



Place: Remote via Zoom

Time: 7:00pm

PB Members Present: Chairperson, Don Egan (**DE**), Vice Chairperson, John “Marty” Doggett (**JMD**), Clerk, Gil Medeiros (**GM**), Louis Masiello (**LM**), Deb Rider (**DR**), and Alternate, John Schillizzi (**JS**)

PB Members Absent: None

Also Present: Assistant Planner, Connie Brawders and Planning Board Secretary, Sue Johnson

DE brought the meeting to order at 7:00 p.m. remotely via zoom. Announced, per opening meeting law, that the meeting was being recorded.

1. New Business – 7:00 pm

- a. **ANR** – Request by applicant for approval not required land plan endorsement to create (13) thirteen new lots along **159 Beach Road and Old County Road (Map 28, Lot 1), a 30, 311 SF** site, located in the Beach Commercial-Residential zoning district. Applicant’s agent: Kenneth M. Lania, E.I.T., Cornerstone Land Associates, LLC, 25 Dean Avenue, Dracut, MA 01826.
- Kenneth Lania of Cornerstone Land Associates, LLC , spoke on behalf of the applicant.
 - He stated the property is the old Foote’s ice cream business.
 - The lots they would like to create will have sufficient frontage and be along roads that are accepted by the town.
 - They are proposing 5 lots along Beach Road and 8 lots along Old County Road.
 - He stated there are two minor clerical errors on the application;
 - One is the distance on the first lot on the line against lot 9, it is 166.54 feet but should be 66.54 feet.
 - The neighboring parcel has a new owner, so that information will need to be updated.

LM motioned the board endorse the ANR for **159 Beach Road and Old County Road**. **JMD** seconded this motion. Roll call was taken, all members voted in favor (5). Motion passed.

2. Public Hearing - 7:10 pm

- b. **Case 2021-04 - Site Plan Review for a Major Project at 504 North End Boulevard**: Request by applicant for to remove two (2) existing, non-conforming, multifamily structures and replace with nine (9) single-family detached dwelling units located at 504 North End Blvd [Map 36, Lots 138 A-L), a 22, 498+/- SF site, located in the High Density (R-3) zoning district and Flood Plain Overlay district. Owner: 504 North End Blvd., LLC, 229 Stedman Street, Lowell, MA 01851. (Cont. from 04/14/2021).

- Attorney Lisa Mead, of Mead, Telerman & Costa, spoke on behalf of the applicant.
- **DE** asked if the landscaping plan was created by a landscaper.
 - Lisa Mead answered, the landscape plan was created by Kim Turner who is a landscape architect.
 - **DE** stated that since the waiver was for providing landscape plans from a landscaper, the waiver is no longer needed.
 - Lisa Mead replied by saying, that is correct and she was going to withdraw the waiver.

GM motioned to grant the request to withdraw the waiver for the landscape architect requirement for 504 North end Boulevard. LM seconded the motion. Roll call was taken, all members (5) voted in favor. Motion passed.

- Lisa Mead gave a presentation.
- **DE** stated he realizes that at the end of the day the lighting plan is going to be dark-sky compliant. But, he added, the photometric plan is a protection for the abutting properties to make sure there is no spill over. It is a requirement of the site plan review. Since it is requirement, he stated it is his personal opinion that it should not be waived.
 - Lisa Mead stated the company where the lights are being purchased from said they do not have a photometric plan because they are residential lights.
 - **DE** replied saying he has never heard of a light company saying they cannot do a photometric plan because the lights are for residential units. These plans are done on residential projects often.
- Lisa Mead suggested continuing the waiver matter until the next meeting so the applicant can gather more information.
 - **DE** took a straw poll on continuing the matter of the waiver until the next meeting, all members agreed to continue.
- **DE** stated there has been a memo received from the DPW Director, Lisa DeMeo, in regards to the assertion of being able to build on top of the sewer easement. The memo states that no structure can be placed atop the sewer easement. **DE** proposed to Lisa Mead that a letter be submitted to the Planning Board on the project's position of being able to build on top of the sewer easement so that both that and the letter from the DPW can be submitted to Town Counsel in order to decide which side is correct.
- Mike Szarek, an abutter at 528 North End Boulevard gave public comment in support of this project.

GM motioned to continue the Site Plan Review for a Major Project at 504 North End Boulevard to the next Planning Board meeting on May 12, 2021. LM seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

3. Other Business

- c. **Case 2021-05 - Request for Site Plan Modification – Root & Bloom:** Request made by applicant for a modification of approved parking plan at **187 Lafayette Road (Map 19, Lot 296)**, a 2.371+/- acre site, located in the Lafayette Main Subdistrict B zoning district and Recreational Marijuana Overlay District. Applicant: Salisbury Cultivation and Product Manufacturing, LLC (d/b/a Root & Bloom), 23 Hale Street, Unit E, Newburyport, MA 01950 (Cont. from 04/14/2021)

- **DE** stated the applicant may be making big modifications to their application in way that would not require a public hearing. His advice from administration was to take it off the agenda. There will be no voting on this agenda item at this time.

d. Preliminary discussion of modifications to the Planning Board Rules and Regulations.

- **JMD** stated a subcommittee will be meeting on May 5, 2021 to begin an investigation of site plan requirements. The subcommittee will be reporting back to Planning Board with any and all progress.

4. Old Business – None at this time.

5. Correspondence

e. Minutes: None at this time

f. Notice of Public Hearing from Newburyport for a proposed zoning amendment to modify the title and definition of use category for Open Storage.

6. Adjournment

JMD motioned to adjourn. GM seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

Meeting adjourned at 8:05 pm

*** Documents provided at the meeting are on file in the Planning Office**

Minutes approved by: _____

Date: _____

John M. Duggett

12/15/22