

BILLERICA PLANNING BOARD

Town Hall
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2018 MAY 15 AM 9:31

Matthew K. Battcock, *Chair*
Marti Mahoney, *Vice Chair*
Patricia Flemming, *Secretary*

Christopher Tribou
Gary DaSilva
Dean Santoro

A Meeting of the Billerica Planning Board was held on April 30, 2018 at 7:00 P.M. at Town Hall Room 210, 365 Boston Rd. Billerica, MA. Present were Matthew Battcock (Chair), Patricia Flemming (Secretary), Christopher Tribou, Dean Santoro, and Gary DaSilva (arrived at 7:05). Christopher Reilly Director of Planning was also present. Marti Mahoney (Vice Chair) was absent.

Matt Battcock

Began the meeting with the Pledge of Allegiance. Introduced Chris Tribou as a newly elected member of the Planning Board.

Open Microphone:

There was no one signed up for the open microphone.

ANR Plans

There were no ANR plans.

Approval of Minutes

Matt Battcock

Make a motion to approve the minutes of March 12, 2018.

Pat Flemming
So moved.

Dean Santoro
Second.

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Matt Mattcock

All in Favor: 3

Abstained: Chris Tribou

Absent: Marti Mahoney, Gary DaSilva

Master Plan Progress Report

Chris Reilly

The status of the master plan will be discussed at town meeting, not on this evening's agenda. In 2015 we received somewhat of an expedited master plan from the consultant and we had some work to do; a few elements that we had to finish up with. We have done this and going to town meeting to report to them that we have a complete master plan and ready to be approved by the planning board and then certified by the state. Some people aren't sure of who is the authority to approve the plan, it is the planning board, but always best to bring to town meeting. On May 14, I will coming to the board and discuss the planning board approving it, perhaps some people will be providing input. Once it is approved by the board it will go off to the state to be certified, then is it live.

B2:Rocky Ledge Lane Public Hearing Continuance

Phil Paradis, Engineer with BETA (peer review for town)

Asked to do storm water peer review for this project. Project is basically converting gravel road to pavement. Following recommendations: Provide a test pit to determine seasonal high groundwater elevations and soil condition at the proposed infiltration basin. Provide watershed plan to confirm analysis area contributing runoff to the basin during pre and post development conditions. Provide pretreatment BMP (best management practice) to capture sediment and protect infiltrative capacity of soil in basin. Revise the infiltration rate for the basin from an A soil to match the Hydrologic calculations for surface condition use CN value for "C" soils – as identified on NRCS maps. Provide solid weir (curb) for basin overflow to allow retention and prevent seepage. Eliminate retaining wall on profile. Provide erosion controls. Provide easement agreement for basin on private property. Provide operation and maintenance plan identifying responsible party, inspection and maintenance requirements. Project is not in Wetlands Protection Act and does not disturb over an acre of land, therefore, not subject to BOH storm management regulations however these are general engineering practices that we recommend you look at to protect owners.

Chris Reilly

In the BOH comments they were asserting jurisdiction although it is really up to the planning board to make sure these items are addressed. Clearly needs a bit of a redesign to make sure the drainage is handled adequately.

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Matt Battcock

Concerned with people on Farden St. Certain items are not on plans. Make sure surrounding neighbors are not adversely affected.

Phil Paradis

There is water that runs down there now and we don't want to it be worse.

Chris Reilly

The Engineering Division has been trying to work with the applicant's engineer to try and achieve what the peer review report is addressing.

George Medeiros, Attorney representing the applicant

Received comments today and passed on to the engineer. Need time to address the comments; getting more expansive than originally thought. Request extension until May 14th at 7:20.

Rita Sullivan, Resident, 33 Farden St.

Reviewed some of the 3rd party comments. What size is the road going to be? Water flow from recent storms is getting worse and having more deterioration. Own about 1 acre and about a half of the lot is water and residue. Water has always been an issue, getting worse perhaps from more pavement and housing. No against building the house, just don't want flood.

Pat Flemming

Understand the concern of flooding. Feels town should be more involved in terms of paving and moving fire hydrant.

Chris Reilly

Road is not an accepted street and normally the town would be more involved. Current regulations are such that town does not maintain.

Chris Tribou

How long would it take for this road to be accepted?

Chris Reilly

The Planning board could advocate for it, but there is a priority list. There is also a back log so it would probably take quite a while. There are a large number of streets that are not accepted and some are in very bad shape.

George Medeiros

The roadway is 30 ft. wide, proposed pavement is 18 ft. with a foot berm on each side. Client does not want to pave the road although it seems that this part of the application

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process to get approval from this board. If the board wants to grant all waivers so they don't have to do any work to the road, my client would be very happy with that.

Chris Reilly

The pavement width reduces the cost. Pavement also is a drainage control (directs where the water is going) and is a public safety issue for emergency vehicles. Would say it is necessary. Perhaps waivers can be granted to reduce the pavement width. But to not pave the street would be problematic for drainage. Can speak with Engineering Dept. about what type of waiver relief can be granted so that the town can maintain it in the future once it is accepted, planning board is the authority but you want good recommendations to base decisions on.

Gary Dasilva

Motion to continue to May 14, 2018 at 7:20.

Matt Battcock

All in Favor: 4

Abstained: 1, Chris Tribou

Absent: 1, Marti Mahoney

B2: 190 Salem Rd. Public Hearing Continuance

Jim Dangora, Jr., Attorney for Chris Lord

The board had requested additional detail to plan. Property is 4.4 acres and BOA granted approval to create the lots on the plan. Lot 13 C is to be donated to Middlesex Canal Commission. Applicant's plan is to construct a new home for himself, sell the house up front to reduce his mortgage. Page 1 on plan states lot 13 C is not a buildable lot. Other detail is driveway and turn around space for emergency vehicles have been added and will be an easement area. Utilities have been added as well. Believe all criteria have been addressed. Comments have been received by other boards.

Chris Reilly

Properly prepared plan, has all the information we were looking for.

Marlies Henderson, Resident, 31 Sprague St.

Middlesex Canal Assoc. would be happy with the 3rd part of the parcels. On Salem Rd. in my opinion is there industrial use in a residential area and that I believe would be a bigger concern that adding a residential home.

Chris Reilly

Draft decision was handed to Mr. Dangora, reference to the Engineering Division and the BOH memo's. Engineering memo mentions need for revisions to the designs to address their comments before any permit is issued. Feel the planning board can go

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ahead and approve as proposed subject to the draft decision, then its minor revisions made to the plan before the issuance of the building permit.

Jim Dangora

Condition #4 discusses approval to BFD comments dated March 5, 2018. Believe the BFD has retracted those comments.

Chris Reilly

We can strike condition #4 as it was retracted.

Dean Santoro

Close public hearing for 190 Salem Rd.

Pat Flemming

Second

Matt Battcock

All in Favor: 4

Abstained: 1, Chris Tribou

Absent: 1, Marti Mahoney

Dean Santoro

Make a motion to approve B-2, 190 Salem Road, amending the striking of condition #4 on the draft decision.

Gary DaSilva

Second

Matt Battcock

All in Favor: 4

Abstained: 1, Chris Tribou

Absent: 1, Marti Mahoney

**SPSP: Hawthorn Development, 44 Nashua Rd., Public Hearing
Continuance**

Chris Reilly

Hawthorn requested continuance until May meeting. Letter has been received.

Dean Santoro

Motion to continue the public hearing to May 14, 7:30, at their request.

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Gary Dasilva
Second

Matt Battcock
Approved: 4
Abstained: 1, Chris Tribou
Absent: 1, Marti Mahoney

Appointment for Street Acceptance

Chris Reilly
Nominations needed for Town Meeting. Was on committee, term expired, needs board nomination again.

Matt Battcock
Nominate Chris Reilly to the Street Acceptance Committee.

Gary DaSilva
So moved.

Matt Battcock
All in Favor: 5
Opposed: 0
Absent: 1, Marti Mahoney

Chris Reilly
Need planning board member; gave overview of what is expected of being a member of this committee. Meet once or twice a year, request of selectman for warrant articles of street acceptances.

Pat Flemming
Nominate Chris Tribou to Street Acceptance Committee.

Dean Santoro
Second.

Matt Battcock
All in Favor: 4
Opposed: 0
Absent: 1

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B2: Pages Court Public Hearing

Gary DaSilva

Open public hearing of B2 Pages Court and waive the reading of the notice.

Dean Santoro

Second

Matt Battcock

All in favor: 5

Opposed: 0

Absent: 1, Marti Mahoney

John McKenna, Attorney representing petitioner.

Existing house at 24 Parker St. has gone thru BOA to subdivide into 2 lots, each with over 15,000 sf. The purposed lot line was not an existing line on a recorded plan of the Registry of Deeds, they needed to come to the BOA to have the new plan approved showing the new boundary lines. Both are rectangular lots. The new lot A will have a new dwelling on it, 100 ft. of frontage on Pages Court, which is an accepted street.

Chris Reilly

Recommend to accept. Minimal comments. Minimal conditions. BOH discussed high water table.

Chris Tribou

Would a buffer zone for a pathway be problematic to be added.

John McKenna

School is on the other side. Cannot get thru Parker St. This particular lot was never used. Somewhat of a finishing touch to the area.

John McKenna

Would not apply here.

Dean Santoro

Make a motion to close public hearing of Pages Court.

Pat Flemming

Second

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Matt Battcock
All in favor: 5
Opposed: 0
Absent: 1, Marti Mahoney

Gary DaSilva
Approve B2 Subdivision of Pages Court with the conditions as mentioned.

Dean Santoro
Second

Matt Battcock
All in Favor: 5
Opposed: 0
Absent: 1, Marti Mahoney

SPSP: 50 Manning Rd., JJB Realty, Public Hearing

Gary DaSilva
Open public hearing for SPSP of 50 Manning Rd. waive the reading of the notice.

Dean Santoro
Second

Matt Battcock
All in Favor: 5
Opposed: 0
Absent: 1, Marti Mahoney

Stephen Lentine, Attorney representing JJB Realty Trust
With me is John Cadagan who is a trustee, his son Brian Cadagan who is also a trustee. Also here with Christopher Klein, he is the architect and John Noonan who is the project engineer. 50 Manning Road is Cambridge Valve and Fitting. Want to add 620 sf addition onto 12,000 sf building. Will add entry vestibule and handicap ramp as well as unisex bathrooms, office space and janitor closet. Nothing that will impact the day to day functions of the site or to impact traffic. Various waivers were requested for drainage calcs, (new addition and ramp is going over already paved area) landscape, traffic, and consultant. Parking spaces will be shifted around, which will be meeting the numbers for zoning by laws. Feel it is in the public interest with the handicap access.

Chris Reilly
Agree with presentation, minimal impact. Landscaping is well maintained. No issues and recommend to close the public hearing.

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Matt Battcock
Function of the building?

Stephen Lentine
Distributer.

Chris Tribou
How did people get into building without having handicap access? Laws that mandate handicap access?

Steve Lentine
There are laws, older buildings are grandfathered in.

Gary DaSilva
Motion to close the SPSP for 50 Manning Rd, JJB Realty Trust

Chris Tribou
Second

Matt Battcock
All in Favor: 5
Opposed: 0
Absent: 1, Marti Mahoney

Gary Dasilva
Motion to approve the SPSP for 50 Manning Rd, JJB Realty Trust with the waivers as requested

Pat Flemming
Second

Matt Battcock
All in Favor: 5
Opposed: 0
Absent: 1, Marti Mahoney

Dean Santoro
Motion to adjourn.

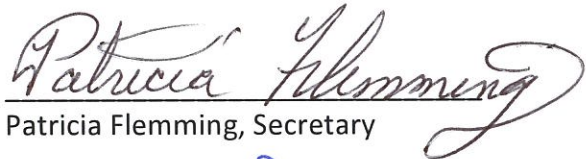
Gary DaSilva
Second.

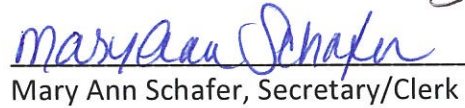
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Matt Battcock
All in Favor: 5
Opposed: 0
Absent: 1, Marti Mahoney

Next meeting scheduled for May 14, 2018.

I, Patricia Flemming, Secretary of the Billerica Planning Board, do hereby certify that the foregoing is a correct and true copy of the Planning Board meeting held on April 30, 2018.


Patricia Flemming, Secretary


Mary Ann Schafer, Secretary/Clerk