

PLANNING BOARD MEETING – April 25, 2012

PRESENT: Robert W. Flynn, Chairman; Robert Donnelly, Vice Chairman; Jesse Forcier; George Nangle; Mark Pease, Alternate Member; Glen Edwards, Town Planner; Mark Hamel, Town Engineer and Lisa Wagner, Recording Secretary

ABSENT: Philip Greene

Chairman Flynn opened the meeting at 7:00 p.m. in Harmony Hall.

MINUTES:

Meeting held on March 28, 2012: Mr. Donnelly motioned to approve. Mr. Forcier seconded. Motion passed unanimously.

TOWN CENTER OVERLAY BY-LAW/NMCOG/REVIEW & DISCUSSION:

Beverly Woods, Executive Director of NMCOG appeared before the Board to review the draft of the proposed Town Center Overlay By-Law. In review, Ms. Woods indicated the Town identified a Town Center, as an area it wanted to expand and to promote mixed usage. There were 2 visioning sessions held to which the public was invited to provide any input and then another public meeting took place, where a presentation was made to discuss the design guidelines, as well as to consider what the overlay district by-law would look like. At this time, Ms. Woods inquired if the Board members had any feedback on the draft or she could discuss the content further. Chairman Flynn asked for a brief review and he commented that the Dracut center area is basically built out; therefore; some conflict with the existing use and the underlying zoning might cause confusion for the residents. Ms. Woods stated the overlay by-law does not negate the underlying zoning and this just establishes the framework for moving forward to encourage the characteristics of the Town Center. Also, the overlay by-law provides the property owner the opportunity to create a mixed use on their parcel in exchange for following the design guidelines. Ms. Woods added there is a map of the proposed Town Center, which in general is Arlington to Broadway to Loon Hill, but she did not have it with her.

In further review, Ms Woods referred to page 3 of the draft and mentioned there are a number of proposed uses allowed in the overlay district, but the Board can determine whether it wants to add or remove any of these. It was noted that a use which is not listed would be prohibited and the draft has also established dimensional requirements for the overlay area. Ms Woods stated that the Planning Board would have a fair amount of flexibility in the dimensional requirements and can modify those, if doing so would improve the design. In addition, all uses and structures are subject to a special permit and site plan special permit, which will be under the control of the Planning Board and finally, the applicant must submit the appropriate material in accordance with the requirements of the by-law.

Chairman Flynn noted the minimum land area per lot per dwelling unit, as 10,000 square feet and questioned whether this would work in the center for multi-family. He also questioned the “Assisted Living” definition, as it may differ from Mass General Law.

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In further discussion, it was mentioned that the Dracut Center Overlay District Bylaw would be considered for the November Town Meeting if all items are in order. Chairman Flynn felt the public needs to be aware of the proposed overlay district and suggested having a power point presentation, which could be shown on the cable television station. Ms. Woods noted that other Towns have had an informational presentation at the Spring Town Meeting and the residents were informed that the Town would be back looking for approval at the Fall Town Meeting.

Mr. Donnelly inquired who would be responsible for the infrastructure improvements, such as pedestrian crosswalks and walkways. Ms. Woods indicated much of the roadway work would be the responsibility of the Town, however; some funding could come from developer donations and she added it might take 20 years to see any changes in the overlay district. Mr. Donnelly asked if the specific area has been established. Ms. Woods stated at this time it concerns Arlington to Broadway and at a later date, it would be Arlington to Bridge, southerly to the Lowell line and then Arlington to Bridge, northerly to about the state line. Mr. Edwards inquired if the Board would consider slope curbing rather than vertical in certain areas and he mentioned that several residents at the public session had an issue with the lighting at Wendy's, which most likely would not happen with this type of overlay bylaw. As there were no other comments at this time, Ms. Woods stated that she would look into the questions raised and if anyone has a concern; it could be channeled through Mr. Edwards.

MERRIMACK AVENUE/BROX INDUSTRIES/LOT LINE RELOCATION:

Mr. Forcier recused himself from the following appointment. Chairman Flynn noted there would only be 3 members who could act on this plan.

George Hall, Real Estate Manager for Brox Industries requested to go forward and presented a plan showing a lot line adjustment for several Brox properties having frontage on Merrimack Avenue. The lots are located in the B3 zone and are shown as lots 55, 57 and 60. Mr. Hall stated recently Brox Industries was denied special permits to utilize 2 of the properties for the residential use, as it had been considerably more than 2 years and the 3rd residential property was not requested, but it was vacant for many years. It is the intent to raze the structures and divide the land of those lots amongst the abutting parcels to make them more conforming.

Mr. Donnelly asked if the existing lots are shown by a solid line. Mr. Hall indicated the dashed lines are the existing lots to be discontinued and the solid lines are the new lots.

There was some discussion concerning the clarity of the plan and configuration of the lots. The Board would like to review the plan further before acting on it.

Mr. Nangle motioned to continue this appointment to the May 9th meeting. Mr. Donnelly seconded. Motion passed unanimously.

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15 ROBBINS AVENUE/RENE LAFONTAINE/LOT LINE ADJUSTMENT:

Rene Lafontaine appeared before the Board seeking a lot line adjustment between his property at 15 Robbins Avenue and his neighbor at 422 Methuen Street. Mr. Lafontaine put in a foundation, but apparently the front of his house is actually the side and could not obtain a building permit, therefore; he met with his neighbor and worked out a land swap

Chairman Flynn asked for additional explanation. Mr. Hamel stated the dashed line is from a previous older plan, which is not the current existing lot line and parcel “C” is being combined with the remaining portion of parcel “A” to form the new lot. Mr. Edwards asked if both lots will have 40,000 square feet. Mr. Lafontaine confirmed that they do. Mr. Hamel added the plan is basically a land swap between the 2 abutters and there are no Engineering Department issues with the plan.

Mr. Nangle motioned to approve the lot line adjustment plan based on the Engineering Department’s recommendation. Mr. Forcier seconded. Motion passed unanimously.

OLD BUSINESS:

Methuen Road – “Dadak Estates”/O’Brien Homes/Partial Bond Release for Stone Bounds & Discussion for Easement

Kevin O’Brien of O’Brien Homes appeared before the Board seeking a partial bond release for stone bounds and requested to move an existing 10 foot access easement between lots 11 & 12 to between lots 10 & 11.

Mr. Donnelly motioned to recommend a partial bond release of \$37,000.00 and hold the remaining \$16,000.00 for stone bounds based on the recommendation of the Engineering Department. Mr. Nangle seconded. Motion passed unanimously.

Chairman Flynn did not see a problem with the easement issue, but questioned whether a new plan should be prepared for recording because of the change to the subdivision plan. Mr. Hamel stated a deed would be necessary. Chairman Flynn felt it was a minor change and did not require a public hearing. Mr. Hamel agreed, but wanted the Board to be aware. Mr. O’Brien indicated he would have his Engineer draw up a plan.

The Board agreed the easement issue was a minor change. Mr. Forcier motioned to approve the easement change and for an updated plan to be submitted. Mr. Nangle seconded. Motion passed unanimously.

Release of Remaining Balance for Peer Review of Traffic Study Conducted for Proposed Walgreens Site

Chairman Flynn stated there were funds remaining in an account for the peer review traffic study done for the Walgreens site, which needs to be returned to the applicant.

Mr. Donnelly motioned to release the remaining balance of \$127.42 on this account. Mr. Forcier seconded. Motion passed unanimously.

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NEW BUSINESS:

1890 Lakeview Avenue/Chong Kim/Special Permit Submittal & To Request a Public Hearing to Extend a Non-Conforming Use

Mr. Forcier motioned to schedule a public hearing on May 23, 2012. Mr. Donnelly seconded. Motion passed unanimously.

ADJOURNMENT: Mr. Nangle motioned to adjourn at 7:45 p.m. Mr. Forcier seconded. Motion passed unanimously.

THE DRACUT PLANNING BOARD

Robert W. Flynn, Chairman

Robert Donnelly, Vice Chairman

Jesse Forcier

George Nangle

/lw