

PLANNING BOARD
Meeting Minutes
Thursday, October 13, 2016
Judge Welsh Room
6:30 P.M.

Members Present: Grace Ryder-O'Malley, Brandon Quesnell, Steven Baker and Dave Abramson.

Members Absent: John Golden (excused) and Ryan Campbell (excused).

Staff: Gloria McPherson, Town Planner and Ellen C. Battaglini, Permit Coordinator.

Acting Chair Grace Ryder-O'Malley called the meeting to order at 6:30 P.M.

Meeting Agenda:

1. **Public Comments:** None.

2. **Public Hearings:**

a) **Cases #FY17-06 & #FY17-07**

Application by **Coastal Custom Builders** requesting Site Plan Approval pursuant to Article 2, Section 2320, High Elevation Protection District (B), and a Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, of the Zoning By-Laws, for the demolition of an existing single-family house and garage and the construction of a new single family residence with a carport, pool, landscaping, new septic system and associated site work, including earth moving of more than 750 cu. yds. at the property located at **226B Bradford Street**. The applicant requested to postpone the matter until the November 10, 2016. *There was a motion by Brandon Quesnell to grant the request to postpone Cases #FY17-06 & #FY17-07 until the November 10, 2016 Public Hearing. Steven Baker seconded. VOTE: 4-0-0.*

b) **Case #FY17-09 & #FY17-10**

Application by **Deborah Paine, Inc.**, on behalf of **Russ G. LaJeunesse**, requesting Site Plan Approval pursuant to Article 2, Section 2320, High Elevation Protection District (A), and a Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, of the Zoning By-Laws, for the replacement of retaining walls, landscaping alterations and associated site work, including earth moving of more than 750 cu. yds. at the property located at **7 Creek Round Hill Road**.

Deborah Paine, on behalf of Mr. LaJeunesse, William N. Rogers, II, civil engineer, and Todd Westrick, landscape designer, appeared to present the application. Ms. Paine gave a brief history of work that has been done on the property, both in regard to landscaping and structural repairs to the house. Only minor structural repairs have been undertaken by a series of previous owners. An example is that the back left corner of the house has no foundation beneath it. This project, she said, will incorporate a fix for that situation into a retaining wall on the back left side of the house. There is an erosion issue in this area as well. In addition to the inattention to structural issues, previous owners have largely ignored landscaping problems, such as erosion, and, as this

is a steeply-sloped property, it has become a major problem. She said her team has worked very hard for a long time in order to resolve the issues on the property thoughtfully and in an environmentally sensitive manner.

Mr. Westrick reviewed his landscaping plan and explained how it would be implemented. He said that the project would start with the installation of a terraced timber retaining wall off the structure's left rear corner that lacks a foundation and where there is little vegetation. He said that no trees will be removed from the site. This timber retaining wall will be anchored to an existing retaining wall, the largest on the property. The retaining wall will be supported with a series of I-beams, which will be sunk 20' down into the sand. The tiebacks will be composed of chain and iron, instead of timber, and secure the wall to the I-beams. This should prevent any slippage of the wall down the slope. This will create a planted terrace, which will be vegetated with native plants, and will also serve as a staging area for the foundation repair. As that area is currently inaccessible, an existing retaining wall will be removed and a substantial amount of soil on an upper level will be excavated in order to reach the basement level footing. He said that the timber retaining wall would have to be excavated and built by hand. Straw bales with stakes will be placed just beyond the perimeter in order to protect the slope and disturb the least amount of soil. Once the initial terraced wall is in place, the fill from above will be put behind the other retaining wall and material, as well as other associated fill as mandated by the engineering specifications, moved downward. This will enable any equipment that is needed in the lower corner of the structure to move in without much disturbance. Work will then proceed outward from that area. The project includes stripping everything from the rear of the house forward and a large amount of soil will be moved, however not a lot of that material will be removed from the site, resulting in only a small net loss of soil.

Ms. Paine explained where the staging would be located and how an excavator would be moved onto the site. She said that all work would be done with only the smallest of machines possible. All concrete will be pumped onto the site and over the house.

Mr. Westrick said that there is also an existing angular timber wall above the proposed terraced wall that is rotten and erosion has been ongoing between the wall and the house. This wall will be replaced with a concrete retaining wall with concrete footings and will tie into the underpinning of the foundation of the house. The retaining wall will be cedar-shingled and will match the back of the existing house. In between the terraced wall and the cedar-shingled wall will be a gravel walkway to access the rear of the property for maintenance purposes. He pointed out that the proposal includes a graveled trench around the property, as there are no gutters on the house, for water management. On the front of the house, there are currently seven wall structures that will be consolidated into two structures, one of which will be a combination of both wall and stairs, the other a low stonewall 18" high. There is a small retaining wall along the street on the property line. The proposal includes taking the portion of the roadway that extends onto the property and adding gravel to convert it into additional parking spaces. Mr. Westrick reviewed the driveway proposal, which will potentially include adding larger stones to form a base, with a smaller stoned layer above it to make it more permeable in order to mitigate excessive run-off. On the other side of the house, in the rear, is the largest of the existing retaining walls that will be replaced, 30' long and 8' high. It is made of timber and clad in wood and is rotting and failing

under its own weight. He noted that there will be a large amount of soil excavated in this area as well.

Ms. Paine explained the work to be done on the right side of the house and how the large concrete retaining wall will be replaced in a manner that minimizes the excavation and movement of soil. The wall will be constructed using helical piles with pile caps. She explained that the footings will be poured at grade and helical piles placed into the soil, so there is no need to dig deeply into the soil to provide the vertical stabilization needed. A crane may have to be used to lift small machinery over the house if it cannot get up the grade to reach the work areas.

Mr. Rogers explained several of the engineering and design aspects of the retaining walls to be used in the project.

There were no comments from the public and no letters in the file.

The Board questioned the group. A question about lighting on the property was posed. Ms. Paine said that they would return to the Board with a lighting plan, including cut sheets, when the owner has had a chance to think about that aspect of the project. She mentioned the difficulty of establishing new plantings on the property given the heat and wind at the property. Mr. Westrick said that an irrigation system might be added to the site and a well dug, most likely near the road.

The Board discussed conditions, including not allowing a concrete truck or a crane on the property, the necessity to protect the road on behalf of the homeowner's association and videotaping its condition before and after construction activities, requiring dark sky compliant lighting fixtures on a lighting plan to be submitted at a later date, requiring that if there is a well dug on the property that it be in the front of the house, or the applicant will have to return to the Board if it has to be installed in another location on the property, that any irrigation system employ a rain sensor, that a surety bond of \$10,000 be submitted, or an escrow account created, as a performance guarantee and that the parking on the side of the road be verified with the homeowners' association.

There was a motion by Brandon Quesnell to approve Cases #FY17-09 and #FY17-10, requesting Site Plan Approval pursuant to Article 2, Section 2320, High Elevation Protection District (A), and a Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, of the Zoning By-Laws, for the replacement of retaining walls, landscaping alterations and associated site work, including earth moving of more than 750 cu. yds. at the property located at 7 Creek Round Hill Road with the following conditions:

- ***a dark sky compliant lighting plan shall be submitted and approved by staff;***
- ***a landscaping well for the irrigation system shall be drilled in the front of the property or the applicant will return for Board approval of an alternate location and the irrigation system shall be equipped with a rain sensor;***
- ***street parking and landscaping on the property shall be verified by the homeowners' association;***
- ***a surety bond of \$10,000 shall be posted as a performance guarantee for the project;***
- ***the current condition of the road shall be videotaped and logged so it can be verified at the end of the project; and***

- *any crane or concrete truck shall be located on the street, driveway and not in the front setback of the house.*

Dave Abramson seconded. VOTE: 4-0-0. Dave Abramson will write the decision.

3. Work Session:

a) Application by **William N. Rogers, II** on behalf of **Louis Lema & Jerome Crepeau** for endorsement of a plan believed not to require approval (ANR) to create three conforming lots located at **11 Oppen Lane (Assessor's Map 5-3, Parcel 43)**, **7A Point Street (Assessor's Map 5-3, Parcel 44)** and **17 Point Street (Assessor's Map 5-3, Parcel 42B)**.

William N. Rogers, II, civil engineer, appeared to present the application. He reviewed the site plan for the Board. The applicants seek to create three buildable lots with adequate frontage at the properties in question.

There was a motion by Brandon Quesnell to endorse a plan believed not to require approval (ANR) to create three conforming lots located at 11 Oppen Lane (Assessor's Map 5-3, Parcel 43), 7A Point Street (Assessor's Map 5-3, Parcel 44) and 17 Point Street (Assessor's Map 5-3, Parcel 42B). Steven Baker seconded. VOTE: 4-0-0.

b) **Discussion regarding Complete Streets Policy:** The Board had reviewed the draft policy for comments and suggestions. The Board discussed some changes, including emphasizing the public outreach process and public input and participation. Ms. McPherson will make revisions to that subparagraph of the 'Implementation' section. Also discussed was the 'Exceptions' section and the relationship between the Bicycle and the Complete Streets Committees. Ms. McPherson also reviewed the funding process. She mentioned that Mr. Campbell had ideas regarding the section on the evaluation of the effectiveness of the policy. The Board briefly discussed which Boards would have representatives on the Complete Streets Policy Committee. Ms. McPherson will revise the draft Policy for the next meeting.

c) **Discussion regarding Charter revisions to section on Planning Board:** This issue was not discussed.

d) **Discussion regarding the draft Inclusionary By-Law:** Ms. McPherson said that in lieu of Town Meeting, the BOS and the Town Manager suggested holding a Town Forum, in November, to discuss issues that would be on a Town Meeting warrant, such as the police station and the inclusionary by-law. The purpose of the Forum would be to get public feedback and suggest ideas in order that the public could make more informed decisions at Town Meeting. The Board would like a dedicated work session in order to discuss the inclusionary by-law. The Board discussed the Forum and ideas on how to best present the inclusionary by-law.

e) **Review of Joint Meeting with Board of Selectmen:** The Board reviewed what was discussed at the BOS meeting, including which issues would be brought to Town Meeting. The Board recommended suggestions for the Board's consideration, including food trucks, a density overlay district, housekeeping changes to sections 4120, 3200 2630 and 2560 of the Zoning By-

Laws and urban agriculture. The BOS chose to prioritize a density overlay district and food trucks. Ms. McPherson will bring her food truck survey to the next meeting for discussion.

f) **Mapping for increased density overlay zone for seasonal housing:** This topic was postponed.

g) **Update on 137 Bradford Street:** Ms. McPherson updated the Board on progress at the site. She received an email today from Scott Adams, an engineer hired by Seven Eleven. He said that his firm would be surveying and preparing a site plan and he asked for a pre-application hearing with staff. She met with Rich Waldo, Department of Public Works Director, to discuss how to move forward with the projects in that intersection.

h) **Mass. Citizen Planner Training Collaborative Fall 2016 Workshops:** Ms. McPherson reviewed the workshops and asked if any Board member was interested in attending any of them.

i) **Minutes of April 23rd, August 27th and October 22, 2015, January 14th, March 24th, April 28th, June 9th and September 22, 2016 meetings.**

September 22, 2016: *There was a motion by Steven Baker to approve the minutes of August 25, 2016 as written. Brandon Quesnell seconded. VOTE: 4-0-0.*

j) **Any other business that may properly come before the Board:** Mr. Baker asked for an update on the project at 350 Bradford Street. He said that if the street trees needed to be moved to another location, he would volunteer to help in that process. Ms. McPherson said that a contract had just been signed and the escrow taken for the structural review. A geotechnical firm in Chelmsford would be performing the peer review for the project. She will check with other staff for updates on the project.

Mr. Quesnell recommended creating a planting list of native trees for applicants. He also suggested a list of standard conditions for cell companies for such items as generators.

Ms. Ryder-O'Malley raised the issue of false claims made by applicants in an effort to sway the Board, such as the claim that a certain structure is their permanent home when it is not and how to deal with it as a Board. It was suggested that it just be called out by a Board member when such a claim is made.

There was a motion by Dave Abramson to adjourn the Planning Board meeting at 9:00 P.M.

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2016
John Golden, Chair