

PLANNING BOARD
Meeting Minutes
Wednesday, July 2, 2014
Judge Welsh Room
6:30 P.M.

Members Present: Mark Weinress, Marianne Clements, John Golden, Grace Ryder-O'Malley and Brandon Quesnell.

Members Absent: Dorothy Palanza (excused).

Staff: Gloria McPherson, Town Planner.

Chair Mark Weinress called the meeting to order at 6:30 P.M.

Meeting Agenda:

1. **Public Comments:**
None.

2. **Public Hearings:**

a) **Case # FY14-16** (*continued from May 8*)

Application by Stan Sikorski requesting Site Plan Approval pursuant to Article 2, Districts and Regulations, Section 2320, High Elevation Protection District, and a Special Permit pursuant to Article 4, Site Plan Review by Special Permit, of the Zoning By-Laws for the construction of a two-family dwelling with driveway, landscaping and associated site work at the property located at **294 Bradford Street**. There was a request from Attorney Lester J. Murphy, who represents the applicant, to continue this case until the August 14, 2014 Public Hearing.

b) **Case #FY14-20** (*continued from May 22*)

Application by Cape Associates on behalf of Michael D'Amara requesting Site Plan Approval pursuant to Article 2, Districts and Regulations, Section 2320, High Elevation Protection District, of the Zoning By-Laws to expand the existing grade level deck at the property located at **5 Upper Miller Hill Road**.

Derik Burgess, of Cape Associates, appeared and presented information that the Board had requested regarding the diamond pier foundation system that will be used on the deck. He also brought in a pin and base, which are part of the system, to better illustrate to the Board exactly how the system works. He submitted new photographs. He stated that the footing the Board thought was too close to the eroded area has been re-positioned. The photographs show the new footing location and include measurements in regards to how far away it is from the eroded area and the top of the slope. The area of the deck around the tree was moved back as requested by the Board so there would be no excavation near the tree. The new footing location is almost 4' from the eroded area.

The Board questioned Mr. Burgess about the diamond pin foundation system. Mr. Burgess demonstrated how the pin sits in the base and explained how the system worked.

Grace Ryder-O'Malley moved to approve the Site Plan in Case #FY14-20, pursuant to Article 2, Districts and Regulations, Section 2320, High Elevation Protection District, of the Zoning By-Laws to expand the existing grade level deck at the property located at 5 Upper Miller Hill Road with the condition that revised plans showing the proposed location of the footings are submitted. The motion was seconded by John Golden. VOTE: 5-0-0.

c) **Case #FY14-23**

Application by Ed Dusek requesting Site Plan Approval pursuant to Article 2, Districts and Regulations, Section 2320, High Elevation Protection District (A), of the Zoning By-Laws to construct a dormer at the property located at **51R Harry Kemp Way**. Grace Ryder-O'Malley disclosed that Mr. Dusek is the architect working on her house, but she does not think it is a conflict and she is able to render a fair and unbiased judgment in the case. Mark Weinress disclosed that Mr. Dusek is the architect on the Church that he attends and of which he is a member of the board, however he doesn't think he has a conflict or that it will affect his decision on the case. There is no financial component to either relationship.

Ed Dusek appeared to present the application. The project includes the addition of an 18' wide dormer on the rear of an existing two-unit structure. There is no change to the elevation of the ridge and no alteration to the existing landscape. All materials and equipment will be stored on existing driveways and parking areas. The purpose of the dormer is to give the owners more space in a master bedroom. All materials on the new dormer will match what currently exists on the structure. This dormer will match a dormer that was approved by the Board on the other unit in the structure. The dormer is within the allowable scale for the neighborhood.

There was no public comment and no letters had been submitted.

The Board had no questions for Mr. Dusek.

John Golden moved to approve the Site Plan in Case #FY14-23, pursuant to Article 2, Districts and Regulations, Section 2320, High Elevation Protection District (A), of the Zoning By-Laws to construct a dormer at the property located at 51R Harry Kemp Way. The motion was seconded by Brandon Quesnell. VOTE: 5-0-0.

d) **Case #FY14-24**

Application by Belpport Construction, on behalf of Richard Ide, requesting Site Plan Approval pursuant to Article 2, Districts and Regulations, Section 2320, High Elevation Protection District (A), of the Zoning By-Laws to replace a deck within the same footprint at the property located at **230A Bradford Street**.

Dmitry Mazheika appeared to present the application. The project involves the reconstruction of an existing deck in the same footprint. The existing deck is in a dilapidated condition and needs to be replaced for safety reasons. A diamond pin foundation system will be used. All materials will be brought up to the deck location by hand and will be stored at the front of the house on the left side of the deck.

The Board questioned Mr. Mazheika about the project and how the new deck will be supported, including the stairs leading up to the deck. The landscape lighting will not be changed.

There was no public comment and no letters had been submitted.

John Golden moved to approve the Site Plan in Case #FY14-24 pursuant to Article 2, Districts and Regulations, Section 2320, High Elevation Protection District (A), of the Zoning By-Laws to replace a deck within the same footprint at the property located at 230A Bradford Street with the condition that an additional footing will be installed for the stair as described, but not shown, on the plans and that new plans reflecting the change will be submitted. Marianne Clements seconded the motion. VOTE: 5-0-0.

3. **Other Business**

a) **Case #FY14-25**

Application by 26 Alden, LLC for endorsement of a plan believed not to require approval (ANR) to eliminate a lot line between an existing lot and a portion of a discontinued street (Collyer Street) and create a single new lot at the property located at **26 Alden Street (Assessor's Map 12-1, Parcel 34)**.

Bob O'Malley, Jason Ellis, Mark Callaghan and David Golden appeared to present the application. The applicant seeks to combine Parcel A and Parcel B as shown on the site plan. Parcel B was the Town-owned property where the Grace Gouveia building was located and Parcel A contains a portion of the discontinued way, Collyer Street, and was taken by eminent domain at Town Meeting last year. This is the first step in the re-development of this piece of land.

There was a motion by Grace Ryder-O'Malley to endorse a plan believed not to require approval (ANR) to eliminate a lot line between an existing lot and a portion of a discontinued street (Collyer Street) and create a single new lot at the property located at 26 Alden Street (Assessor's Map 12-1, Parcel 34). Marianne Clements seconded the motion. VOTE: 5-0-0.

b) **Review and vote on Special Permit Decision for Case #FY14-19**

Application by Bell Atlantic Mobile of Massachusetts Corp., Ltd, dba Verizon Wireless requesting a Special Permit pursuant to Article 7, Wireless Telecommunication Towers and Facilities, Section 7070, General Requirements, and Section 7080, Application Requirements, and Site Plan Review Approval pursuant to Article 2, Districts and Regulations, Section 2320, High Elevation Protection District, of the

Zoning By-Laws for the addition of 12 antenna panels onto the existing water tank, together with associated equipment and cable tray down the side of the water tank and new ground mounted equipment in an expanded fenced enclosure at the property located at **120 Mt. Gilboa Road.**

Mark Weinress and Grace Ryder-O'Malley read the decision. The Board discussed its concern about the lack of cell tower coverage in National Seashore areas, including the airport, whether there was a way to compel cell phone providers to provide service to those areas in the name of public safety and if there was another way to remedy the situation. The Board would like future cell providers to be prepared to explain why those particular areas can't be covered.

There was a motion by John Golden to approve the language as written. The motion was seconded by Marianne Clements. VOTE: 5-0-0.

- c) Review and approve the minutes of the May 22, 2014 Public Hearing: ***There was a motion by Grace Ryder-O'Malley to approve the language as written. The motion was seconded by Marianne Clements. VOTE 5-0-0.***

- d) Any Other Business

The Planning Board received a letter from Attorney Eliot Parkhurst concerning the property at 79 Shank Painter Road. Ms. McPherson read the letter. Attorney Parkhurst was looking for a date to discuss Phase 2 of the project with the Board. Ms. McPherson has spoken with Attorney Parkhurst and reminded him that public input on the issue was taken at the joint meeting with the Board of Selectmen. She also told him that the Board was looking for a certified plot plan for the property. She asked the Board how it wanted to proceed. The Board discussed the matter and decided to hear the case at its September 25, 2014 Public Hearing and would like to schedule a site visit when adequate plans were received.

The Board briefly discussed topics for future deliberations, such as signs for bicycle riders on Commercial Street, food trucks and urban agriculture, including raising chickens and bee keeping. Ms. McPherson said that working on design standards for site plan review for the fall Town Meeting will most likely not happen as the general consensus in Town is that up-dating the Local Comprehensive Plan is a greater priority.

There was a motion by John Golden to adjourn the Planning Board meeting at 8:30 P.M.

Respectfully submitted,
Ellen C. Battaglini

Approved by _____ on _____, 2014

Mark Weinress, Chair