



Zoning Board of Appeals
Meeting Minutes
Wednesday November 6, 2013

Zoning Board of Appeals Attendees:

Present: Matthew Perkins, David Connolly, John Tuzik, David Delaney, Brian Callow.

Absent: Christopher Bernard

Chairman Matthew Perkins opened the meeting at 7:30 p.m. in the first floor hearing room.

Continuance of Public Hearing ZBA Case TZ-13-8: 369 Washington Street (Kennedy Building)

Chairman, Matthew Perkins reopened the public hearing case TZ-13-8. He noted the following items being submitted into the record:

1. Project Eligibility Letter from MassHousing dated October 30, 2013
2. Parking Management Plan for the Kennedy Building Apartments dated November 2013
3. Letter from McMahon Transportation Engineers containing a response to comments from Jacob Engineering on initial traffic study
4. Letter from David Nyman, CEI Engineers re: Review of Stormwater Management Documentation Kennedy Building Site Improvements dated October 21, 2013
5. Letter from Horsley Witten Group re: Review of Stormwater Management Documentation Kennedy Building Site dated October 29, 2013
6. Letter from David Nyman, CEI Engineers re: Updated Review of Stormwater management Documentation Kennedy Building Site Improvements dated November 1, 2013

Bill Grogan from the Planning Office for Urban Affairs then submitted a copy of the ground lease that has been agreed upon between the POUA and the Cardinal Cushing Centers, Inc. Brian Kucher from the Horsley Witten Group went over the stormwater management plans briefly. David Nyman from CEI Engineers, the Towns consultant review engineer explained his review to the Board and recommends two items as special conditions: that the applicant be required to conduct a test pit at the time of construction to verify that soils are suitable for infiltration and that the applicant furnish a letter from their engineer to document that there is no illicit discharge from the existing drainage system. David Aiken from POUA gave a brief overview of the submitted parking management plan. The Cardinal Cushing Centers have identified unused parking areas on their property and will begin to require their staff to use parking spaces that are not among the leased spaces for the Kennedy Building. David Connolly asked that this parking plan be included in the ground lease between the parties. Several neighbors were in attendance and had concerns about the amount of traffic the project would generate and what impacts this would have on their neighborhood. The applicant's traffic engineer, Philip Vivieros explained that his assessment shows that the number of additional vehicle trips generated by the Kennedy Building development would have minimal impact to the overall

traffic issues. The Chairman cited their project eligibility letter where MassHousing has indicated a requirement to perform a detailed traffic study. Mr. Vivieros informed the Board that he has done a traffic count on the property and it appears that there are currently 1,400 vehicle trips per day along Washington Street in front of the Kennedy Building. He would be submitting his official report within a few days. The Town's traffic review engineer Peter Vasiliou complimented the applicants on the parking management. He had only received the response to his comments from McMahan that day but went over the responses briefly for the Board. He will supply a written report to the Board within a few days. David Connolly made a motion to continue the public hearing to December 4th, 2013. David Delaney seconded the motion. All others voted in favor.

Continuance of Public Hearing ZBA Case ZBA13-08CP – Webster Village

The Chairman reopened the continued public hearing for the Webster Village 40B project. Michael McGonigle, the applicant had submitted a revised set of plans and a new list of requested waivers dated October 31, 2013. He informed the Board that the Conservation Commission had closed their hearing on the subject. The Chairman asked the applicant to supply a letter from the abutter Mr. Connolly at 241 Webster Street indicating that he was amenable to the mitigation offered along his property line. The Board then went over the list of waivers and questioned some of the requested waivers. Mr. McGonigle agreed to remove the following from the requested waivers:

#4 Zoning Bylaw Sec. 5.400 – signs

#43 Zoning Bylaw Sec 10.140 – Digital Submission of Plans

#47 Zoning Bylaw sec 10.380 – Pre-construction Meeting

They will be submitting a final landscaping and lighting plan as well as a signage plan. David Nyman the Town's consultant review engineer told the Board that he was satisfied with the stormwater management system and recommended that they update their operation and maintenance plan to address the regulation of fertilizers, pesticides and herbicides and the management of snow and ice. Mr. Nyman explained that these issues were also being addressed during the conservation review. Matthew Perkins made a motion to close the hearing for Webster village pending submittal of the required documents and adherence to Conservation requirements and to take meet again on December 4, 2013 to issue their decision. David Connolly seconded the motion. All others voted in favor.

David Connolly made a motion to adjourn at 9:45 p.m. John Tuzik seconded the motion and all others voted in favor.

Respectfully submitted by: Margaret Hoffman, Assistant Town Planner.