

## DRACUT ZONING BOARD OF APPEALS

**Meeting Minutes of October 17, 2013 at 7:00 p.m. @ Harmony Hall, 1660 Lakeview Avenue, Dracut.**

**Continued BOA 2005-13 @ 341 Broadway Road – Comprehensive Permit** for 278 rental units with 4 buildings. Petitioner: First Dracut Development, LLC.

Chairman Crowley read a letter from Attorney Hall dated October 7, 2013 that had a Certificate of Good Standing from the Commonwealth of Massachusetts relative to First Dracut Development Company. Also received a letter from Attorney Hall dated September 26, 2013 noting that a review of the documents received from Attorney Deschenes related to the Comprehensive Permit for 341 Broadway Road for First Dracut Development Company, LLC establish that the recent death of Nalin Parekh does not jeopardize the viability of the applicant. Attorney Deschenes, Mr. Lania and Mr. Noah Parekh were present. Mr. Deschenes thanked the Board for their patience.

Mr. Lania gave an overview of the current status of the project. He presented an email from David Paulson of National Heritage noting that the Division anticipates a predictable and straight forward permitting process for the Broadway Village-Revised Restriction Plan (NHESP 11-29532). Mr. Lania passed out the final approved Priority Habitat Plan dated December 19, 2012 with a revision date of October 17, 2013 and the Overall Site Plan dated October 16, 2013. He proceeded to review the changes made as required by National Heritage. They have secured conservation restriction easements with two (2) abutting properties owned by Bob Vengren and Comcast. Restriction land can never be used for anything. The two (2) easement areas are attached by a small strip of land at the eastern rear of property so there will be one (1) combined easement. Mr. Lania noted they still have to go to Conservation. National Heritage will not issue a permit until finished with Conservation and the Zoning Board of Appeals.

Mr. Lania will prepare a new package to be distributed to all town departments for review and comments back to the Board. He will also submit a package for peer review by Mr. Prentiss.

**Abutters: Who came forward in favor or in opposition?** None.

A motion to continue to the December 19, 2013 meeting was made by Mr. Hamilton and seconded by Ms. Santiago-Hutchings. The Board voted unanimously to continue.

**Acceptance of Minutes:**

A motion to accept the September 19, 2013 minutes was made by Mr. Stephen Hamilton and seconded by Mr. Scott Mallory. The Board voted unanimously to accept the minutes.

**Mascuppic Village Comprehensive Permit Update @ 780 Nashua Road:**

Mr. Steve Coravos and Mr. Richard Alleca were present and passed out a Definitive Site Plan of Land dated February 18, 2005 with revisions through July 29, 2013. Mr. Coravos stated that they have obtained Conservation and National Heritage approval and received an approval letter from the Town Engineer. They had to make some minor changes to the project. National Heritage required them to add nesting areas and build a different

kind of crossing over the brook area. The lot line issue has been corrected with Land Court and approved. Lot 3 is now shown as part of the project. This lot was always part of this project, but was left off during the resurvey of the property in the front. Each unit will have their own Environmental One pump system with a two (2) day holding tank for sewage which has been approved by the Sewer Department. The pump station had to be removed as it was in the turtle nesting area. Mr. Coravos stated there is no change to the number of units, same paved ways and same number of parking spaces. There was an update on the easement from the MacDonald property to Mascuppic Path. Chairman Crowley read a letter from the town attorney James A. Hall dated July 18, 2013 noting that the Sight Distance Easement has been reviewed and approved. He also has a letter from Jeffrey A. Zall, Attorney at Law dated October 8, 2013 stating the Sight Distance Easement to the Town of Dracut has been recorded with the Registry of Deeds. Chairman Crowley does not see anything presented that rises to the level of a requirement that the Board reopen the public hearing at this time.

A motion that the Board does not feel the changes that have been submitted requires the Board to reopen the public hearing was made by Mr. Stephen Hamilton and seconded by Mr. Scott Mallory. The Board voted unanimously not to reopen the public hearing.

The following items were reviewed:

- Need letter from the Sewer Department saying that the Sewer Extension Permit is not needed.
- Need approval letter from the Town Engineer.
- Final site plan mylars need to be signed by the Board and recorded.
- Copy of National Heritage approval.
- Copy of Order of Conditions from ConCom.
- Architectural plan.
- NPDES permit.

Mr. Coravos stated that the Regulatory Agreement is currently being worked on by Attorney Smolak and Attorney Hall. The agreement will be submitted to the Board when completed.

**New Business:**

Chairman Crowley read a letter from the Town Manager dated October 11, 2013 appointing Ms. Santiago-Hutchings as a Board of Appeals Member from Alternate Member. Chairman Crowley welcomed and congratulated Ms. Santiago-Hutchings for being appointed as a Member. The Board is still looking for an Alternate Member. The Massachusetts Department of Housing and Community Development Citizen Planner Training Collaborative Fall 2013 Workshops brochure was passed out.

**Old Business:**

The next Economic Development Committee meeting is scheduled for November 20, 2013 at 5:00 pm. The Board still needs a member to participate on this committee. Let Chairman Crowley know if anyone is interested.

**Next Meetings:**

Thursday, November 21, 2013

Thursday, December 19, 2013

**Adjournment:**

A motion to adjourn was made by Mr. Stephen Hamilton and seconded by Ms. Heather Santiago-Hutchings. The Board voted unanimously to adjourn.

**Board of Appeals Members**

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Chairman, John Crowley

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Vice Chairman, Stephen Hamilton

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Clerk, R. Scott Mallory

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*Absent*  
Member, David Meli

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Member, Heather Santiago-  
Hutchings

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*Absent*  
Alt. Member, Michael Pagonis