



CITY OF GLOUCESTER
PLANNING BOARD

February 7, 2019

6:00 P.M.

Kyrouz Auditorium - 9 Dale Ave, Gloucester
Richard Noonan, Chair

MINUTES

Members Present: Rick Noonan, Doug Cook, Beverly Bookin, Henry McCarl, Shawn Henry

Absent: Jonathan Pratt, Jane Remsen

Staff: Gregg Cademartori, Planning Director, Jeremy Price, Senior Planner

I. BUSINESS

1. Mr. Noonan opened the meeting at 6:01pm, with a quorum of the board present.
2. Introduction
3. Public Comment – Closed. No comment.
4. ANR pre-application submittal School House Road (2, 3, & 4) and Gloucester Crossing (7)

Mr. Gourdeau noted stated that Fuller Mixed Use Ventures (FMUV) may slightly modify the plan change the plan prior to the final submission. Staff indicated the based on the preliminary review, it conforms with the City's requirements.

II. CONSENT AGENDA

1. Form A- Approval not required

- A. Application submitted by Gloucester Commons LLC, 2 & 3 School House Road (Map 43, Lots 4 & 5) to subdivide lot 1 into lots 2 and 3.**

Mr. Tim Power, Land Strategies, LLC highlighted the intent of the lot division.

Mr. Price indicated that the item was continued by request of the applicant. Mr. Price explained that lot area and frontage requirements were satisfied.

Motion made by Mr. McCarl to approve the ANR application of Gloucester Commons LLC, 2 & 3 School House Road, seconded by Mr. Henry and unanimously approved (5-0).

- B. Application submitted by Seaside Legal Solutions LLC., to create ten (10) additional lots at 20 King Phillip Road (Map 230, Lot 17, AKA Map 231, Lot 11) for the purpose of conveying said parcels to their respective abutting upland parcel owners. With the exception of Lot 1 & 6, the parcels are identified as non-building lots.**

Mr. Joel Favazza, Seaside Legal Solutions, revisited the projects history. Mr. Price asked Mr. Favazza to discuss the deed ownership research that he had conducted to determine what was and wasn't the property of his client. Mr. Favazza noted that the revised 9 lot plan is all within his Client's property.

Questions were raised by the Board related to resource protection and the buildability of the lots. With the exception of 2, the non-buildable lots will be sold the abutting upland parcel owners.

Motion to approve the ANR application of 20 King Phillip Road was made by Ms. Bookin, seconded by Mr. Cook and unanimously approved (5-0).

2. Site Plan Review

Application submitted by Gateway Consultants Inc., for Site Plan Review pursuant to GZO Section 5.8 at 35 Fuller Street (Assessor's Map 168, Parcel 14).

Mr. John Judd, Gateway Consultants, represented Frank Rosetti who has purchased the property at 35 Fuller street, formerly home of Magnolia house of pizza that burned down. Mr. Mark Nestor, the applicant's attorney was also present. Mr. Judd stated they wish to reconstruct the restaurant with 6 residential units above.

Mr. Price indicated the project triggers site plan review through the expansion of the parking lot and creation of space.

Staff noted their concerns with capacity and design of the Site's drainage infrastructure, inadequate information on the plan with respect to the design of the ADA sidewalks. Additionally, the Board noted that as required in the ZBA's decision, the site plan does not accurately show the plantings separating the property from the abutting owner.

Additionally, staff indicated the width of the lot opening should be reduced to the City's standard of 24 ft.

Mr. Noonan asked to review the elevation of the architectural plans.

Mr. Judd showed the elevation and the residential units above, pizza shop and two additional units below. Handicap Access for ramp shown.

Ms. Bookin asked if the units were to become rental or owner occupied. Mr. Nestor confirmed they would be occupied.

Motion to continue site plan review at 35 Fuller street to February 21, 2019, made by Ms. Bookin, seconded by Mr. McCarl and unanimously approved (5-0).

III. CONTINUED PUBLIC HEARING

1. Form C application submitted by Seaside Legal Solutions for William Friend to consider five (5) lot definitive subdivision at 12R, 57, and 59 Wolf Hill Way (Assessor's Map 88. Lots 22,23,24,25).

Mr. Joel Favazza of Seaside Legal Solutions submitted a revised plan set to the Board several hours prior to the meeting. Mr. Noonan indicated the Board would not be commenting on those revised plans due to the late submission.

Mr. Michael Faherty spoke on how he has been shepherding the project through with the Friend family for several years. Mr. Faherty indicated that services will be brought in through Wolf Hill Way.

Mr. Faherty stated that in addition, there will be improvements to Wolf Hill Way, coming off Wolf Hill Road. The paved width of the road currently is only about 10 ft. in width.

Mr. Judd stated that the drainage system on the third sheet is a cross-section view of the proposed roadway and the existing and proposed grades. The base will be 12" deep with a variable width stone lined swale to handle the potential runoff from the roadway. Mr. Judd noted that they are not proposing any lighting, sidewalks, or catch basins and areas without sidewalk will be seeded with grass. Waivers have been requested from the Board.

Mr. Faherty stated that one of the neighbors asked if there would be a condition that the construction not take place in the peak of the Summer.

Mr. Cademartori stated that the Fire Chief will provide feedback once he can review the turning template to show how the trucks can get in and leave the site. Mr. Cademartori noted that on the drainage design, there were questions on the elevation test pits, engineering needs more information on how the drainage system would function.

Mr. Noonan opened the Public Comment:

Joseph McKechnie, 14 Wolf Hill Rd. stated he was in favor of the project and his family had been there since the 1800s and are direct abutters to the Friend property.

Mike O'Connell, 17 Wolf Hill Way, had a question that will be submitted to the Planning Department in writing.

Tom Bubier, 36 Wolf Hill Road, questioned if the proposal is to widen the street all the way. Mr. Bubier noted he would love to see the turkeys, coyotes, foxes and eagles not disturbed forever, but he doesn't have a concern with the subdivision, but has concerns with the road.

Christie Powell, 20 Wolf Hill Way, stated that at this moment she doesn't have enough information. She noted that the drainage is a huge problem.

Heidi Walfred, Wolf Hill Road, stated she is speaking for her mother, the land owner, who has reservations. She is concerned that more homes that come in will have more impact on the drainage issues.

Mr. Noonan closed the public comment period:

Mr. Favazza would like to schedule a walk through. He noted that the stakes are shown on the plan, but the widening of the road has not been staked.

Mr. Price stated that in accordance with MA Fire Code, roadways must be 20ft. wide and clear of obstructions. Typically, these roads are paved; however in certain cases, they may not be. The Gloucester Fire Department is the Authority Having Jurisdiction (AHJ), and the final call is the Chief's.

The Board discussed continuing the public hearing to February 21, 2019 and scheduling a site visit.

Motion was made by Mr. Henry to continue the public hearing to February 21, 2019, seconded by Mr. Cook and unanimously approved (5-0).

IV. PUBLIC HEARING

1. Application submitted by Gateway Consultants Inc., on behalf of Richard Souza & Cynthia Geary to consider a Road Improvement Plan for 148 Bray Street (Assessor's Map 247, Lot 44).

Mr. Judd explained the proposed Roadway Improvement Plan for 148 Bray Street. He described that the plan is for the Westerly side of Bray Street from the Castle View subdivision to Concord Street. The Client is looking to improve 500ft. The road has a variable width, and currently has a water main that loops at the Castle View subdivision.

Stephanie Huff of Curlew Court noted that she is an abutter. She met with the Planning Board before the meeting, she believes this is a public road, but it has always been a dirt road. Ms. Huff questioned at what point will it connect all the way through to Concord Street down to Atlantic.

Mr. Cademartori stated that it is not something that can be commented on now.

Mr. Cademartori stated the Engineering Department did not have enough information for drainage and grading.

Mr. Noonan closed the public comment period.

Mr. Cademartori stated that by the next Board meeting they will have further comment from Engineering and DPW

A motion was made by Mr. McCarl to move the public hearing for 148 Bray Street to the next regularly scheduled meeting of February 21, 2019, seconded by Mr. Henry, unanimously approved (5-0).

V. OTHER BUSINESS

1. Release of Covenant

A. Hutchins Court

The applicants are requesting a release of covenant for the construction of two of the four lots.

Mr. Cademartori stated they had some concern based on the initial submission with the restriction to grade. The original plan had grade of 10% and was amended as the fire chief approved a max grade of 12%. Some sections are greater than 13-13.5% on the most recent as-built plans provided by Mr. Judd.

Mr. Judd stated that if you look at certain elevations the average the grade it is 11.9%

Mr. Judd noted that the applicants are trying to keep the crews running, and as soon as weather breaks, they can move forward. They are looking for partial release, not for a full sign off.

Mr. Price stated that the Board received information from the contractor indicating the projects schedule. The document indicated an unapproved material replacement.

Kyle Barnard, Developer, Boxford, MA, summarized the outstanding items. Mr. Barnard stated that they don't want to add the top coat until they are done with construction. There is already a sewer man hole that is not installed but as soon as weather breaks, they can install it and loam and seed the side of roads. Mr. Barnard noted that the sewer line is in.

Mr. Cademartori stated that one of the benefits of the Board's regulations states that road infrastructure should be completed before a house is built. Mr. Cademartori noted that the Board had a site visit back in March and the construction wasn't done at that point.

Motion made by Mr. Henry to release lots 17 and 19 for release for construction but not sale, seconded by Ms. Bookin, and unanimously approved (5-0).

B. Eastern Avenue

Mr. Judd, Gateway Consultants, Inc., summarized the progress of 130 Eastern Ave. and noted J.D. Aspesi, Essex County Landscape is in attendance.

Mr. Cademartori stated that the binder has been installed, additionally, the catch basins are not openly functioning, but the site is pretty well stabilized. He noted they are looking for release of the units for sale on the rear units, and the release of construction for on the other two. Mr. Cademartori requested that something temporary be implemented as there is a 2-inch trip hazard on either side of the driveway.

Motion made by Mr. McCarl to release the units 1 & 2 at 130R for sale, seconded by Mr. Henry, unanimously approved (5-0).

Motion made by Mr. Cook to release lot 7 for construction but not sale, seconded by Mr. Henry, unanimously approved (5-0).

C. Dornell Road

Mr. Judd noted that the sidewalk and grading needs to be adjusted. Staff highlighted that until these items are addressed, a Form M will not be executed.

Motion made by Mr. McCarl to continue the item until an updated as-built has been provided for review, seconded by Mr. Henry, unanimously approved (5-0).

VI. ADJOURNMENT

Motion made by Mr. Cook to adjourn the meeting at 8:09pm, seconded by was made by Mr. Henry, and unanimously approved (5-0).

Next regular meeting of the Planning Board is February 21, 2019