

BILLERICA PLANNING BOARD

**Town Hall
365 Boston Road Billerica, MA 01821
978-671-0962
978-670-9448 Fax**

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TOWN CLERK
BILLERICA

Matthew K. Battcock, Chair
Gary DaSilva, Vice Chair
Patricia Flemming, Secretary

Christopher Tribou
Blake Robertson
Janet Morris
Michael Riley

**Planning Board
Minutes**

July 20, 2020-Via Zoom @7:00 p.m.

Attendance: Matt Battcock, Blake Robertson, Gary DaSilva, Pat Flemming, Mike Riley, Chris Tribou, Janet Morris, Gary DaSilva
Interim Planning Director- Denise McClure

The meeting was videoed by BATV

Pledge of Allegiance

PUBLIC HEARING:

No Comments

Planning Board Reorganization:

Matt Battcock-Can I get a motion to nominate Mike Riley as Chair

Gary DaSilva: Motion to nominate Mike Riley as Chair

Seconded by Matt Battcock

All in Favor-6

Opposed-0

Absent Chris Tribou

Gary DaSilva: I would like to nominate Matt Battcock for Vice Chair

Seconded by Blake Robertson

All in Favor-6

Opposed-0

Absent Chris Tribou

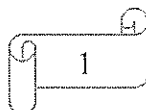
Janet Morris-Nominated Pat Flemming to remain as Secretary

Seconded by Blake Robertson

All in Favor-6

Opposed-0

Absent Chris Tribou



Gary DaSilva: Explained the only time a change is done with the committee is when one is open or someone no longer wants the position

Blake Robertson: Addressed his concern that he is not on a committee and would like to be

Mike Riley: Going to check with the Town Clerk to see if there are more available

237 Andover Road

Mike Riley: Asked to open the public hearing

Pat Flemming: Moved

Matt Battcock: Make a motion to open the public hearing and waive the reading of the notice for 237 Andover Rd.

Seconded by Gary DaSilva

George Mederios-Attorney for applicant

They are requesting consent to return to the BOA within the 2 year period of being denied. They have made material changes and the applicant does need all but 1 but one member to have this approved.

This is a material change. The property is on 83k sq. ft. they are dividing the property in 2, one lot being 53k sq. ft. and the other being 30k sq. ft.

Denise McClure: When you get denied by an application you cannot come back within 2 years unless you go before the Planning Board determines and that there is a material change. The board is not voting on the sub division, just the material change.

Gary DaSilva: I drove by the properties and those houses a tight together. They tried to sub divide this land years ago.

George Mederios-Attorney for applicant-The BOA also has to vote on this as well

Matt Battcock: There are significant changes on this plan and I think it should go back to the ZBA

Blake Robertson: I agree with Mr. Battcock

Janet Morris: I did look up the minutes from the ZBA and the neighbors are not for this. I am going have to be a no on this.

Chris Tribou: it does have significant changes

Mike Riley: I do see significant change and I would support this going back to ZBA

Pat Flemming: She doesn't have a problem with it going to ZBA

George Mederios-Attorney for applicant-Saying that the abutters are in support of it.

Open to Audience:

Glen Trot-4 Governor Road-He is not in support of this, stating that the neighbor is not in favor of this. We don't want to have to go back to ZBA, they have been trying to subdivide this for years.

George Mederios-Attorney for applicant-We are not building 2 houses, just on, they are tearing down the existing house.

Chuck Warren-5 Governor Peabody-Abuts the rear of the lot. Addressing the 20ft driveway doesn't have 15ft clearance on both sides. Feels these Pork chop lots should not be allowed

Matt Thorne-240 Andover-He was told he was going to be approached by Derek about this and he never was. He stated he never told them that he had his support.

Mike Riley-Make A motion to close the public hearing
Seconded by Pat Flemming
All in Favor-6
Opposed-0

Mike Riley-Make a motion to close the public hearing
Janet Morris: Make a motion to close the Public Hearing
Seconded by Pat Flemming
All in Favor-7
Opposed-0

Mike Riley- To accept the petition from 237 Andover Road to be sent back to the Zoning Board of Appeals.
Moved: Matt Battcock
Seconded by Chris Tribou
All in Favor-5
Opposed-2-Gary DaSilva, Janet Morris

Denise McClure: He needed 6 out of 7 to be sent back to the ZBA

Mike Riley- it was voted 5-2 the motion fails

45 Middlesex Trp-Special Permit-Pedestrian Bridge

Mike Riley: Can I get a motion to open the Public Hearing and waive the reading of the notice
Matt Battcock- I will make a motion to open the public hearing for site modification special permit 45 Middlesex Trp and waive the reading the notice
Seconded by Gary DaSilva
All in Favor-7
Opposed-0

Taylor Dowdy- BSC Group Representing EMD Serono
We want to have a connector bridge from EMD Seronos current building to their new building currently under construction. Rather than have folks walk outside, they want to have a connecting bridge. The bridge will be 130 feet long. We have designed the bridge to be integrated into the new site plan which was approved in 2018. There will be underground utilities, we are proposing to connect any storm water runoff from the bridge and connect it to the new infiltration system already installed.

Denise McClure: The size of this project, the change is small.

Matt Battcock-Asking Denise if there was Peer Review

Denise McClure-No, because of the size of the change

Pat Flemming: Will the bridge be covered?

Taylor Dowdy- BSC Group Representing EMD Serono-Yes it will be covered and it will be heated and cooled

Pat Flemming-What if there was a fire?

Taylor Dowdy- BSC Group Representing EMD Serono-I will need to confirm if it will have sprinklers or not. This Bridge also has a clearance of 16 ½ feet

Comment from Public

John Burrows-38 Shawsheen Rd-If I am correct this project received TIF money?

Mike Riley- I believe so

John Burrows-Explained how he dropped off 5 affidavits to the Planning board from workers being paid in cash and he is concerned that as a tax payer they hire a subcontractor that provides business in this way. When an affidavit is received at this project we will be looking for the Planning Board to pull the permit as documented in the papers that was voted on 4-1-1 on January 29, 2018

And we are also working on a policy right now for TIF money, hopefully we get that in for fall Town Meeting, so if someone is caught, they can pay back the Town the money that they are giving.

Kerri Rufo-Addressing Matt Battcock, confirmation that John Burrows did come in with the documents.

Matt Battcock-I believe that any violations the Building Inspector pulls any permits, either way it is a significant problem and I do support that.

Mike Riley-I agree with Matt, the Planning Board does not go out and inspect the site.

John Burrows-Just to be cleared the 5 affidavits that I dropped off this week, they are currently working 164 Lexington Road. We just need responsible contractors who do the work in Town to keep the public safe, regardless if it is open shop or union.

Mike Riley-Motion to close the public hearing

Seconded by Matt Battcock

All in Favor-7

Opposed-0

Mike Riley-Vote to approve EMD Serono modification to Site plan Special permit at Middlesex Trp

Matt Battcock-I will make a motion to approve EMD Serono modification to Site plan Special permit at Middlesex Trp

Seconded by Janet Morris

All in Favor-7

Opposed-0

480 Boston Road-PUD

Mike Riley-The applicant asked to postpone the hearing

Mike Riley-Make a motion to postpone the hearing till August 24th

Gary DaSilva-Make a motion to postpone the public hearing till August 24th

Seconded by Matt Battcock

All in Favor-7

Opposed-0

Approval of Minutes

Mike Riley-Can I get a motion to approve the minutes for February 10, 2020

Moved by Gary DaSilva

Seconded by Janet Morris

All in Favor-7

Opposed-0

May 11, 2020 Minutes

Janet Morris-Scripters error, Correntis name is spelled wrong

Gary DaSilva-Make a motion to approve the minutes with the correct spelling

Seconded Matt Battcock

All in Favor-7

Opposed-0

June 8, 2020

Janet Morris- I make a motion to accept the minutes approve the minutes from June 8th 2020

Seconded Gary DaSilva

All in Favor-7

Opposed-0

Janet Morris-Do the Selectmen have a committee to work with finding a Planning Director, when will be voting on that and if so I would be interested.

Gary DaSilva-I want to hire Denise permanently

Matt Battcock-The selectmen want to get a committee when we have applicants for the position. That is in the future sometime. It would be 3 members of our board that would sit with John Curran; it would be like an interview process.

Mike Riley-I would wait till it becomes official that we get a notice and we can put in on the agenda

Janet Morris-We have been without a Planner and we dealt with Marijuana Dispensaries, PUD's and maybe we could ask the Town Manger what his timeline is.

Gary DaSilva-I think that Denise has been doing a fantastic job

Janet Morris-I agree, I love Denise as well but we need someone permanent

Mike Riley-I will look into it

Matt Battcock-We are going to have someone permanent because it is a union job. Denise has done an excellent job and I would like to see her stay as well.

Mike Riley-I will reach out to Mr. Curran once he is feeling better.

Adjournment

Gary DaSilva-Motion to Adjourn

Seconded by Matt Battcock

All in Favor-7

Opposed-0