DATE: June 14, 2023

LOCATION: Rowley Annex Meeting Room at 39 Central Street

TIME: 7:00pm

Status: Approved by PB April 10 2024

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**Members Present**

Chris Thornton (Chairman), David Jaquith (Vice Chairman), Jena Haag (Member), Craig Copland (Member), Kevin Moriarty (Member) and Kirk Baker (Town Planner) were present.

Thornton called the meeting to order at 7:00 p.m.

**New Public Hearing**

**Special Permit Application – Office/Warehouse & Distribution Facility at 62 Forest Ridge Drive, Unit 4B (DiLuigi Foods)**

Motion by Thornton to open the new public hearing and seconded by Jaquith. David Libardoni, representing the applicant, was present with the President of DeLuigi Foods. After a description of the type of business and the property being discussed, the Board asked a few specific questions regarding the business. It will mostly be used for dry storage of food products. After one resident question, Jaquith made a motion to close the public hearing and it was seconded by Moriarty. All voted in favor (5-0).

Thornton made a motion to approve the special permit as presented and seconded by Jaquith. All voted in favor (5-0).

**Amend Special Permit/Site Plan Review Approval - Joint Operations/264-268 Newburyport Turnpike pertaining to the redesignation of 18 of 42 Parking Spaces**

Motion by Thornton to open the new public hearing and seconded by Jaquith. All voted in favor (5-0).

Property owner Gino Tzortzis was present to discuss his request. Overflow parking was special permitted to Joint Operations previously. Tzortzis is requesting 18 of the 42 overflow spaces be designated for personal use at his discretion along with the rear building. Tzortzis won’t be storing cars on this site for sale. Baker brought up ConCom concerns as to what the storage is going to be used for as well as the Health Department concerns, which were discussed by the applicant and the Board. The lot is not going to be used for Auto Sales. After discussions on the rear parking spaces and which spaces will remain the overflow as well as no change to the traffic flow, and because there is no change of use to the original special permit, Jaquith made motion to close public hearing with Haag seconding. All voted in favor. Thornton stated they are not changing the use.

Thornton made a motion to approve applicants petition with the condition spaces be allowed for use of storage of registered motor vehicles, equipment and employee parking for this site and adjacent properties excluding junk cars and auto sales. Motion seconded by Jaquith and all voted in favor (5-0).

**Special Permit Application/Signverse/Illuminated Freestanding Sign at 116-120 Newburyport Turnpike/Adam’s Mall**

Thornton made a motion to open the new public hearing and Haag/Jaquith seconded the motion.

Applicant owners of the building were present to discuss the sign they would like to be approved to replace the one currently there. Special permit is for approval of a fully internal LED illuminated sign, as shown in their diagram. Discussion ensued on the size of the sign, what types of individual signs are currently present, and sign standards. Per Baker, the Board needs to make sure parameters of the lighted sign fall within town by-law parameters, which it does. The Board stated it is a large improvement over what is currently there.

Motion to close the new public hearing made by Moriarty and seconded by Haag.

Motion to approve the special permit made by Thornton and seconded by Jaquith. All voted in favor (5-0).

**Continued Public Hearings**

**Site Plan Review Application/Permanent Outdoor Patio Seating/Bradford Tavern/89 Haverhill Street**

Applicant requests continuance to July 12, 2023. Motion to continue hearing to July made by Jaquith and seconded by Haag. All voted in favor (5—0).

**Definitive Subdivision Plan/4-Lot Conventional Subdivision/49 Emily Lane**

Applicant requests hearing continuance to July 12, 2023 meeting. Window for approval deadline is June 30, 2023. Baker discussed extending deadline to August 20, 2023. Motion to continue hearing and accept deadline extension made by Moriarty and seconded by Copland. All voted in favor (5-0).

**Other Business**

**Form A/ANR Plan/Boundary Modification Between 48 and 52 Harrison Circle**

Owners from 48 Harrison Circle to discuss a boundary modification with the abutting 52 Harrison Circle A transfer of a portion of land they thought belonged to 48 Harrison but actually did not. After discussion with Board members, motion made by Haag to endorse the boundary modification as presented. Motion seconded by Jaquith and all voted in favor (5-0).

**Informal Discussion/Falcon Ridge Residents/Requirement for Sidewalk Installation**

Falcon Ridge residents were present for discussion. Rob Piersielak spoke regarding his lot located at 29 Bob Merry Lane. The issue being about whether the proposed sidewalks would need to be installed. Piersielak stated that he would not be in favor as he felt that the sidewalk would be in close proximity to the front of his house and possibly encroaches onto his parcel. He sent a survey to his neighbors and of all who responded, 56% were not in favor of sidewalks being added. His main concern was the proximity of sidewalk to his front door.

Discussion ensued among the Board and Falcon Ridge residents present at the meeting. Thornton reiterated the history of the engineered approved plan, which required sidewalks on one side of the street, the result of a waiver to the requirement of sidewalks on both sides of the street. OSRD rules for this neighborhood, developer obligation and town bylaws require them if the road is to be accepted by the town. Baker read criteria of bylaws pertaining to this subject. He noted that while the Planning Board Rules and Regulations permit the Planning Board to waive the requirement for sidewalks on both sides of the streets there is no such option to waive the sidewalks entirely for a roadway that was intended to be accepted by the Town. And he noted that the Falcon Ridge roadway was always intended to be accepted as a Town maintained roadway.

**Planner Updates**

**Status 2024 Housing Production Plan Update**

The Board discussed the committee formed and all aspects of this measure. A grant for a consultant to assist the town on where to build family affordable housing has been applied for. Also discussed were tax credits and grants to keep the cost of moving the project forward lower, the senior affordability issue in town, and the Didax property.

**Status MBTA Communities Work with MVPC**

Ian Burns wants to give a presentation to selectmen, similar to the one presented to the Board. Public outreach phase would follow to get public opinion.

Copland discussed bylaws and the town master plan, which was never put in place, and the Board discussed Copland’s reviewing the plan to see how it aligns with the bylaws. Baker stated the town needs to do the studies for updated info and produce a new master plan in the next few years. Baker also talked about Lawrence Road for town acceptance.

**Adjournment**

Motion to adjourn the meeting was made by Moriarty and seconded by Haag. All voted in favor (5-0).

Meeting was adjourned at 9:20 p.m.