



Hanover Planning Board

550 Hanover Street, Hanover, MA 02339

Meeting Minutes - Monday, August 23, 2021 – 6:45 pm

Committee Attendees

MaryAnn Brugnoli, Chairman
Ken Blanchard, Vice Chairman
Giuseppe Fornaro
Bernie Campbell

Meaghan Neville-Dunne
Tony Cavallaro
Dave Traggorth

Other Attendees

Christine Stickney, Town Planner
Adam Brodsky, DT&M Law
Jack Dawley, Northland Residential Corporation

Greg Morse, Morse Engineering Company, Inc.
Paul Gallagher, JP Gallagher Construction

Opening

Chairman MaryAnn Brugnoli opened the meeting at 6:45 pm and made note the meeting was being recorded.

Review of Meeting Minutes

The Board voted to approve the meeting minutes from July 12, 2021 with the below addition:

- The Board discussed waiver request #7.

Roll Call Vote:

MaryAnn Brugnoli - Yes
Ken Blanchard – Yes
Giuseppe Fornaro - Yes
Bernie Campbell – Yes
Meaghan Neville-Dunne – Yes
Tony Cavallaro – Yes

295 Winter Street

The Board met with Adam Brodsky of DT&M Law regarding a Covenant for the commercial subdivision located at 295 Winter Street. Town Planner Christine Stickney explained to the Board that the applicant for 295 Winter Street has begun construction of the one lot subdivision without posting some type of performance guarantee in accordance with state law and now the applicant seeks a building permit without work being completed or secured. Ms. Stickney recommends that the building permit not be issued until surety has been established. Attorney Brodsky proposed a modified Covenant he drafted that was rejected by Town Counsel and returned with instructions to use the Town's standard Covenant. Attorney Brodsky stated his opinion that there is no need for a performance guarantee given it is a one lot subdivision and his client has no intention to convey the property. Ms. Stickney referred the applicant and the Board to Chapter 41 Section 81 that specifically calls out that no lot in a subdivision can be conveyed and/or built upon without one of the three forms of guarantee provided; a Covenant, Surety and/or Tri-party agreement and noted it is the applicant's choice as to which of the three forms they wish to use but no building permits can be issued without some form of guarantee posted with the Town. Ms. Stickney also noted a fourth option was to complete all the work 100% under the Definitive decision and receive As-Built approval and then building permits can be issued. Ms. Stickney stated her opinion that since a majority of the subsurface work is underway, the applicant could bypass the Covenant route and the need for a lot release by just developing an itemized list of the outstanding work still to be done with a dollar value and post a performance bond and/or check in that total amount and then building permits can be issued. Attorney Brodsky noted for the record his dissatisfaction. Mr. Brodsky is willing to provide a Covenant but believes the Town's standard Covenant penalized

his client unnecessary. Ms. Stickney again noted that Town Counsel did not recommend the modified Covenant submitted by Mr. Brodsky. The Chair asked individual members their opinion of the situation, and the Board voted to follow Ms. Stickney and Town Counsel's advice that some type of performance guarantee should be required.

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

Stable Ridge Estates (Wood Hollow Way)

The Board met with Jack Dawley of Northland Residential Corporation to discuss the trees/sidewalks on Wood Hollow Way for the as-built close out process. Town Planner Christine Stickney stated the remaining items to complete the subdivision are not an issue except for the trees within the road layout which are between the sidewalks and street which will most likely cause tree root damage to the sidewalks potentially opening the Town up to liability. For this reason, the Board has previously not recommended As Built approval or street acceptance. Mr. Dawley stated the remaining items to complete the subdivision should be done by September, and he questioned why the past Town requested tree replacement was allowed if the trees were in the wrong location. The Chair MaryAnn Brugnoli noted there is no documentation to indicate the Town agreed that the replacement trees be planted in the same location. Ms. Stickney provided a memo from former Town Planner Pete Matchak that noted the trees were in the wrong location. The Board discussed various solutions including complete tree removal, replacement with another tree species with deeper roots and complete sidewalk removal. Board member Bernie Campbell stated perhaps the existing tree species could be identified and it may not damage the sidewalks. The Board again discussed the Town's liability issue if someone is injured due to damaged sidewalks. The Chair asked for the opinion of Paul Gallagher of JP Gallagher Construction and Greg Morse of Morse Engineering Company, Inc. who were both present for another matter before the Board. Mr. Gallagher stated he no longer plants trees closer than seven (7) feet from edge of sidewalks as he has seen tree root damage to sidewalks regardless of which side the trees are planted on. Mr. Morse concurred, and he noted a recent project where he proposed the trees outside the road layout and within planting easements within each private lot. The Board continued to discuss options and noted adhering to the conditions of the Definitive Subdivision decision and approved plans should be a priority. Board member David Traggorth noted the options of leaving the trees as is and the road a private way or removing trees or sidewalks. Mr. Traggorth would prefer the Board endorse current best practices for tree location and approve a minor modification to the As Built if necessary. The Board requested that Mr. Dawley present the various options to the HOA/residents of Wood Hollow Way. The Board voted to further discuss the matter on Monday, September 20th.

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

Hearing – 96 Webster Street – Special Permit / Site Plan Review – PB 21-16

The Board opened a public hearing for 96 Webster Street LLC, 690 Main Street, Norwell, MA 02061. The applicant is requesting a Special Permit and Site plan review for 96 Webster Street, Map 5, Lot 54, Commercial District to demolish the existing structure and construct a new two-story professional office building (2,302 GSF), including a paved parking area for ten (10) parking spaces, the installation of a new Title V system and improved landscaping. The existing lot is non-conforming as to the existing lot area, existing frontage and the front yard setback of the proposed structure. Board member Meaghan Neville-Dunne read the hearing notice into the record. It was noted the Hanover Board of Health is all set with the project, and the septic system plans has been approved. The Chair

MaryAnn Brugnoli and Vice Chair Ken Blanchard have visited the site. Greg Morse of Morse Engineering Company, Inc. explained the plans to the Board. The Hanover Conservation Commission has issued an order of conditions for the project. Vice Chairman Ken Blanchard discussed the size of the dumpster with Mr. Morse and verified the location of the left side property line. Paul Gallagher of JP Gallagher Construction stated the informal agreement with 2110 Washington Street to allow cars to be park on the left side of the property will continue, and the area will remain pavement. It was noted that the existing shed in the rear of the property is over the lot line and will be moved forward. The Chair asked that low shrubs be added in the landscaping plan and questioned the proposed location of the handicap parking space. Mr. Morse confirmed the throat of the entrance is adequate to completely exit Webster Street prior to reaching the edge of the first parking space. Board member Giuseppe Fornaro would like the lighting added to the plan and noted all lighting should be downward facing especially considering the residential abutter at 104 Webster Street. The Board discussed the idea of having a path of some sort in front of the property to allow continued walking access towards the intersection of Webster Street and Washington Street. Mr. Gallagher stated the idea will be considered within what frontage is available. Town Planner Christine Stickney will produce a draft decision for the Board’s review, and the Board voted to continue the hearing to Monday, September 20th.

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

Birch Bottom Woods

The Board reviewed and voted to release Lot 17 of a previously approved definitive subdivision known as Birch Bottom Woods.

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

Other Business

The Board discussed and scheduled the remainder of their meeting dates for 2021 and assigned agenda topics for each date. The Board will discuss proposed changes to the Subdivision Rules and Regulations on October 4th.

The Board discussed Capital Fiscal Year 2023 requests and would like to request new air conditioning for the second-floor hearing room.

The Board briefly discussed the status of the VPUD bylaw review. Town Planner Christine Stickney reviewed the proposed changes she made to the current bylaw. Board members will send their ideas to Ms. Stickney via email, and the Board will revisit the discussion on September 8th.

Board member David Traggorth stated he will circulate some materials to the Board regarding a new land use policy and water efficiency which might assist with water quality in Hanover.

Staff Update

Town Planner Christine Stickney updated the Board on various issues regarding properties at 1422 Washington Street (Sherman Williams/Pearl Vision), 936 Washington Street (Salvation Army), 49 Franks Lane (U-Haul), 803 Washington Street (Hanover Country Florist) and 965 Washington Street (former Rosa Farms).

Ms. Stickney notified the Board that the Select Board will be reviewing the beer and wine license application for Previte’s and asked if the Board would like to issue a recommendation regarding the license. The Board has no concerns with the license being issued.

Adjournment

The meeting ended and adjourned at 9:16 pm.

Roll Call Vote:

MaryAnn Brugnoli - Yes
Ken Blanchard – Yes
Giuseppe Fornaro - Yes
Bernie Campbell – Yes
Meaghan Neville-Dunne – Yes
Tony Cavallaro – Yes
Dave Traggorth - Yes

Upcoming Meetings 2021

Wednesday, September 8th
Monday, September 20th
Monday, October 4th and 18th
Monday, November 1st and 15th
Monday, December 6th and 20th