

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

7:00 PM Public Hearings begin

February 20, 2025

MEMBERS PRESENT: Rick Chellman, Chairman; Anthony Coviello, Vice Chair; Joseph Almeida, Facilities Manager; Beth Moreau, City Councilor; Members Paul Giuliano, Andrew Samonas, Ryann Wolf and Alternate Frank Perier.

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ALSO PRESENT: Peter Stith, Planning Department Manager

MEMBERS ABSENT: Karen Conard, City Manager; William Bowen

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Chair Chellman called the meeting to order at 7:00 p.m. He introduced the new members, Ryann Wolf and alternate Frank Perier. He noted that Mr. Coviello would be participating in the meeting via Zoom. Alternate Mr. Perier took a voting seat for the evening.

*Mr. Giuliano moved to allow Vice-Chair Coviello to participate via Zoom, seconded by Mr. Almeida. The motion **passed** unanimously, 7-0, with Vice-Chair Coviello abstaining.*

I. APPROVAL OF MINUTES

A. Approval of the **January 16, 2025** meeting minutes.

*Mr. Giuliano moved to **approve** the minutes as submitted, seconded by Mr. Almeida. The motion **passed** unanimously, 5-0, with Vice-Chair Coviello and new members Mr. Wolf and Mr. Perier abstaining.*

II. PUBLIC HEARINGS -- OLD BUSINESS

A. The request of **635 Sagamore Development LLC (Owner)**, for property located at **635 Sagamore Avenue** requesting Site Plan Review Approval for the demolition of the existing structures and construction of 4 single family dwellings with associated site improvements. Said property is located on Assessor Map 222 Lot 19 and lies within the Single Residence A (SRA) District. (LU-22-209)

SPEAKING TO THE PETITION

[Timestamp 11:20] Attorney Tim Phoenix was present on behalf of the applicant, with project consultant Mike Garrepy and project engineer Ian MacKinnon. Attorney Phoenix referenced that day's site walk with the Board members. He said the sight stopping distance was now less than it was before. He said there was a traffic engineering report that demonstrated the proposed traffic

for the four homes was slightly less than it had been with the existing mixed uses, and the only access and exit were the driveways for the units at the southerly end of the property. He said commercial uses were not permitted in the zones and that they proposed to remove the commercial buildings so that it would be full residential use. He noted that the Board of Adjustment previously granted the variances for the four units instead of the original six in 2023. He said they also had several meetings with the Technical Advisory Commission (TAC), who unanimously recommended approval. He said the project engineer reviewed the drainage issue and approved it. He said TAC approved the sight distance issue that was now 93.4 percent of the requirement. He said the new plan showed Jones & Beach's calculations of the stopping sight distances and a model provided by the City engineer that was the basis for the calculations and summarized the new proposed stopping distance. Attorney Phoenix said he also proposed a reduced speed limit of 25 mph. He said those changes would help the entry and exit to the property and address the primary issues that the Planning Board previously raised.

[Timestamp 21:36] Councilor Moreau asked how any visitors to the four homes would be accommodated as far as parking. Attorney Phoenix said the applicant met the City's parking requirement and that was all they were required to do. He said Sagamore Avenue was a tough road for parking and that all the residents on that street had the same issue. Mr. Garrepy said they proposed four parking spaces per unit and they had discussed identifying some area on the site that could provide visitor spaces. He said the snow storage area could be used to provide four spaces and then could be relocated to the edge of the pavement. It was further discussed.

[Timestamp 25:45] Mr. Samonas said meeting the parking requirement was a big threshold and was something that the Board could not dispute. He said he spoke to the project engineer that day during the site walk about emergency vehicle turnaround space and the driveway length. He said there was a deficiency in the design and a zero margin for error and further explained it. He said that zero margin was a concern and contributed to the safety of the entry and exit to and from the development. He said it was also a concern to him as a pedestrian and cyclist every day on Sagamore Avenue and that he did not want to create congestion or risk for people who were not driving a vehicle. Attorney Phoenix said they had four spaces per unit and only needed less than two, so they had a margin for parking, and they also had an area for overflow parking. Mr. Garrepy said the roadway was signed for no parking but they had four spaces per unit instead of the required 1.6 spaces per unit. He said they were willing to place 3-4 additional visitor spaces along the edge of the roadway. It was further discussed. Attorney Phoenix said the Sagamore Avenue residents would be careful about pedestrians and cyclists. He emphasized that the sight distance was almost 94 percent of what was required and met the AASHTO standards. Chair Chellman said the new standards had not yet been adopted.

[Timestamp 32:50] Mr. Giuliano asked if the property would have an association with covenants. Mr. Garrepy agreed. Mr. Giuliano said it could be written that there would be no RV or boat storage and that properties could be limited to no more than two vehicles per household, leaving two extra spaces in the driveway for guests or contractors. Mr. Garrepy said they had adequate space for parking but could include language in the covenant about not having RV or boat storage in yards or driveways and about not parking on the street. Mr. Giuliano said language

could also be added stating that once all the parking spaces for all the units were taken, the owners were required to find permitted off-site parking.

[Timestamp 35:55] Vice-Chair Coviello (via Zoom) asked the applicant to describe the drainage system and the reporting requirements for it. Mr. MacKinnon said the Operations and Maintenance (O&M) manual would address it and that they intended to make updates to some of the testing requirements that they did not feel were needed. He said City Staff recommended quarterly inspections and that there was also a requirement to do yearly inspections. He said they would change the intermediate inspection to quarterly. Vice-Chair Coviello asked if there was another design choice instead of the system that required periodic inspections. Mr. MacKinnon said the consistency was based off the storm size and triggered by the depth. He said they had a bioretention pond. Vice-Chair Coviello asked if every residential development that the Board had approved in the last few years had quarterly inspection requirements. Mr. Stith said they were typically annual. Mr. MacKinnon said the O&M Manual had a yearly requirement for inspections and that a third-party inspection had to be done and a report filed with the City. He said the quarterly inspection did not generate reports. Chair Chellman asked how the system worked and what happened if a large storm event occurred after a quarterly inspection. Mr. MacKinnon said there were catch basins for the stormwater and further explained it. He said they had reduced their outfalls from the site, so the bioretention was the primary feature that people would see. Vice-Chair Coviello asked what the trigger was for just doing quarterly inspections instead of doing them after a certain amount of storm events. Mr. Stith said the subject arose due to the sand absorption areas that had monthly inspections and that the Division of Public Works (DPW) thought it was too excessive and had said quarterly ones would be more appropriate for those particular areas. Vice-Chair Coviello asked if there was another way of doing it on that property. Mr. MacKinnon said it was a modified sand pattern that would encourage the higher rate of infiltration instead of having grass. He said it was chosen as a good alternative for storage for that active foundation drain. He said another system could be utilized based on the elevation, but it would become a more structural system that would require underdrains, another overflow, and so on and would be another item that would need to be inspected again by the Homeowners Association (HOA). Mr. Almeida said he thought monthly inspections were excessive. It was further discussed. Mr. Samonas said he thought it should be specified with the HOA that the O&M plan had to be strictly followed to avoid further issues or confrontation with abutters. He said there were self-governing issues to it as well. He said he wanted it explained in layman terms so that the abutters could understand it. Mr. MacKinnon said the document existed and would be the final version approved by City Staff.

[Timestamp 55:55] Chair Chellman said he had concerns about the driveway coming down without a landing at Sagamore Avenue and said it did not conform with the sight distance requirements, based on the existing regulations and AASHTO guidelines. He said the change from commercial to residential as far as time of day traffic as well as the existing traffic in the neighborhood had to be considered, noting that it was a public safety issue. He said the idea of warning signs leading up to the crest of the hill was good but was also an admission that there was a problem. He said the method that the applicant based their revised calculations on was a new method that might be adopted but wasn't adopted yet. Regarding parking, he said he knew the applicant satisfied the requirement, but if anyone did park on the road with the limited sight

distance, it would be horrible. Ms. Wolf said a stopped school bus could pose a danger. Chair Chellman said the site plan regulations specified AASHTO guidelines but it had to be based on objective criteria. It was further discussed.

[Timestamp 1:04:08] Mr. Samonas referred to the landscape plan and asked if there would be concerns about the suggested Norway spruces, pear trees, and giant arborvitae impeding on the driveways when they matured in ten years or so. Mr. MacKinnon said the trees would be outside the sight line and on private property inside the right of way. He said the pear trees had a narrower canopy and the arborvitae were vertical. Mr. Almeida said the arborvitae grew 60 feet tall and could get wider as well. Mr. MacKinnon said the trees would be sized appropriately and maintained. He said they could do less landscaping and provide for three more parking spaces. Mr. Almeida asked how the school bus stop could be controlled, and it was further discussed.

[Timestamp 1:10:23] Chair Chellman addressed the 93 percent conformance. He said a driver coming up over the hill would have to react and stop the vehicle if they saw something. He said there was a value of 2-1/2 seconds for that reaction period. He said another factor was the aging population. He said he had yet to see papers correlating the two and whether the stopping sight distance should be increased due to the aging population, which was a factor in New Hampshire and other states. He said there were other variables that happened with a stopping sight distance. He said the applicant stated that they met the AASHTO recommendation by 93 percent, but that meant that a car got hit, so there was a motor vehicle collision possibility event. Mr. MacKinnon said the 2-1/2 seconds measurement was a nighttime one and the 1-1/2 seconds measurement was a daytime one and that it came from an expert who worked in a crash lab. He said the numbers were going down due to the new safety features in vehicles. Mr. Almeida said the radar and blind drive speed limits signs would improve the situation, and it was further discussed. Councilor Moreau said she would like the Board to consider looking back in a year to make sure the proposed drainage system worked as designed, and it was further discussed.

[Timestamp 1:16:52] Attorney Phoenix said the owner of 635 Sagamore Avenue checked with the police department and was unable to find any crashes at that site for the past 25 years, so it seemed to be operating safely. He said the requirement for parking was 1.3 spaces, so they already had ten more spaces than the ordinance required and thought they could get at least three more. Attorney Phoenix reiterated that TAC approved it and that they were the experts. He said most of the issues raised could be included in the HOA documents. He said the trees would not be within the sight line but that the applicant could put in different trees. He conceded that the proposal for the sight stopping distance had not yet been adopted but it was food for thought and said the Board could not ignore the reasons for the potential change. Regarding the comment about 93 percent meaning that there was a 7 percent chance of an accident, he said they had to deal with what was there and thought the 93 percent was likely to change, in which case they would be compliant and worthy of consideration. He noted that they also had the two traffic signs and that the City Council should change the speed limit to 25 mph. He read Site Review Regulation No. 3.3.2., 'Accessways and driveways shall where practical have an all-season safety sight distance according to AASHTO standards in both directions along a public street, and where only a lesser sight distance is obtainable, more than one accessory per single parcel shall be allowed.' He said they had one accessway that was 160 feet wide and now had one as

far from the crest of the hill as possible, so he believed they met the spirit of the ordinance, given the circumstances with the location of the lot and the history of the activities on that lot. He said they did everything they could to make it practical by placing the driveway in the proposed location and the signage and, requesting a lower speed limit, and including in the HOA documents where people could park. He said the school buses were a valid point but that he rarely saw cars violating a stopped school bus on Sagamore Avenue. He said the drainage was reviewed and approved by the City's chosen peer review expert. He said TAC thought the monthly safety review was too much but that the Board could place a condition on it. He said the project should be approved with conditions.

[Timestamp 1:24:23] Mr. Almeida said he was in support of the suggested 25 mph change because of the entire street and not just the project. He agreed that there had not been accidents in the immediate area, and he said the fact that there had been no significant accident counts in 25 years and that the condition was being improved by pulling the drivers as far to the bottom of the site as possible were positive things, as well as the addition of the traffic signs. Chair Chellman referred to the landing and said there would be a slippage risk by the north facing driveway coming in at an angle to the edge of the road. Attorney Phoenix said that was a TAC issue and that TAC preferred it to be left the way it was. He said the little bit of the slope would get shallower, which would slightly lower the overall decline as someone headed out. It was further discussed. Mr. MacKinnon said they could lower the initial six percent grade to two or three percent and still would not exceed the eight percent on the next section of the profile. Chair Chellman said he felt that having a landing would make a difference.

Chair Chellman opened the public hearing. [Timestamp 1:31:30]

SPEAKING TO, FOR, OR AGAINST THE PETITION

Jerry Stow of 579 Sagamore Avenue, Unit 22, said only two buildings should have been permitted. He said the line of sight was a problem and that he had often heard squealing brakes behind him at the crest of the hill. He said there was limited on-site parking, and water runoff was a major issue. He said TAC approved the system but did not think it was the most desirable one. He said the height of the proposed buildings were now larger than when the BOA approved them. He said the petition should be denied and sent back to the BOA to restart the process.

Richard Burbine of 188 Broad Street read a statement from Tim McNamara of 579 Sagamore Avenue who could not be at the meeting. Part of the letter said that that half of the lot was unusable and had a severe slope toward Tidewatch; the proposed houses now had walk-out basements, which was not on the design that the BOA approved; the driveway grade and sight lines were inadequate; the drainage system had no guarantee for the neighbors below the site; and the buildings would be visible from the road and would impact the surrounding properties. He said a reasonable use of the parcel would be two homes and that the project should be denied.

Anne Walsh of 579 Sagamore Avenue (via Zoom) said the Board should reject the plan and recommend two homes closer to the existing buildings. She said the opposition to the project remained strong after three years because more concerns about safety, grades, and so on kept

arising. She said the four proposed homes would loom even more because their heights were increased due to the walk-out basements, and there would be increased light, noise, and other pollution that would impact surrounding homes. She asked what chemicals would be in the runoff going into the community and the wetlands, and she was worried about blasting.

Attorney Phoenix said the applicant had already addressed all the comments and concerns of the neighbors and that it had been a lengthy process because they initially worked with the Tidewatch Board of Directors and made changes. He said they then went to the Planning Board and also had a length TAC process. He said the BOA approved four units instead of six, and those units were now permitted on the site. He urged the Board to support the project.

Second Round Speakers

No one else spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD [Timestamp 1:45:15]

Site Plan Approval

1) *Mr. Samonas moved that the Board find that the Site Plan Application meets the requirements set forth in the Site Plan Regulations Section 2.9 Evaluation Criteria and adopt the findings of fact as presented. Mr. Giuliano seconded. The motion **passed** unanimously, 8-0.*

Note: The following amended motion was made after much discussion [Timestamp 1:45:15 to 2:25:50].

2) *Mr. Samonas moved that the Board **grant** Site Plan approval with the following **conditions**:*

Conditions to be satisfied subsequent to final approval of site plan but prior to the issuance of a building permit or the commencement of any site work or construction activity:

- 2.1) *The site plan and any easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*
- 2.2) *The applicant shall agree to pay for the services of an oversight engineer, to be selected by the City, to monitor the construction of improvements within the public rights-of-way and on site.*
- 2.3) *Any site development (new or redevelopment) resulting in 15,000 square feet or greater ground disturbance will require the submittal of a Land Use Development Tracking Form through the Pollutant Tracking and Accounting Program (PTAP) online portal. For more information visit <https://www.cityofportsmouth.com/publicworks/stormwater/ptap>*

- 2.4) *Key elevations should be added to the stone infiltration basins under the decks for Units 3 and 4. Add notes to the plan requiring inspection of the subgrade by the City to ensure that the design criteria is met.*
- 2.5) *The sitework details for both the sand absorption area and the infiltration stone underneath deck specify uncompacted in-situ soil or suitable backfill from subject parcel native material is placed beneath and adjacent to the systems. The Designer should provide gradation, compaction, and infiltration rate requirements for the placement of the fill adjacent, below and down gradient of the infiltration practice. The sand absorption area for unit 3 is in 5-foot fill section. The detail should include a minimum depth of native material below the treatment area as well as down gradient.*
- 2.6) *Trees to remain shall be clearly marked before site work can commence.*
- 2.7) *Developer shall pay \$20,900 to cover the cost of the installation of the fire hydrant extended to the site, which was installed exclusively for the benefit of this site.*
- 2.8) *Developer shall provide fair share contribution for catch basin installed up gradient to the Tidewatch intersection. The catch basin was installed partially for the benefit of this site. The fair share contribution is \$15,208.*
- 2.9) *Applicant will revise plan to create additional parking (at least room for 3 vehicles) northeast of unit 2.*
- 2.10) *Applicant will revise plan to add a 2-3% landing area for one vehicle at the entrance of the driveway while maintaining a transition to an 8% grade into the site.*
- 2.11) *Applicant will confirm landscaping at maturity along Sagamore Avenue will not impede sight distance.*

Conditions to be satisfied subsequent to final approval of site plan but prior to the issuance of a certificate of occupancy and release of the surety:

- 2.12) *The Engineer of Record shall submit a written report (with photographs and engineer stamp) certifying that the stormwater infrastructure was constructed to the approved plans and specifications and will meet the design performance;*
- 2.13) *A stormwater inspection and maintenance report shall be completed annually (or monthly as outlined in O & M manual) and copies shall be submitted for review.*
- 2.14) *The stormwater infrastructure shall be certified after 1 year with a sufficient bond (with an amount to be determined by DPW) to correct any deficiencies found at that time).*

*Mr. Giuliano seconded. The motion **passed** by a vote of 6-2, with Mr. Perier and Chair Chellman voting in opposition.*

III. PUBLIC HEARINGS – NEW BUSINESS

- A.** The request of **Donna J. Sullivan (Owner)**, for property located at **435 Greenside Avenue** requesting a Conditional Use Permit from Section 10.814 for an Attached Accessory Dwelling Unit (AADU). Said property is located on Assessor Map 261 Lot 12 and lies within the Single Residence B (SRB) District. (LU-25-14)

SPEAKING TO THE PETITION

[Timestamp 2:44:20] The contractor Ted Lavoie was present on behalf of the applicant and reviewed the petition. He said the owner currently lived in Dover but her daughter and her family lived at 435 Greenside Avenue and occupied the entire house, so the applicant wanted an ADU so that she could live closer to her daughter as she aged. He said the ADU would be under the 750-sf livable space requirement and met all other City requirements.

[Timestamp 2:47:40] Mr. Perier asked if there would be a parking space for the person living in the ADU. Mr. Lavoie said the u-shaped driveway would meet the ADU ordinance's parking requirement. Mr. Almeida said it was a good application.

Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD [Timestamp 2:50:29]

Attached Accessory Dwelling Unit Conditional Use Permit

- 1) Mr. Guiliano moved that the Board find that the Conditional Use Permit Application meets the requirements set forth in Section 10.814.62 of the Ordinance and adopt the findings of fact as presented. Mr. Almeida seconded. The motion passed unanimously, 8-0.*
- 2) Mr. Guiliano moved that the Board **grant** the Conditional Use Permit with the following **conditions**:*
 - 2.1) Documentation of the conditional use permit approval shall be recorded at the Rockingham County Registry of Deeds, together with an affidavit that either the principal dwelling unit or the accessory dwelling unit will be occupied by the owner of the dwelling as the owner's principal place of residence, as required by Section 10.814.22.*

- 2.2) *A certificate of use issued by the Planning Department is required to verify compliance with the standards of this Section, including the owner occupancy and principal residency requirements. Said certificate shall be issued by the Planning Department upon issuance of a certificate of occupancy by the Inspection Department. A certificate of use shall not be issued prior to recording of documentation as required by this Ordinance.*
- 2.3) *The certificate of use shall be renewed annually upon submission of such documentation as the Planning Department may require to verify continued compliance with the standards of this Section. Failure to comply with this requirement shall be deemed a violation of the ordinance and may be enforced as provided in Article 2.*

*Mr. Almeida seconded. The motion **passed** unanimously, 8-0.*

- B.** Proposed Ordinance Amendment that **Chapter 10, ZONING ORDINANCE**, be amended by striking Article 5, Measurement Rules, Section 10.515.14; by amending Section 10.515.13; and by adding new Sections 10.811.60 and 10.811.61, relating to Accessory Uses to Permitted Residential Uses of the Ordinances of the City of Portsmouth, all in order to bring the Zoning Ordinance into better alignment with the Building Code, and to increase government efficiency.

[Timestamp 2:52:03] Chair Chellman said it was a change in how the Planning Department would do zoning amendments where the hearings only occurred at the City Council level. He said the present Statute was oriented around towns and not cities, so he was trying to make things fit better and that he proposed a public hearing to see how the public felt about it. Councilor Moreau said there was discussion at the City Council's second reading on February 3 about how people who had smaller yards in the south end might want to do more than one shed, so the Council removed the wording 'up to one' and indicated that the shed had to be a one-story detached one and could not have more than 120 square feet. She said the point was to not have to require the resident to get a building permit from the Board of Adjustment.

Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD

[Timestamp 2:55:47] Mr. Stith said another reason the amendments came forward was from looking at what was exempt from having to get a building permit and whether the City could exempt some of those things from zoning as well. He said currently a 6-ft fence on the side and rear lot lines was allowed, but the proposal was to increase it to an 8-ft fence, which would require a building permit. He said a build permit exemption only went up to 7 feet, so someone could have a fence up to seven feet and without a permit, but it was difficult to get a 7-ft section

of fence. He said the mechanical units (HVAC, etc.) were usually approved by the BOA, so removing those approvals would reduce BOA requests. Chair Chellman said the ordinance stated that certain setbacks for structures had to be adhered to, however. Mr. Almeida said having a public hearing for it was also an opportunity for abutters and the public to speak to the issue. Chair Chellman said it could be adjusted instead of being removed altogether. Mr. Stith said another item added two sections under Accessory Uses Permitted to Residential Uses. He said one would allow a lot containing one or two dwelling units to construct or maintain. He said someone could have a one-story detached accessory structure used as a storage shed, tool shed, playhouse or treehouse that could not exceed 120 square feet. He said it would be exempt from zoning except if it was in the Historic District or near a wetland buffer, and it would also have to comply with the corner lot vision obstruction section. He said the other section talked about swing sets, playground equipment, seasonal above-ground pools, and hot tubs and that they would be exempt from the general zoning provision, except for environmental standards and corner lot obstruction. He said the Staff Memo discussed the section on accessory structures, where one could not be in a front yard or closer to the street than the principal building, and if there was an accessory structure that was up to 100 square feet or less than 10 feet tall, there had to be a 5-ft setback, otherwise it was based on the height of the accessory structure. He said accessory structures counted toward building coverage, and if the amendments were adopted and those sections were not changed, there would be a conflict. It was further discussed. Councilor Moreau said the 100-sf setback should be pushed up to 120 square feet. Mr. Almeida said someone could put a shed up against a lot line, where the neighbor's window could be a few feet away. He asked what the Board was trying to fix with that change. Councilor Moreau said it was trying to deregulate certain things so that people could do certain things without having to go through a board and get approvals and make it less cumbersome. Mr. Samonas asked if the alternative would be an administrative approval, and it was further discussed. Chair Chellman said a shed could have a gas can in it, so it made sense to have a setback. The issue of sheds placed in the wetland buffers was discussed. Mr. Stith said the Board's main concern would be the sheds being located anywhere on a lot that did not count against building coverage. Chair Chellman said he would not want to exempt playhouses either. He said he was okay with the HVAC exemption. The 7-ft fences were further discussed. Mr. Almeida said a fence could be placed on top of a retaining wall and be taller than eight feet. He recommended not making the additional changes. Councilor Moreau agreed and said getting rid of the mechanical systems approvals made sense.

*Vice-Chair Coviello moved that the Board recommend the City Council remove Section 10.515.14 as proposed and to not recommend approval of the other proposed zoning amendments. Mr. Samonas seconded. The motion **passed** unanimously, 8-0.*

IV. PRELIMINARY CONCEPTUAL CONSULTATION

- A.** The request of **Walter D. Hett Trust (Owner)**, for property located at **0 Banfield Road and Peverly Hill Road** requesting the subdivision of an existing 8.5-acre parcel into five new residential lots with the associated site improvements. Said property is located on Assessor Map 255 Lot 2 and lies within the Single Residence A (SRA) District. (LUPD-25-1)

[Timesheet 3:20:04] Project engineer John Whitten was present on behalf of Chinburg Development, along with project engineer John Chagnon. He said the applicant wanted to build five single family residential lots to develop five single-family homes and connect to existing sewer and public water systems. He said they proposed single driveways but were amenable to a shared driveway for Lots 1 and 2, which would be on Peverly Hill Road across from the YMCA entrance. He said the plan would not impact the 100-ft wetland buffer.

[Timestamp 3:23:08] Mr. Samonas said he would support a combined driveway because as people took a right or proceeded through the light and headed north up Peverly Hill Road, there was the intersection, so someone pulling in and making a left-hand turn going north may create an awkward stop for someone taking a right. He said he also had the same comment for Lot 3 because there was a shaded shoulder on the end of that driveway. He said he had some reluctance with the sight lines coming south and heading toward Market Basket. He said Lots 1 and 2 would have similar issues as the YMCA did. He noted that there were previously proposed residential and multi-family developments proposed close to the site and were turned down by the BOA for being close to a rock refinery, the DPW site, and an asphalt site. He said he wanted to ensure that it was a considered point because it had been widely contested. Councilor Moreau asked if the lot line between Lots 1 and 2 would require a waiver from the subdivision regulations. It was further discussed. Mr. Stith said Lots 1 and 2 might have to be adjusted. Mr. Chagnon said the other design had a different configuration of the buildable area in that corner and the lot ended up being less than one acre, which was why the layout was changed. Mr. Samonas said on Lot 3, the driveway stared at a large opening to the industrial building across the street, where there was a variety of traffic, and he thought that should be considered, given the proximity to a stop sign, a 4-way intersection sign, and odd sight lines. It was further discussed.

V. CITY COUNCIL REFERRALS

A. Zoning Amendments (*See above*)

See Section IV.A. above.

VI. OTHER BUSINESS [Timestamp 3:34:12]

A. **99 Bow Street** – Requesting a 1-Year extension to the Site Plan Approval that was granted on March 21, 2024 and will expire on March 20, 2025.

1) *Councilor Moreau moved that the Board grant a one-year extension to the Planning Board Approval of the Site Plan to March 20, 2026. Mr. Giuliano seconded. The motion **passed** by a vote of 7-1, with Mr. Samonas abstaining.*

B. **WITHDRAWN 1 (15) Congress Street** -Requesting a second 1-year extension of the February 2023 Planning Board approval to February 16, 2025. **WITHDRAWN**

The request was withdrawn by the applicant.

Note: The following two items were combined.

C. Chairman Updates and Discussion Items

D. Board Discussion of Regulatory Amendments and Other Matters

Chair Chellman said the Board sometimes had 800-1,000 pages of documentation to look at but actually had a much smaller number of pages that they really needed to see. He said they would require the applicant to only include the material that the Board really needed. He said a cover letter was also important, along with the plans, a summary of drainage, traffic or other technical items, and the technical appendices combined at the end. Councilor Moreau said it was helpful when the bookmarks worked properly. Mr. Giovanni said he usually looked for the request for conditional uses and the relevant information that supported the decision. Chair Chellman said it would be worked on and that a draft would be presented. Chair Chellman said there would be a workshop the following week on co-housing, solar, and wetland Conditional Use Permits. He said the Master Plan was in final contract phase for signatures and that there would be more to discuss at the March meeting.

VII. ADJOURNMENT

The meeting adjourned at 10:39 p.m.

Submitted,

Joann Breault
Planning Board Meeting Minutes Taker