

Zoning Board of Appeals

Meeting Minutes

June 13, 2011

Zoning Board of Appeals Attendees: Matthew Perkins, Linda Dyer, Dan Ahern, David Delaney

Other Attendees: Margaret Hoffman, Patrick Gallivan, Jim Toomey, Warren Baker, Jack Sullivan, Brian Murphy, Dave Nyman, Brad McKenzie, others

Zoning Board of Appeals Chairman, Matthew Perkins opened the meeting at 7:45 p.m., and read the general rules of hearings into the record.

Continuation of Public Hearing – ZBA Case 2011-4V: 70 River Road:

The petitioner, Joseph Polsinello provided ZBA board members with an amended plan and narrative for a requested variance for 70 River Road. The amended plan and narrative for 70 River Road will be incorporated into the record.

A resident, Mark Leahy, 36 River Road, confirmed that many of the houses on his road were built in the 1940's before the current zoning regulations regarding setbacks were put into place. He said his house is only about 15 feet from the road.

The decision will be voted on at the next ZBA meeting on Monday, June 27, 2011.

ZBA Case 2011-5V: 1123 Webster Street:

The vote on a decision for 1123 Webster Street was moved to the agenda for the June 27, 2011 ZBA Meeting.

Continuation of hearing ZBA Case 2009-20CP: Woodland Village:

David Delaney recused himself from the Woodland Village hearing and the remainder of the ZBA meeting.

The ZBA received comments at tonight's meeting from McKenzie Engineering in response to the comments from the Town's peer review engineer, Dave Nyman from CEI, on the review of the Woodland Village site plan dated May 18, 2011.

Warren Baker, the attorney representing the developer, said that questions had been raised about the Woodland Village project being a subdivision, and it requiring a special permit. He said a special permit was not required for this project.

Brad McKenzie, McKenzie Engineering, representing the applicant said they had submitted a letter to the ZBA today with comments on the peer engineer's review comments. He provided a brief overview of some of these comments.

- A Flood Plain study will be submitted to the ZBA.
- There is adequate space within the parking area of Map 11 Lot 5 for the Hanover fire truck to maneuver through the lot from Washington Street to the proposed access easement.

- The wetlands resources areas as shown on the plan set were approved by the Hanover Conservation Commission through the issuance of an Order of Resource Area Delineation (ORAD), dated December 16, 2009. All others wetland resource areas will be approved in connection with the Notice of Intent filing.
- Vernal pools need to be studied further by the applicant's wetland specialist.
- Road A will be revised to center it within the easement. The applicant is asking for a waiver on the road lane width required in the subdivision rules and regulations.
- There have been some preliminary discussions about the proposed Woodland Village plan with the Water Department. McKenzie Engineering will be working with the Water Department to conduct hydraulic testing.
- Landscaping plans will be included in the final design of the project.
- Drainage calculations were preliminary.

David Nyman, the peer review engineer for the Town, said he had just received comments from McKenzie Engineer this afternoon. In terms of subdivision rules and regulations for the positioning of roads, he recommended that the Town's Counsel be consulted. He also recommended that the Town's peer traffic review consultant review the proposed widths of paved roads, and also look at safety issues for pedestrians such as sidewalks.

He commented that plans need more details on landscaping. He also asked the applicant about the status of the flood plain study and the hydraulic study. It was answered that the flood plain study would be submitted with the notice of intent and the final design plans. The hydraulic study should be completed within the next two weeks.

Andrew Dunne, 181 Woodland Drive, mentioned his concern about raised retention basins. He also mentioned concerns about electricity. Brad McKenzie said there would most likely be a ground transformer which would be on the applicant's property.

Rick Mattes, 35 Howland Drive, expressed concern about access through Blue Spruce Road.

Jean Murphy, 206 Woodland Drive, mentioned the soil study conducted in 1969. She said that of the abutters to the Woodland Village project have Presby Septic Systems. Brad McKenzie said his firm had done some of their own soil studies within the footprints of the drainage basins. Jean also asked if residents would be able to review the comments submitted tonight by McKenzie Engineering. These comments will be available for review on the Town's website.

Assistant Town Planner, Margaret Hoffman, mentioned that the Director of Public Works, Victor Diniak, was unable to attend tonight's meeting. His 2009 comments on Woodland Village still stand.

Patrick Gallivan, Conservation Agent, said that the Conservation Commission has commented several times on the Woodland Village project. At tonight's meeting he provided recent comments from the Conservation Commission which will be entered in the

record for this project. He mentioned that the applicant is looking for waivers. He is recommending that the ZBA not grant all of these waivers.

Warren Baker expressed concern that the ZBA was only reviewing the 152 units of for sale housing plan and not the 252 units of rental housing. Matthew Perkins explained that the ZBA was only responsible for reviewing and making a decision on the 152 unit plan that was filed with the Town. He mentioned that the ZBA is not responsible for Planning and Development.

Ed Marchant, the Town's 40B Consultant, said the applicant is responsible for coming up with a plan that makes sense for the Town.

For the next meeting, McKenzie Engineers will be providing comments on the Conservation Agent's comments submitted tonight. David Nyman will respond to the comments he received today from McKenzie Engineering.

Matthew Perkins said the public hearing on Woodland Village would be continued to July 18, 2011 at 7:45 p.m.

Matthew Perkins made a motion to approve the May 23, 2011 meeting minutes as written. Linda Dyer seconded the motion. All others were in favor.

Matthew Perkins made a motion to adjourn the meeting at 9:10 p.m. Linda Dyer seconded the motion. All others were in favor.

Prepared by: Audrey Barresi, ZBA Secretary