

Call to Order:

The meeting was called to order at 7:32PM on January 13, 2026 via Zoom online video conferencing platform. Present was Vice Chair Zachary Bergeron; Members Morgan von Prelle Pecelli, Rocky Leavitt (joined at 7:38PM), Vincent Chiozzi, Jr (joined at 8:15PM via phone call), and Associate Lelani Foster. Also present was Paul Materazzo, Director of Planning & Land Use, Lisa Schwarz, Assistant Planning Director, and Monica Gregoire, Associate Planner. A recording of this meeting is available at:

https://andovertv.org/planning_board_meetings.

DISCUSSION ITEMS:**33 Chestnut Street – HOA Documents:**

Due to a conflict of interest, Mr. Leavitt recused himself and was not present for the discussion. The Board reviewed a memorandum concerning the Master Deed and Declaration of Trust required under Condition 15 of the approved decision for 33 Chestnut Street, Townsman's Row Condominiums. Town Counsel had thoroughly reviewed the documents and recommended approval.

On a motion by Ms. von Prelle Pecelli, seconded by Ms. Foster, the Planning Board voted to accept and approve the Master Deed and Declaration of Trust associated with the Townsman's Row project.

Vote: (3-0)

7 Tantallon Road – Reciprocal Easement Agreement:

The Board discussed the reciprocal easement agreement for 7 Tantallon Road, related to a previously approved Planned Development Multifamily Dwelling Special Permit. Planning Staff summarized that the agreement covers shared access, utilities, visitor parking on 16 Haverhill Street, and snow storage to satisfy Condition 15. Town Counsel had reviewed the agreement and recommended approval. Ms. Foster questioned where certain easements were shown on the plan. Attorney Bob Lavoie of Johnson & Borenstein, LLC, representative for the applicant, explained that the correct, updated reciprocal easement plan dated October 14, 2025 clearly labels these areas but was not included in the packet and agreed to email it to Staff.

On a motion by Mr. Leavitt, seconded by Ms. von Prelle Pecelli, the Planning Board voted to approve the Reciprocal Easement Agreement proposed by NRJP, LLC and 2025 REA Plan between parcels located at 7 Tantallon Road and 16 Haverhill Street satisfying Condition 15 of Planning Board Special Permit SP22-12, based on the presumption that Town Staff has the ability to review and approve the record plan identified in the applicants submission materials. **Vote: (4-0)**

Ministers Estates – Minor Modification Request:

The Board reviewed a minor modification request due to a drafting error on the subdivision plan, specifically a nine-square-foot discrepancy between parcel A and 84 Spring Grove Road. Dan Koravos of DK Engineering LLC was present on behalf of the applicant. This error pertained to the drainage basin and did not affect any buildable lots. The Board reviewed exhibits illustrating the issue and confirmed the correction would have no substantive impact.

On a motion by Ms. von Prelle Pecelli, seconded by Mr. Leavitt, the Planning Board voted to determine that the request submitted by DK Engineering for Ministers Estates, seeking to correct a drafting error, constitutes a minor modification, as it does not expand the scope or nature of the original permit nor render the project non-compliant with the Zoning Bylaw. **Vote: (4-0)**

On a motion by Ms. von Prella Pecelli, seconded by Mr. Leavitt, the Planning Board voted to approve the minor modification request to allow for the correction of the drafting error on Parcel A as associated with the Ministers Estates subdivision. **Vote: (4-0)**

Application Fee Schedule:

The Board engaged in a comprehensive discussion of the application fee schedule, particularly regarding fees for Site Plan Review Multifamily Overlay District with a mixed-use structure, as an application for a large development was expected to be submitted soon. Staff presented a comparative analysis, noting Andover's fees were higher than those in similar communities and proposed capping the per-unit fee at 200 units. Board members debated the merits of a fee cap, tiered fee structures, and whether the fees reflect actual Town costs without being cost-prohibitive. Mark Johnson of Johnson & Borenstein, LLC, representing the applicant, advocated for a cap to align with regional norms. Ultimately, the Board decided to add a new line item to the fee schedule for Site Plan Review in the Multifamily Overlay District with Mixed-Use Special Permit, setting the structure at \$500 plus \$500 per dwelling unit, and \$0.20 per gross commercial square foot, while deferring a final decision on a unit cap or tiered fees pending further analysis.

On a motion by Mr. Leavitt, seconded by Ms. von Prella Pecelli, the Planning Board voted to update the application and review fee schedule to include a new line item, Site Plan Review Multifamily Overlay District with Mixed-Use Special Permit, as identified in the amended fee structure, which deletes the up to 200 units for the development. The advertising and processing fee shall read \$500 plus \$500 per unit mixed-use structure and \$0.20 cents per gross foot for commercial. **Vote: (5-0)**

Minutes:

On a motion by Ms. von Prella Pecelli, seconded by Mr. Leavitt, the Planning Board voted to approve the minutes for the December 9, 2025 meeting. **Vote: (5-0)**

Other Planning Related Topics:

Staff noted that an update on the Route 133 corridor project would be placed on the next agenda, with Working Group Members present to discuss project progress. Staff further noted that the warrant for zoning and general bylaw articles would close soon, and the schedule for public hearings in February and March would be set at the next meeting. Board members discussed their availability for upcoming meeting dates.

Ms. von Prella Pecelli recused herself from the forthcoming discussion on Weeping Willow Estates due to a conflict of interest and signed off from the meeting at 8:37PM.

Weeping Willow Estates – Bond Reduction:

The Board discussed a request to reduce the performance guarantee for Weeping Willow Estates following a site review and revised recommendation from the Department of Public Works (DPW). Staff explained that the applicant sought the reduction in preparation for eventual street acceptance, and DPW confirmed most work was completed, recommending the bond be reduced to \$157,200. Board members discussed the intent of the bond—to ensure the Town could complete outstanding work if needed—and confirmed that the revised estimate was provided by DPW, not the developer.

On a motion by Mr. Leavitt, seconded by Mr. Chiozzi, the Planning Board voted to approve the reduction of the Performance Guarantee to secure the proper construction and completion of the services and ways to \$157,200 as recommended by the Department of Public Works in a memo dated December 23, 2025.

Vote: (4-0)

Adjournment:

On a motion by Mr. Leavitt, seconded by Mr. Chiozzi, the Planning Board voted to adjourn the meeting at 8:44PM. **Vote: (4-0)**

Documents:

33 Chestnut Street

- Townsman’s Row Condominium Trust Declaration of Trust – 12.10.25
- Master Deed of Townsman’s Row Condominium – 12.10.25
- Email Correspondence between Johnson & Borenstein, LLC and Town Counsel RE: HOA Documents – 11.17.25-1.6.26
- Email from Town Counsel to the Planning Staff RE: HOA Documents – 1.5.26
- Memorandum from Monica Gregoire to the Planning Board RE: Project Update and Recommended Motion – 1.13.26

7 Tantallon Road

- Plan of Land Depicting Easements – 1.19.83
- 7 Tantallon Road Special Permit Decision SP22-12 – 1.26.23
- Reciprocal Easement Agreement Plan – 10.14.25
- Memorandum from Johnson & Borenstein, LLC to Town Counsel RE: Draft Reciprocal Easement Agreement – 12.4.25
- Memorandum from Town Counsel to the Planning Board RE: Reciprocal Easement Agreement – 12.9.25
- Reciprocal Easement Agreement – 1.7.26
- Memorandum from Monica Gregoire to the Planning Board RE: Project Update and Recommended Motion – 1.7.26

Ministers Estates

- Subdivision Plan – 8.14.25
- Exhibit A – Parcel A Modification – 1.2.26
- Exhibit B – Parcel A Modification – 1.2.26
- Memorandum from DK Engineering LLC to Planning Staff RE: Drafting Error Correction – 1.5.26
- Memorandum from Paul Materazzo to the Planning Board RE: Project Update and Recommended Motion – 1.6.26

Application Fee Schedule

- 2026 Draft Fee Schedule – 1.7.26
- Permit Filing Fee Analysis – 1.7.26
- Memorandum from Paul Materazzo to the Planning Board RE: Project Summary and Recommended Motion – 1.7.26

Minutes

- December 9, 2025 Planning Board Meeting Minutes

Weeping Willow Estates

- Performance Guarantee Agreement Securing the Construction of Ways and Municipal Service – 12.13.23
- Memorandum from the Department of Public Works (DPW) to the Planning Board RE: Bond Amount – 12.23.25
- Memorandum from Monica Gregoire to the Planning Board RE: Project Update and Recommended Motion – 1.13.26

Miscellaneous

- January 13, 2026 Planning Board Meeting Agenda