

PLANNING BOARD MEETING – April 12, 2023

PRESENT: Scott McKiel, Chairman; George Nangle, Vice Chairman; Michael Buxton; Douglas Dooley; Charles Kanavos; Tim Savage, Alternate; Michael Pestana, Alternate; Alison Manugian, Community Development Director; Mark Hamel, Town Engineer and Lisa Wagner, Recording Secretary

Chairman McKiel opened the meeting at 7:00pm in the Douglas G. Willett Board of Selectmen's Chambers at Town Hall and the Pledge of Allegiance was recited.

MINUTES:

Meeting held on March 22, 2023: Mr. Dooley motioned to approve. Mr. Kanavos seconded. Motion passed unanimously.

14 DENBY AVENUE/DENBY PLACE, LLC/SPECIAL PERMIT WITH SITE PLAN REVIEW FOR A MULTI-FAMILY DEVELOPMENT/PUBLIC HEARING:

Attorney Melissa Robbins, Brian Lussier, the developer; Mark O'Hara, the Project Engineer of O'Hara Engineering and Daniel LaCivita, the Traffic Engineer of Vanasse Associates appeared before the Board seeking a special permit with site plan review for a proposed multi-family development situated on approximately 7.5 acres, which is located in the R3 residential zone. The project will be serviced by Town water and sewer, as a requirement of the Zoning Bylaws. Attorney Robbins stated there will be six (6) 3-unit buildings, one (1) 4-unit building and the existing single-family home will remain with a 55 or older deed restriction unit (multi-family zoning bylaw only allows for single and duplex style units to be 55+). All access to the new development will be from Genest Street and only the existing residence will be from Denby Avenue. Mr. O'Hara noted that of the 7.5 acre site, 2.6 acres is wetlands and is located along the westerly side of the site with a small area in the flood zone. The water line will be upgraded, as will the sewer line and it will be relocated. There will be a series of catch basins capturing the stormwater runoff, which will be directed to an underground infiltration system and a rain garden structure at the center of the development. Attorney Robbins added that rather than a 40B project, the developer designed a project with the general work force in mind and to provide starter type homes for firemen, teachers and town employees.

In review of the traffic study, Mr. LaCivita indicated the report was conducted in March 2022 with an update done in February 2023 and was prepared based on MassDOT guidelines along with the Institute of Transportation Engineers. As determined by the data, the project will not result in a substantial change in either vehicle queuing or motorist delays. Mr. LaCivita noted the study area included 3 unsignalized intersections, which included Greenmont at Thissell, Greenmont at Vermont and Greenmont at Pleasant. The vehicle counts on Greenmont Avenue averaged to 1640 per day with 100 vehicles during the peak a.m. hours of 7am to 9am and 200 vehicles during the peak p.m. hours of 4pm to 6pm. The majority of vehicles traveling are heading southwest on Pleasant Street to Lowell and the second majority are heading from Greenmont to Route 38 towards New Hampshire. Based on the analysis, the findings determined the level of service "D" or acceptable with the addition of 22 proposed residential units. Mr. LaCivita added there are a number of improvements recommended as part of the evaluation, which will provide safe and efficient access to the site.

Chairman McKiel mentioned staff comments were received from Conservation, Ms. Manugian, Sewer, Water and the Police Department. Mr. Nangle questioned the traffic heading north to Pelham from Greenmont. Mr. LaCivita stated about 26% will head north based on the U.S. Census data of where Dracut residents work, but the large majority heads south to Lowell. Mr. Kanavos asked how much traffic will be generated by this project. Mr. LaCivita indicated it would be approximately 10%. Mr. Pestana inquired whether actual counts were done at Greenmont and Pleasant. Mr. LaCivita noted it was done on Greenmont between Pleasant and Thissell. Mr. Savage asked about the peak hours. Mr. LaCivita stated a.m. peak is between 7:00-8:00 and evening peak is 4:15-5:15. Chairman questioned the number of bedrooms per unit and about the snow storage. Attorney Robbins stated there would be 2 or 3 bedrooms and Mr. O'Hara indicated snow will be pushed towards the middle of the site or along the perimeter. Mr. Kanavos asked how much of the site will be developed and if there would be further development. Mr. O'Hara said about 60% of the site and Attorney Robbins added the maximum allowed is 24 for this size lot.

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Chairman McKiel questioned the reasoning behind keeping the single-family home as a 55+. Attorney Robbins stated it is the only way to keep the house, as deemed in the regulations and the intent is to donate it to the Town for the housing stock.

Chairman McKiel asked if anyone in attendance had a question or comment.

Lisa Perkins of 23 Thissell Street has a serious concern about the traffic and asked if the study is based on 1 or 2 cars per unit. Mr. LaCivita stated the study is based on trip generation and land use codes. Ms. Perkins added that Thissell Street handles all of the neighborhood traffic and suggested an exit on Denby. Attorney Robbins indicated it was not safe and not adequate to handle the development. Mr. O'Hara added the slope of Denby is 13% and the Town allows up to an 8% slope.

Steven Mungovan of 6 Jared Road had a number of concerns including additional traffic from the site; the safety for children walking to school, along with accidents in this area and an ongoing issue with runoff washing away his property. Mr. Lussier stated there will be adequate drainage around each unit and an underground drainage system to capture runoff from their site. Mr. Kanavos asked if the project will impact this property. Mr. Lussier noted the property on Jared Road is at an elevation 14-feet higher than his development.

Albert Cote of 22 Thissell Street mentioned the amount of existing traffic on his street and believes there will be 3 to 4 cars per unit. Attorney Robbins noted the Zoning Bylaw requires 44 parking spaces and there are 79 provided. Mr. Kanavos asked if there is an association for this development. Mr. Lussier confirmed there will be.

Richard Peirent of 663 Hildreth Street asked if this property will have Town trash or a dumpster and suggested fencing around a dumpster. Mr. Lussier was not sure, but fencing would be provided for a dumpster.

Sue O'Brien of 29 Thissell Street is very worried about the traffic and the additional children that would be going to an overcrowded Greenmont Avenue school. Ms. Manugian noted there are applications with the Massachusetts School Building Authority (MSBA), who are in the process of considering updating, renovating or replacing the Campbell School and another application for significant renovations to the Greenmont School.

Donna McDonald of 42 Genest Street is not in favor of this project as there will be many more vehicles in the neighborhood, which will create significant safety issues.

Maureen LaMarre of 10 Genest Street feels the roadway is not adequate or wide enough for additional traffic and suggested exiting out on Hildreth Street.

Janet Bisson of 29 Genest Street believes the water table will change with the new development and has a concern with more vehicles in this overcrowded neighborhood.

Lauren Vachera of 29 Genest Street stated the street is very narrow and finds it to be a safety issue for fire trucks trying to access the area.

Aloysius Kadiri of 108 Genest Street mentioned a number of concerns including the water table and what or who could be contacted if his basement floods. Mr. Kadiri questioned the adjustment to the traffic count for pre-Covid and post-Covid. Mr. LaCivita stated MassDOT regularly monitors traffic counts on interstates and roadways throughout the Commonwealth, but was not sure where it was actually taken. Mr. Kadiri felt a community analysis should be considered rather than a highway and he also suggested Denby Ave. be looked at further as an access to the site by lengthening the roadway to decrease the slope. Mr. Lussier stated Denby Ave. was considered, but it is not feasible. Mr. Kadiri asked if the fire truck turnaround on his property will be removed if the project is approved. Chairman McKiel noted the Fire Chief will be giving input on the project, but most likely it will not be needed.

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Simone D'Auteuil of 32 Genest Street is very worried about more traffic coming down Thissell Street and if a stop sign will be put at the end before turning left or right on Genest. Chairman McKiel stated town staff is reviewing the project and will take all input into consideration.

Ron D'Auteuil of 34 Genest Street stated Denby Ave. can be extended longer, which would fix the slope; Genest Street is only 16-feet wide from the post to the fire hydrant; he disputed the traffic engineer's math and he questioned how the land can be built on after decades of not being allowed. Chairman McKiel was not aware of any records indicating this property is not buildable.

Kerri Mogavaro of 57 Genest Street is concerned about the traffic generated by 22-units and asked if the developer considered a cul-de-sac with 3 or 4 single-family homes.

Rich Mogavaro of 57 Genest Street questioned why "Genest Street" was not mentioned in the traffic study and the traffic will probably increase 300%. He commented that the project is "Denby Place" and Denby could be widened to accommodate this development. Ms. Manugian noted the applicant came to the Board last year and the Board requested what roadways to be evaluated and an increase of traffic is to be expected for a project on a dead end.

Laura Mullen of 60 Malwood Avenue indicated the previous owner was devastated with the project and was under the impression that there would be 4 single-family homes or 5-duplexes at this site. Mr. Lussier referred to the requirements under the Zoning Bylaws for multi-family developments, which determined the overall design.

Chairman McKiel questioned the possible filing of a 40B project and how it would compare with this development. Ms. Manugian stated the 40B affordable housing filing (a state law since 1969) circumvents the local bylaws and the intent of the state is to meet the need for affordable units.

Brian Lamarre of 10 Genest Street has a concern with more traffic and does not believe Genest Street is adequate for all the vehicles from this development.

Mr. Buxton asked if the existing sewer easement is being relocated on the property and that it should be shown on the plan. Mr. O'Hara stated the proposed 40' wide sewer easement is on sheet 3. Attorney Robbins added it would not be extinguished without appearing before the Sewer Commission.

Dottie D'Auteuil of Genest Street stated the traffic is the problem and questioned how the site will be accessed from the dead end. Mr. LaCivita indicated the roadway will be extended into the property.

Charles Katin of 625 Hildreth Street asked if this is the only hearing on this project and his concern is the water runoff. Chairman McKiel stated no decision will be made tonight and the hearing will be continued. Ms. Manugian added the Board will continue the hearing to a specific date, but nobody will receive any additional notification in the mail. Chairman McKiel suggested that residents check the agenda on the Town website. Mr. Nangle would like to visit the site, as would Mr. Kanavos.

Mr. Buxton motioned to continue this hearing to the May 10th meeting at 7:05 p.m. Mr. Kanavos seconded. Motion passed unanimously.

NEW BUSINESS:**425 Wheeler Road/Christopher Ryan/Special Permit Submittal for an In-Law Unit and to Request a Public Hearing**

Mr. Buxton motioned to schedule a public hearing on May 10th at 7:00 p.m. Mr. Kanavos seconded. Motion passed unanimously.

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SUB-COMMITTEE REPORTS:

Zoning Bylaw Review Update:

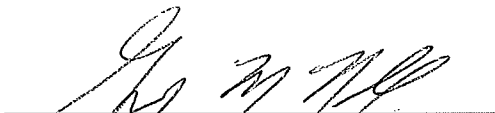
Ms. Manugian noted the posting for the Zoning Articles is in the Lowell Sun and the Board will have the public hearing at the April 26th meeting. There are hard copies at the Clerk’s office and in the Community Development office, as well as on the new Town website.

ADJOURNMENT: Mr. Nangle motioned to adjourn at 9:10 p.m. Mr. Kanavos seconded. Motion passed unanimously.

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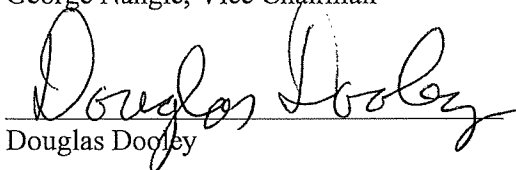


Scott McKiel, Chairman

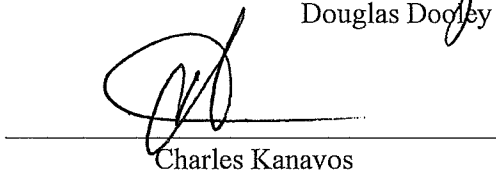


George Nangle, Vice Chairman

Michael Buxton



Douglas Dooley



Charles Kanavos