

The Planning Board for the Town of Derry held a public meeting on Wednesday, July 18, 2018 at 7:00 p.m., at the Derry Municipal Center (3rd Floor Meeting Room) located at 14 Manning Street in Derry, New Hampshire.

Members present: David Granese, Chairman; John O'Connor, Vice Chairman; Lori Davison, Secretary; Brian Chirichiello, Town Council Representative; Randy Chase, Town Administrative Representative; Frank Bartkiewicz, Jim MacEachern (7:03 p.m.), Mark Connors, Maya Levin, Members; Matt Leavitt, Elizabeth Carver, Alternates

Also present: George Sioras, Planning Director; Elizabeth Robidoux, Planning & Economic Development Assistant; Mark L'Heureux, Engineering Coordinator

Mr. Granese called the meeting to order at 7:00 p.m. The meeting began with a salute to the flag. Mr. Granese then noted the emergency exits, the location of meeting materials, and introduced the Board members and staff.

Escrow

None

Minutes

The Board reviewed the minutes of the June 20, 2018, meeting.

Motion by O'Connor, seconded by Bartkiewicz to approve the minutes of the June 20, 2018, meeting as written. The motion passed with Chase abstained.

Correspondence

Ms. Davison advised the Board is in receipt of a letter from Attorney Rory Parnell regarding alleged damage by a town plow at Wright Road. NH DOT has forwarded a press release announcing a Public Official/Public Informational meeting which will be held on July 25, 2018, beginning at 6:30 p.m. at West Running Brook School to discuss preferred alternatives to the Exit 4A interchange. The Board is also in receipt of the most recent editions of Town and City magazine and Supply Lines with the Source newsletter.

Mr. MacEachern was now seated.

Other Business

Summer Schedule

Mr. Sioras reminded the Board there will be a meeting on August 1st, and no meeting on August 15th. The Board resumes its regular schedule on September 5th.

Salvatore Lupoli, PID 32032, 2 Lenox Road, Revision to drainage plan

Mr. Sioras advised there have been a few technical changes to the approved plan. The fire service water line will be removed as it will no longer be required, as well as some other changes. Chris Raymond of TEC is here representing the applicant if the Board has any questions. The engineer has been in discussion with Mark L'Heureux of Public Works with regard to the proposed changes. Staff recommends approval of the changes. The site contractor is ready to begin work.

Mr. L'Heureux explained the changes will reduce the scope of the drainage work required on site and eliminate the water main extension. This is good for the site. They could not make the water improvements because of the amount of cable encased in concrete which obstructed the proposed outsource point for the water. The applicant will modify the existing conditions on site. He would request that a note be added to the plan (as a condition) that the sidewalk be constructed first, and construction shall be completed by September 30, 2018 so that town can cold plane and overlay Crystal Avenue. The town has been putting off improvements on Crystal Avenue and would like to get the work done this fall. If the road work cannot be completed this season, the sidewalk will be in, and the town can get the work done in the spring. The Board had no questions or comments.

Motion by MacEachern, seconded by Bartkiewicz to approve the elimination of the proposed underground storm drainage and the installation of a 6" DIP sprinkler water main with the following conditions for Salvatore Lupoli, PID 32032, 2 Lenox Road: Add a note that the ledge may need to be removed during the parking lot reconstruction; note ¾" crushed stone instead of gravel for the proposed roof drain trench; note dual wall rigid 6" HDPE for piping of roof drain trench; completion of any outstanding conditions applicable to the July 06, 2016 approval; and construction of the sidewalk shall be completed first and completed by September 30, 2018.

Chase, Levin, Chirichiello, O'Connor, MacEachern, Davison, Connors, Bartkiewicz and Granese voted in favor and the motion passed.

Mr. Granese inquired when construction would begin. Phil McCabe of Lupoli Companies stated they are ready to go but are waiting for final sign off on the demo permit.

Public Hearing

Public Hearing to amend Article VI, District Provisions, Section 165-32.1, General Commercial II (GC II), to ADD “Medical Office” and “Health Services Facility” as permitted uses in the zone.

Mr. Sioras provided the following staff report. The Board has held a workshop on the proposed change. The purpose of the change is to clarify the uses in the zone, which contains mainly medical uses. Medical Office and Health Service Facility are being added; which include ambulatory surgical center as a use. Staff recommends the proposed change.

Motion by O'Connor to open the public hearing, seconded by MacEachern. The motion passed with all in favor and the floor was open to the public.

There was no public comment.

Motion by MacEachern, seconded by Bartkiewicz to close the public hearing. The motion passed with all in favor and discussion returned to the Board.

Motion by MacEachern, seconded by O'Connor to amend Article VI, District Provisions, Section 165-32.1 General Commercial II, to ADD the following permitted uses: Medical Office and Health Services Facility, and to forward the same to Town Council for their review and approval.

Chase, Levin, Chirichiello, O'Connor, MacEachern, Davison, Connors, Bartkiewicz and Granese voted in favor and the motion passed.

23 Crystal Avenue, LLC**PID 32020, 23 Crystal Avenue****Acceptance/Review****Site Plan****Re-development of site – bank, urgent care, physical therapy, spa and light industrial**

Mr. Sioras provided the following staff report. The purpose of the plan is for a mixed-use redevelopment of the former Merrimack Valley Wood Products site. The new project will include a bank, urgent care, physical therapy, spa and light industrial uses. The property is located in the General Commercial zoning district. All town departments have reviewed and signed the plan. There are several waiver requests outlined in a memo from The Dubay Group. A NH DES Alteration of Terrain permit is required and is pending approval from the state. Initially, staff recommended approval of the plan and the requested waivers, yesterday, staff met with Karl Dubay to discuss changes to the plan which are more technical in nature. Given the proposed changes, he would suggest continuing the plan to the next meeting on August 1. Staff would still recommend approval.

Karl Dubay of The Dubay Group presented for the applicant, Dick Anagnost. Mr. Anagnost and Scott Schubert of Anagnost Realty & Development were also present. Mr. Dubay said the Board saw a plan for this lot several years ago. The parcel is located on Crystal Avenue and has the former Merrimack Valley Wood Products warehouse. That building will be refit and recast to include a bank, urgent care, physical therapy, and existing industrial use. They will upgrade the front landscaping and sidewalks, parking, etc. They will connect to the existing church parking lot and add a new building (10,000 square foot spa) to the left which will be set back on the lot. The plan also proposed parking to the back of the lot. The previous plan (circa 2013) showed a heavily developed site with a lot of pavement. Mr. Anagnost purchased the property and will redevelop it. A few days ago, a decision was made to scale back the plan. The plan before the Board shows a Phase II, which proposes pavement in the back of the lot. Phase I also has pavement behind the spa and mixed-use industrial building. They do not need all of that pavement to achieve what they need to for the proposed uses on site. They looked at the parking and questioned whether they needed all that pavement. They do not. They can come back in some later year if they find they will be adding development to the site that requires the additional pavement. They met with the contractor yesterday and also discussed with town staff the proposed changes. They want to dial the plan back which will mean less pavement. The plan will still meet all of the town criteria. Because of the proposed change to the plan, they would like to continue the plan to the next meeting. They would revise the plan, and have it distributed to the Board in advance of the next meeting. They will still meet all of the parking requirements. They will be retaining vegetation on site and will only build what they need. They feel this is the right thing to do.

Mr. Dubay advised they have addressed the comments from VHB and from Mr. L'Heureux. They want to come back to the Board with a plan that shows reduction of the pavement to the rear of the existing building, finalize the grading, reduce the slopes, and request less waivers from the Board. They plan to use a bioretention system. They will meet with the Conservation Commission on Monday evening to discuss the proposed changes to the plan.

Mr. O'Connor questioned whether this change relegates the plan to a conceptual review/design review status. Mr. Sioras said it does not. The applicant is requesting the application be continued to August 1, 2018. He suggests the Board hear the plan tonight so the applicant can receive feedback and comments. The Board does not need to accept jurisdiction of the plan this evening; that can be done on August 1st.

Mr. Dubay explained some of the proposed changes to the plan before the Board this evening. They have peeled back the parking lot and are not asking the Board to act on the application this evening. They will withdraw the waiver to allow maximum impervious area; the changes are good changes for the plan.

Mr. MacEachern noted the plan Mr. Dubay has on the easel is not the plan the Board has in its packets this evening. Mr. Dubay agreed. Mr. MacEachern felt the Board needed to see the revised plan as a whole.

Mr. Granese said the Board can move forward with what has been presented in the application and packets and not accept jurisdiction of the application. The applicant can take comments from the Board, as well as public feedback. Mr. L'Heureux can speak to the plan and then Mr. Granese would recommend the Board continue the application to the August 1st meeting. Would the revised plans be ready for the Board review at that meeting? Mr. Dubay said they would; they should be able to present revised plans to DPW on Tuesday. Mr. Granese suggested proceeding with the plan as presented. He would like the public to speak. It is rare abutters attend a meeting. The Board can then continue the hearing to the next meeting. The Board will not be voting on anything this evening. The only vote would be to continue the hearing. At the next meeting, the Board can accept revised plans and then accept jurisdiction of the application. That is typically how the Board handles this type of situation.

Mr. Dubay explained the plan does show a Phase I and a Phase II. On August 1, he will discuss the revisions to Phase I. There will be no changes to the front of the site. He asked the Board to keep in mind the project will not require as much pavement with the revised plan. Mr. Granese suggested not discussing the rear of the site.

Mr. Anagnost said the intent is to renovate the 40,000 square foot building. They will also construct a new 10,000 square foot building. The plan before the Board shows a Phase II. The only reason Phase II is on this plan is because they would have needed to construct the underlying engineering beneath the pavement. They don't need that amount of parking. The four new businesses coming into town are all in long term leases. In order to complete Phase II, they would have to come back to the Board with a new revised plan, so there is no point in having it approved now only to be changed at some uncertain point in the future. They may never need to obtain an approval for Phase II because they have long-term leases in the existing building. The existing building will contain a manufacturing/distribution use, urgent care, rehab, and a bank. A medi-spa is moving from Windham to Derry. The only item in Phase II is additional parking which is not required for the proposed uses. They would like to hear comments from the Board and the public this evening so that the comments can be incorporated into the plan.

Motion by MacEachern, seconded by O'Connor to open the public hearing. The motion passed with all in favor and the floor was open to the public.
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Steve Trefethen, owner of 12 Laurel Street, stated he was in favor of development. He asked the Board to consider this application in light of some of the regional development such as Woodmont Commons and Tuscan Village. He was concerned about the look of the development on Crystal Avenue and the lack of trees shown on the cover sheet of the plan. Mr. Dubay advised the plan set shows the existing building, a landscape strip, parking, another landscaped strip along Crystal Avenue, and then the sidewalk. The landscape plan sheet shows the landscaping has been loaded up. The church parking lot connects to this lot. They intend to extend the curb and sidewalk along that lot and interconnect the two parking lots; they invite traffic circulation between their lot and church parking lot. They will also suggest the church parking lot be restriped. Improvements to the existing building and the construction of the spa will improve the value of the street and the properties adjacent to it. They are doing their part to improve their side of Crystal Avenue.

Mr. Trefethen asked what kind of trees will be planted, where will they be located, and will they be spaced out. He also had a concern with regard to the two parking spaces on the end of the parking lot adjacent to the church lot. He felt there would be an issue with those vehicles backing out of the spaces. Mr. Dubay said they will blend the pavement between lots so that it is flush. There is a reciprocal agreement with the Church. One has been in place for many years with the previous owner and Mr. Anagnost intends to continue that agreement.

Mr. Trefethen hoped the landscaping plan would be continued down Crystal Avenue but hoped the trees would stay green in the winter. The church parking lot should be made to look nice. Mr. Dubay explained the landscape plan calls for 2 1/2" caliper oaks and shrubbery. They will landscape along the face of the existing building and the whole façade and feel of the area will be transformed.

Mr. Trefethen said the front of the building has been an eyesore. Mr. Dubay said there will be more street trees in front of the spa and there will be lots of shrubs. They purposefully set the spa building back because they did not want to block views of Moo's from the road. This plan is beneficial because it is bringing a new bank to town, an urgent care, physical therapy, and a hair products business. These are quality users on Crystal Avenue. Mr. Trefethen felt that since the applicant is putting curbing in to the next curb cut (church lot), they should extend the landscaping. Mr. Dubay explained that property belongs to the church. They would like the area to look seamless.

Mr. Trefethen inquired if the revised plan will be missing landscaping. Mr. Granese advised that cannot be discussed this evening; the revised plan is not on the table.

Mr. Trefethen said there may be an agreement with the church, but he felt there would be an issue with people trying to back out of the handicap spaces in front of the physical therapy unit if there is no connection between the lots. Mr. Dubay reiterated the developer will continue the same agreements the Derderian family had with the church.

Lori Van Curen, 8 Lenox Road, had a series of questions. Is there only one way in and out of the lot? Mr. Dubay explained there is one main entrance but as patrons can also access the church parking lot and utilize that curb cut, there are two. Ms. Van Curen felt when patrons left church, they would be cutting into the left turn lane leading to Lenox Road. This will create a problem with the traffic pattern because vehicles will be crossing the left turn lane to go straight on Crystal or to turn right onto Rollins. Mr. Granese asked how the vehicles are leaving the lot and getting to Rollins now. Ms. Van Curen said it was a free for all. Mr. Dubay stated parallel parking spaces on their side of the road will be removed to accommodate the dedicated left turn lane to Lenox. The dedicated lane will begin after the curb cut; there is nothing there right now. The creation of the dedicated turn lane will help get motorists to Lenox. Ms. Van Curen asked if a left turn arrow will be added to the light at the intersection. She did not feel there could be a dedicated turn lane without a light for it. Mr. Dubay explained there is limited area to work with. Ms. Van Curen commented her property is zoned commercial. Walgreen's driveway is directly across the street from her property. She had been told in the past that any development on 23 Crystal might lead to the utilization of her property for access to Lenox, so why is there a left

turn lane if there is no left turn light? Mr. Dubay said the left turn lane will assist people turning onto Lenox. The redevelopment of 23 Crystal Avenue is a good thing. What he is hearing her say is she wants someone to purchase her property and build a driveway on it. Ms. Van Curen agreed, adding if Phase II is ever built it is a perfect opportunity for a new exit.

Ms. Van Curen asked about the relocation of the crosswalk. Mr. Dubay advised it is being moved for safety reasons and will now be squared off, rather than at its existing angle. Ms. Van Curen did not agree with the design as she believed it will take space away from the light because people will come out of the church parking lot and stop in the middle of the road. Mr. Granese noted most people know not to block an intersection. Mr. Dubay said this development is adding value to Ms. Van Curen's property. Ms. Van Curen wanted to know how to get an arrow added to the light at the intersection as she felt it was warranted with the relocation of the crosswalk and the addition of the left turn lane.

Mr. L'Heureux explained a traffic study had been conducted for this project. The Town does not have a Capital Improvement Plan to make changes to this light. The developer's contribution for the project is minimal compared to the total package for the light. The Town would be hard pressed to ask the developer to pay for the light improvements when his percentage of increase is light. It would cost around \$50,000 for a new mast arm and control panel. The developer contribution based on the traffic study is about 4% which would be less than \$4,000.00. He noted the traffic counts were conducted at all times during the day. Ms. Van Curen wanted to make sure the school traffic was included. Mr. L'Heureux stated the school traffic has a different peak than this development will. Traffic studies take into consideration traffic at all times during the day. The Town is getting a marked improvement with the new curb line, and the extinguishing of the parallel parking spaces on that side of the road to gain the additional space to create the left turn lane to Lenox. There will be traffic queuing in both directions. Ms. Van Curen asked if moving the crosswalk will affect parking spaces. Mr. Dubay explained the spaces in front of the church will be retained as those are important to the parishioners. They kept the change on their side of the street to improve safety. When people go to the spa, they are going there for several hours at a time; this is a low traffic generating use. The urgent care has a slow trickle of patients; the bank will not have a drive through and is a boutique bank.

Ms. Van Curen stated she is happy the building will not be taken down but has concerns about the traffic pattern. She was a crossing guard at this intersection for fifteen years and is well aware of how traffic moves through the intersection. In moving the crosswalk will they install a 'no right turn on red' sign going onto Rollins? Mr. Granese noted if there is no sign, people can go right after stopping. People will need to stop for pedestrians on the crosswalk.

Ms. Van Curen had a few additional concerns. With regard to the dumpster, she does not want to hear trash pick up at 5:00 a.m. Will the lights in the parking lot be shut off around ten p.m.? Mr. Dubay said there are no lights planned for the Phase II area; the current design for the lights are LED lights, on a timer, and they are dark sky friendly. There are only a handful of employees for the hair care product business. Mr. Anagnost indicated they are typically finished working by 6:00 p.m.

Ms. Van Curen asked what the impact will be to the smaller streets across the street. Will people be able to exit the site and go directly across Crystal Avenue? Mr. Granese advised the Planning Board has no purview over that. People will drive where they want. Mr. Dubay said their design does not block or change the existing traffic flow on those side streets. They are providing a center left turn area going both ways on Crystal Avenue.

Ms. Van Curen felt this change was important enough that the town should step up and improve the traffic light because of the traffic pattern. Mr. Dubay said the developer will make sure the button for the crosswalk is moved. Ms. Van Curen felt the intersection should be upgraded for the safety of the children and parents going to and from the schools in the area; the town should do this.

Mr. Trefethen asked for the width of the curb cut between the two buildings. Mr. Dubay said it was 24 feet wide. Mr. Trefethen asked if there was enough room for two trucks to pass each other. The building lends itself to a different tenant in the future; it has over 20,000 square feet of warehouse space. Mr. Dubay advised the plans have truck turn templates; trucks will back into the loading docks. Trucks can pull in and out of the 24 foot wide entrance. The approach lane is not wide, but this is not a business the size of Walmart; they don't need radii that wide. They have tightened the curb cut for safety reasons.

Ms. Van Curen asked what happens when someone is parked on the other side of the street; how does a truck turn in? The trucks will hold up traffic. Mr. Dubay said trucks have been entering and exiting this lot for years.

Attorney Gary Burt explained he represents the Diocese. The property known as the 'church lot' is owned by the Diocese of Manchester. There is a new person in charge of land at the Diocese and they have been in the process of transitioning into that role which may have caused a communication gap. He advised he worked with the Derderian family previously and is more satisfied with this plan because there will be available parking on holy holidays. Church peaks are generally on Saturday between 4 and 6 p.m.; Sundays between 8:00 a.m. and 1:00 p.m., and again around 6:00 p.m. Parishioners need adequate access to the parking lot. He has spoken with Mr. Dubay and is happy Mr. Anagnost will work with them. He will speak with Mr. Anagnost about the parking lot improvements. Will the entrance to the church parking lot be striped with in/out arrows? Mr. Dubay believed so. The intent is to have two-way traffic between the lots so that there is the ability to circulate traffic. Attorney Burt acknowledged Mr. Trefethen's request to have trees added along the frontage of the church parking lot, but felt trees might block visibility for some of the parishioners. Mr. Dubay advised they did not plan to have trees along that area, but that is something the Diocese can discuss with Mr. Anagnost and staff. Attorney Burt noted the church and Diocese are happy to have this development; they are looking forward to being good neighbors with the new owner.

Mr. Dubay indicated they are cognizant of the parking needs in the area. The right side of the building will have the physical therapy office which is normally not active during the times the church experiences its peak. They wanted to accommodate the traffic. Attorney Burt felt that is why this is a better plan. It might be that the church will put up temporary signage in the parking

lot during funerals and weddings to restrict parking to church patrons for those events. He does not feel there will be any conflicts and this will work well.

Mr. O'Connor recalled the Highway Safety Committee discussed the driving habits of the elderly. Fire Chief Gagnon had noted some of the church patrons walk straight across the road rather than using the crosswalk. Mr. O'Connor would not recommend large street trees along the church parking lot frontage. Mr. Dubay added the Highway Safety Committee suggested low shrubs so that people would not be tempted to cross the road mid-block and would be directed to the crosswalk. People would be less apt to walk through shrubbery to get to the sidewalk.

There was no further public comment.

Motion by MacEachern to close the public hearing, seconded by O'Connor. The motion passed with all in favor and review of the plan returned to the Board.

Mr. L'Heureux stated there has been discussions about traffic, access to the site and reducing the amount of parking on site. That is a positive when dealing with storm water runoff. The utilities are straightforward, but the drainage is not. The developer will be asked to do a sewer connection into Crystal Avenue and to bring gas across the road. The developer has been working with the Town to get that done as soon as possible and to expedite the off-site work so that they can facilitate the road improvements to the front.

Mr. O'Connor asked if there are any chemicals involved with the hair care product business. Mr. Anagnost stated there is no production of product. The product comes in pre-packaged. It is relabeled and shipped out. Mr. O'Connor inquired about the 6' x 6' electronic sign. Mr. Sioras advised the General Commercial zone is fairly liberal with regard to the sign requirements. Mr. Anagnost added the sign company has been in touch with the town and has reviewed the town requirements. Mr. O'Connor asked why one of the notes was suggested to be removed from the plans. Mr. Sioras explained that was a note that stated the plan would be recorded. Site plans are not recorded at the registry, so the note could be removed. Mr. O'Connor asked if there would be blasting; Mr. Dubay did not believe so. With regard to invasive species, there are a lot of them on the lot. They will be removed, and a note will be added to the plan that the removal will be done in consult with the Cooperative Extension, following the appropriate BMPs. They will be disposed of properly. Mr. Sioras confirmed for Mr. O'Connor that if Phase II were ever to be constructed, the developer would come back to the Planning Board for review.

Mr. O'Connor had comments relative to the landscape plan. He is aware of a recent trend that replaces trees in the downtown with large planting pots. Trees are known to destroy pavement and sidewalks.

Mr. Connors noted there will not be a Phase II, but thought that access to Lenox Road might be a part of this application. Because of the number of parking spaces proposed, is there a requirement to have a secondary access? Mr. L'Heureux advised there is no requirement for additional egress based on the number of parking spaces; Walmart has one access point. Mr. Dubay advised there are 33 spaces to the front, 20 in the middle, and the rest are out back. The

good news is they will be leaving part of the lot alone. Any new opportunities may lead to discussion with abutters at some later date. Leaving the back area open allows for more opportunity than if they had created parking. Mr. Connors asked if there will be enough parking for the spa building; it appears there is a good number of spaces there. He noted the doors along the building. Mr. Dubay explained those are service doors and not intended for patron use. Mr. Connors asked if there would be a formal easement for the church to park on this lot. Mr. Dubay said there has been a handshake deal in place for years. It may be formalized at some point but that is a civil issue. Technically, it is not required. Mr. Connors noted the fence between this lot and the Grinnell School playground. Mr. Dubay said that was a 6 foot chain-link fence which will be retained. They won't do anything in that area as it has an existing wooded buffer.

Mr. Leavitt noted a potential security issue such that people could pull off behind the spa building and be out of sight. Will there be cameras on the lot? Mr. Dubay said most businesses have cameras. When they look at the future phase, it will be a good opportunity for interconnectivity between Moo's and the spa. They would come back to the Board for that.

Mr. Leavitt stated he reviewed the traffic study. Point 8 brought up the issues of sight distance triangles. Will that be added? Shrubs are low but people should be able to see 200 feet in either direction. Mr. Dubay agreed shrubs are low growing and that they needed to maintain the sight distance triangle for the egress. He will have an answer to that question at the next meeting. Mr. L'Heureux also reviews sight distance. The maples planned along the street will not have low hanging branches; they have a small trunk.

Mr. O'Connor stated Sheet 8 proposes an infiltration system; will it be built as shown? Mr. Dubay said that is one of the proposed changes. It will be down sized and they plan to have a bioretention area and two shallow dishes. They would not need the infiltration area because they now will not need all of the proposed pavement. They will have 2:1 and 3:1 slopes, two drainage dishes, and a bioretention in the center of the parking lot; all will be to AoT standards. Mr. O'Connor suggested adding mosquito applications if there are going to be ponds because of the proximity to the school. Mr. Dubay said the bioretention area has underdrain. The bioretention area and the two dishes will drain from the bottom. They will make sure they don't turn into wet ponds.

Mr. Sioras asked Mr. L'Heureux to give an overview of the improvements the town will be doing this fall on Crystal Avenue. Mr. L'Heureux said the town will cold plane the road once the improvements are completed in front of the lot. The town work includes shimming and paving 1 ½", as they did on the other end of Crystal Avenue. The town has held off for four to five years on this end of Crystal Avenue in anticipation of development of this lot. The town would like to expedite and get the work done this year. This is town road.

Mr. MacEachern had comments about the proposed trees along Crystal Avenue. He felt they should keep the sight distance clear and make sure Moo's parking lot is not obstructed. There is a lot of traffic in this area and he would prefer to see more landscape detail. People should not be ducking to see around trees when they exit the lot. Safety is the paramount concern. With regard to mosquitoes, he would not ask the developer to spray for them because some of the wetland is on town land. Mr. Chirichiello noted the town sprays for mosquitoes each year. Mr.

Dubay said changing the trees would necessitate asking for an additional waiver. Mr. Connors did not feel trees should overhang the sidewalk, interfering with snow removal on the sidewalk. Mr. MacEachern suggested utilizing vegetation rather than trees. He asked if he could poll the Board to give the applicant an idea as to whether a waiver would be granted or not.

Ms. Carver felt trees were important in areas where there are sidewalks to provide shade for pedestrians. This area is very open. Tall trees create a pleasant experience for people who walk in the town. Mr. Granese noted that drivers exiting the lots are only going to see the trunks of the trees and there won't be a lot of tall shrubs to impede sight distance. Mr. Dubay noted there would not be afternoon shade given the location of the sun at that time of day in relation to this lot. It is possible street trees might block Moo's; they would want to be sensitive to that. They will do what the Board wants. Mr. Granese clarified the trees are proposed on private property, not in the sidewalk. Mr. MacEachern suggested plantings that would make the area look nice. Mr. Granese allowed the poll of the Board members: 3 were in favor of street trees, 5 were amenable to shrubs. Planning staff would prefer to have the trees. Mr. Chase noted overhead wires are on this side of the street and that could be an issue for the future.

Mr. Granese asked Mr. Dubay to discuss the landscaping with the Landscape Architect; a waiver would be required to not plant street trees. Mr. Connors asked if the ordinance stated there must be specific things planted in the landscape islands. Mr. Sioras said the regulations state 'as determined by the Planning Board'. He reminded the Board of the landscaping at Enterprise Bank and People's Bank. The landscaping is mature now, as are the trees. The only lot that has issues are the pine trees on the McDonald's lot. Mr. Dubay suggested Mr. Knowles work with staff on the design; he believed the regulations called for 5.5 street trees.

Motion by MacEachern to continue the public hearing to August 01, 2018, seconded by Bartkiewicz.

Chase, Levin, Chirichiello, O'Connor, MacEachern, Davison, Connors, Bartkiewicz, and Granese voted in favor and the motion passed.

Mr. Granese advised there would not be additional notice of the continuance.

There was no further business before the Board.

Motion by MacEachern, seconded by Bartkiewicz to adjourn. The motion passed with all in favor and the meeting stood adjourned at 8:38 p.m.

Approved by: _____
Chairman/Vice Chairman

Secretary

Approval date: _____