

MINUTES
Planning Board Meeting - June 9, 2009
City Hall Annex, 115 Pleasant Street
Gardner, Massachusetts

Members present: Allen L. Gross, Chairman; Laura M. Casker, Peter J. Sabettini, and Mark Schafron, Members; and Robert Hubbard, Director/City Planner

Members absent: Robert J. Bettez, Sr., Vice Chairman; and Timothy Vatour, Alternate Member

Also present: Terri Hillman, Community Development & Planning; and Councilor James Minns

Mr. Gross, Chairperson, opened the meeting at 7 p.m.

Approval of Minutes

Motion to approve the minutes of the April 14, 2009 meeting, as presented.

Casker/Schafron.

Vote – unanimous.

1. Old Business

1.1 Conservation Restriction on City-owned Land

Minutes of the June 3, 2009 meeting on the proposed Conservation Restriction (CR) on Municipally-Owned Land were presented. Discussion centered on the CR's restrictions on the use of snowmobiles for recreational purposes. There is no solution that is satisfactory to everyone involved. There is interest from members of the Beagle Club to work with the City to maintain the conservation area. The next step is for the Mayor to submit the CR and MOU to the City Council for authorization to sign both documents. After that there are multiple steps at the State level. The remaining process will take at least one year.

1.2 Sign and Façade Design Guidelines

Nothing to report at this time.

1.3 Urban Renewal Plan

Nothing to report at this time.

1.4 Expedited Permitting – MGL Chapter 43D - Guidelines

R. Hubbard said that the final draft of the guidelines for expedited permitting on Priority Development Sites under MGL 43D have been prepared. The document will now be sent to the Mayor for transmission to and approval by the City Council.

2. New Business**2.1 Preliminary Site Plan Application – Heywood Wakefield – Phase 3**

William Berg submitted a Site Survey and Development plan for Heywood Wakefield Phase 3, Assisted Living Facilities. The ZBA had issued a Comprehensive Permit for this project on July 8, 1989. Site Plan Review by the Planning Board is not required under a Comprehensive Permit. The City Engineer must approve and sign-off the definitive plans for the housing development and review the proposed parking plan for substantial impact on traffic entering / exiting the complex.

R. Hankinson requested feedback from the Development Review Committee (DRC) members to assist in his findings. The Committee including two members of the Planning Board (L. Casker and P. Sabettini) met this morning. The DRC members offered comments regarding a revised Site Plan and they will be submitted to the City Engineer.

No action is required by the Planning Board but R. Hubbard will keep the Board apprised of developments.

2.2 Request from City Council re Zoning Ordinance Amendment

Motion to recommend that the City Council approve the proposed Zoning Ordinance Amendment to No. 62, § 914(6) to read as follows:

Political Signs and Posters – Political signs and posters are allowed on private property.

Sabettini/Casker.

Vote – unanimous.

2.3 Massachusetts BioReady Community Ratings

The Massachusetts Biotechnology Council (MBC) has developed BioReady Community Ratings. Gardner has received a Bronze rating as a municipality that features municipal water and sewer in commercial and industrial areas, and the zoning allows for biotech laboratory and manufacturing uses by special permit. By a minor change in the Zoning Ordinance to allow the use by right, Gardner could obtain a Gold rating. R. Hubbard has discussed this with the Mayor and B. Sullivan, Health Director, and they are in favor of making this zoning ordinance change.

Motion to recommend an amendment to the Zoning Ordinance 415 Table of Uses – 64. Scientific or research laboratory – from Special Permit to Allowed By Right in Industrial 1 and 2.

Sabettini/Schafron.

Vote – unanimous.

A Special Permit will still be required for Commercial II.

2.4 Appointment to the Montachusett Joint Transportation Committee

Discussion took place regarding an appointment to the Montachusett Joint Transportation Committee. This item will be included on the next agenda.

2.5 Proposed Telecommunications Facility Installation

A letter from EBI Consulting regarding a proposed telecommunications facility installation at 795 West Broadway was presented for information. No action is required.

2.6 Wilder Brook – Performance Guarantee

Attorney Mark Goldstein is representing Henry Cormier and his objective to reassign escrow funds involving Wilderbrook Estates for Phase II. The City Treasurer is holding \$175,000 of escrow funds to secure completion of the roadways and associated infrastructure in Phase II of Wilderbrook Estates. The reassignment would be from Wilderbrook, LLC to Mr. Cormier.

R. Hubbard told the Planning Board that Mr. Cormier does not own the street and does not own any lots within the subdivision. He has asked Attorney John Flick, City Solicitor, for advice on this matter. A copy of his e-mail to Attorney Flick is attached.

3. Other Business

3.1 Request for Extension of Special Permit – 525 Parker Street, LLC

Members signed the Extension of Special Permit voted at the April 14, 2009 meeting.

3.2 ZBA – Modification of Special Permit for 14-34 Main Street

A copy of the ZBA decision for the modification of a special permit for 14-34 Main Street was presented for information.

3.3 ZBA Decision – 16 Chelsea Street

A copy of the ZBA decision for a variance for 16 Chelsea Street was presented for information.

Adjournment

Motion to adjourn.

Schafron/Sabettini.

Vote - Unanimous.

The meeting adjourned at 7:50 p.m.

The next Planning Board meeting is scheduled for Tuesday, July 14, 2009.