port, Director of Planning & Development was also present.

### **2. General Business**

Chairman Bowie welcomed Cindy Zabriskie to the Board.

#### **a) Approval of the minutes**

#### **Minutes of May 16, 2012 Meeting**

Henry Coe made a motion to approve the minutes as amended. Bonnie Sontag seconded the motion. Paul Dahn abstained. The motion passed unanimously.

**Minutes approved.**

### **3. Old Business**

#### **a) Timberline Enterprises, LLC c/o Blatman, Bobrowski, & Mead LLC 23 Low Street Major Site Plan Review**

Attorney Lisa Mead, Tom Manetta, Thomas Manetta Inc, civil engineers, and Chris Ostrader, of Timberline Enterprises, Gloucester, were present on behalf of the major site plan review.

Attorney Mead said the civil issues have all been addressed, such as the 2.5-inch caliper trees, the 81X will be met by filing a perimeter plan for the subdivided lot, and we have provided written proof of control of the site.

Mr. Manetta said there is a tree schedule on the landscape plan; trees will all be 2.5-inch caliper with infiltration planters behind them. The water line was moved to the outside of the buildings, we've provided gates, and left the existing hydrant where it is. We've relocated three catch basins, pulling them away from the building three feet. We've provided a wider radius entering the drive and a stop line.

June 6, 2012

A member said the water line needs to be approved by the Water Department, per an email from Emily. Andrew Port, Director of Planning and Development, said they've not heard back from the Water Department, but it's only a formality. Mr. Manetta had been on the phone with the Water Department, as it was at their direction he moved the water lines outside the buildings. The plan reflects that change.

Chairman Bowie opened public comment. Public comment was closed.

Bonnie Sontag read the draft decision of the Major Site Plan Review. Chairman Bowie asked about hearing from the Water Department before voting. Andrew Port, Director of Planning & Development said the plan shows what's needed.

Jim McCarthy made a motion to approve the major site plan review. Henry Coe seconded the motion. The motion passed unanimously.

**Motion approved.**

**Votes Cast:**

Dan Bowie: approve

Henry Coe: approve

Paul Dahn: approve

Sue Grolnic: approve

Noah Luskin: approve

Jim McCarthy: approve

Bonnie Sontag: approve

Cindy Zabriskie: abstaining

**During the course of discussion and consideration of this application, plan(s), supporting material(s), department head comments, peer review report(s), planning department comments and other related documents, all as filed with the planning department as part of this application and all of which are available in the planning department, were considered.**

**4. New Business**

**a) Dolores and Rich Person  
26, 30-32 Toppans Lane**

**Informal Discussion about potential OSRD Subdivision**

Residents Rich and Delores Person presented an alternative idea for the Toppans Lane's Development. Ms. Person had visited the site back when the Rindler family first proposed developing it. The pastoral beauty of the property in a densely populated neighborhood made an impression on her. Upon learning details of the planned 8,000 square foot facility, the Persons wanted to know if there was support for developing the property differently. Specifically, in the event that the current proposal doesn't go forward, would the board have an interest in something less dense that does more to preserve the property's pastoral quality?

June 6, 2012

Chairman Bowie attested to the difficulty of commenting on something that is not before the board. Previously, a conventional subdivision plan had been submitted. The board had concerns because of its density. Chairman Bowie commented that from the start, this parcel should have appealed to the hospital more than it appears to have, however, the current proposal makes sense.

The Persons had reviewed the current plans and said the current proposal has considerably more density than the Persons were proposing. Their idea of 10-12 homes would include open space in the rear of the property. The Persons would like more than half the property to be open space. Chairman Bowie said the original subdivision had issues with access and those issues still exist.

A board member said they can evaluate applications only when they come before the board. Applications that generate the most tax revenue while doing the least damage to the environment are viewed favorably. This land has development rights with it, and one is the waiver offset. From the abutters' point of view, another member said, there will always be an issue with extra traffic, especially during certain periods of the day. The board is careful when considering the impact of traffic. What's being proposed right now avoids that issue altogether, keeping the traffic on the hospital side rather than on Toppan's Lane.

Mr. Person elaborated that they would like to do something similar to what they did on Federal Street, working closely with the city, open with their planning, and taking input from every quarter.

Public comment was opened.

Jeff Roeloffs, Northbridge Company's representative, said that Northbridge currently has the Rindler property under agreement. They expect to be before the board shortly with their plan.

Public comment closed.

## **5. Planning Office/Subcommittees/Discussion**

### **a) Local Historic District Study Committee Presentation**

Andrew Port, Planning Director, said the committee had a meeting earlier today and has some changes. In summary, they not are looking to create more boards. They recommend conflating the Historical Commission, the Fruit Street Historic District Commission, and new LHD to create one commission, making existing processes more efficient.

Doug Bolick and Ed Ramsdell of the LHD Study Committee said they'd like to get feedback on language about the composition of the new Commission. The mayor would newly appoint members: 4 of 7 members – 5 regular and 2 alternates - would be District residents. There are more specific guidelines for the smaller Fruit Street District and the larger LHD would have its own, differing guidelines. The document would contain illustrations and photographs to

June 6, 2012

provide examples of the intent of the guidelines. There is language allowing the Commission to establish another historic district with regulating ability without creating another board.

Doug Bolick said they also wanted to address the board's comments, as follows:

1) Backyards viewed from a public way -- section 4.18 excludes rear facades; 2) In the application process, people should know where they go after meeting with the Building Commission -- presently, with multiple boards in the city, people pick which board they want to go before. We're not 100% convinced that you can set out a hard and fast process. Chairman Bowie did not see the benefit of making people always do a certain thing first. Each board has jurisdiction for different things. Andrew Port, Planning & Development Director, said there are jurisdictional issues that prevent a prescribed sequence from being workable; 3) The Commission plans to stay informed about building permits issued in the district the same way it works now -- The building commissioner or a citizen notices that something is out of whack. The thought of setting up a monstrous monitoring process is worrisome. A member said publishing building permits a month after they are issued is too late and unacceptable in this day and age. Government should be open and out front about things and current permits should be on the website right away. Andrew Port, Director of Planning & Development said many communities are trying to acquire technology to do that. 4) A clear sequence of events is in section 11.1. The Planning Office is in the process of rationalizing and cleaning-up that process; 5) Waiving public hearings has been deleted; 6) For handling insurance issues where replacing distinctive features is not covered -- even though the Fruit Street Commission says this has never been an issue, this study committee has added a new section, 4.19, to addresses this. Reconstruction complies with the Zoning Ordinance, replication or duplication in detail or materials are not required. Rebuild to the general design; no one is locked in to what was there before.

Chairman Bowie asked about enforcement. Doug Bolick responded that it would be similar to the Fruit Street Ordinance where a 60-day period is given, and if necessary, an extension for another 60 days is made. Chairman Bowie asked for clarification on the wording "any remedies or actions that are available to the Commission can be taken." If that is clarified with the 60-day rule and the extension option, that would be fine. Doug Bolick said the Zoning Board also has enforcement authority -- and we can't remember when the Zoning Board had to enforce anything. The idea is to work with people to resolve issues.

A member asked about the evaluation criteria for new construction. Doug Bolick responded that it has to be complementary. Another member said the general sense is that it has to fit in, but use of new materials is allowed. Doug Bolick said the LHD Study Committee would like an informal sit down before the clock starts ticking. A member asked if the document still says the Commission will be looking for replicas only. Doug Bolick said no, that's gone. A member said more creativity is allowed with new wording.

A member asked if rebuilding a damaged building was not subject to a review? Doug Bolick said the rebuilding is subject to a review. Andrew Port said it doesn't have to be the exact detail and material. The member asked if it was subject to the same level of review as any new construction, what would the difference between reconstruction and new construction be? Andrew Port said it's about protecting property values and public safety. A member said

June 6, 2012

if your initial response is you don't like the direction the applicant is going, can the applicant have more than 45 days? Doug Bolick said yes, the commission can extend that time, but only at the applicant's request.

Another member restated the intent as not to create a Disneyland, but it's okay to have new or reconstructed housing that enhances or fits the neighborhood. Doug Bolick said "compatible." The member asked what standards or guidelines does the commission use to make a decision on "compatible?" Reading Section 1.5, a member responded that much of it is aesthetic. Another member said there are examples where massing ruined the neighborhood aesthetic. One member recalled a time when there were no regulations and wealthy people built big houses and others built smaller houses, and they were all mixed together. A member commented that there was more visual space then. You're going to look at the structures on either side of it to see what fits in. People live in a streetscape, not individual houses in isolation and decisions are not made on design criteria alone. The example offered was Tannery Mill #5 a new structure in a historic location using both innovative technology and incorporating meaningful historic aspects. The guidelines are written to encourage this type of creativity.

Andrew Port said there was no action before the city council right now. A hearing is scheduled for June 21<sup>st</sup> to get some feedback. It was unknown how detailed the city solicitor's review was going to be. A member asked if the board needed to take an official position? The LHD Study Committee reports to the Planning Board, that's all the statute says. Andrew Port said the Planning Board needs only to comment as they have done in two meetings with the study committee.

#### **b) Application Submission Requirements**

Andrew Port said the Planning and Development office is looking to minimize the amount of paper that applicants submit by eliminating required additional copies of materials if the board doesn't need them. The Planning Office would keep the oversize sheets for all applicant plans. A member said the plans are interesting, but the traffic and storm water reports can be summarized and sent electronically. The regulations request something like 11 copies. Chairman Bowie wanted to keep the full-sized plan sets, but even they contain details the board doesn't need. Andrew Port will make sure the board has the layout, landscape, and photometric paperwork and will not distribute detailed studies on catch basins or anything underground. Detail sheets will be 11" x 17". In future meetings, Andrew Port may project images from his computer for viewing.

#### **c) Discussion**

Chairman Bowie said an ANR is the only item for the next meeting. If five people can meet at 5 pm on June 20, we can be finished. We need to know if Don or Noah can meet. The July 4th Planning Board meeting was cancelled.

Andrew Port said the City Council did not approve the Storey Avenue rezoning. He doubts the issue will be revisited. The Woodman's are currently the subject of a 40B in the same area. We'll have to see what Tropic Star does in the coming weeks and months. The City

June 6, 2012

Council may think there can't be any development, particularly because there are wetlands in the back. That would be incorrect. The right decision would have been to adopt the zoning change.

A discussion took place about FEMA maps and language. A member said there was discussion about a mailing to Plum Island residents. Andrew said the mayor doesn't think there's time to get it done and feels a better option is another public hearing on the island to get feedback. We've done the best we can to get information out there.

## **6. Adjournment**

Sue Grolnic made a motion to adjourn.

Henry Coe seconded the motion.

Motion approved unanimously.

Meeting adjourned at 8:34 PM.

Respectfully submitted, Linda Guthrie, Note Taker