



**Hanover Planning Board**  
550 Hanover Street, Hanover, MA 02339  
**Meeting Minutes – Monday, October 17, 2022 – 6:45 pm**

**Committee Attendees**

MaryAnn Brugnoli, Chair  
Bernie Campbell  
Meaghan Neville-Dunne

Giuseppe Fornaro  
Tony Cavallaro *via Zoom*  
David Traggorth

**Absent**

Ken Blanchard

**Other Attendees**

Christine Stickney, Town Planner  
Ann Lee, Director of CD&MI  
Irene Coleman, Asst. Town Planner  
Kevin Sealund, Sealund Corporation  
Alexa Sikoryak, Kimley-Horn  
Casey Lieberman, Kimley-Horn  
Caycee Hart, Kimley-Horn  
Aaron Hemquist, Target Corporation  
Stephen Callahan, Global Property Developers

Adam Brodsky, Drohan, Tocchio & Morgan, P.C.  
Robert Tombari, Tombari Law Group  
Gerald Pucillo Jr., Centergreen LLC  
Joseph Previte, Previte's Marketplace  
James Doherty, 334 King Street subdivision  
Paul Seaberg, Grady Consulting  
Mary Anne Johnson, 320 King Street  
Deborah Wessling, 61 Manns Drive  
Joseph Polsinello, Inland Pollution Control, Inc.

**Opening**

The Chair MaryAnn Brugnoli opened the meeting at 6:45 PM and made note the meeting was being recorded.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes

**Review of Meeting Minutes**

The Board voted to approve the meeting minutes from September 26, 2022 with an amendment to the roll call vote for Stable Ridge Estate (Major Modification) noting Board member Bernie Campbell voted no.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes  
David Traggorth – Yes

**Other Business**

Kevin Sealund of Sealund Corporation met with the Board to update them on the progress at Oakland Estates. The Board reviewed a request to establish a surety amount and to release a portion of the lots. The Board voted to establish a surety amount of \$354,420.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes  
David Traggorth – Yes

The Board voted to release lots 4, 5, 6, 7, 8 and 9.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes  
David Traggorth – Yes

The Board reviewed a request for release of escrow funds for a previously permitted Honey Dew Donuts at 1143 Washington Street which was never constructed and is now the site of Benchmark Senior Living. The Board voted to release the remaining funds of \$1,540.50.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes  
David Traggorth – Yes

The Board reviewed and voted to approve the Board’s FY22 Annual Report.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes  
David Traggorth – Yes

The Board discussed various draft warrant articles for zoning bylaw amendments. Town Planner Christine Stickney explained the amendments being proposed including changes to the language for “medical uses” in the Business District and parking requirements, additions to the zoning bylaw definitions and a warrant article to limit the size of an accessory structure. The Board will review the proposed warrant articles for consideration at their next meeting.

**Continuation - Public Hearing – 1167 Washington Street (Target) – Special Permit & Site Plan Review – PB 22-4**

The Board continued with a public hearing for Target Corporation. The applicant is requesting a major modification of an approved Special Permit and Site Plan Review (PB File #08-10) to reconfigure approved parking fields to accommodate the installation of overhead canopies as part of Target’s Drive-up program for customers. The Chair MaryAnn Brugnoli noted a draft decision would be provided by staff. Town Planner Christine Stickney stated the draft decision has yet to be forwarded to the applicant as the Planning Office only received updated plans on the project on Friday of last week. The Chair suggested the applicant review the draft decision for discussion at the Board’s next meeting. Alexa Sikoryak of Kimley-Horn suggested they review the special conditions of the draft decision during the current meeting. The Board would prefer the draft decision be thoroughly reviewed by the applicant. The Chair opened the floor to public comment, seeing and hearing none. The Board voted to continue the hearing to Monday, November 7<sup>th</sup> at 7 PM when the draft decision will be reviewed.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes  
David Traggorth – Yes

**Continuation - Public Hearing – 1070 Washington Street – Major Modification – PB 22-13**

The Board continued with a public hearing for 1070 Washington Street LLC. The applicant is requesting a major modification of an approved 2017 Special Permit and Site Plan Review (PB File #16-19) to modify condition #1 for existing structure on the property to remain and not be razed as required and be allowed two (2) additional years for marketing to convert to the residential structure to a conforming use in a Business zone. The owner of the property Stephen Callahan was present. Attorney Adam Brodsky of Drohan, Tocchio & Morgan, P.C. explained the building is in good condition and replacing it with a new structure is financially impractical given the high cost of construction. Mr. Brodsky noted improvements have been made to the building including debris clean up, exterior paint and new windows, and the residential units are currently occupied by good tenants. Mr. Brodsky stated given the limitations on allowable uses for properties within the Water Resource Protection District, the only obvious use is office space which given the Covid pandemic is still a depressed market. Mr. Brodsky stated a new real estate marketing firm has been retained, and they feel a business use can be found for the first floor of the existing structure. It was noted by the Board that a Special Permit will be required if the owner intends to retain a residential unit on the second floor. The Chair MaryAnn Brugnoli noted the original Special Permit requiring the demolition of the existing residential structure within two (2) years was issued in 2017 so a lengthy amount of time has passed without compliance; however, the Chair stated she is agreeable to a one (1) year extension for marketing to find a suitable business use for the existing structure. Board member Bernie Campbell is also in favor of a one (1) year extension with the stipulation that the owner update the Board on progress in six (6) months. Mr. Campbell also stated he is sympathetic to the position of the current residential tenants but noted the owner was aware of the condition in the Special Permit. Mr. Brodsky agreed that although the project permitting was obtained by the

previous owner, the current owner was aware of the agreement. Board members Giuseppe Fornaro and Meaghan Neville-Dunne asked why make improvements to the property if the owner was aware demolition was required. Mr. Callahan stated he had two years, and he wanted the property to look well kept. Mr. Callahan also noted that upon inspection he found the building to be in good condition. Ms. Neville-Dunne noted the first floor was being used as an office initially, and the Chair questioned if Mr. Callahan could use the first floor as his office to remedy the situation. Mr. Callahan stated he already has offices at another location. Board member David Traggorth stated he is in favor of the current structure remaining and is agreeable to a one (1) year or two (2) year extension. Mr. Brodsky stated the owner is agreeable to providing an update to the Board in six (6) months. Town Planner Christine Stickney noted the Special Permit for the project was just recently recorded at the Registry of Deeds on October 7<sup>th</sup> and reminded Mr. Brodsky again that another Special Permit will be required to retain the residential use on the second floor. Mr. Brodsky stated he understands the additional Special Permit requirement and apologized that the original Special Permit was not recorded by the closing attorney when Mr. Callahan purchased the property; however, he stated substantial use of the Special Permit has occurred making it still valid. The Board expressed hope that the newly engaged real estate marketing firm will be successful in finding an allowable business use tenant for the first floor. The Board voted to grant a one (1) year extension until October 17, 2023 to market the existing structure for an allowable business use with the stipulation that the owner update the Board in six (6) months on the progress.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes  
David Traggorth – Yes

#### **Public Hearing – 283 Columbia Road (Previte’s Marketplace) – Major Modification – PB 22-17**

The Board opened a public hearing for Previte’s Marketplace Inc. The applicant is requesting a major modification of an approved 2018 Special Permit and Site Plan Review (PB File 17-21) to construct a two-story 1,800 SF addition on the rear of the existing building to expand the loading dock area and add office space on the first floor as well as additional office space on the second floor. Map 57 Lots 86 & 87. Business District and Water Resource Protection Overlay District. Board member Meaghan Neville-Dunne read the hearing notice and commentary from Hanover Fire Department Deputy Chief Fred Freeman into the record and noted the taxes are current. Robert Tombari of Tombari Law Group explained the need for additional office space at the newly constructed Previte’s Marketplace and noted its placement in the rear of the existing structure. Mr. Tombari also stated a diagram of a truck path around the building has been added to the Board’s materials. Gerald Pucillo Jr. of Centergreen LLC explained the plans to the Board for a two-story addition in the rear loading dock area which will match the existing exterior of the building and noted an additional climate control unit will be installed for the new office space. The Board confirmed with Mr. Pucillo that the new climate control unit will be screened from view and also confirmed the location of the existing dumpster. Board member Bernie Campbell confirmed the addition will be within the zoning bylaw height requirements. Town Planner Christine Stickney stated the As Built for Previte’s has not been completed yet given this request for modification and the previous modification for Square Café. The Chair MaryAnn Brugnoli opened the floor to public comment, seeing and hearing none. The Board voted to continue the hearing to Monday, November 7<sup>th</sup> at 7 PM when a draft decision will be reviewed.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes  
David Traggorth – Yes

#### **Continuation - Public Hearing – 334 King Street – Definitive Subdivision – PB 22-8**

The Board continued with a public hearing for James Doherty. The applicant is requesting a Definitive Subdivision approval for a three (3) lot subdivision, serviced by a 320’ LF proposed roadway including drainage and other roadway appurtenances that will access from King Street at the former #334 King Street lot. Map 67 Lot 11 and Map 68 Lot 10. The property owner/applicant James Doherty was present. Paul Seaberg of Grady Consulting shared the current plans with the Board and reviewed all the revisions that have been made. Mr. Seaberg also reviewed the list of five (5) waivers from the Subdivision Rules and Regulations that are still being requested for the project. Mr. Doherty stated that the unbuildable “Parcel A” will have a stipulation that it can never be combined with any other lot within the subdivision and will be owned by the future homeowner’s association. Mr. Doherty also noted that such unbuildable parcels have been included in previous subdivision plans the Board has approved. Mr. Doherty respectfully requested the Board close the hearing and take a vote on the project. Board member Bernie Campbell acknowledged the change from Cape Cod berm to granite curb which he is in favor of. Town Planner Christine Stickney

suggested the Board leave the hearing open at this time so that the applicant may have the benefit of discussing the draft decision with the Board at a future hearing. Ms. Stickney suggested the Board could vote on the five (5) requested waivers at this time. The Board discussed including a special condition within the decision that would require the existing structure be demolished and what time frame should be required for said demolition. Ms. Stickney noted that materials have been submitted to the Board from abutter Mary Ann Johnson. The Chair MaryAnn Brugnoli opened the floor to public comment.

Mary Ann Johnson of 320 King Street stated that beyond the Parcel A issue, which she believes is being used to avoid the need for a frontage variance, she is also concerned about the environmental impacts when the building is demolished. Ms. Johnson questioned what requirements will be put in place to protect the abutters from adverse environmental harm. Building Commissioner Joseph Stack stated that prior to a demolition permit being issued, he will require a hazmat certification that will test for lead and asbestos. Mr. Stack stated that if those tests come back positive, he will require abatement prior to issuing a demolition permit. Ms. Johnson noted that a portion of the building was demolished recently, and it should have been looked at for lead and asbestos then. Mr. Stack stated that a portion of the building had fallen to the ground and was simply removed. Ms. Johnson does not agree and shared a photo with the Board of the structure with the front wall still precariously standing. Ms. Stickney stated requiring a 21E of the soils for environmental impacts from the existing structure are not within the purview of the Board with a subdivision application. The Building Department, Board of Health and Conservation Commission will be responsible once building is proposed on lots, and the Board is simply required to approve roads, lots and infrastructure for proposed subdivisions. Ms. Johnson disagreed and stated that the demolition is in the purview of the Board and noted court documents she has submitted stating that the demolition of the existing building is contingent on the approval of the subdivision. Ms. Stickney noted those documents are relative to an Order to demolish the house from the Building Department and not this application. The Chair stated the Board has not agreed to anything stating the demolition of the building and the approval of the subdivision are connected. The Chair confirmed Ms. Stickney's previous stated that the Board is only tasked with review of the subdivision before them.

Deborah Wessling of 61 Manns Drive questioned if the soil will be tested for contamination and who is responsible for that. Ms. Stickney stated that the Building Department would be responsible. Mr. Stack stated that an outside consultant would test the soil and submit a report. Joseph Polsinello of Inland Pollution Control, Inc. has been retained by Ms. Johnson and has submitted a memo to the Board. Mr. Polsinello stated that it would be in the Town's best interest to require a 21E of the property. Mr. Polsinello believes that given the existing structures dilapidated condition, the soil is likely contaminated with lead and asbestos. Ms. Stickney again noted that this is under the jurisdiction of the Building Department. Mr. Doherty objected to Mr. Polsinello's memo as he did not conduct an onsite inspection of the property. Mr. Stack stated he is not opposed to a 21E, and he will take it under advisement. Ms. Wessling stated her concern that any clean up required be done properly. Mr. Stack stated that any test results would be public record, and any required abatement would take place. The Chair asked for any other public comments, seeing and hearing none. The Board voted on the below requested waivers from the Subdivision Rules and Regulations:

- Section IV.A.2.E. Alignment – To reduce the curb radius on the south side of the intersection at King Street from 40 ft to 25 ft.  
**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes
- Section IV.A.3.A. Width – Minimum right of way for minor streets from 50 feet to 40 feet.  
**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes
- Section IV.A.5.B. Dead-End Streets – Specifically to reduce the right of way diameter from 130 feet to 110 feet.  
**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes
- Section IV.A.5.C&D Dead-End Streets – Specifically to eliminate the central circular island.  
**Roll Call Vote:** MaryAnn Brugnoli – Yes

Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes

- Section V.C.1-5 Sidewalks – Specifically to eliminate sidewalks.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes

The Board voted to continue the hearing to Monday, November 7<sup>th</sup> at 7 PM when a draft decision will be reviewed.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes

### **Other Business**

Town Planner Christine Stickney updated the Board on a request for a minor modification for a digital message board at 283 Columbia Road (Prevites). Board member Giuseppe Fornaro asked if an expected petition from residents to rescind the Digital Message Board Bylaw has been received at Town Hall. Ms. Stickney and Director of CD&MI Ann Lee stated no. Board member David Traggorth noted the Curry Hardware digital message board is very bright and questioned if it could be dimmed and also suggested requirements for brightness for future permitting.

### **Adjournment**

The Chair opened the floor to public comment, seeing and hearing none. The Board voted to adjourn at 8:18 pm.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Bernie Campbell – Yes  
Meaghan Neville-Dunne – Yes  
Giuseppe Fornaro – Yes  
David Traggorth – Yes

### **Upcoming Meetings**

Monday, November 7<sup>th</sup> & 21<sup>st</sup>, 2022

Monday, December 5<sup>th</sup> & 19<sup>th</sup>, 2022