Call to Order:
The meeting was called to order at 7:38 p.m. in the 3rd Floor Conference Room of the Town Offices. Present were Chairman Zachary Bergeron, Members Vincent Chiozzi (arrived at 7:50 p.m.), Joan Duff and Neil Magenheim, and Associate Member Rocky Leavitt. Also present were Lisa Schwarz, Senior Planner and Jacki Byerley, Planner.

27-45 Main Street:
Mr. Bergeron opened the continued public hearings for 27-45 Main Street, an application submitted by Touchdown, LLC, for a Modification of a Special Permit (SP17-04) issued by the Planning Board in September 2017. The proposed modification is to eliminate all residential uses from the special permit and for the development to consist of 47,518 s.f. of retail, restaurant and other commercial uses.

Mr. Bergeron noted that a site visit was held by the Board on May 21st. Mr. Leavitt stated that the Board was only able to see 1/3 of the building because of areas under construction and one of the businesses that is occupying the building without an occupancy permit was locked. Ms. Duff noted that in regards to the landscaping, the Board reviewed the proposed landscaping in the back lot and gave additional suggestions. The Board also viewed the trees on Main Street that have been damaged and will need to be replaced. Mr. Bergeron asked the Board if they felt the interior tour was satisfactory or if there needs to be another visit. Mr. Leavitt stated that the Board is limited and in a tough situation not being able to see the entire building. Mr. Magenheim stated that the Board needs clarity on the surface of the walkway between the Draper Block and Bank of America building. Mr. Leavitt questioned the uses in the basement level because he did not see any plumbing for a salon.

Bob Lavoie, an attorney representing the applicant noted that the business Mr. Leavitt referred to was able to be viewed by some of the Board later in the morning. Paul Kneeland, the applicant, stated that there is plumbing installed in the basement for the salon. He stated that the intent is to use pavers in the walkway of the alley. Mr. Leavitt asked what would preclude the use of pavers. Mr. Kneeland stated the location of a gas line as well as budgetary constraints. He stated that he relocated the gas service to the back of the building for aesthetic purposes, but Columbia Gas is not willing to change the depth of a pipe to accommodate the alley work. There are also grading issues that need to be dealt with in order to be able to have pavers.

Mr. Magenheim noted that at the top of the alley on Main Street there are steps going down to the Bank of America building. He asked if those steps will be made safer. Mr. Kneeland stated that Bank of America is going through a substantial renovation and he is trying to get clarifications from both Bank of America and the Inspector of Buildings on what will be allowed. At a minimum it will be made safe and passable.

Mr. Leavitt asked how much longer the scaffolding will be up. Mr. Kneeland stated that the scaffolding will remain in place for 2-3 weeks. Mr. Magenheim asked about potential street tree relocation. Mr. Kneeland stated that he will be happy to replace the trees on Main Street that were damaged by the scaffolding in their existing locations or closer to the entrance of the building.
27-45 Main Street (cont’d):
Mr. Magenheim asked if the “TD Bank Parking Only” signs should be re-worded as those parking spaces will be available to patrons of Draper Block outside of banking hours. Mr. Kneeland stated that he can speak to TD Bank about the signage. He added that TD Bank has a full time parking attendant.

Aimee Hellauer of 6 Chestnut Street asked how many booths will be in the salon, if it would be independently operated and the hours of operation. Mr. Kneeland stated that he anticipated the hours of operation would generally be Tuesday-Saturday late morning to early evening. There may be off hour times that the salon would be in use for an occasion such as a wedding. Ms. Hellauer asked about the status of the TD Bank canopy. Mr. Kneeland stated that there is no change or status update for the canopy at this time.

Mr. Magenheim noted that the salon is not typical as it is a rent-a-booth model. He questioned the structure and the hours of operation. Mr. Kneeland stated that he was doubtful that the salon would regularly be open late at night, but if was, there would not be an issue with parking.

Jen Tietjen of 2 Chestnut Street asked how many kiosks will be in the salon. She noted that because of her own personal schedule, she gets her hair cut later at night. She questioned if the number of kiosks could impact the parking. Ms. Schwarz stated that the number of kiosks does not change the parking need calculation because the calculation is based off of the square footage. The parking need is 1 parking space for every 600 square feet of floor area.

Mr. Magenheim asked when it is anticipated that the building will be finished. Mr. Kneeland stated the first or second week of July. Mr. Magenheim asked if the structure of tenants has changed now that the building is closer to opening. Mr. Kneeland stated that he hasn’t done any leasing in the last three months. The only signed tenants are the core tenants of Kidcasso, Touchstone and LaRosa’s.

On a motion by Mr. Magenheim seconded by Ms. Duff the Board closed the public hearing on 27-45 Main Street, a Modification to a Special Permit for Planned Development Mixed Use Special Permit 17-04. Vote: Unanimous (5-0).

400 Federal Street:
Mr. Bergeron opened the continued public hearings on applications submitted by Vicor Corporation, for a Special Permit for Major Non-Residential Project and a Special Permit for a Change in Parking Space Requirements for a proposed 85,000 s.f. addition to an existing building and related parking adjustments.

Steve Lewis of Gorman Richardson Lewis Architects, representing the applicant, stated that since their last public hearing, the square footage of the building has been increased by 3,000 s.f. (footprint increase of 1,500 s.f.). This was achieved by reducing the width of a driveway. Mr. Magenheim asked what the use of this space will be and Mr. Lewis stated that it would be used as a lobby area.
**400 Federal Street (cont’d):**
Mark Beaudry of Meridian Associates, an engineer representing the applicant, noted that the increase in the square footage of the building also caused an increase in the number of required parking spaces by 15 spaces. The parking demand can be met with the construction of a previously approved parking garage. Today the demand for parking is 500 spaces and there are 514 parking spaces on the plan. Based on the usage of the addition, the parking demand should not be increased by much. In his opinion right now it does not make sense to build the parking garage because it is not needed.

Mr. Beaudry stated that the application and plan have gone through two peer reviews for both the wetland delineation and the stormwater review. Isolated wetlands were discovered on the property but they have been found to be non-jurisdictional in size. The additional 3,000 s.f. is not increasing impervious area because it is being built on an already paved surface. This plan provides for cleaner runoff than what currently is in that location. The stormwater peer reviewer, Horsley Witten Group, is satisfied with the stormwater design and calculations as proposed.

Mr. Bergeron asked for Mr. Beaudry to elaborate on a comment that he made regarding the runoff being cleaner with the additional square footage being added to the building. Mr. Beaudry stated that MassDEP considers a roof area to be cleaner as opposed to a paved area. Therefore the roof runoff does not have to be pretreated before it is recharged.

Mr. Leavitt asked what the current status of the area where the parking structure would be built is, such as a wooded or grassed area. Mr. Beaudry pointed out the area of an existing parking lot that would be the location of a parking garage. Mr. Leavitt asked what the height of the parking structure would be compared to the building. Mr. Lewis stated that the parking garage would be about the same height as the existing building. Mr. Leavitt asked what the sizes were of the non-jurisdictional wetlands. Mr. Beaudry stated that the non-jurisdictional wetlands were 900 s.f. and 1,100 s.f.

Mr. Beaudry noted that the Department of Public Works has minor comments that can be easily worked out as conditions of approval or in construction documents. Mr. Chiozzi voiced concern over the possibility of conditioning items and then changing drawings at a later date. Ms. Byerley noted that the permitting drawings are not generally for the construction of the project. Construction drawings will be submitted to the Town when the building and water lines are finalized. She added that she is comfortable because what DPW has asked for is minor in nature.

Mr. Leavitt asked for a clarification on the parking. Mr. Beaudry stated that there are 500 parking spaces onsite now, and additional parking will be added at the beginning of construction along Interstate 93 for a net gain of 14 parking spaces and a total of 514.

On a motion by Ms. Duff seconded by Mr. Magenheim the Board closed the public hearing on 400 Federal Street, Vicor Corporation, a Special Permit for Major Non-Residential Project and Special Permit for Change in Parking Space Requirements. **Vote: Unanimous (5-0).**
**Samuel Way:**
Ms. Byerley stated that the Board has the documentation for the Declaration of the Samuel Way Homeowners’ Association. The Board approved this subdivision in 2018. This documentation has been reviewed and found to be acceptable by the Department of Public Works and Town Counsel.
On a motion by Mr. Magenheim seconded by Mr. Leavitt the Board approved the Declaration of Samuel Way Subdivision Homeowners’ Association and Bylaws as submitted.
**Vote:** Unanimous (5-0).

**Minutes:**
On a motion by Ms. Duff seconded by Mr. Magenheim the Board approved the Planning Board Minutes both held April 9, 2019 one of which includes the TriBoard Meeting with the Board of Selectmen and FinComm. **Vote:** Unanimous (5-0).

**146 Dascomb Road:**
Mr. Bergeron opened the continued public hearings on 146 Dascomb Road, a Special Permit for Major Non-Residential Project and a Special Permit for ID2 Zoning District Uses. Mr. Bergeron stated that the topics to be discussed tonight were site layout and details as well as water and sewer.

Rick Friberg of TEC, Inc. an engineer representing the applicant reviewed the site layout and details. He showed the Board the original plan submitted in December 2017 and the current plan. He noted that the original plan had a sea of parking and non-functional landscaping/greenspace. Mr. Friberg reviewed the circulation. The main entrance has been extended for better traffic queuing coming to and from Dascomb Road. Mr. Friberg stated that the interior landscaping has tripled in size. He reviewed the greenspaces in the center of the development as well as the greenspace along Dascomb Road. Mr. Friberg noted that the center greenspace is envisioned to be like Post Office Square in Boston. He added that he could imagine a coffee shop or ice cream stand in the center space at some point. He noted that in regards to the streetscape, the intention is to use black street furniture and black ornamental light posts with a mix of pavers and concrete. They may also add a landscaped strip between the street and the sidewalk.

Mr. Leavitt asked for an explanation of the pedestrian crossing from Building D to the greenspace. Mr. Friberg stated that based on Board feedback it was decided to make a 30 ft wide prominent crosswalk to anchor the greenspace. Mr. Leavitt asked if the crosswalk would be at grade. Mr. Friberg stated that the crosswalk will be at grade and pavers may be used to provide a contrast. He added that the plan has been changed so that there is less parking on the surface level which will make the circulation for drivers and pedestrians easier.

Mark Pascarella of 81 Osgood Street asked how many parking spaces are on the surface level. Mr. Friberg stated that there are 125-150 parking spaces in the center with additional spaces around the perimeter and about 80 spaces at the hotel.
146 Dascomb Road (cont’d):
Mr. Friberg reviewed the lighting sources on site. He stated there will be both primary lighting and lighting for ambiance. He noted that the Zoning Bylaw includes criteria that there be shields on the lights to ensure no spillover onto adjacent properties.

Mr. Friberg reviewed the landscaping and screening. He noted that the site plan review packages will include information on the streetscape elements, landscaping plans and lighting plans. He added that signage information would also be submitted at the site plan review application. A variance will be needed from the Zoning Board of Appeals for the signage because the development will need more signs than what is currently allowed in the Bylaw.

Mr. Friberg reviewed the utilities. There is an anticipated generation of 51,120 gallons per day of sewerage. The Department of Public Works has confirmed that the Town has adequate water for this development if a water loop is created between Smith Way and Dascomb Road. This water loop would be in addition to an existing water loop in the area of Restaurant Depot. The existing 8” water main on Smith Way will be upgraded to a 12” main. The applicant will coordinate with Town staff for gate valve placement at each phase.

Mr. Friberg stated that the Town wastewater system can support this development if required improvements take place. A lift/pump station will be constructed onsite to connect through a private force main to the Andover sewer system at Osgood Street. There will be gravity manholes to allow for other properties to tie into the pump station. There are no capacity issues today. When analyzing future development scenarios, there is capacity available in the Town system as long as improvements are made to increase capacity in the Central Street and Powder Mill areas. Capacity improvement projects may include: projects to remove inflow and infiltration (I/I) from the system (stormwater getting into the system), upsizing existing mains, installing new sewer mains and upgrading existing pump stations.

Mr. Chiozzi asked if the applicant would give money towards these improvements or if the applicant’s engineer would do the work. Mr. Friberg stated that he anticipated both. He added that the Town is developing I/I fees for sewer connection permits on all new projects based on number of gallons per day.

Mr. Chiozzi questioned why they aren’t going store the sewage onsite during peak rain events in large pump basins and then release it during dry conditions. Mr. Friberg noted that this all-commercial development does not have the same peak usage hours as homes in the Town. He stated that the logistics of timing of pump station operation will be included in the details. He added that the pump station and force mains will be one of the first things constructed.

Mr. Leavitt asked if there would be outdoor seating, and if so, how that may affect the walkability of the site. Mr. Friberg stated that there will be wider sidewalks in areas of outdoor dining. These areas will be mostly in the corners of the buildings. Mr. Leavitt asked if the outdoor dining areas will be fenced off. Mr. Leavitt showed an example of a landscaped barrier separating the dining from the rest of the sidewalk. Ms. Byerley asked how much of the development will be landscaped. Mr. Friberg stated that it is a requirement for 5% of the
146 Dascomb Road (cont’d):
dvelopment to be landscaped. He believes that the development will have 15% - 20% landscaping.

The Board discussed the private force main. Mr. Chiozzi noted that in his experience he has seen developers oversize force mains so that others could connect to it for a fee. Mr. Friberg noted that the proposed pump station would be sufficient for this development and anything west of Interstate 93. Due to issues with gravity, a second pump station would be needed on the east side of Interstate 93 if homes in that area wanted to tie into the sewer.

Mark Pascarella of 81 Osgood Street stated that he was concerned about the statements made regarding mitigation taking place when the DPW finds that there is a problem. He stated that he read the 2016 study by CDM, and the study states that there is already an overflow at the southern interchange that is causing the I/I at Powder Mill. Mr. Friberg explained that in the Powder Mill Square area, capacity will be reached when there is an addition of 374,000 gallons from the Dascomb Road area along with wet weather. Mr. Pascarella stated that the 2016 study states that today it is at overflow capacity which is causing the I/I problems at Lupine and Powder Mill. He stated that more capacity needs to be added now before the project starts. Mr. Bergeron noted that the applicant’s engineer is working with the Town to determine what improvements are needed before the project is built. Mr. Friberg stated that the I/I fees will be assessed each time a sewer connection permit is applied for during an individual phase. Mr. Pascarella stated that mitigation is not the answer and that this issue has to be dealt with upfront. He questioned what the Town will do if the fees assessed do not cover all of the costs related. Mr. Chiozzi asked Ms. Byerley to get feedback from the DPW on Mr. Sermos’s concerns.

Courtney Driscoll of 1 Carriage Hill Road asked about the second pump station at Carriage Hill and Dascomb Road that has been referenced in the MEPA filing. Mr. Friberg explained a second pump station to support residents in that area being able to tie into the sewer is not part of this project. Mr. Bergeron noted that any approval would be tied to specific plans, and the only pump station on the plans is on the subject property.

Janet Clarke of 5 Carriage Hill Road stated that she would love to be able to tie into sewer and asked if the second pump station should be part of this project. Mr. Bergeron stated that a second pump station is not and will not be part of this project. Ms. Clarke asked if future growth was accounted for in the water and sewer projections. Mr. Friberg stated that the projections account for background growth without specific projects included. He noted that developers of any future projects in Town will also have to address any capacity issues.

Evan Sermos of 6 Carriage Hill Road asked what the pump station would look like and Mr. Friberg showed the design. Mr. Sermos noted that the Town has an issue with brown water and he questioned what effect the increased flow of water to this development will have on the sedimentation in the pipes. Mr. Friberg noted that the DPW is the more appropriate entity to answer any sedimentation issues in Town. He has been told that the Town has an adequate supply of water to support the development.
146 Dascomb Road (cont’d):
Mark Pascarella of 81 Osgood Street expanded on Mr. Sermos’s comments on brown water. He stated that water flow in the area is 2-5 feet per second today and two is the limit for raising groundwater. In his opinion brown water now will be black with the addition of this development. He added that power often goes out at the water treatment plant and causes brown water. Last year the power went out 8 times, and once the power goes out you can have brown water for hours. This is something that needs to be considered.

It was decided that the next topics to be discussed on June 11th would be stormwater, ledge, water and sewer on June 11th.

On a motion by Mr. Magenheim seconded by Mr. Leavitt the Board continued the public hearings on 146 Dascomb Road a Special Permit for Major Non-Residential Project and a Special Permit for ID2 Zoning District Uses to June 11, 2019 meeting at 7:35 PM and June 25th at 7:35 PM. Vote: Unanimous (5-0).

Adjournment: The meeting was adjourned at 9:49 P.M.

Documents:

400 Federal Street:
   • 400 Federal Street Vicor Corporation Site Development Plans dated February 12, 2019 revised through May 3, 2019

Samuel Way:
   • Declaration of Samuel Way Homeowners Association

Minutes:
   • Andover Planning Board Draft Minutes of April 9, 2019, Regular Meeting
   • Andover Planning Board Draft Minutes of April 9, 2019, TriBoard Meeting