

**PLANNING BOARD**  
**Regular Meeting Minutes**  
**August 17, 2020 via Zoom**

**Members present:** Mark Schafron/*Chairman*, Robert J. Swartz/*Vice Chairman*, Robert J. Bettez, Sr., Steve Cormier, and Paul A. Cormier/*Members*, and Trevor Beauregard/*Director-City Planner*.

**Members absent:** *None.*

**Also present:** Chris Coughlin-*Engineering*, Christine Fucile-DCDP, Jon Allard of Fuss & O'Neill, City Councilors Judy Mack & Elizabeth Kazinskas, Jeffrey Legros-DCDP, and several Gardner residents (*copy of attendance on file*).

ANNOUNCEMENT - Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the Chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Director of Community Development & Planning pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

***Mr. Schafron called the meeting to order at 7:32 p.m.***

**1. VOTE TO APPROVE MEETING MINUTES:**

✓ June 9, 2020:

Public Meeting via Go To Meeting [*The New Gardner Elementary School*]

Regular Meeting via Go To Meeting

***Motion to accept Planning Board public and regular meeting minutes as presented.***

***S. Cormier/R Swartz.***

***Vote - All in favor.***

**2. NEW BUSINESS:**

**2.1 Definitive Site Plan: Phase 1 Bailey Brook Open Space Recreation Project Site Plan-Vote**

Mr. Schafron asked if the Board members have any questions or comments with the understanding this is the gravel access road, the gravel parking area, walking path and trails, and nature based learning features.

P. Cormier made a motion to accept Phase 1 as proposed. Mr. Swartz seconded the motion.

After motion was made, R. Swartz made a reference relative to the comments heard about the fear of lack of security in the berm, and thought Mr. Beauregard, or Mr. Allard said it could go higher than 4 to 6 feet if needed. Mr. Schafron stated he believes that is what he heard. Mr. Swartz then suggested making it 6 feet which should be sufficient for security. In addition, anyone walking the trail will only see the roof tops of the houses, so there should be no need for a fence.

Mr. Schafron agreed, but did ask the opinion from an engineering point of view. T. Beauregard said it depends on how much material they have on site, and would prefer not to shift materials

in from off site to build the berm. In addition, there is not enough funds in the budget. Mr. Allard added if they were to look at making the berm a little higher, it also needs to be made wider which then causes the berm to creep up closer to the properties, and would cause disturbance closer to the properties. Right now the berm is 30 feet away, as well as existing vegetation in that area that should not be disturbed while the berm is being built up. Mr. Allard noted future phases include landscaping on top of the berm which then creates the vertical screening, but is not in the budget for Phase 1. T. Beauregard added there should not be much activity in this area at this stage of the project. M. Schafron remarked between the berm being built from on-site materials budgeted for, and with the existing geography and natural vegetation, this should be sufficient screening until additional plants could be put on, and in the area of the berm. Mr. Schafron asked Mr. Allard if this is accurate, and Mr. Allard replied yes.

***Motion to accept Phase 1 as proposed for Bailey Brook Open Space Recreation Project Site Plan.***

***P. Cormier/R. Swartz***  
***Favor.***

***Vote: All in***

**2.1 525 Parker Street: To Amend Development Overlay District 1:**

T. Beauregard said this was before the Planning Board previously which at that time asked for some minor revisions, but were not able to make the 90 day timeline in order to hold a joint public hearing with the City Council. One of the revisions was an access road in the back of the site. T. Beauregard suggested the proponent speak to what the specific changes were made before the Board discusses. Mr. Schafron understood tonight the Board would only be addressing the overlay and nothing to do with endorsing or discarding the developer's plan which is Traven Development. T. Beauregard replied yes, but as a request for the overall amendment from the condo development to multi-family housing, a conceptual plan needs to be presented of what the project would be like, if the zoning was passed. The Planning Board tonight needs to take it under consideration and potentially take a vote to either recommend to support the amendment, or recommend not support the amendment. The recommendation will then be sent to the City Council followed by a joint public hearing.

Patrick McCarty of McCarty Engineering showed the conceptual plan and explained the conceptual plan was previously before the Planning Board asking to amend the designation of Development Overlay District 1 for the site at 525 Parker Street that was previously granted when it was a mix of three and four unit townhomes. The current proposal is for three multi-family buildings totaling 123 units. The plan itself, since previously before the Planning Board, the three buildings locations are essentially the same as the original plan, however, the two buildings closest to Parker Street have been shifted further back on the site so there is now 20 feet from the face of the building to the right of way line which is 27 feet from the face of the building to the edge of the travelled way of Parker Street for the building on the eastern side, and 20 feet and 29 feet property line and edge of travelled way for the westerly building. Therefore, able to slide the two buildings further north on the site away from Parker Street to enhance the proposed landscaped buffer between the building and the street. The previous plan also showed two entrances out on to Parker Street and there were some concerns relative to that design, therefore, have redesigned to a single access point, 24 foot wide two way access point, as well as reconfiguring the parking in between Buildings A & B to be angled parking spaces with one way travel. The rest of the parking was reconfigured generally to make it work with 213 spaces. Up at the northeast corner of the site added the 18 foot emergency access driveway that was part of the original approved plan. The proposal would be to have a security gate locked with a Knox

box style lock in the event the fire department needs to gain access. Also, the fire department has possession of the only key to the Knox box. Added a lawn and passive recreation area to the rear of Building C including a picnic table area overlooking Parker Pond, as well as a lawn and passive recreation area to the west of Building A, including another picnic area overlooking Parker Pond.

Mr. McCarty stated this is a conceptual plan, and if the Board supports this request, the next step would be to go to the Board for Special Permit and Site Plan Approval where the plan would include details such as grading, drainage, utilities, stormwater management, and the actual design of the recreation areas.

Mr. McCarty mentioned other concerns were traffic, therefore, hired TEPP, LLC Transportation Engineering, Planning and Policy firm to prepare a traffic assessment which was submitted along with the application letter and concept plan to the Board. In summary, using the ITE (*Institute of Transportation Engineers*) trip generation rates for multi-family housing, the site would generate 42 trips during the AM peak hour, and 54 trips during the PM peak hour. The guideline for a full blown traffic impact is if the numbers were greater than 100, this is at half that threshold. Total number of daily trips would be 669. The most recent traffic study was conducted in 2008 by the MRPC (*Montachusett Regional Planning Commission*) just east of the site on Parker Street, granted the average daily volume on the site was 604 trips per day, therefore would be about 11% for the project site which is pretty minimal for traffic impact.

In addition to going before the Planning Board, will have to go before Conservation since there is work proposed within the buffer zone. There is a small bit of wetland fill required for the access drive and would propose a corresponding wetland replication.

The Open Space numbers for just the usable area on the site is 50.4%. If using the surface area of Parker Pond, contained within the boundaries of the site, the number goes up to 80 which clearly exceeds the required in both instances. So, it is 21% for entire area, and about 50% with just the developable, or usable area of the site.

Mr. McCarty stated he is hoping the Board will vote to recommend the amendment of the Development Overlay District and asked if there were any questions from the Board.

Mr. Schafron stated he had no questions, and asked if any of the Board members have any questions. Mr. Swartz asked if there are any traffic control measures on Parker Street to warn drivers going east and west relative to a driveway because of the railroad berm which blocks the view of a project heading east. Mr. McCarty noted it was a good question and said other than the trip generation, the traffic consultant went out to the site and took measurements of the available sight distance in both directions. There is a specific formula, looking from both directions, and with both directions, the available sight distance is 700 feet which would support speeds in excess of 50 mph. The posted speed limit on Parker Street is 30 mph, therefore, exceed both the stopping in intersection sight distances. However, can do signage if needed.

P. Cormier asked about the procedure for snow removal since there is not much room, especially with all the parking spaces. Mr. McCarty replied this will need to be addressed during the detail design as to where to locate snow storage areas. Could possibly push it to a central location to be hauled away.

T. Beauregard commented he appreciates the proponent bringing this back to the table and resubmitting, allowing for a better timeline for proper procedure on the zoning amendment. Suggested to the Board to take into consideration the contiguous zoning in this area. Although this site is zoned industrial, the proponents need the Overlay for multi-family housing to build this project. The contiguous zoning is Single Family Residential, within Single Family

Residential, three, four and multi-families are not allowed, therefore should take into consideration. There are some two families in this area, but predominately, there are single family homes. This project is not consistent with the characteristic of that neighborhood, as a result, it is important point to take into consideration as the Board considers their recommendation to the City Council.

Mr. Schafron asked if the Board needed some discussion.

S. Cormier asked again to T. Beauregard why the zoning in that area does not fit. T. Beauregard answered is the proposed use is not consistent with single family residential development, and what is allowed in the single family residential zone. Three to four family, and multi-family housing is not allowed in the single family resident zone, so the characteristics for this project are not consistent with what is seen in that area. Again, there are some multi-family homes in this area, but it is predominately single family.

Mr. Schafron added he was confused since before his appointment to the Board, this area was at one time approved for condominiums. T. Beauregard replied the condominiums were three to four units per building, however, looked more like single family homes, and were not large, three floor multi-family apartment buildings. T. Beauregard added the characteristics for the previous development were more consistent with the neighborhood than this development.

Mr. Schafron asked the Board if they want to recommend to the City Council to amend the approved use in an Overlay which would trigger the public hearing process, or not to amend.

Mr. Swartz noted he understands what T. Beauregard explained regarding the significantly different use than what was originally proposed, and yes it was mentioned in that immediate area are predominately single family homes. However, it is at the end of the single family homes, and there is no other properties on the other side of the railroad tracks that would promote development of any other building. In addition, there are multi-family homes across the street mixed with single family and multi-family homes, therefore, believes this would project would end up to be a maximum utilization and proper use of the property.

Mr. Schafron agreed the location of the project would have no effect on the single family area.

Mr. Swartz added there is foliage on the back side of the residences going down Charles Street, so in time, the trees will become so tall, the buildings will not be seen. Mr. Swartz added he thought when the contractor showed the rendering of the project, it was quite nice.

T. Beauregard stated he appreciates Mr. Swartz comments, and said this is a “concept” plan the applicant is submitting to go along with their amendment request, therefore, this may not be the exact plan in the end. If the Planning Board was to recommend, and the City Council was to approve, the applicant still needs to go through the Special Permit process. Mr. Schafron agreed and indicated, at this time, they are not endorsing this project, but just recommending this type of use. Mr. Swartz added, he was pleased when the original approved plan was going to be really developed, but then fell through and sat for about 10-15 years, and now here is a developer who has a concept plan to use this vacant piece of land. Further, it is utilization of property that is vacant, it is real estate taxes for the City, and will have some impact to all departments of the City. Further, the original project would have brought the same amount of impact, so it is a wash as far as he is concerned. Mr. Swartz fully understands that if it is recommended, only recommending an amendment and not the project as a whole. Mr. Schafron pointed out this recommendation would add more flexibility as to what could actually go there.

R. Bettez, Sr. made a motion to send to the City Council disapproval of this amendment as he is not in favor. Mr. Schafron asked for a second. Since there was no second to the motion, Mr. Schafron stated it cannot pass.

*Motion to send recommendation to City Council for approval of the amendment to the Development Overlay District 1 and request a Joint Public Hearing on the matter.*

*R. Swartz/S. Cormier.*

*Vote: 4 In Favor / 1 Opposed /R. Bettez,*

*Sr.*

**3. OLD BUSINESS:**

*None.*

**4. ANNOUNCEMENTS~~NEWS~~ARTICLES~~EVENTS**

Next Planning Board Meeting scheduled for September 8, 2020 at 7:00 p.m.

**Adjournment**

*Motion to adjourn.*

*R. Bettez, Sr. /R. Swartz.*

*Vote --All in*

*favor.*

**The meeting adjourned at 8:02 p.m.**

All documents referenced or used during the meeting are part of the official record and are available in The Department of Community Development and Planning pursuant to the Open Meeting and Public Records Law