

Cassimere Street:

The Board reviewed Ms. Byerley memo to the Board dated August 26, 2008; following a detailed discussion on whether or not to extend the guarantee the Board voted to extend the guarantee. On a motion by Mr. Chizzio seconded by Ms. Anderson the Board voted to extend the performance guarantee for the Cassimere Street subdivision through April 2009. **Vote Unanimous (5-0)**

River Road PDS (Priority Development Site):

Mr. Materazzo reviewed his memo to the Board dated September 4, 2008 and noted that he has spoken to several stakeholders in the River Road area who have expressed interest in collaborating with the Town to advance a PDS designation. Mr. Materazzo noted that these properties are already permitted, built and/or are sitting vacant. By moving forward with a PDS designation, it will help raise the visibility of these sites and assist in attracting new businesses to the area, thus creating new jobs and tax revenue for the Town. Ms. Anderson questioned if stakeholders would be entitled to the technical assistance grant money. Mr. Materazzo noted they would not be entitled to the grant money but if they wanted to modify their approved plan before the Board, the expedited permitting process would be in place, by virtue of the work that the Tri-Town Task Force plans to move forward during the master planning of the I-93 development area. The Board discussed the PDS process and some members thought that a policy should be developed for the criteria for selecting PDS sites to ensure consistency during the selection process.

Merrimack Estates:

The Board opened the public hearings that were continued from the August 26th meeting on an application by Wiled Realty Trust for a proposed 8-lot Definitive Subdivision Plan and a Special Permit for Earth Movement entitled Merrimack Estates. Ms. Byerley reviewed her memo to the Board dated September 4, 2008, including the draft Landowners' Association documents, drainage easements, looping of the water main and the applicant's waiver request to eliminate the sidewalk on Christian Way. Ms. Byerley informed the Board that revised plans would be necessary to clean up inconsistencies within the plan sets. Jeff Rider of Cuoco and Cormier Engineering Associates representing the applicant, requested that the Board close the public hearing with a stipulation that the revised plans must be received prior to issuance of a decision. Mr. Salafia informed the applicant that once the public hearings were closed they would be unable to take in any information. On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to continue the public hearings on an application by Wiled Realty Trust for a proposed 8-lot Definitive Subdivision Plan and a Special Permit for Earth Movement entitled Merrimack Estates until September 23, 2008 at 8:30 p.m. **Vote Unanimous (5-0)**

34 & 36 Oriole Drive:

The Board took up the deliberations on an application of George Hughes and Douglas Ahern for a Definitive Subdivision plan entitled 34 & 36 Oriole Drive and a Special Permit for Earth Movement located at 34 & 36 Oriole Drive. The Board reviewed Ms. Byerley's memo to the Board dated September 5, 2008 and suggested the following changes:
In the body of the memo delete the words "and street improvement to Town Standards".
In A.) Waiver Requests – in the last sentence delete "a waiver" add "waivers" delete the word "said" add the words "the following"

Call to Order:

The meeting was called to order at 7:36 pm. Present were Chairman, Paul Salafia, and members, Linn Anderson, Selena Goldberg, Vincent Chiozzi, John McDonnell (arrived at 8:02 pm), and associate member Joan Duff; also present were Director of Planning, Paul Materazzo, Senior Planner, Lisa Schwarz, and Planner, Jacki Byerley.

Planning Session:

The Board took up the discussion on the preliminary overview of issues with the current zoning bylaw section 5.2. Signage. Ann Constantine of the Design Review Board gave an overview of why she was before the Board. Ms. Constantine noted that she is creating a memo and a binder that will include photos of signs that comply, and that don't comply with the current sign by-law for the Board to review and a memo outlining the proposed changes to the bylaw. Ms. Constantine also reviewed overlay renderings of an improved streetscape with the existing conditions and noted that she would draft a vision statement for the downtown area. Chairman Salafia questioned if there was a problem with windows signs. Ms. Constantine noted that window signs could be improved by having more contrast and color. She noted that she wants to meet with other town departments and building owners to have their input on the issues with signs. The Board discussed strategies to encourage input to the bylaw revisions from building and business owners, and suggested a mailing to downtown building owners. Ms. Goldberg suggested that that a rendering of a sign should be done from a pedestrian's point of view. The Board also noted that the bylaw must take into consideration a company's logo.

7 Connector Road:

The Board opened the continued public hearing from the August 12th meeting on an application by RK Trust for a Special Permit for a Major Non-Residential Project for the proposed addition of 29,268 s. f. to the existing 30,208 s. f. office/warehouse building located at 7 Connector Road. Ms. Byerley reviewed her memo to the Board dated September 5, 2008 including DPW's memo dated September 8, 2008 stating all issues have been addressed. Eugene T. Sullivan of Eugene T. Sullivan Inc., representing the applicant gave an overview of the proposed project including the drainage, stormwater management plan, future parking plan, and the fire lane requested by the fire department. On a motion by Ms. Goldberg seconded by Ms. Anderson the Board voted to close the public hearing on an application by RK Trust for a Special Permit for a Major Non-Residential Project for the proposed addition of 29,268 s. f. to the existing 30,208 sq.ft. office/warehouse building located at 7 Connector Road. **Vote** Unanimous (5-0)

Winterberry Lane:

The Board opened the public hearings that were continued from the August 12th meeting on an application by Boxwood Development LLC, for a Definitive Subdivision Plan and a Special Permit for Earth Movement located at 23 Woburn Street. Ms. Byerley reviewed the applicant's request dated September 5, 2008 to continue the public hearings without discussion until the next meeting. On a motion by Ms. Anderson seconded by Ms. Goldberg the Board voted to continue the public hearings without discussion until September 23, 2008. **Vote** Unanimous (5-0)

34 & 36 Oriole Drive (cont.):

Condition # 33 - delete condition # 33 and subsequently renumber the remaining conditions
Condition # 27 - in the first sentence delete the words "prior to completion of the"; and to delete the last sentence of the paragraph.

Conditions # 32 – begin the condition with "Prior to release of the account".

On a motion by Ms. Anderson seconded by Ms. Goldberg the Board voted to approve the Definitive Subdivision plan entitled 34 & 36 Oriole Drive and the Special Permit for Earth Movement located at 34 & 36 Oriole Drive subject to the 36 conditions outlined in Ms. Byerley's memo to the Board dated September 5, 2008 subject to:

A. Minor changes to staff's memo outlined in Ms. Anderson's copy of the memo which she submitted to staff

B. The following changes to the proposed conditions in Jacki Byerly's memo to the board dated September 5, 2008.

1. Condition # 27 shall read:
Prior to issuance of any Clearance Certificates for the site, the developer shall have established a segregated account, which shall be used to secure proper stabilization and removal of all erosion controls. Said account shall be established in an amount recommended by the Town Engineer and approved by the Planning Board and secured in a manner and form approved by the Board.
2. Condition # 32 shall begin with: "Prior to release of the account"
3. Condition # 33 shall be deleted and conditions 34-37 will be subsequently consecutively renumbered

Vote Unanimous (5-0)

On a motion by Ms. Anderson seconded by Ms. Goldberg the Board voted to grant the waivers requested by the applicant George Hughes and Douglas Ahern for 34 Oriole Drive as listed on page 2 of Ms. Byerley's memo to the Board dated September 5, 2008. The Board voted to grant the above mentioned waivers for the following reasons:

1. The applicant was able to clearly demonstrate, with plans prepared by a Registered Land Surveyor, that his subdivision could fully comply with the Rules and Regulations Governing the Subdivision of Land in the Town of Andover;
2. Strict compliance with the Rules and Regulations would require the removal of a significant number of mature trees and other vegetation, an unnecessary increase in impervious area, and would require other environmentally insensitive land development practices.
3. The granting of the waivers would preserve and protect the natural resources and features on the site, while allowing only the same number of building lots as a strictly complaint subdivision.
4. **Vote Unanimous (5-0)**

Following the vote and prior to the Board deliberations on 5 Campanelli Drive the Board voted to reopen the deliberations on an application of George Hughes and Douglas Ahern for a Definitive Subdivision plan entitled 34 & 36 Oriole Drive and a Special Permit for Earth Movement located at 34 & 36 Oriole Drive. On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to amend condition # 17. The last sentence shall be changed to read:

This restriction may not be released until an occupancy permit has been issued for the subject lot at which time this condition will be deemed satisfied. And all other previously voted upon conditions for Oriole Drive still apply.

Vote Unanimous (5-0)

5 Campanelli Drive:

The Board took up the deliberations on an application by Gutierrez Company for a Special Permit for a Major Non-Residential Project to allow for the construction of a new, three-story, 100,000 s.f. office building located at 5 Campanelli Drive, more specifically identified as

5 Campanelli Drive (cont.):

Assessors' Map 142 lot 6. Mr. Materazzo reviewed his memo to the Board dated September 3, 2008. The Board reviewed Mr. Materazzo's memo dated September 3, 2008. Following a detailed discussion of lighting, lighting plans, spillover of lights onto adjacent properties and some suggested changes to the conditions, it was the consensus of the Board to continue their deliberation to the next meeting.

Adjournment: The Board voted to adjourn the meeting at 9:40 p.m.