



Town of Dracut Board of Appeals

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ZONING BOARD OF APPEALS

Meeting Minutes

Date: Thursday, March 29, 2023

Time: 4:30 p.m.

Location: Town Hall, Douglas G. Willett Board of Selectmen Chambers

Present: Scott Mallory, Warren Hunt, Joseph DiCarlo, Ezekiel Haradji

Absent: Nicholas Jarek, Brian Lussier & G. Edward Brown

The meeting was called to order at 4:30 p.m.

Continuance-2022-8 @ 133 Phineas Street – Comprehensive Permit pursuant to M.G.L.c.40B seeking approval for a real estate development project. Petitioner: 133 Phineas Street LLC

John Smolak on behalf of the applicant states he has nothing else to add at this time. Chairman Mallory reviews the draft final decision with the board. Chairman Mallory expresses his concern with the fence around the rain garden. He spoke with the Town Engineer and he stated it would drain pretty quickly. Chairman Mallory states the main reason for this rain garden is to collect water and it is not meant for recreation purposes. Edward Ayotte of 340 Marsh Hill Rd shows the board pictures of rain gardens on his phone. Mark O'Hara of O'Hara Engineering state they went down 12 feet without encountering water. The soil is very porous and in his opinion he believes you will not see any water in the garden. Mr. O'Hara has gone out to other sights and he has seen some water of a few inches but it drains within 6-12 hours. Chairman Mallory questions if there will be a gate so people will not have to hop over the fence, Mr. Coravos states yes there will be. Chairman Mallory questions the impact on the soil with people walking on it. Mr. O'Hara compared it to walking on a lawn. The intent is to make the garden attractive and wild flowers. The top soil will be about 2 or 3 feet deep. Mr. Coravos states the average people living in the units are older and there will not be much walking, it should not be a high traffic area. There will be sidewalks 5 feet wide around the garden also. Chairman Mallory questions the depth of the garden, Mr. O'Hara states the middle of the garden will be around 5 feet deep. Mrs. Manugian states language was added indicating that any storm water areas are not intended for recreation purposes. Mr. DiCarlo questioned if there will be a sign saying to stay out of garden, Mrs. Manugian stated the fence should indicate that. Chairman Mallory questions the rest of the board on their thoughts regarding

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the fence around the rain garden. Mr. DiCarlo states he understands the Chairman’s concerns but believes the post and rail fence would look nicer and doesn’t see much of a danger, Mr. Hunt and Mr. Haradji agrees. The board and applicant were in agreement of having a gate for access and maintenance. Mr. Pierkarski states there will be a gravel drive to the rain garden. The board reviews the rest of the changes that were requested in the decision. The Town Counsel highlighted the area regarding the purchase price, Town Counsel just wanted to confirm. Mr. Smolak confirmed that the language was accurate. Chairman Mallory would like a change in the decision to reference bullet 20 in section N. John Crowley of 68 Flower Lane would like to thank the petitioner for responding to his concerns and the board for their concerns.

Mr. DiCarlo made a motion to close the hearing, seconded by Mr. Hunt. The board voted unanimously to close the hearing. Mr. DiCarlo made a motion to grant the Comprehensive Permit with the condition that all document changes be made that were discussed at current meeting. Mr. Hunt seconded the motion, the board vote unanimously to grant the Comprehensive Permit.

Minutes: N/A

Zoning By-Laws Committee Report: None

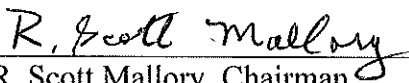
New Business: None

Old Business: None

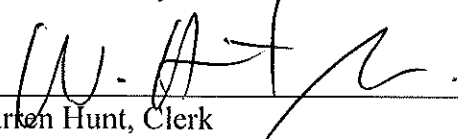
Next Meeting: The Board was in agreement that the next meeting will be held on April 20, 2023.

Adjournment: A motion to adjourn was made by Mr. Hunt and seconded by Mr. Haradji. The Board voted unanimously to adjourn at 5:26p.m.

Board of Appeals Members



R. Scott Mallory, Chairman



Warren Hunt, Clerk

Joe DiCarlo, Member

Absent

G. Edward Brown, Alternate Member

Absent

Brian Lussier, Vice Chairman

Absent

Nicholas Jarek, Member



Ezekiel Haradji, Alternate Member