



### Hanover Planning Board

550 Hanover Street, Hanover, MA 02339

Meeting Minutes – Monday, December 19, 2022 – 6:45 pm

#### Committee Attendees

MaryAnn Brugnoli, Chair  
Ken Blanchard  
Bernie Campbell

Meaghan Neville-Dunne  
Giuseppe Fornaro  
Tony Cavallaro *via Zoom*  
David Traggorth

#### Other Attendees

Christine Stickney, Town Planner  
Josh Katzen, Pres. Washington Limited Partnership  
Brandon Li, Kelly Engineering  
Deborah Wessling, 61 Mann's Drive

Dan Dumais, MDM Traffic *via zoom*  
James, Doherty, 334 King Street *via zoom*  
Mary Anne Johnson, 320 King Street

#### 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  
Ken Blanchard - Yes  
Bernie Campbell – Yes  
Meaghan Dunne – Yes  
Giuseppe Fornaro – Yes  
Tony Cavallaro – Yes  
David Traggorth – Yes

#### Review of Meeting Minutes

The Board voted to approve the meeting minutes from November 21, 2022 with two minor amendments on page 1 and 2.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Kenneth Blanchard - Yes  
Bernie Campbell – Yes  
Meaghan Dunne – Yes  
Giuseppe Fornaro – Yes  
Tony Cavallaro – Yes  
David Traggorth – Abstain

#### Other Business

##### *Request for As-Built Approval and Release of Surety – 295 Winter Street (Celiberti)*

Town Planner, Christine Stickney noted her staff report and that she had heard back from all the departments. The Conservation Commission emailed concerns with no Certificate of Compliance for the detention basin and flooding on the abutting property 301 Winter Street. Christine was aware of an initial flooding issue when the road was cut but since then the department has received no complaints from the abutters. The DPW was satisfied but noted the grass had not matured and need more growing time. Staff's recommendation was to reduce the bond and issue as-built in the spring of 2023 to address the grass and the Certificate of Compliance. Member Fornaro motion to reduce the original surety from \$189,602.30 to \$10,000.00 to allow the grass to grow and the applicant obtain the Certificate of Compliance and to return in May for As-Built Certificate, seconded by Member Dunne

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Ken Blanchard – Yes  
Bernie Campbell – Yes  
Meaghan Dunne – Yes  
Giuseppe Fornaro – Yes  
Tony Cavallaro – Yes  
David Traggorth – Yes

***Request for As-Built Approval and Release of Surety – Wood Hollow Way (Stable Ridge)***

Jack Dawley was present via Zoom regarding the matter. Town Planner, Christine Stickney noted that she had heard from all departments with exception of Highway as to the As-Built. In an earlier email, DPW Superintendent Victor Diniak had informed the department the residents had petition for street acceptance for the upcoming annual town meeting (2023) and he would comment on the As-Built and the department did not receive any further comments. It was agreed to move the matter to the January 9, 2023 meeting to allow time from DPW/Highway department to comment more definitively on the As-Built and Surety release. Member Fornaro motion to continue the matter to 1/9/23, seconded by Member Campbell

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Ken Blanchard - Yes  
Bernie Campbell – Yes  
Meaghan Dunne – Yes  
Giuseppe Fornaro – Yes  
Tony Cavallaro – Yes  
David Traggorth –Yes

**New Public Hearing – Special Permit/Site Plan Review – Fast Food Establishment – 1167 Washington Street PB 22-18**

The public hearing was open and Member Dunne read the legal notice into the record and correspondence from the Hanover Fire Department, Water Department and Tax Collector. Mr. Josh Katzen, President of the Hanover Washington Limited Partnership LLC, provided a brief overview of the site's history and the proposed 2,500 SF pad for a fast food establishment with a drive-up window. Mr. Katzen explained the commercial condominium ownership and each individual condo's responsibility as to the maintenance and operation of the parking areas and common open space. The proposed fast food would be under the lease for Building B. Chair Brugnoli questioned the time frames of the properties becoming commercial condos and Mr. Katzen explained that Building B was first built and Target desired to own their own property and as approved had no frontage and the condo allowed this to occur. In total there are Five condos; Target by itself, Benchmark by itself, the Bank by itself and Petco "B" Building and Coastal Heritage office building are both condos owned by Hanover Washington Limited Partnership LLC. Brandon Li of Kelly Engineering, using site plans, explained the proposal as to access, footprint, parking and queuing of the drive thru lane. A question was asked as to whom it was being built for and Mr. Katzen noted it is a spec pad with interest from Five Guys and Taco Bell however nothing has been formalized. Chair Brugnoli expressed her concerns with the bypass lane and if the que would be blocking parking spaces. Brandon demonstrated the que capacity and the extra land bank parking on the site. Member Dunne asked if the applicants had considered using the vacant bank with a drive-thru lane rather than new construction. Mr. Katzen noted the bank is under agreement for another bank to occupy. Dan Dumas of MDM Transportation Consultants provided a brief power point presentation of the traffic for the site, Route 53 and the proposed use fast food use (LUC donut shop & luncheon/dinner use). Counts were done in mid-November 2022, it is not a high crash area, in addition he discussed the que projections and showed a parking analysis for the existing and proposed uses based on actual counts of the customer parking. Member Blanchard questioned how the nine (9) spaces would be accessible with additional drive-up que lane. Member Traggorth asked if there would be a final condo for this fast food use, is any signage proposed and will there be any outside seating. Mr. Katzen commented that there are no plans for a condo, signage would be on the building and he couldn't answer the outdoor seating. Member Fornaro asked about who can park where and the maintenance of the parking - Mr. Katzen also commented that parking of the whole site is available to everyone/tenants to use on the site. Member Dunne asked about the overall parking and Mr. Katzen said 30 spaces are being removed and an additional 14 parking spaces are needed for the restaurant – the site is over parked for zoning. Members discussed the conditions on the site with windblown debris from dumpsters and the need for more attention by all tenants and property owners. Tom Kennedy, 5 Tower Hill asked about height of the structure – Mr. Katzen said they will not be asking for any zoning relief the tenant will make that decision. Kathy Kennedy, 5 Tower Hill said they are constantly picking up trash and has concerns for a fast food use and even more trash. Member Fornaro, motion to continue the public hearing until January 23, 2023 at 7pm, seconded by Member Campbell

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Ken Blanchard - Yes  
Bernie Campbell – Yes  
Meaghan Dunne – Yes  
Giuseppe Fornaro – Yes  
Tony Cavallaro – Yes  
David Traggorth –Yes

Town Planner Christine Stickney left the Planning Board Meeting to attend the Select Board Meeting occurring downstairs.

**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 Chair noted at the last public hearing Mr. Doherty had some concerns with the draft conditions and he wanted to have the attorneys review. Member Blanchard recused himself from participation on this matter since he is a direct abutter. The abutter Ms. Johnson, 320 King Street had sent correspondence online last Thursday to the office however she provides more information to members at the meeting. Ms. Johnson noted it is not the same letter but she revised. The Chair noted the online letter requested a survey of her property and Ms. Brugnoli noted she will have her mutual lot line done as well. Ms. Johnson noted in the past she has surveyed her lot and she wanted to know why only one abutter and not the other three abutters – referencing condition #36. The Chair notes it has to do with proposed roadway being located so close to the property line. Ms. Johnson feels she has more impact than other abutters. Chair Brugnoli commented not as to the road placement it is right up against this abutter. MS. Johnson feels it doesn't state why this condition is just for that abutter. The Chair noted the planner is at the Select Board meeting and she will go down and ask for clarification. When the Chair returned she noted the Town Planner said the condition is written due the roadway and Ms. Johnson will be dealt with by the building department. Ms. Johnson notes it should be clearer – Ms. Wessling, 61 Mann's Dr. said when you build anything you need a survey. Member Dunne suggested that it is the roadway that makes this be required to clarify but noting that in the condition. Members agreed to add additional language re: the roadway to condition #36. Ms. Johnson questioned if condition #19 is changing and Member Fornaro read the condition and Member Brugnoli noted there will be no change per the Town Solicitor's direction.. There was brief discussion as to the lot development and the house demolition per the condition and questioned enforcement. Ms. Wessling questioned what can he do under this zoning? – Could he ever do multi-family? The Chair responded no. Ms. Johnson questioned what he can do as to rebuilding on the existing footprint and the Chair noted we are approving a 3 lot subdivision. Member Fornaro stated he has to remove the structures to do the subdivision. Member Fornaro motion to approve the Definitive Plan for 334 King Street (PB File #22-8) a three lot subdivision with conditions as amended, seconded by Member Dunne

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Ken Blanchard – Not Participating  
Bernie Campbell – Yes  
Meaghan Dunne – Yes  
Giuseppe Fornaro – Yes  
Tony Cavallaro – Abstain  
David Traggorth – Abstain

Mr. James Doherty, 334 King Street, via Zoom thanked the Planning Board and wished the Happy Holidays. Member Dunne Motion to close the public hearing, seconded by Member Fornaro.

**Roll Call Vote:** MaryAnn Brugnoli – Yes  
Ken Blanchard – Not Participating  
Bernie Campbell – Yes  
Meaghan Dunne – Yes  
Giuseppe Fornaro – Yes  
Tony Cavallaro – Abstain  
David Traggorth – Abstain

**Other Business (continued)**

In the absence of the Town Planner who was attending the Select Board Meeting, the matters re: Benchmark, Sconset Landing and Gray's Place will be moved over to the January 9, 2023 meeting. Members briefly discussed why the Town Planner was down stairs – discussion on the MBTA Multi-family Zoning.

**Adjournment**

The Chair opened the floor to public comment, seeing and hearing none. The Board voted to adjourn at 8:45 pm.

**Upcoming Meetings:** Monday, January 9<sup>th</sup> & 23<sup>rd</sup>, 2023