

**Tuesday, August 23, 2016 – 6:00 P.M.**  
GAR Room- City Hall  
**Planning Board Minutes**

Members present: David Wheeler, Gary Keith, Robert Pelaggi, Craig Pina & Reggie Thomas; also present were City Planner Rob May, Staff Planner Shane O'Brien and Secretary Pamela Gurley and Fire Capt. Edward Williams.

Acceptance of Minutes/Endorsement of ANR Plans, Subdivision Plans and/or Lot Releases

Ms. Gurley said that the developer (Michael Haikal) was seeking release of his final two lots; she said he had submitted the required documentation: an estimate for the remaining work along with a check plus a 20% contingency sufficient to protect the city's interest. Mr. Pelaggi said that he was glad to see that the applicant submitted the estimate for the remaining roadway work as this information was important along with the check and was satisfied that the city would be protected.

Decision: To release lots Lots 3 & 4 St. Casimir Ave.

Motion: Pelaggi

Second: Keith

In favor: 5

Opposed: 0

**1. Application to Return to the ZBA**

Property: 350 Rockland Street

Applicant: Samuel Ward

Representative: Attorney Wayne Mathews

ZBA Denial: April 14, 2015

Applicant's statement: Attorney Wayne Mathews said the initial application with the ZBA was for to split the existing property on Rockland Street and create a new buildable lot. He said that the ZBA vote was 3-2 and that the issue was with the two neighbors on each side of the property. He said their new proposal reduces the size of the house from 42' to 28', they have created buffer to the abutting side properties and they are installing dry wells to address potential runoff. He said the only zoning relief necessary is frontage.

Comments: Mr. Pelaggi asked if lots 3 & 4 are being conveyed to the abutters. Attorney Mathews said that issue has not been settled yet but if not the land will remain as buffer space between the properties.

Mr. Keith said that it does not look like any opposition is here tonight and said it looks like the petitioner is attempting to accommodate the neighbors. Mr. Pelaggi said he walked the site and did not see any evidence of runoff problems.

Public Comment: Letter from Mr. & Mrs. Bernstein in opposition was entered into the record.

Decision: Permission to return to the ZBA was granted; New and substantially different information was presented which might conceivably affect a subsequent decision by the Zoning Board of Appeals.

Motion: Keith  
Second: Pina  
In Favor: 5  
Opposed: 0

Capt. Williams explained the change to fire code requires regarding sprinklers in homes over 50' from the road.

Shane O'Brian noted that the applicant should be applying for two variances as once the lot is split they have made the existing lot non-conforming.

## **2. Application to Return to the ZBA**

Property: 20 Charlotte Street  
Applicant: Michael Keith c/o A-American Investments  
Representative: Attorney John Creedon  
ZBA Denial: December 9, 2014

Attorney Creedon said the applicant is looking to build one house on Charlotte St. He said he felt that the ZBA was unable to make an informed decision as information was lacking. He said the prior attorney did not address the issues to prove hardship. He noted that the plan now shows lot frontage on the two lots has been changed to 75' and said that Charlotte is an unimproved street.

Mr. Pelaggi asked if the applicant aware that this would fall under subdivision control. Attorney Creedon said he has advised his client there would be a lot of required roadway improvements.

Decision: Permission to return to the ZBA was granted; New and substantially different information was presented which might conceivably affect a subsequent decision by the Zoning Board of Appeals.

Motion: Keith  
Second: Pina  
In Favor: 5  
Opposed: 0

## **3. Application to Return to the ZBA**

Property: 225 Grove Street  
Applicant: John & Lorna Fargo  
Representative: John & Larry Fargo  
ZBA Denial: December 8, 2015

John Fargo said their original proposal was to split the lot and create a new lot to build a two family. He said although there is sufficient lot size they are now proposing to build only a single family home. He said the newly created lot is short only 17" of frontage and the lot is larger than most of the existing lots in the area.

Comments: Mr. Keith said he went to the site and there is ample room, he believes that they could have fit a two family easily, but the neighbors did not want a two family. He noted that the neighborhood has two family homes.

Decision: Permission to return to the ZBA was granted; New and substantially different information was presented which might conceivably affect a subsequent decision by the Zoning Board of Appeals.

Motion: Keith  
Second: Pina  
In Favor: 5  
Opposed: 0

#### **4. Application to Return to the ZBA**

Property: 47 Pleasant Street  
Applicant: 47 Pleasant Street LLC  
Representative: Attorney John McCluskey  
ZBA Denial: April 12, 2016

Applicant's Statement: Attorney John McCluskey said that the Pleasant St. site was the former Standard Modern Printing building. He said the applicant is proposing to convert the building to 24 apartment units hoping to attract young middle class people as the property is close to public transportation. He said one of the objections from the ZBA was that there was not enough parking and they felt there was no access for emergency vehicles. He said that the new proposal contains 18 spaces on site (making emergency access easier) and the property at 11 Herford St. is under agreement. He said the existing structure will be razed and the property will be used for parking. He said the tenants probably will not need that amount of parking spaces.

Geoffrey Anatole (developer) said there will be a second curb cut along Herford St. to help with traffic flow; the new plan shows increased green space. He said they went back to drawing board; they provided space for onsite snow storage and removed the parking spots in front of building except the handicapped spots.

Comments: Mr. May said they may want to inventory the property on Herford as it was once used as a communal garage and it would be interested to have a history of it before it is demolished. Mr. Anatole said he would file a Form B.

Mr. Pelaggi said one on the concerns of the ZBA seemed to be size and amount of units. Mr. Anatole said this is a downtown development; the size fits units for the population they are attempting to attract. He said they are not condos, but will be market rate units. Mr. Pelaggi asked if the number of units changed and was told no.

Public Comment: Mike McGilvery, 59 Pleasant St., asked about the parking as he is an abutter and Mr. Anatole addressed his concern.

Eddie Sylvester, Keys of the Kingdom Church, wanted to know if this was Church property and had no issue once realizing it was not.

Councillor Anne Beauregard asked to be recorded in favor.

Councillor Thomas Monahan said he was the ward councilor and was 100% in favor; he said the project will beautify the neighborhood and the proposed cameras on the back of the building will help with the park problems.

Decision: Permission to return to the ZBA was granted; New and substantially different information was presented which might conceivably affect a subsequent decision by the Zoning Board of Appeals.

Motion: Keith  
Second: Pina  
In Favor: 5  
Opposed: 0

### **Other Business**

Correspondence  
Updates from Board Members

The members held a procedural discussion on lot releases and stressed the importance of receiving the necessary information and/or paperwork from the contractor and in the case of an contractor with work remaining looking for release of lots, receipt of the cash surety to cover the remaining work.

**The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.**