Call to Order:
The meeting was called to order at 7:34 p.m. in the 3rd Floor Conference Room of the Town Offices. Present were Chairman Zachary Bergeron, Members Vincent Chiozzi (arrived at 7:58 p.m.), Joan Duff, Ann Knowles and Neil Magenheim (arrived at 8:30 p.m.), and Associate Member Rocky Leavitt. Also present were Paul Materazzo, Director and Planning & Economic Development, Lisa Schwarz, Senior Planner and Jacki Byerley, Planner.

1 Minuteman Road and 161 River Road:
Mr. Bergeron opened the public hearing for 1 Minuteman Road and 161 River Road, an application submitted by One Minuteman LLC for a Special Permit for a Change in Parking Space Requirements to reduce the number of required parking spaces from 148 spaces to 134 parking at a previously approved 24,000 s.f. commercial development.

Austin Turner of Bohler Engineering, an engineer representing the applicant, stated that his client had filed this application after further discussions with the operators of the proposed daycare center regarding their staffing numbers. The daycare center will have special events a handful of times a year that may require all staff onsite at the same time. This would change the parking requirement from 140 spaces to 148 spaces.

The application is asking for a 10% reduction in the parking requirement. He noted that the original traffic study factored in shared parking at a rate of 10% for the mixed-use development. The request is for the provided 148 spaces to be allowed to be reduced to 134 parking spaces, with six parking spaces land-banked until if or when they are needed.

Ms. Duff asked for clarification that the additional parking spaces are not required because the number of students is increasing. Mr. Turner confirmed that the spaces were for teachers and that the spaces would only be needed for certain events such as graduations when the entire staff is present at once. Ms. Knowles asked what time of year and time of day these special events would take place. Mr. Turner stated that it would most likely be in the spring at mid-day. Mr. Bergeron asked if it is likely that other tenants in the development will have different head counts than initially projected that would require additional parking spaces. Jeff Spagat of One Minuteman LLC stated that he could not imagine that the other businesses would require additional staff.

Mr. Leavitt asked Mr. Turner to review the parking figures. Mr. Turner stated that the original special permit required 140 parking spaces. The approved plan provided for 142 parking spaces. With the all staff being present at the daycare at a peak time, the parking requirement rises to 148 parking spaces. The applicant is seeking a 10% reduction to allow 134 parking spaces to be built with 6 parking spaces held in reserve to be built in the future only if necessary.

Mr. Leavitt asked what would trigger the additional parking spaces to be built. Ms. Schwarz stated that the Inspector of Buildings could require the parking spaces to be built if he receives complaints. Mr. Turner noted that the owner of the property would most likely get complaints from tenants about parking issues first. Mr. Leavitt asked about the locations of the dumpsters and snow storage onsite and Mr. Turner pointed the locations out on the plan. He noted that the tenants will not want snow to prevent patrons from parking.
1 Minuteman Road and 161 River Road (cont’d):
On a motion by Ms. Duff seconded by Ms. Knowles the Board closed the public hearing. **Vote:** Unanimous (4-0).

1 Minuteman Road and 161 River Road Deliberations:
Mr. Bergeron opened the deliberations for 1 Minuteman Road and 161 River Road.

Mr. Leavitt stated that he doesn’t foresee the parking being a huge issue and there is a mechanism in place if it does become an issue. Ms. Schwarz reviewed the draft conditions with the Board.

On a motion by Ms. Knowles seconded by Ms. Duff the Board approved the Special Permit for a Change in Parking Space Requirements concerning ZBL section 5.1.12 for 1 Minuteman Road and 161 River Road. **Vote:** Unanimous (4-0).

161 and 163 Andover Street:
Mr. Bergeron opened the public meeting for 161 and 163 Andover Street, an application for Site Plan Review filed by the Town of Andover for a proposed 10,524 s.f. fire station.

Jeff Shaw of Context Architecture, an architect representing the applicant, reviewed the plan for the new Ballardvale Fire Station. He stated that the 2 story, slab on grade, 3-bay fire station will include crew quarters and a training/meeting room. He noted that the existing fire station will remain functional until the new fire station is occupied and then it will be torn down. He added that once the new station is built, the intersection of Clark Road and Andover Street will be rebuilt.

James Downing of Howard Stein Hudson, an engineer representing the applicant, reviewed the existing conditions of the site. He reviewed the access of the emergency equipment onto Andover Street. He reiterated that the removal of the existing fire station will allow for improvements to the roadway intersection.

Mr. Downing reviewed the stormwater design. He noted that in regards to the stormwater report he had received comments back from DPW, Health and the peer reviewer, Horsley Witten. He stated that they will incorporate all comments into a future revision.

Mark Johnson, representing the Permanent Town Building Committee informed the Board that the Ballardvale Historic Commission waived the demolition delay and approved the design. The Zoning Board of Appeals has granted a variance for the rear setback. The Conservation Commission opened their public hearing and is waiting on the stormwater peer review before they take a vote.

Mr. Bergeron asked about the grade differential between 163 Andover Street and the abutting parcel on Clark Road. Mr. Downing stated that there will be a 4-5 ft retaining wall on the property line. Mr. Shaw stated that the mechanical equipment will go in that area and it will be screened with a fence and plantings.
161 and 163 Andover Street (cont’d):
Ms. Byerley stated that an Interdepartmental Review was held with departments providing comments on the plan. She noted that the fire department is requesting a “Do Not Block” sign be put on Andover Street in front of the bays so that they are not blocked if a train stopped at the Ballardvale Rail Road Station backs up traffic. The DPW has provided written comments on utilities that will be incorporated into the plans with the comments from the peer reviewer, Horsley Witten Group. The Health Department requested that the generator be muted and had some comments about sewer connections.

Ms. Knowles asked about parking for the Ballardvale playground which is located across the street from the site. Mr. Shaw explained that parking will not be allowed on either side of Andover Street in front of the bays to allow the fire trucks to make a safe turn onto Andover Street from the station. However additional street spots could be gained when the intersection of Clark and Andover Street is rebuilt. Mike Mansfield, Fire Chief, stated that he anticipated parking spaces becoming available on Clark Road where parking is currently not allowed, so this is more of a parking swap.

Ms. Knowles asked how and where the fire trucks get washed. Chief Mansfield stated that per the Town’s wastewater management plan, all apparatus are washed in the bays where there are oil/water separator units. Ms. Knowles asked about the landscaping. Mr. Shaw stated that the Ballardvale Historic District Commission thoroughly reviewed the landscaping and approved the plantings.

Ms. Byerley stated that revisions need to be made to the plan in regards to utilities and stormwater. She recommended the Board continue the meeting to the August 13th meeting.

On a motion by Ms. Duff seconded by Ms. Knowles the Board continued the public meeting on 161 and 163 Andover Street Ballardvale Fire Station to August 13th at 7:30 PM.
Vote: Unanimous (5-0).

Minutes:
On a motion by Ms. Knowles seconded by Ms. Duff the Board approved the Andover Planning Board minutes for May 28, 2019. Vote: Unanimous (5-0).

Riverside Woods Zoning Discussion:
Attorney Mark Johnson, representing Pulte Homes, Inc., was present to discuss a possible change to the zoning language for the Senior Residential Community Overlay District for the age restriction to be lowered from the age of 62 to 55. He noted that when they previously approached the Board with this change, issues arose regarding the affordable units being counted towards the Town’s inventory with the Department of Housing and Community Development. Attorney Johnson noted that he had provided the Board with a letter prior to this meeting with four options to discuss in anticipation of petitioning Town Meeting for the zoning change. He noted that some members of the Board had previously expressed that if the affordable units continued to count towards the inventory, that they would be amenable to the age change.

The options Attorney Johnson presented were to amend the Zoning Bylaw in the following ways:
Riverside Woods Zoning Discussion (cont’d):

1. No one under 18 be allowed to reside in a market rate unit but for affordable units to allow residents under the age of 18;
2. Allow those under the age of 18 to reside in all units;
3. Construction of off-site affordable units;
4. Allow for payment in lieu of affordable units.

Mr. Chiozzi noted that some communities do allow the affordable units to be built off-site, but the details of that is provided in the initial application. Attorney Johnson stated that with Town Meeting approval of any of these options, the developer would still have to come back to the Planning Board to modify their special permit, at which time they would let the Board know where the affordable units are located. Mr. Chiozzi asked if all of the off-site affordable units would be in the same place. Attorney Johnson stated that there were different options for the locations of the affordable units. Ms. Knowles asked if all of the off-site units would be senior units. Attorney Johnson stated that she was correct. Mr. Chiozzi noted that there was a big difference between affordable units being dispersed throughout a development and having one development of all affordable units. Attorney Johnson stated that there would be a conversation with the Board regarding the mechanics of the affordable units. Ms. Knowles, Mr. Bergeron and Ms. Duff stated that the first option seemed like the only palatable one, but they were still having a hard time with it.

Mr. Chiozzi asked what was driving this request to change the age from 62 to 55. Reid Blute of Pulte Homes stated that a lack of prospective buyers in the price range and age range is driving the request for change. They have marketed to the 62+ age group for the last two years and it is going very slowly. He stated that when you restrict the age to 62+ you tend to attract buyers who are in their 70s or older because downsizing generally happens earlier. Mr. Chiozzi asked what has been sold of what has already been built. Mr. Blute stated that they have 100 units built, with 60 sold. Of the 40 remaining units, eight are affordable units. There are an additional 100 units to be constructed with occupancy expected this fall.

Ms. Knowles stated that her concern is that the age group the zoning was designed for cannot afford the market rate units. Mr. Blute stated that there are affordable units located in each building. Mr. Bergeron stated that the Board is referencing the affordability of the market rate units. Mr. Bergeron stated that the options being proposed don’t appear to be appealing to the Town. Attorney Johnson stated that from previous discussion he got the sense that the Board’s concerns were in regards to the loss of units off of the affordable housing inventory and keeping children out of the senior community. Ms. Knowles noted that she personally has always had an issue with the general affordability of the units. The developer knew going into the project what the age restriction was and that the Town was looking for a development that was broadly affordable to seniors. Attorney Johnson stated that one of the variables may be that there is not a large population of Andover seniors over the age of 62. Mr. Chiozzi noted that the development is not limited to Andover seniors. Mr. Leavitt stated that Andover’s senior population is the age segment that is supposed to have the highest growth in the coming years. It seems like there is no shortage of seniors in Andover and all he hears is that seniors are choosing to age in place because of the lack of inventory on the market. He felt that the price point of the units were the impediment to sale. He questioned if the developer has had any price reductions. He noted that
Riverside Woods Zoning Discussion (cont’d):
a similar Pulte Homes development in Reading has a price point $100,000 less than this
development. He felt that the developer should show good faith with a price reduction before the
Town should consider a zoning change.

Mr. Bergeron stated that the Board is open to continuing the conversation and considering this
further. Mr. Materazzo suggested that one member of the Board discuss this further with himself
Attorney Johnson and Mr. Blute and possibly come back to the Board in the future with updates.

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 topic to be discussed tonight was traffic.

Rick Friberg of TEC, Inc. an engineer representing the applicant gave an update on the proposed
traffic mitigation.

Dascomb Road / East Street / Shawsheen Street
- Retiming existing signal
- Increasing turn radius on Shawsheen Street to accommodate truck turns. Coordinate
design and improvements with Tewksbury town staff

Dascomb Road / Lovejoy Road / Acorn Drive
- Post-occupancy signal retiming
- Geometric improvements – widening general purpose lane
- Coordinate design with Town staff

The Board was concerned about the widening of the general purpose lane. The Board felt that it
would be safer to have a dedicated left turn lane onto Lovejoy Road with a red arrow in
additional to a dedicated lane to continue straight on Dascomb Road.

Dascomb Road / Clark Road / Bannister Road
- Geometric improvements
  - Separate / better delineate Clark & Bannister intersection
  - Align eastbound Dascomb fog line w/ centerline of road
  - Move Clark Road stop bar north to improve sight distance and reduce driver
    hesitation
  - Accommodate Andover Fire Truck (39’)
- Coordinate design with Town Staff

Dascomb Road / Andover Street
- Geometric improvements – Separate entering/exiting Dascomb Road traffic w/ median to
  reduce driver confusion and improve safety and efficiency of intersection
- Coordinate design with Town Staff
146 Dascomb Road (cont’d):
Dascomb Road traffic calming
- Sidewalk connection to Osgood Street, incorporating grass strip where feasible
- Commit to installing up to 4 Rectangular Rapid Flashing Beacons (RRFB) and crosswalks at the direction of Town Staff

Mr. Magenheim asked about crosswalk connections. He noted that there are not sidewalks on both sides of Dascomb Road. Mr. Friberg pointed out where the crosswalks and sidewalks would be added. Mr. Chiozzi stated that he was concerned about the safety of the RRFBs. His preference was for crosswalks to only be located at signalized intersections so that drivers have a red light when pedestrians are crossing. Mr. Bergeron noted that the presence of the RRFBs slows traffic down and a driver is more likely to stop for an RRFB than for a person waiting to cross at a standard crosswalk. Mr. Leavitt stated that he didn’t see this development becoming a huge pedestrian draw. Mr. Friberg felt that it would depend on the types of tenants, for example an ice cream shop may be a draw for walkers in the summer. Mr. Friberg added that if the Board chose to not include the RRFB’s he would not recommend crosswalks at non-signalized areas.

Mr. Friberg summarized the traffic mitigation. The proposed mitigation is intended to greatly improve pedestrian accommodations on Dascomb Road including ADA accessible sidewalks, ramps, and crossings, traffic signal timing and coordination and bicycle accommodations. The development will utilize transportation demand management (TDM) by joining the Merrimack Valley Transportation Management Association (MVTMA.) The development will include preferential parking for rideshare, carpool, and hybrid vehicles. The mitigation includes traffic-calming measures and installation of pedestrian crossings with Rapid Flashing Beacons. The developer is also committed to putting in place a post-occupancy Transportation Monitoring Program (TMP.)

Mr. Magenheim asked about the bottleneck under the Interstate 93 overpass in regards to traffic mitigation. Mr. Friberg noted that the width of the road cannot change because of the abutments, however if the roadway is realigned, a bike sharrow and a sidewalk on the north side may be accommodated.

Mr. Friberg reviewed the nine remaining comments from the peer reviewer and how each comment will be addressed. Mr. Magenheim asked when the traffic mitigation would take place. Mr. Friberg stated that the traffic mitigation would take place during Phase I. Mr. Chiozzi stated that he would like all infrastructure improvements to be complete before any occupancy certificates are issued.

Mr. Leavitt noted that no resolution has been presented on how to keep additional vehicles moving in and out of the site, and there is no additional area available to make current busy intersections better. He asked if there was a calculation that shows that with the proposed mitigation traffic methods can get into and through the site better. Mr. Friberg noted that there is no such calculation. The mitigation is trying to address driver hesitation or driver confusion, which is difficult to model, but can lead to traffic being processed quicker. The Board also noted that improvements will be made to the Interstate 93 North and South off-ramps which will help to keep vehicles moving properly and faster through those intersections.
146 Dascomb Road (cont’d):
Ms. Byerley asked if the plan will include the addition of sidewalks on East Street in Tewksbury. Mr. Friberg noted that the Town of Tewksbury has asked that the sidewalk be extended down the north side of East Street to Leston Street, but the plan does not propose sidewalks after Shawsheen Street on the south side.

Ann Sermos of 6 Carriage Hill Road stated that she was concerned about the traffic. She stated that she would like sidewalks, but was opposed to the blinking lights of the RRFBs. She noted that trucks driving down Andover Street realize when they get to the intersection with Dascomb Road that they will not be able to make it under the Horn Bridge. Police Safety Officer Glen Ota stated that trucks can and do proceed down Red Spring Road.

Mr. Bergeron asked Mr. Friberg and Rebecca Brown of GPI, Inc., the traffic peer reviewer to strategize on the RRFBs. Officer Ota noted that the RRFBs blink for a maximum of 24 seconds. Ms. Byerley noted that the beacons will allow residents on the south side of Dascomb Road to safely cross the street. She noted that without the beacons there may be no crosswalks added.

Maria DiCiaccio of 680 East Street in Tewksbury asked if a traffic study was performed to see the overflow traffic into Tewksbury. She stated that she cannot get out of her driveway at 9:45 a.m. Mr. Friberg stated that the intersection of East Street and Shawsheen Street were included in the study. He noted that in a traffic study you generally include intersections up until less than 50 cars from the development are hitting the intersection. He noted that there is not another intersection for a very long distance after East Street and Shawsheen Street. Ms. Knowles asked if lights will create a gap affect down East Street. Mr. Friberg stated that it should be similar to how it is today because there will not be much impact from the project.

Ms. Chiozzi asked about the MassWorks Grant. Mr. Materazzo informed the Board that the state will revisit the grant as this process finishes up. He noted that the Town is bound by Massachusetts General Laws for the procurement aspect. The Town cannot enter into a contract for work to be performed unless the full amount of funding is available, so any gap in funding needs to be provided by the developer upfront. Mr. Chiozzi requested that Mr. Materazzo explore with the state if the arrangement could be for the developer to provide all of the costs of the mitigation and for the developer to then be reimbursed by the state.

Mr. Magenheim acknowledged for the record that the Board received a letter from Janet Clarke of 5 Carriage Hill Road.

The Board decided that at the August 13th meeting, the Board will review the smaller topics that have not yet been discussed and will review the topics that have been discussed to determine if additional information is needed. The Board will also review the special permit criteria.

On a motion by Ms. Duff seconded by Ms. Knowles the Board closed the discussion for the evening. **Vote: Unanimous (5-0).**
**Adjournment:** The meeting was adjourned at 10:00 P.M.

Documents:

1 Minuteman Road and 161 River Road:
- Draft Conditions of Approval

161 & 163 Andover Street:
- Andover Fire Rescue Ballardvale Station 161-163 Andover Street, Andover MA Site Planning Review Application Plan Set dated July 1, 2019

Minutes:
- Andover Planning Board Draft Minutes of May 28, 2019

Riverside Woods:
- Letter to Paul Materazzo dated July 2, 2019 from Mark B. Johnson, Johnson & Borenstein, LLC Re: Riverside Woods Warrant Article

146 Dascomb Road:
- Presentation by TEC, Inc. on Traffic dated July 23, 2019