

**APPROVED**

**Planning Board Minutes**

**September 1<sup>st</sup>, 2022**

**Time:** 7:00 pm – 9:15p.m.

**Location:** Wiggin Auditorium and via Zoom Remote Participation simulcast on Peabody Access TV

**Members Present:** Atty. Peter Arvanites, Mr. Roy Simoes, Mr. John Ford, Mr. Dennis Feld, Mr. Joseph Gagnon, Atty. Diane Cooper (Remote), Dr. Judith Otto, Mr. Matthew Genzale.

**Members Absent:** Mr. John Ford

**Others Present:** Mr. Andrew Levin (City Planner), Atty. John Keilty, Ted Neary (Rent Control Board), Kevin Murdoch (81 Main Street), Gary Gagney, Mark Bradbury

PUBLIC HEARING(s):

**1. Definitive Subdivision Stonegate:**

Notice is hereby given that under the provisions of Chapter 41, Section 81T of the Massachusetts General Laws, the Peabody Planning Board will hold a public hearing on June 2<sup>nd</sup>, 2022 at 7:00 pm in Peabody City Hall, Wiggin Auditorium, 24 Lowell Street, Peabody, MA 01960 for approval of a definitive subdivision plan known as Stonegate, Sheet(s) 1-14, plan dated March 22<sup>nd</sup>, 2022, drawn by William and Sparages, showing 5 lots.

Said property is located near or at:

Pearl Street, Ralph Road.

And shown on Assessors Map(s): 106

Parcels 2x, 5, 8, 9, 10, 18A & 18E

Atty. John Keilty was present on behalf of the applicant. Senior Planner, Andrew Levin explained to the Board that he had received a letter requesting to continue action on the proposed sub-division to the next Planning Board meeting.

**MOTION:** by Dr. Otto: move to receive a communication from Atty. John Keilty, requesting to continue the public hearing, and grant said request. **SECOND:** Atty. Cooper, unanimously approved.

**2. PROPOSED ZONING AMENDMENT**

Notice is hereby given that the **PLANNING BOARD OF THE CITY OF PEABODY** will conduct a **PUBLIC HEARING** on **THURSDAY EVENING, AUGUST 18<sup>TH</sup>, 2022**, at 7:00 P.M., in the Wiggin Auditorium, City Hall, 24 Lowell Street, Peabody, MA in accordance with the provisions of Chapter 40A, Section 5 of the Massachusetts General Laws **TO CONSIDER AMENDING THE ZONING ORDINANCE OF THE CITY OF PEABODY** as follows:

BE IT ORDAINED by the City Council of the City of Peabody as follows:

That the Zoning Ordinance of the City of Peabody entitled Zoning Ordinance - 2011, as amended, is hereby further amended as follows:

**SECTION ONE:** That the Zoning Map of the City of Peabody entitled, City of Peabody Zoning Map Adopted April 28, 2011, as amended, is hereby further amended as follows:

By amending Section 6.16.1 Residential Overlay District; Establishment by adding a parcel of land to the zoning map identified at Assessors Map 047, Parcel 025 and numbered 14 Pine Street. Said parcel is 3 acres and zoned MH Mobile Home Park.

**SECTION TWO:** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION THREE:** This ordinance shall take effect as provided by law.

Chairman Bettencourt read the legal ad.

Atty. Keilty was before the Board on the matter.

Atty. Keilty explained to the Board that his client is seeking to add the address, 14 Pine Street to the Residential Overlay District. Atty. Keilty explained that this request is in relation to a proposed development planned for the abutting 176 Newbury Street. Attorney Keilty explained that the addition of 14 Pine Street to the overlay district will grant his client the necessary lot size needed for the density they have chosen for the proposed development. Atty. Keilty went over the proposed traffic plan for the project, stating there will be a driveway on to Route 1 South, and that there is a proposed driveway onto Pine Street, but that his client would either make it gated emergency vehicles only or for only residents of the development.

Atty. Keilty stated that the proposed project would not be financeable if allowed to only utilize 176 Newbury Street, but with the combined lots of 176 Newbury Street and 14 Pine Street his client would have the allowable lot size for a denser development. Atty. Keilty stated he'd be happy to answer questions for the Board.

J. Gagnon inquired if there will be any buildings on 14 Pine Street lot, Atty. Keilty stated there would not be. J. Gagnon and Atty. Keilty discussed the zone change further. Atty. Keilty stated that beyond the approval needed from the City Council on the Zoning change, the project would also need a special permit from the City Council as well.

Atty. Keilty and J. Gagnon discussed the access from Pine Street. J. Gagnon stated that he is in favor of the residents having access.

M. Genzale discussed proposal with Atty. Keilty. Atty. Keilty stated it would be three stories of living space with garage underneath. M. Genzale inquired if the project will need any variances from the Board of Appeals, Atty. Keilty stated it would need none, only a special permit from the City Council.

M. Genzale inquired Community Development's recommendation on the project. Mr. Levin explained that Community Development is awaiting to see a further development plan.

R. Simoes stated that he is not in favor of residents to use the driveway on Pine Street, and is in favor of emergency access only. R. Simoes stated that the section of Pine Street is very narrow with no sidewalks.

Mr. Levin inquired about the 14 Pine Street. Michael Patrick, the applicant seeking the Zoning amendment stated the lot is 27,000 sf, Mr. Levin inquired if there are plans to develop that lot. Atty. Keilty stated that they are no plans to develop 14 Pine Street. Atty. Keilty, Mr. Levin and R. Simoes discussed the potential of the lot.

J. Gagnon inquired about ownership of the mobile home park. Atty. Keilty stated his client own both 14 Pine Street and 176 Newbury Street. Atty. Keilty stated that the mobile home park is not a cooperative. J. Gagnon asked about the current residents and what will happen. Atty. Keilty explained the process and that this would be overseen by the rent control board.

M. Genzale inquired if a side street could be used for access. Atty. Keilty stated he believes it can. M. Genzale stated he would like clarity on this. M. Genzale and Mr. Levin discussed. Atty. Keilty and M. Genzale discussed further. M. Genzale stated that he would like the input of the Community Development Department. Dr. Otto inquired as well what Community Development's stance. Mr. Levin stated they are remaining neutral and are awaiting further information.

Chairman Bettencourt asked for anyone in favor, there was none. Chairman Bettencourt asked for those in opposition.

Ted Neary, Chairman of Rent Control Board, Mr. Neary stated that granting a notice to quit as a Mobile Home park is overseen by the Rent Control Board. Mr. Neary stated that the Rent Control Board was only made aware of the request a month ago. Mr. Neary stated that the Rent Control Board needs to be made aware of information and process. Mr. Neary inquired about the proposed sewer.

Gary Gagney, a resident of the mobile home park, stated that he was only made aware of the plan only three weeks ago. Mr. Gagney stated the plan does not look like what he was previously told. Mr. Gagney stated that he would like to be kept aware of this process and what will happen to the residents of the mobile home park.

Mark Bradbury, resident of the mobile home park, stated that he would like to be kept aware of the process.

Mr. Levin explained the zoning amendment side of the process.

Atty. Keilty stated that he is fine with continuing this hearing until more information is made available.

MOTION: M. Genzale, to continue the hearing to the September 1<sup>st</sup> meeting, seeking more information and comment from Community Development. SECOND: Atty. Cooper, unanimously approved.

**A. Approval of Minutes:**

MOTION: Atty. Cooper, move approval, second: M. Genzale, unanimously approved.

**B. ANR/Land Court:**

**C. Site Building Permit Plan Reviews:**

**190R NEWBURY STREET (MAP 35, LOT 038A)**

This is an application by ROBERT DENISCO seeking a site plan review for the proposed construction of a 60-unit multi-family residential building over a parking deck, surface parking and access driveways.

Mr. Levin stated there has been no word back yet from Department of Public Services, but foresee's information forthcoming. Atty. Keilty stated the peer-review has been received by DPS, and are awaiting the DPS comments on the project. Atty. Keilty requested the application be continued.

MOTION: Atty. Cooper, move to allow the petitioner of 190R Newbury Street continue to the September 8th, Second, R. Simoes, unanimously approved.

**55 PULASKI STREET (Map 53, Lot 029)**

This is an application by DENNIS & GEORGIA GIANNIS, TRUSTEES seeking a site plan review for the proposed redevelopment of the site for multi-family housing. The application includes the construction of eight (8) new duplex buildings, as well as the renovation of the existing building into 5 units of housing. There is a proposed 44 parking spaces, with four (4) spaces located within two (2) buildings, with the remainder throughout the site in an open-air parking lot

Atty. Keilty explained that there is an opinion from the City Solicitor which would allow the applicant to come before the Board. Atty. Keilty requested the application be continued.

Mr. Levin also explained there was correspondence received via email from an abutter. Chairman Bettencourt stated it would be taken up at the next meeting

MOTION: Atty. Cooper move to continue to September 8th, SECONDED: M. Genzale. Unanimously approved.

**67 PULASKI STREET**

This is an application by PIONEER CHARTER SCHOOL OF SCIENCE II seeking a site-plan review for the proposed construction of an approximately 66,000sf K-8 Elementary and Middle School. The project includes the demolition of the existing buildings on both properties and various site improvements, including construction of vehicular and pedestrian access, school building, landscaping, and utility services.

MR. Levin explained the third party review contract have been signed, and are awaiting the peer review. Atty. Kilty stated the Worldtech and Horsley Witten reviews have been received.

**MOTION:** Atty. Cooper move to continue to September 8th, **SECONDED:** M. Genzale.  
**Unanimously approved.**

1. **81 Main Street (Map 85, Lot 094)**

This is an application by PEABODY ACCESS TELECOMMUNICATIONS, INC seeking a site plan review as part of the Downtown Design Standards. The Applicants are seeking to construct a garage located at the front of the property.

Atty. Keilty, Kevin Murdoch (contractor/builder), and Camille Bartlett (PAT Director) were present again to present as requested by the Planning Board.

Mr. Levin explained to the board that since the previous meeting the applicants had provided the Board with updated renderings, that were more in-depth than previously submitted. The Board reviewed the renderings, labeled “rendering A” and “rendering B”.

Atty. Keilty explained the two renderings. One which shows a building entirely with brick exterior with windows on the street facing side. Atty. Keilty showed that the second rendering had a majority brick exterior, with some hardi-plank being used on the westerly wall.

The Board and the applicant discussed the merits of both renderings.

Dr. Otto stated that these were welcome changes. Dr. Otto outlined the items from the renderings that she liked and items from the renderings that meet many of the similarities of the downtown. M. Genzale inquired if there was cost differences between the two. Atty. Keilty stated the most cost-effective would be the option that shows the brick with the hardy-plank.

Mr. Levin outlined the items shown in the rendering that meet the “design standards” checklist.

R. Simoes commended the design team and inquired about the color of the brick. Ms. Bartlett explained the brick will match the existing building on the site.

The Board, Mr. Levin, and the Applicant discussed both renderings further.

**MOTION:** Atty. COOPER, move that the Board recommends Option A **Seconded** by: J. Gagnon, unanimously approved (M. Genzale present).

**MOTION:** J. FORD MOVE to recommend, in the matter of 81 Main Street, permit to issue, seconded: Dr. Otto, unanimously approved (M. Genzale present).

**Appointments:**

None

**Correspondence:**

**City Council:**

**Other Matters Properly Before the Board:**

Mr. Levin explained as part of a state process received a “Environmental Notification Form” for Salem Country Club.

Mr. Levin handed out a recently submitted definitive subdivision application. R. Simoes stated that he hopes the Board does not waive the requirement that utilities be placed underground.

The Board discussed late ads.

**Adjournment:**

**Planning Board:** Dr. Otto MOVE TO adjourn **Seconded by:** Atty. Cooper **unanimously approved**

Andrew Levin

Senior Planner

**CURRENT BOARD VACANCIES:**

**SEEKING TWO (2) ALTERNATE MEMBERS FOR THE PLANNING BOARD.**

An audio and visual recording of the meeting is available by following the link below or copying this link into an internet browser.

<https://www.youtube.com/watch?v=0o8str92VkJ>