

PLANNING BOARD
REGULAR MEETING MINUTES
MAY 14, 2020 VIA “GO TO MEETING”

Members present: Mark Schafron/*Chairman*, Robert J. Swartz/*Vice Chairman*, Robert J. Bettez, Sr., Steve Cormier, and Paul A. Cormier/*Members*, and Trevor Beauregard/*Director-City Planner*.

Members absent: *None.*

Also present: Chris Coughlin-*Engineering*, Christine Fucile-*DCDP*, Jon Allard of Fuss & O’Neill, and members of the public (see attendee list in file).

ANNOUNCEMENT - Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the Chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Director of Community Development & Planning pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

Mr. Schafron called the meeting to order at 7:00 p.m.

1. MINUTES ~Vote to Approve Regular Meeting Minutes of April 28, 2020:

Motion to accept and approve Planning Board Regular meeting minutes of April 28, 2020 as presented.

S. Cormier/P. Cormier.

Vote - All in favor.

2. NEW BUSINESS:

2.1 Bailey Brook/Leo Drive Open Space Recreation Project – Presentation:

Jon Allard of Fuss & O’Neill, the manager for design of Bailey Brook, provided a presentation that included existing conditions plan, overall site plan, and site layout.

Mr. Allard noted the facility is off Leo Drive, and bordering Bailey Brook on the west of the property, Clark Street is on the south, and Leo Drive is on the east. The wetlands are mainly against Bailey Brook, with a few wetlands on site. Most of the work will include natural turf fields, parking area, and the handicap trail. The rest of the property will consist of hand-cleared trails. There is a 24 foot wide access drive coming from Leo Drive, right across Margaux Way. The access drive and parking areas will be gravel. The main parking of the site holds about 85 parking spaces. In addition, the parking area to the east of the play field holds about 60 parking spaces, which allows watching games from the vehicle.

There will be a 30 foot landscape buffer in between the residences and the park.

Rain gardens will collect stormwater. There is one rain garden which will collect coming from a slope, and another on the north part of the field, which will drain out east and west.

The larger play field is high school regulation size, and the smaller field is for younger ages. The larger field can be split into smaller fields to host more than one game. To the west of the

parking area will be a play trail, as well as climbing equipment and swings, but no large structure. A restroom shown on the site plan, but not sure at this time if it will be plumbed.

A proposed accessible walking area around the field which is about a mile in length.

Also proposed is a wetland overlook area which will include some educational plaques for amphibians, animals, etc...

This project is going to be phased. Phase I will include the access drive in from Leo Drive, some grading for accessible walking trail, as well as the other walking trails out back. Mr. Allard pointed out the one mile loop trail as requested by T. Beauregard.

T. Beauregard asked about the play trail area. Mr. Allard explained each area is focused on a certain age group. There will be a few areas designed towards 3 to 5 years of age. The other two areas will be 5+ years of age. In addition, there will be some informational/educational signage dedicated to each play area.

Mr. Schafron asked about the composition and size for the horizontal parking area. Mr. Allard described there will be a natural buffer, mostly evergreen trees, and a little mix of some small flowering trees. The buffer on the west side of the field will be shrubs to protect balls from going outside which could be more of a shrub heavy buffer which could include larger spruce, pine trees.

Mr. Schafron inquired about a lighting plan, or will it be “dawn to dusk”. T. Beauregard said at this time, “dawn to dusk”, and believes electricity will be stubbed in the event the City wants lighting at a future date, as well as providing water/sewer for the restroom facility. Mr. Allard noted all utilities are available from Leo Drive.

T. Beauregard gave a history of the project and explained in 2017 the City applied for two different grants with the State to acquire the Bailey Brook property, which was part of a larger Open Space project that reaches up into the Alisaukas property down through the Gardner Fish and Gun property, to protect the cold water stream, Bailey Brook. Two different funding sources were used for a specific purpose. The western portion of Bailey Brook was purchased with a LAND Grant which only allows purchase of land for open space in perpetuity, and can only be used as open space. The PARC Grant was used to acquire the other portion of 30+ acres on the east side of Bailey Brook because it allows for more active recreation purposes. In 2019, the City applied for the current PARC Grant being used now for this conceptual design, and the first phase of build out which includes access to the site, a roughed out parking area, cleaning of some of the existing trails, creation of a new one mile loop, and creation of the accessible walking path. In the future, if the City decides to move forward with additional components of this concept, or some other concept similar to this, additional funding will need to be applied for, as well as acquire additional approvals through the City since the City will have to come up with funding of their own to match the State grants. Further, the time frame could be two to five years down the road for different phases of this project to take hold, including the play park area, and a basketball court as requested by some of the residents.

T. Beauregard further explained this is a City-wide project. The City purchased the property to help meet the City’s open space recreation needs.

T. Beauregard commented this evening, just asking the Planning Board to vote to either approve or not approve their support of the concept plan presented. The City will determine how it moves forward on the build out on the site and how many phases in future years.

P. Cormier directed to T. Beauregard for clarification for Phase 1 asking if it will include access road, a walking trail, and a parking lot. T. Beauregard answered, yes but not the parking lot as

shown on the site plan. The parking lot will not be finished parking with sidewalks, but will be a gravel base, no islands, roughed out in order for people to access the trail system on the site. Mr. Cormier noted Leo Drive, Clark Street, Brookside, and Fernwood are the most populated areas in the City and believes the people in these areas deserve a recreational area close by, and commented he is in favor of Phase 1 of this project.

Mr. Schafron noted this is not a public hearing, therefore, inquired if there are any questions from members of the public. Mr. Schafron asked that any member from the public, please state their name and address.

Steve Macowiak, 244 Leo Drive:

Mr. Macowiak introduced himself and said the buffer is only about 30 feet to the parking lot and is a concern. Mr. Macowiak asked, when did sports fields, or any type of sports complex come into play in this idea since in September, 2019 it was presented as an all-natural park.

T. Beauregard replied there has been talk of recreation fields from day one since the project was started, and this is the first time seen on paper as a plan is now. There was never anything sketched out on site, however there was talk definitely about nature trails, and a natural setting. Further, it has been known about the need for soccer fields, since the “open space recreation plan” was updated about five or six years ago at which time it was identified as a need. There was talk of a park going somewhere in this area for ten plus years since the development of Brookside Drive and Leo Drive.

Mr. Macowiak stated he attended the first meeting in September, this type of plan was not presented when Jeff was speaking, and since living on Leo Drive for 28 years and was part of all the first development meetings as well, when the gentleman from Hubbardston was thinking about putting a development in, many people here first they heard was about what the original developer was supposed to do about a playground and did not have a clue about it. There are multiple things going on that many abutters on this property have not known.

T. Beauregard commented they did not have the resources to put a comprehensive plan together at the initial meeting held. However, the ideas given within the grant application are what are seen on this plan now, and not trying to hide anything, and noted the engineer had a part in this to try to maximize the developable area for recreational purposes.

T. Beauregard stated these are just ideas, and whether they happen down the line, it is up to the City.

Mr. Macowiak suggested a meeting with the residents that are direct abutters to get an idea if this would be an acceptable type of area for them. People in the neighborhood are talking about this and are very much concerned about the amount of traffic, the 30 foot abutter, and noise from a sport complex. T. Beauregard said to be assured there will be more meetings for public input.

Mr. Macowiak if the police department has evaluated this plan for security and line of site viewing because this was one of the major concerns for the skate park originally in Greenwood Park because of the minimal line of site viewing which was objected on. This type of park gives no line of site. T. Beauregard noted the proposed site entrance provides the best line of site of all options. Mr. Macowiak responded with two houses on each side of the access road, they will be asking for a buffer zone as well which will minimize when the police drive by. Mr. Macowiak agreed with Ms. Mansfield that more work needs to be done before being voted upon. T. Beauregard repeated the City will determine over time how it gets built out, in phases. Further, this was identified on the open space and recreation plan, and every other neighborhood in the

city has recreation fields, and understands the concerns, however, the City identified this as a need, and at this time, is conceptualized in this plan.

Mr. Allard noted he had a meeting with the Chief of Police and Fire Chief and are aware of this concept plan, but there has been no official plan sent to them for review.

Tracy Fluet, 415 Leo Drive:

Pointed out traffic will be increased and how it will be addressed. T. Beauregard replied when the time comes, it will be determined whether a traffic study will need to be performed. It is a costly endeavor to do this.

Ms. Fluet commented shouldn't the traffic be looked at first to see what it will do to the neighborhood before deciding if this is a good idea. The only traffic going into the neighborhood is if someone lives here. T. Beauregard replied not really, since there are walking trails to go to.

Ms. Fluet remarked walking a trail, is a lot different than all of Gardner's youth soccer coming into the neighborhood on a Saturday morning. T. Beauregard commented he agrees, and repeated, this is a concept plan based on the needs of the City, and does not know if it will be built out or not. If the City decides to move ahead based on this as shown, or some other form of recreation fields or recreational facilities, more due diligence will need to be done, potentially including a traffic study, but this is not going to be determined now.

Ms. Fluet added why waste time making a plan and spending time and money for something that is not appropriate for the neighborhood.

Nancy Mansfield, 252 Leo Drive:

Ms. Mansfield remarked she would believe a project this size would need to have a formal analysis done to determine the need for it, as when building a new library, or school. Further, have not yet heard how a conclusion was made regarding the need for this, particularly behind an existing neighborhood.

Ms. Mansfield quoted the comment from Mr. Cormier saying it would be great for the neighborhood, and stated she would not and would rather go across town to an athletic field to have this in my backyard with the noise and traffic, and does not feel this is appropriate in an established type neighborhood. Ms. Mansfield further stated she is totally for the walking trails and natural playground, and should capitalize on the beauty and natural surroundings.

Ray Richard, 359 Leo Drive:

Mr. Richard said his understanding with the high school field included football and soccer teams, band, track, stands, so why the concept to put soccer fields here. In addition, the elementary school being built right down the street from the high school, would be a better alternative in that area versus this area.

Mr. Schafron asked if anyone exclusively on the telephone have any questions. No one responded

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Mr. Schafron explained going forward there will be a lot more meetings and hearings on this, but the issue tonight is whether or not the Planning Board approves of the "concept", not a full-blown, ground breaking tomorrow morning project, just the concept of a recreational area in that location.

Mr. Schafron asked if the Planning Board had any further questions.

P. Cormier clarified he is in favor of the Phase 1 project which is the access road, walking trail, and so called parking lot at this time to get this going.

M. Swartz commented he understands the neighbors' concerns, but believes there is a need for a recreational area in that part of the City and feels the City is going the right way coming up with a concept, and is in favor of it.

Motion to approve support of the "concept plan" as presented for this area.

R. Swartz /S. Cormier.

Voted – All in favor.

2.2 Wilder Brook Subdivision - Petition:

T. Beauregard noted correspondence dated February 25, 2020 received from Henry Cormier's attorney regarding the Wilder Brook subdivision. Mr. Cormier was the owner of the subdivision, and has since sold off all the buildable lots. T. Beauregard noted on page 3, Mr. Cormier is requesting the return of his bond, but is also requesting the City keep \$7,600 of the bond to account for the lots he owns on the two cul-de-sacs that were not built. Back when the subdivision was amended in the 2,000's the City requested Mr. Cormier create a housing association for the neighborhood to maintain all the drainage easements in the development. Each new homeowner would pay \$200 when they purchase their home to help fund the Association, which to date, none of the money has been collected because the association was never initiated.

Mr. Cormier is asking the Planning Board to rescind the two cul-de-sacs that have not been built, and the related lots within the two cul-de-sacs, and to keep the \$7,600 related to the lots for future maintenance costs, and to rescind certain requirements within the subdivision amendment Exhibit C, as well as the balance of the escrow funds be returned to him. T. Beauregard explained he was in contact with the City Solicitor who in turn contacted Mr. Cormier's lawyer, and suggested to hold off until the new administration is in place before proceeding with this matter. T. Beauregard commented he wanted to bring this to the Board's attention. Mr. Schafron stated the Planning Board will go in accordance with the City Solicitor's advice.

3. OLD BUSINESS:

Continuation of Public Hearing & Public Informational Meeting:

Mr. Schafron stated he will now reconvene the public hearing, and asked if T. Beauregard received any comments from the public. T. Beauregard stated he had a conversation with Debra Aspen after the last meeting, but has not received any other comments or questions.

Debra Aspen, 324 West Broadway spoke:

Asked specifically about the elevation of the drive-through with regard to the headlights. T. Beauregard mentioned he said the elevation is below the roadway, about three or four feet along West Broadway. Also, there will be some vegetation. Ms. Aspen asked to confirm this. Mr. Schafron directed this to the Engineer, Mr. Hannigan. Mr. Hannigan pointed out Ms. Aspen's property on the definitive plan and pointed out the drive-through. The proposed grade in the area of the drive-through is about 117, the elevation of the finished floor of the building is about 116, so the lights coming off should hit the grade of the building. In addition, some vegetation will be placed for the neighboring properties as well as down the street which will be reflected on the landscape plan.

Ms. Aspen asked what the time frame for construction given the parameters of what is happening right now with everything being shut down. Mr. Hannigan said he is waiting for the Governor's

update on Monday, so it depends on what phase commercial construction falls within the realm of the Covid concern. The objective is to get construction ready in a month or two, or as soon as possible.

T. Beauregard noted on the Agenda there is an amendment request for the site plan which is basically for resetting of the building on the site, redesign of the parking area, and the inclusion of the drive-through with that one building, as well as the Special Permit for the drive-through.

Mr. Hannigan went over the plan to refresh the Planning Board, and explained the footprint remained the same, but slid into the west to allow for a drive-through lane to come through, and also shifted the parking from west side to the east side of the building to balance out the parking for the building. There is more than enough parking for all three sites on the property and have an excess of 40 extra spaces above what is required in the ordinance which is 145 spaces and there are 181 parking spaces provided on the site. Currently there are 126 existing spaces that were constructed for the 99 restaurant, and there is an additional 55 parking spaces. The drainage and traffic have been reviewed by DPW/Engineering. Some changes and improvements have been made within the site through signage and crosswalks to allow better/safe pedestrian movement within the site. Since the last meeting, trash receptacles were added to drive-through, per ordinance, prior to the pre-menu board, before or after ordering. There was a concern of the entry being backed up with cars, therefore, proposing to add a sign “no stopping allowed in driveway”.

Mr. Hannigan noted the specifics of the drive-through signs was requested at the last meeting which includes a pre-order board, a 5-panel menu board, and order board. The dimensions were not available at the last meeting and have been provided to T. Beauregard.

Mr. Hannigan stated approval is needed for allowance of three signs versus one, allowance for one of the signs to exceed the seven foot height requirement, and allowance for the total square footage of the sign area to be greater than 40 square feet based on the dimensions being approximately 60 square feet knowing the display area is less than 40 square feet.

Mr. Hannigan noted he also submitted the small directional signs relative to the entry/exit to the site, and pointed out on the site plan. In addition, Mr. Hannigan said the only two items that are needed will be the final landscape plan, and the lighting plan relative to the pole locations.

Mr. Schafron asked if there were any questions from the Planning Board. There were no further questions.

Mr. Schafron asked if the public had any questions.

Debra Aspen, 324 West Broadway:

Asked if the lighting reconfiguration of the poles are near her property. Mr. Hannigan replied a few lights will be relocated, but not near her property. Mr. Hannigan also pointed out lighting on the site plan.

Asked how many lights will be around the first smaller commercial building, but can clarify for both buildings. Mr. Hannigan said the lighting in the front will remain the same, there may be some security lighting on the building around the side, but no cold mounted lighting in that area.

Mr. Schafron asked if the public had any questions through the phone. No one from the public responded.

Mr. Schafron, Chairman called thrice for persons wishing to testify in favor of, and in opposition of this proposal.

Mr. Schafron closed the public hearing and public information meeting at 8:19 p.m.

3.1 Timpany Crossroads, LLC Site Plan Approval Amendment Request:

Mr. Schafron stated a vote is needed to approve or disapprove the amendment request, and asked if any discussion is needed from the Planning Board. T. Beauregard commented if the Board moves forward with a vote tonight, recommends certain conditions for the site plan amendment.

Mr. Schafron noted two of the conditions would be landscaping and lighting. T. Beauregard added the third condition would be in compliance with special permit findings and conditions.

C. Coughlin stated he would like to see a copy of the executed and recorded agreement between the owner of the three parcels, and what the agreement shows with regard to the easements, as well as the agreement for operation and maintenance of the utilities and stormwater on the site. C. Coughlin further stated he spoke with the lawyer for the proponent and is aware of the document and provided a draft copy so far.

T. Beauregard added the Engineer should be contacted relative to the ANR Plan whether there is adequate parking for each facility, and if not, there should be parking easements identified in the document C. Coughlin references above.

Motion to approve the Amendment request with conditions as noted.

S. Cormier/R. Bettez, Sr.

Voted – All in favor.

T. Beauregard asked Mr. Hannigan to confirm there is enough parking on the site. Mr. Hannigan replied there is more than enough parking on the site for all the proposed uses for each of the individual buildings. There is probably about 50% available parking for each. The 99 Restaurant building has plenty of parking on their lot. The Jendith building and the Williams building have about 60-80% of their parking requirements, and there is going to be a cross easement relative to the parking adjacent to the 99 Restaurant which is part of the document C. Coughlin spoke of.

3.2 Timpany Crossroads Special Permit for Drive-Through restaurant facility:

T. Beauregard said a draft was prepared, but the changes needed would be additional documents showing the trash can locations, and the based entry sign sketch. Also, the waivers should be added for the design criteria that would be Section 3B, 2G, and No.’s 1, 2, and 3. No. 1 being the one sign, they have three, No. 2 being 7 foot limit and 40 square foot limit on all the signage, and No. 3 would be signs and speaker boards shall be physically shielded from any public street in residential properties by landscaping or any other means. Mr. Hannigan did speak of the landscaping, but really cannot put landscaping along the side of the building along the street, since it would be more of a danger. Therefore, would need to know just how to screen the boards looking out to West Broadway since the area is very limited.

T. Beauregard stated the Planning Board has the authority to waive the features of the design criteria.

Motion to approve the Special Permit with conditions and waivers as noted.

P. Cormier/R. Swartz.

Voted – All in favor.

4. ANNOUNCEMENTS~~NEWS~~ARTICLES~~EVENTS

Next Planning Board Meeting scheduled for June 9, 2020 at 7:00 p.m.

Adjournment

Motion to adjourn.

R. Bettez, Sr. /S. Cormier.

Vote --All in

favor.

The meeting adjourned at 8:30 p.m.

All documents referenced or used during the meeting are part of the official record and are available in
The Department of Community Development and Planning pursuant to the Open Meeting and Public Records Law