

MINUTES
PLANNING BOARD--PUBLIC MEETING

Re: FOSTER'S LIQUORS
5 EAST BROADWAY, GARDNER, MA

JULY 10, 2018 at 7:00 p.m.

115 Pleasant Street, Robert L. Hubbard Meeting Room, Gardner, Massachusetts 01440

Members present: Allen L. Gross/*Chairman*, Robert J. Bettez, Sr. /*Vice-Chairman*, Laura Casker, Robert Swartz and Mark Schafron/*Members*, and Trevor Beauregard/*Director-City Planner*.

Members absent: *None.*

Also present: Chris Coughlin-Engineering, Christine Fucile-DCDP, Anthony Cleaves of Whitman & Bingham, Shawn Foster of Foster's Liquors, City Councillor Karen Hardern, City Councillor James Johnson, City Councillor Ed Gravel, and several Members of the Public (*Signed attendance sheet on 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. Gross, Chairman called the Public Meeting to order at 7:00 p.m., and stated the following:

In accordance with Article 10 of the City of Gardner Zoning Code, Chapter 675-1010 Site Plan Review, notice is hereby given that the Planning Board will conduct a public review meeting on **Tuesday, July 10, 2018 at 7:00 p.m.**

The purpose of this public review meeting is to consider a ***Definitive Site Plan*** submitted by ***Foster's Liquors*** located at 5 East Broadway, Gardner, MA 01440, which depicts the demolition of the existing multi-story building at 5 East Broadway. In its place a new 2,841 square foot single-story commercial building to be occupied by a liquor store. An 8 space parking lot is proposed along the southern portion of the project site.

Anthony Cleaves of Whitman & Bingham introduced himself and briefly explained the project.

Mr. Cleaves explained the existing building is to be demolished and completely redeveloped with a liquor store. The front door access will be off Union Street and will tie in with the existing walkway.

Mr. Cleaves noted a recommendation from the Development Review Committee stating they would like the sidewalks replaced with concrete to match the existing sidewalks along East Broadway, therefore this will be completed.

The walkway leads up to a parking area consisting of eight (8) parking spaces with one handicapped accessible parking space.

Dumpster: There will be a white vinyl fence enclosure.

Landscaping: Low bushes around the building including some trees. In addition, snow storage can be utilized between these areas.

Water/Sewer: Plan to use the existing water/sewer connections from Union Street if they are in good enough shape.

Stormwater: The intent is for the sheet flow towards Union Street and maintain the drainage pattern including a rain garden in the corner with an overflow to Union Street. The DPW said their preference would be to have a closed drainage system connection to the City's system instead of having it overflow. Believes the next stormwater system available is at Nutting Street, and there is also a stormwater system on East Broadway.

Lighting: One pole light and a wall mounted light.

Mr. Cleaves brought attention to the conceptual rendering of the new 2,841 square foot building and again noted the main entrance off Union Street. Also noted the Development Review Committee requested the front of the building be improved to look like a front façade with windows.

Discussion and Comments:

Mr. Gross asked if there were any items that could not be accomplished regarding the Development Review concerns, and brought attention to item number six (6) regarding screening for adjacent parcels in the parking area. Mr. Cleaves trusts the items have been addressed, and noted a stockade fence will be installed, as well as pointed out the location on the property.

T. Beauregard spoke of the south portion of the site with regard to screening, and how close the neighboring abutter is. Mr. Cleaves said they are proposing some trees and bushes, and thought the abutter was about 10 to 12 feet. T. Beauregard commented there will be a lot of headlights shining. Mr. Cleaves said they are proposing a guardrail to try and help block some of the headlights. T. Beauregard suggested a fence across the back including a curb stop. Mr. Swartz noted snow storage/removal will be easier without a guardrail in the way.

L. Casker asked about the delivery trucks, how big they are, what times they will be going in/out, and if there is enough turning radius in the parking lot. Mr. Cleaves response was the trucks will be 20 to 30 feet box trucks, furthermore, the parking lot was designed so the trucks can get in.

The deliveries typically are morning to mid-afternoon, no weekends, and currently the deliveries are mostly on Wednesdays.

M. Schafron asked what the external lighting plan was exclusive of the parking lot. Mr. Cleaves noted there will be three lights over the front windows which illuminate the building itself, lights at the entrance, and one light on the back side. Mr. Gross asked if there was a street light there, and if so, will it remain there. Mr. Cleaves answered there is one and they have no plans to remove it.

C. Coughlin asked if there will be sprinklers in the building. Mr. Cleaves answered no.

L. Casker asked what the zoning is, and it was noted Commercial I.

T. Beauregard mentioned the open space requirements for Commercial I which is 15% with maximum coverage at 85%. Mr. Cleaves said they provided 40% open space.

T. Beauregard suggested snow storage be designated to one or two small areas within the property, or consider having the snow taken off site.

T. Beauregard asked the length of the roof line, the possibility of dormers, and what the façade materials will be. Mr. Cleaves said the building is 79 feet long, will look into the dormers, and the façade will be masonry and some man made material, but definitely not vinyl siding.

T. Beauregard inquired about traffic. Mr. Cleaves stated they looked at ITE numbers specifically for liquor store use, and the average daily trip is about 115 trips both In and Out, and during peak hours is 18 trips (9 / 9 Out). The queue is five or six vehicles on East Broadway, as well as street parking on both sides on East Broadway.

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

Paul Johnson - Said the City owns this property, shouldn't the liquor store be the owner?

Mr. Gross noted typically a developer does not have to own the property until all the required permits and approvals are acquired.

T. Beauregard also noted that the potential buyer is working with the original owner. Also, he was informed by the Mayor and the City Treasurer that the City was holding off taking the property due to this project. In addition, the application was submitted and signed by the original owner, as well as the proponent.

Mr. Gross stated the Planning Board can approve the plan as presented, but the project cannot go any further if there are any issues that are not resolved.

The follow persons stated their opposition and concerns:

Ed Gravel, City Councillor – Stated his biggest concern is this property is within 500 feet of an alternative school. Noted, since this property has been vacant for over five (5) years, and

looking at the zoning laws, it might revert back to residential. Mr. Gravel further stated he applauds the efforts to revitalize the neighborhood, but has to take in concern the other businesses that are currently there.

Jason Hebert, 189 South Road, Templeton - Owns Jay's Variety in South Gardner and expressed his concerns, mainly with traffic which is busy in the afternoons noting school buses passing through this area back up traffic.

Mr. Hebert said he does not see how a box delivery truck can turn around in the proposed parking lot and noted the trucks that deliver to his store have to back up on Union Street and views this as an issue. Also said some deliveries to his store have to double park because there is zero parking at times.

Another concern is the school. Noted at one time he was denied a liquor license because of the school being there. Since receiving the license has to watch the high school age patrons at all times because they try to get people to buy them beer.

Another concern is the male/female sober house next to the Victorian house.

Asked if the parking spaces will remain on the road on East Broadway. Response was they will remain as is.

Questioned if the liquor license transfer will have to be approved again. Mr. Gross said this question would have to be directed to the liquor commission.

Dexter Lison, 346 Pleasant Street – Mentioned the traffic coming off East Broadway requiring a right hand turn, and with the proposed eight (8) car parking lot, there will be people sitting and waiting to get into the parking lot which will back the traffic up at the intersection and will create more accidents.

Also said the high volume of traffic in that area should be directed to the Police department and DOT (*Department of Transportation*) in order to generate a report to see how many cars per day impact that area.

Stated the Liquor Commission regulations say a package store cannot be located within 1,000 feet of a playground, and noted the entrance to Bickford Playground is only about 400 feet down the road, and cannot understand how this can be approved.

Additional Comments

Karen Hardern, City Councillor – Stated she is also a business owner at this location area and her concern is traffic. She has been located there for 20 years and the traffic situation is horrible, and there is a bus stop. Said drivers today do not follow stop signs, red lights, and crosswalks.

T. Beauregard spoke noting two pieces of information:

- ✓ The Planning office received an email from the sober house organization (GAAMHA) regarding their concerns, and noted this email is on file in the Planning office.
- ✓ Received an email from City Councillor James Johnson passing along some concerns from the residents, and noted this has been addressed in relation to fencing, and will be installed along the edge of the property.

The public meeting closed at 7:37 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.