

Call to Order

The Planning Board Meeting was called to order at 7:30 PM on January 26, 2021 via Cisco Webex online video conferencing platform. Present were Chair Zach Bergeron, Vice Chair Rocky Leavitt; members: Ann Knowles, Vincent Chiozzi, Neil Magenheim, and associate Morgan von Prella Pecelli. Also present was Jacki Byerley, Planner; Paul Materazzo, Planning Director; and Tom Urbelis, Town Counsel.

60 Canterbury Street – Special Permit for a Multi-family Attached Cluster (SP20-03) and a Special Permit for Disturbance of Slopes in Excess of 35% (SP20-04)

Doug Lees and Kathryn Morin were present for the discussion of this item. Doug mentioned that they were trying to make more space towards Scotland Drive. They opened up more space between the edge of the building and the berm. A building was moved to the edge of the parking lot along the edge of Country Club Drive. There will also be a smaller building that will be an accessory use to the condominium complex. They also adjusted the grading and utilities to address the changes made to the layout of the units.

Mr. Lees also presented a layout of the open space that designates what is restricted and common open space. Restricted open space is area such as the driving range and common open space is area such as the space around the units. The restricted open space could not be developed because of the open space laws.

Mr. Chiozzi asked if there was any space that is developable. Mr. Lees presented a slide that showed the limited amount of space left to be developed. There may be 6 or 7 single family house lots that are able to be developed. There are no locations for another project like 60 Canterbury Street.

Ms. Byerley stated that the Town departments have responded with their comments. The Department of Public Works requested plan updates.

Ms. Byerley asked about the status of the Andover-Cormier Greenbelt. The Greenbelt Corporation is a non-profit corporation. There are conservation restrictions on land that are not in the format that the State would approve.

Ms. Byerley and Mr. Magenheim asked about the accessory building that will be on land owned by the condominium association. Ms. Morin stated that the accessory building would be allowed to be owned by the country club by way of an easement.

Mr. Leavitt stated that he is concerned about the amount of changes that have been made since the Board first saw the plan. Mr. Lees responded by saying that the changes have been made to the plan due to the comments from the Board. Mr. Leavitt stated that he does not understand what the additional buildings add to the Board's concern over the open space. Mr. Leavitt stated that there is nothing protecting the smaller building from being restricted once the condominium association is turned over to the condominium owners. Ms. Byerley stated that this is something that the Board should consider and that the applicant should consider when they update their plans.

Ms. Knowles asked about the landscaping plan. Ms. Knowles stated that they may want to consider creating some separation between buildings with bushes or trees if possible. Mr. Lees said that he will take a look at what they can do to create separation.

Mr. Leavitt asked if there was consideration about if the applicant would put sidewalks along the road to the condominium complex. Mr. Lees stated that the applicant does not like the idea of people attending a wedding or golf tournament walking up the sidewalk to the condominium development.

Ms. Knowles made a motion to continue the public hearing to the February 9, 2021 and February 23, 2021 Planning Board meetings. Mr. Leavitt seconded the motion. Mr. Bergeron conducted a roll call vote with all members voting affirmatively.

Capital Senior Housing Andover – Release of Erosion Control Bond for 139-143 Elm Street and 26 Pine Street (Stonehill of Andover - 141 Elm Street)

The Conservation Commission issued the certificate of compliance and it recorded at the registry. Ms. Knowles made a motion to release in full the erosion control bond for 123 Elm Street and 126 Pine Street. Mr. Magenheim seconded the motion. Mr. Bergeron conducted a roll call vote with all members voting affirmatively.

Town Counsel update on new zoning legislation

Mr. Urbelis stated that the state has passed new zoning legislation that required communities served by the MBTA, such as Andover, to provide at least one reasonably sized zoning district in which multi-family housing is permitted as of right – without the need for a special permit, variance, zoning amendment, waiver or other discretionary zoning approval. There must be a density of 15 units per acre and the zone must be within ½ a mile from the local MBTA station. The stick is if the community does not apply, the community would not be eligible for funds from the Housing Choice Initiative, the Local Capital Projects Fund, or the MassWorks Infrastructure Program.

Mr. Magenheim asked how the State is defining multi-family housing. Mr. Urbelis stated that multi-family housing is defined as a building with 3 or more units. There are many questions to be answered, such as what is a reasonably sized zoning district.

Mr. Materazzo stated that the state is looking for communities to establish a zoning district where a more densely populated district can be established around transit stations.

Mr. Chiozzi asked about what restrictions would be applicable. Mr. Urbelis stated that we should wait until guidelines come out before we say which restrictions would be applicable.

Mr. Urbelis also stated that the state legislation reduces Town Meeting vote on zoning amendments and zoning adoptions from two-thirds to a majority vote. Special permits may be issued by a simple majority for projects that are aimed to increase affordable housing and transit-oriented development. The legislation also permits a court to require a bond from a plaintiff who appeals the grant of a Special Permit, variance or site plan approval – aimed at appeals of approvals for multi-family housing permits.

Ms. Byerley asked about the reduction of the supermajority to a majority vote for a Special Permit for multi-family housing. Mr. Urbelis stated that the project must include 10% affordable housing for 30 years and be within a half mile of a MBTA station to allow for a majority vote.

Old Town Yard Disposition Process

Mr. Materazzo introduced the formation of the Town Yard Selection Committee. The Committee will include:

- Two members of the Historic Mill District Task Force
- Three at-large residents
- Planning Director
- Town Manager's Staff Designee

McCall and Almy will be assisting the community and the Committee with the selection process. Mr. Materazzo stated that mid-February is the target date to release the RFP.

Mr. Magenheim asked if there were any expectations of when the work will begin. Mr. Materazzo stated that there are several steps before we get to any idea of when they would be starting work.

Route 133 Corridor Study

Mr. Materazzo introduced the project and the need for improvements to be made to the corridor. The project would improve the sewer and water lines as well as improve connectivity for all users of the road. A lot of people have shown concern over the turning movements and traffic in the area. The planning team and TEC conducted office hours to allow one-on-one sessions to discuss the impact that the project would have on the abutting properties. The planning team also sent out two surveys to collect public input on the project to help decide between two alternatives.

Mr. Materazzo then presented the alternatives for the two intersections that would be reconfigured in the project.

Mr. Magenheim asked about the 305 North Main Street project. Mr. Materazzo and Ms. Byerley stated that it is an active project and the applicant has started demolition.

Mr. Materazzo stated that since we have collected all the community input, the engineering consultant, TEC, is preparing the 25% design. The project is being funded through the State Transportation Improvement Program.

Ms. Knowles asked if there could be a possible MVRTA bus shelter at the bus stop along Main Street. Mr. Materazzo said that could be a piece that is discussed with the MVRTA.

Mr. Leavitt asked what are participating and non-participating items. Mr. Materazzo explained that participating items are standard items that would be included in the design. Non-participating items would be elements such as benches, ornamental lights, and more elaborate landscaping.

Other Business

Ms. Byerley stated that the Town has created an Elder Services Task Force which will include one member of the Planning Board. Ms. Byerley asked the Board if any members would like to join the Task Force. Mr. Magenheim accepted the position in the Elder Services Task Force.

Ms. Byerley also stated that the March 23, 2021 Planning Board Meeting will be rescheduled due to a Town Election.

Adjourn

Mr. Magenheim made a motion to adjourn. Ms. Knowles seconded the motion. The Board conducted a roll call vote and all members voted affirmatively.

Documents

60 Canterbury Street

Memo from Jacki Byerley to Planning Board: 60 Canterbury Street– Special Permit for New Multi-Family Construction Attached Cluster Development Section 7.3 Special Permit for disturbance of slopes in excess of 35%

Inspector of Buildings Open Space Email – 1/19/2021

Fire Comments 1/6/21

Fire Comments 1/20/21

DPW Comments 1/25/21

Horsley Witten Group Memo – Stormwater Peer Review 1/13/21

Horsley Witten Group Memo – Stormwater Peer Review 12/21/20

Andover Country Club – Historical Overview – Kathryn Morin

Stormwater Management & Runoff Analysis – Land Engineering and Environmental Services, Inc. 1/6/21

Memo from LEES to Andover Planning Board 11/10/20

Memo from LEES to Andover Planning Board 1/20/21

5 Dove Lane email 1/14/21

2 Scotland Drive email 1/10/21

Erosion Control Release

Memo from Jacki Byerley to Planning Board 1/20/21

Memo from Marchionda and Associates to Jacki Byerley 1/18/21

Certificate of Compliance recorded at registry – 141 Elm Street

Zoning

Tom Urbelis Power Point presentation