

## PLANNING BOARD MINUTES

Wednesday, September 13, 2023, at 7:00 p.m.

### Remote Public Meeting

**Members Present:** Michael Gorr (Chair), Bob Roemer, Austen Groener, Michael Lau, Robert Roemer, Erik Neyland

**Members Absent:** James Barr

**Also Present:** Pamela Harding (Town Planner)

## ADMINISTRATIVE

### PUBLIC HEARINGS

**1<sup>st</sup> Item: Special Permit Hearing – 580 Main Street** - Assessing Map 004.C-0000-0024.0 Applicant seeks to amend an existing Special Permit issued by the Board of Selectmen in 1986 for the construction of an office complex and associated parking. The Board of Selectmen referred the application for an Amendment to the Planning Board for decision.

Representing the Applicant were Jeff O'Neil, Condyne Associates; Matthew Snell, Attorney; Brandon Carr, DiPrete Engineering.

The property was divided in 2022 to accommodate a Chapter 40B development. This division resulted in the need to demolish a portion of the current office building. The applicant is also petitioning the Board to amend certain conditions of approval issued in 1986 that are no longer relevant.

Jeff O'Neil gave a presentation of the project, which proposed a reduction of the 140,000 SF building to 60,000 SF and a reduction in parking from 414 to 129 parking spaces. Relief from parking was granted through a Special permit by the Zoning Board of Appeals on September 7, 2023. Existing impacts will be reduced, the stormwater system is being upgraded, traffic impact will be reduced and there will be EV charging and EV ready spaces provided in the new parking area.

Brandon Carr reviewed the site and reviewed the division of property related to the 40B and office redevelopment. There is about a 50% vacancy rate in the current buildings, once consolidated it is expected approximately 75% of the remaining building will be occupied.

There is decrease of approximately 2,000 SF of impervious surface. There is a vortech unit proposed in the new parking area to remove total suspended solids.

The loading dock and deliveries will be directed through the proposed abutting residential parking area through a reciprocal easement agreement.

Phase One will include constructing the new parking lot in the front, retaining parking for tenants to the rear on the abutting property and then demolishing the portion of the building after the new parking lot is completed. Austen Groener asked what type of delivery trucks will be utilized, deliveries will likely consist of shorter box trucks, WB Mason trucks etc.

There will be two wellhead protection areas with the removal of existing pavement in the wellhead protection zone. Phasing of demolition was discussed. Phase 1 is the parking lot, relocation the

water line and then demolition of the office building. Two new wells will be constructed, one well will be solely for the office building with a new pump station. A new exterior wall and shoring of the remaining building will occur while the building is occupied. Asbestos will be vetted as part of the demolition permit, building construction occurred in 1986 and hazardous materials are not expected.

Robert Roemer asked about the need for additional parking. The ZBA required the management of parking to include notations in the lease agreements, the installation of signage and management of the tenants. Tenants of Bolton Manor have expressed concern about length of construction and overflow parking utilizing the residential lot.

Erik Neyland asked about potential of fully leasing the space and the potential for creating retail in the building, such as cafes, food services, etc. particularly with the high density 40B being constructed within walking distance. There will be shared sewer treatment service. The Board suggested they consider installing grease traps/oil water separators during construction for any potential food establishments.

Architectural drawings were reviewed. Michael Gorr was concerned about the stormwater management and discussed potential for peer review. It was believed the Stormwater Management was being reviewed by the Conservation Commission, the Commission did not conduct peer review, Pamela Harding will check with staff to ensure there was peer review of the system. Town Counsel confirmed it was an amendment to the existing permit. The item will be continued to address outstanding items.

Michael Gorr made a motion to continue the public hearing Special Permit to September 27, 2023 – the motion received a second by Austen Groener. Roll call vote; Michael Gorr, yes; Robert Roemer, yes; Austen Groener, yes; Michael Lau, yes. Erik Nylan, Motion passes 5-0.

**2<sup>nd</sup> Item :** Sugar Road - Preliminary discussion of possible uses at the former location of the Candy Mansion property with Nicholas Moynihan. Mr. Moynihan owns a dealership and received additional territory so he is looking for a new location. He proposes to demolish the existing building and construct a new showroom to conduct work on new and used machines and display machines along the highway. The excavator, dump trucks sells and services the machinery. All construction equipment will be displayed outdoors along the highway behind the building. Annual maintenance vehicles would be located down grade, closer to the building.

Town Counsel was consulted and it was determined to be a vehicle sales land classification under the Zoning Bylaw. Attorney Ansul was present thought the use didn't fall into vehicle sales and thought the use can be changed through a Special Permit. The underlying zoning leaves some determination to be made about the use and the property is located in the limited business zone which prohibits vehicle sales however, retail sales are allowed by special permit. Michael Gorr stated he thought it was a tough spot, on a narrow road and in close proximity to a bad intersection with abutting residential development. The Board makes the determination with input from the neighborhood. Erik Nyland stated the use was good didn't feel like it was the best location, he suggested it may be better suited in an industrial zone. Mr. Moynihan has been given various interpretations about the use category. Mr. Moynihan stated that he will abandon the proposed and not pursue purchasing the property, he will investigate other possibilities.

Michael Gorr made a motion to release the driveway surety for 75 Bear Hill Road, the motion received a second by Robert Roemer–Roll call vote; Michael Gorr, yes; Robert Roemer, yes; Austen Groener, yes; Michael Lau, yes. Erik Nylan, Motion passes 5-0.

Michael Gorr made a motion to release the driveway surety for 88 Laurel Road, the motion received a second by Austen Groener—Roll call vote; Michael Gorr, yes; Robert Roemer, yes; Austen Groener, yes; Michael Lau, yes. Erik Nylan, Motion passes 5-0.

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Approval of the July and August minutes were continued to the September 27, 2023 meeting.

Backland Lot ANR – Erik Nyland stated you could create two backland lots that are continuous. The Special Permit application recently received will move forward and the hearing will be scheduled.

Robert Roemer stated the Land Use Grant was awarded from the state to conduct seminars on Open Space Residential Development which will move forward after the state announcement and execution of contracts. This will be a public meeting open to all residents and developers. Planning Board regulations and bylaws will be reviewed with suggested changes. The grant was for \$7,000.00 and we expect to commence in the Fall.

Meeting schedule for the Fall will consist of one meeting on October 25, with October 18<sup>th</sup> reserved as needed. November is scheduled for one meeting on the 8<sup>th</sup>. Meetings in December will occur on December 6<sup>th</sup> and 20<sup>th</sup>.

Pamela Harding will look for the list on possible bylaw amendments.

## **ADJOURN**

Michael Gorr makes motion to adjourn the meeting, seconded, motion passes unanimously 5-0.

Approved on September 27, 2023