

DATE: January 11, 2023
LOCATION: Town Hall 2nd Floor Auditorium at 139 Main Street
TIME: 7:00pm

Members Present

Chris Thornton (Chairman), David Jaquith (Vice President,) Kevin Moriarty (Member), John Urbaczewski (Member), Jenna Haag (Member) and Kirk Baker (Town Planner) were present. Meeting was called to order by Chris Thornton.

New Public Hearings

Definitive Subdivision Plan/4 Lot Conventional at 49 Emily Lane

Applicant was unable to attend and is requesting to reschedule the hearing to February to the date of the February meeting. Jaquith made a motion to reschedule the hearing to February 8, 2023. Urbaczewski seconded the motion. All voted in favor (5-0).

Amendment to Special Permit for McDonald's Restaurant located at 155 Newburyport Tpke to allow for the installation of a 2nd Drive-thru lane behind the building

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

The representative for McDonald's notes that the proposal is part of the company's national rebranding program. He notes that this site is unique and that the proposed site modification would address the spillage of traffic onto Route 133 which currently occurs during busy periods. He has been to the ZBA for a special permit for a new driving lane to the same pay and pick-up windows that are there. The new plan will expedite traffic flow. Graham reviewed the project and suggested meeting with the Conservation Commission, as well as submitting information on how to operate the site while performing improvements. He noted the process of construction which will take approximately 2-weeks, the traffic flow and parking, possible temporary signage if needed to avoid construction, regular and ADA parking spaces and the temporary closure of the current drive-through. Thornton suggested a possible condition where there is a public safety review within 90-120 days of implementation of the new site layout. Thornton commented on possible traffic enforcement during construction to assist with traffic backup onto Route 1 and how to handle storage of construction materials and trash. The Board will wait for additional comments from Graham.

Motion to continue hearing to February 8, 2023 meeting made by Jaquith and seconded by Urbaczewski. All voted in favor (5-0).

Continued Public Hearings

Special Permit/Site Plan Approval Application/Farma Gardens, LLC/118 Central Street

Urbaczewski recused himself from the hearing.

Tom Summit (property owner and applicant) represented himself. After discussion on a few items, including security and a comment from the Conservation Commission, that he will be able to use his well

for water. After this, there was a motion to close the hearing made by Moriarty and seconded by Haag. All voted in favor (4-0).

Motion to approve special permit as proposed made by Thornton and seconded by Jaquith. All voted in favor (4-0).

Special Permit/Site Plan Review Amendment Application/Ruby Holdings, LLC/1000 Haverhill St/2 New Self Storage Buildings.

Urbaczewski returned to the Board. Moriarty recused himself from the hearing. Eric Lane was present to discuss his plan for the construction of two additional storage buildings. Baker notes that the Town representative John Morin has reviewed the plan. He is using the same number of bays as originally approved, just making them deeper. The Board was agreeable with Morin's review.

Thornton made a motion to close the hearing and was seconded by Urbaczewski. All voted in favor (4-0).

Motion by Jaquith for approval of permit as presented and seconded by Urbaczewski. All voted in favor (4-0).

Formal draft Approval will be generated by Baker. Moriarty returned to the Board.

Other Business

Informal Discussion with Anthony J. Simboli pertaining to an Outdoor Storage Issue at 124 Newburyport Turnpike

Simboli first noted that he is the new owner of the property and is was present to discuss the trailers on the property and his future plans. The goal is to finish the storm water plan for the town, obtain the aggregate testing results, put up decorative fencing and trees for screening, and leave it until he has a definitive plan for the property. He asked if the Board has suggestions for what he could put there. Considering storage facility with retail below. He discussed service retail and a possible connection through Forest Ridge. He also talked about other properties he owns where he was considering types of independent/assisted care mixed use on the property.

Regarding the two trailers, he notes that one will be removed and the second older one will be returned to the back of the property. He currently has approximately 10 additional trailers used for personal storage, which he is emptying out and will possibly sell. Thornton stated that the property is not an accepted use as a storage lot in the town ordinance for that area. Storage could be a secondary use but not a stand-alone use. Thornton stated there are currently three areas on Rte. 1 that have trailers on them that are not in compliance. Discussion continued on the possibility of combining the lot with the adjoining lot he owns to make then one lot. Also discussed possibly building an office space where the barn currently is located.

Simboli said will look into what it would take to rebuild the barn into an office. Thornton stated he would need to come up with a plan to move forward. Simboli thanked the Board for their time.

Informal Discussion/SPR Approval Status/85 Newburyport Turnpike/Elmer Palencia Tree Removal

Representative present to give the Board an update on their approved permit. Fencing along Rte. 1 and a tree buffer are complete, and they are in compliance for their first step of the conditional approval from June 8, 2022. He stated that a lot is happening on the site. For Phase 1, they have ordered the building, sized at 20 feet x 40 feet., to be constructed. Design, cost and lead time of a steel building are out of site price wise so they have hired HP Construction to construct a wooden building. The next step is for a contractor to come in to do the septic and put up the building; hoping to start construction the last two weeks of March. The permit allowed two years for Phases 2 and 3. They will be back for another update to the Board in the spring.

Adjournment

Motion to adjourn meeting made by Thornton and seconded by Jaquith. All voted in favor (5-0). Meeting was adjourned at 8:45 p.m.