

PLANNING BOARD
Tuesday, August 6, 2019 – 6:00 P.M.
GAR Room - City Hall
Meeting Minutes

Members present: Robert Pelaggi, Craig Pina, Larry Hassan and Reggie Thomas
Also present: Rob May, Shane O'Brien and Pamela Gurley.

A motion was properly made (Pina), seconded (Hassan) and passed (one abstention) to accept the minutes of 6-25-19 as submitted.

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

ANR – 421 Torrey Street – The secretary stated this ANR was the result of a ZBA variance (the property is the two family home and a portion of the church property).

ANR – 747 Centre Street – The secretary said that this property is the old Webster Bank; she said the application is separating the commercial property from the residential property and the residential property will be unbuildable.

Action/Decision: Motion to endorse both plans

Motion: Pina

Second: Hassan

In favor: 4

Opposed: 0

93 Centre Street Approval Letter – Project was approved at a prior meeting; approval letter for a 40R requires board signatures.

Woodland Park – Extension Request

Applicant's statement: Steve Gioiosa from Sitec said they are requesting an extension in order to complete phase 3. He said the first 21 homes are completed with the exception of the final pavement; they intent to begin installing the final pavement, curbing and sidewalk in the fall; the cul de sac for phase 3 is in up to the base course; because of the ongoing excavation for the homes in this final phase they will not be installing the top coat of pavement in that area. He said they are looking for one year extension and will be moving aggressively into the final phase.

Comments: Bob Pelaggi asked if the project will be complete in one year. Peter Vlacco said they want to finish it as quickly as possible, but cannot control the market. Shane O'Brien said he would like to see an update in six months...or by the end of the construction season.

Action/Decision: Motion to grant a one year extension with the condition that the board receives a progress update in 4 months.

Motion: Thomas

Second: Pina

In favor: 4

Opposed: 0

1. Site Plan Approval

Property: 839 Main Street

Proposal: Commercial Building

Applicant/Representative: Jacobs Driscoll Engineering/Attorney John Creedon

Applicant's statement: Attorney John Creedon said that they have been before the board before on this matter and it has been continued as the law department had concerns with the easement agreement language and the current license status with the garage. He agreed that the parking situation needs to be permanent; he said the engineering portion was revised some time ago; he said the owner is willing to sign a new easement agreement showing permanency of the parking agreement.

Comments: Shane O'Brien said that a major issue is the proposed site work to be done on the property of another person and there is no document allowing that.

Attorney Creedon asked for a continuance to the September meeting.

Action/Decision: Motion to continue to the September meeting.

Motion: Pina

Second: Hassan

In favor: 4

Opposed: 0

The chair noted that the hearing had been continued without allowing for questions from the public and asked for a motion to re-open.

Motion to re-open

Motion: Pina

Second: Hassan

In favor: 4

Opposed: 0

Councilor Susan Nicastro said that the proposal is an unusual circumstance; she said she is surprised that the ZBA approved it; she said she wants to make sure that easement language is correct and would like to see it when it is drafted.

Action/Decision: Motion to continue to the September meeting.

Motion: Pina

Second: Hassan

In favor: 4

Opposed: 0

2. Permission to Return to ZBA

Property: 598 North Main St.

ZBA Denial: 3-12-19

Applicant's statement: Attorney John McCluskey said that the applicant purchased the property several years ago and began re-habing it; he said there are two residential units on the second floor and commercial on the first; he said only one residential unit is legal and she applied to the ZBA for the second unit. He said she presented the case on her own and incorrectly told board that the fire exits would be by a ladder; the proposal is for

a new fire escape for the second floor. He said he has asked that her architect provide additional materials but has been unsuccessful. He said that the existing building is close to the lot line; he said they has reconfigured the parking and added some limited greenspace.

Comments: Craig Pina said he is disappointed that there is nothing to look at and said he is not comfortable with not having floor plans and architectural plans.

Attorney McCluskey asked if he would be allowed to continue to the next meeting to provide the board with the necessary information.

Action/Decision: Motion to continue to the September hearing.

Motion: Pina

Second: Thomas

In favor: 4

Opposed: 0

3. Permission to Return to ZBA
Property: 533 & 553 N. Cary St.
ZBA Denial: 5-14-19

Continued to September 3, 2019 by agreement of the parties.

4. Definitive Subdivision

Property: Map 37, Plots 4, 6 & 18 Augusta Ave. and Plot 36 Prospect St.

Lots: 18

Owner/Representative: Frederick Hebshie/Bill Self, Curley & Hansen/Attorney John McCluskey

Applicant's statement: Attorney John McCluskey said that Fred Hebshie has owned this property for many years. He said that he asked the ZBA chair to attend the meeting to better understand the roles of the planning board and zoning board; he said he expects several meetings on this.

Bill Self said there was a 1965 approved subdivision and at this time there is only one lot built on. He said that the lot sizes are from 10,000 to up to 20,000 with an average of 15,000; traffic flow will be through Prospect, Augusta and Cross Ave. He said the lots have 100' of frontage and said lot 5 is reserved for drainage. He said the existing neighborhood lots are about the same variety and sewer and drainage runs the whole length of Augusta now.

He said that they met with the Councilor and with the neighbors this earlier this evening; he said water currently runs across the back yards along Augusta; he said he has spoken with the city engineer and will be making some changes to plan; adding swale; and intercepting the water from the road; he said drainage and sewer goes north to south.

Comments: Bob Pelaggi asked if there were any resource areas and if they had done any test pits. Bill Self said they have been to conservation already and the low areas not protectable; he said they will do a test hole on every lot before applying for building permits and the detention basin is a minimum of two feet above the water table.

Craig Pina said that his problem/concern is that the ZBA has denied projects with less than 125 feet of frontage and has stated that this is the minimum they would like to see; he asked if there was any possibility of re-working the lots and increasing the frontage. Attorney McCluskey said they are open to making changes and have to recognize the desire of the boards.

Bob Pelaggi said it is an applicant's right to present a plan as he has had it designed and Bill Self said they are here tonight for direction.

Rob May said he also met with Councilor Asack and feels that there is a need to extend the swale to catch more water; he said instead of a gravel path around the basin he would like to see a reinforced plastic product that allows for lawn to grow through. Bill Self said that the road may be adjusted to allow for possible reconfiguration of the lots and they will take another look at the drainage at that time.

Attorney McCluskey asked if they would like to see the style of home proposed? Bob Pelaggi said although that is not within their purview, it would not hurt to see their style.

Councilor Shirley Asack said that she met with the residents earlier and there were many questions/concerns about drainage; she said they discussed the traffic issue and the representatives reassured the residents that they are willing to work with them; she said they understand that something will be going there but ultimately they are looking for a smaller subdivision; she said she understands that this is all part of the process.

Councilor Robert Sullivan said he was previously a member of the planning board and understands the need to attempt to mitigate any issues with residents while making sure that the city stays on a pro development track.

Denise Cahill 148 Cross Ave. Ext. said that she does not get water in her back yard and asked how long a project like this might take; Bill Self said it depends on the market but said four to five years. She asked about the actual home locations and was told the home can be located anywhere within the building box. She said that subdivision rules & regulation requirements are for 30,000 SF lots with 175' of frontage and these proposed lots are smaller...there are more lots that don't meet the standards than do. Bob Pelaggi told her that the applicant will also need relief from the ZBA. She asked who would be responsible for maintaining the basins and Bill Self said there will be a homeowners association. She asked if they have found any ledge and he said nothing has shown up.

Michael Gilbert, 100 Augusta Ave., said there is a lot of dumping in that area and would like to see this built but said he wants to make sure it is done right.

Cheryl Bullock, 15 Angela Terr., Said she cannot wait to have animals moved out.

Carolyn MacMillan said she is in favor but would like larger lots; she said she would like guard rail to remain on Cross Ave.; Bill Self said that the guard rail may be eliminated but that they will be speaking with the fire and police departments.

Frederick Coleman said he has been here for 16 years and said this project does not affect those residents that just spoke as much as it would affect him and said he would like to see fewer homes.

Phil Decos, 172 Augusta Ave., said he is worried about the loss of trees around him.

Maureen Buckley, 12 Earle St., said it is a quiet neighborhood...she said the neighbors running out of privacy with all the building.

Ken Galligan said he is chair of the traffic commission and that the guard rail was put in by traffic commission to stop illicit activity in the area...he said that the street used to be open.

Bill Self said this is just the first meeting and asked for a continuance to the October 1st meeting to allow them to make changes to the plan. The secretary asked for a letter freezing the statutory time clock for approval from today to the October date.

Action/Decision

Motion to continue to October 1, 2019 with the stipulation that the statutory time clock for approval is frozen as discussed.

Motion: Pine

Second: Thomas

In favor: 4

Opposed: 0

5. Definitive Subdivision

Property: Plot 9 Tiffany Dr. and Plot 8-24 Stonehill St.

Lots: 2

Owner/Representative: Bertarelli Brothers Inc./Stephanie Hoban, Strong Point Engineering

Applicant's statement: Stephanie Hoban said this was a two lot subdivision with one home proposed on Tiffany and the other on Stonehill; she said that both are existing lots under the prior subdivision. She said they intend to improve the dirt portion of Stonehill and pave over the dirt road to give access to the lots; she said the home at 89 Stonehill is one foot off the property line and needs an easement.

Comments: Shane O'Brien said he met with the city engineer regarding the rear drainage along the new homes and the comments have not been addressed; Bob Pelaggi said he want to see the easement continued about 10' off the lot line for access.

Craig Pina said he drove up there today and noticed that the home was close to lot line. He said that the prior ZBA variance expired; he said that based on the plan the original subdivision showed Stonehill Street continuing all the way through. He said although the variance states that the road does not have to be connected, he said the ZBA purview does not include streets or road layout. Rob May said that the DPW and planning department are recommending that the road be built out as first approved.

Councilor Dennis Eaniri said that no one has ever spoken with him about this; he said he would like to speak with the applicant as well as the neighbors.

Bob Pelaggi said that the lots were part of a 1968 subdivision; the owners went to the ZBA in 2017 and received approval to build on the two existing lots. He said the issue of the unfinished subdivision is the planning board's purview.

Opposition: Steve Kelly, Stonehill Street, said he feels this belongs before the ZBA not the planning board.

Bob Pelaggi said it is properly before the board. Steve Kelly said he always thought the lots were part of Bertarelli home and were combined. He said he believes that they should be larger lots as the zoning was changed to larger lot sizes because of overcrowding. Bob Pelaggi said that the lots were part of a recorded subdivision in the 1960's. Steve Kelly asked if Tiffany could be made one way as he was afraid that it will be used as a cut through and was told that was for the traffic commission to look at.

Bob Pelaggi said he lives in the neighborhood and cannot see that becoming a cut thorough.

Craig Pina said that the city engineer is still looking for complete plans of the street build out.

Jim Bertarelli said he understands that variance expired and understands that they have to finish the road as it was originally approved.

Craig Pina said that he would like to see this continued to give the applicant time to submit the revised plans and have them looked at by engineering. Rob May said that whether they build one home or two homes the road needs to be constructed as approved.

Ken Galligan said the prior zoning decision is off the table; he said once they are finished with planning said they will need to file a application with the ZBA.

Continue to September 3, 2019 meeting to allow for the applicant to revise the plans as requested by planning & DPW.

Motion: Pina

Second: Hassan

In favor: 4

Opposed: 0

Other Business

Updates from Board Members

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.