

Planning Board Minutes
July 24, 2007

Present were Duane Hill, John Garnjost, Theresa Dell, Rose Marie Grosso, Jay Tepper, Jeffrey Curtis and Robin Stein for staff.

The Chairman, Mr. Hill, opened the meeting at 7:30 PM.

. **MP-395 Hebrew Congregation Agudath Sholom 159 Colonial Road**, to amend a portion of the Master Plan from Land use Category Designated 2 Residential Low Density Single Family to the Land Use Category Designated 3- Residential Low Density Multifamily. Mr. Stein reviewed the application and comments from the public hearing. Mrs. Dell moved to approve the Master Plan Amendment. Mrs. Grosso seconded the motion and it passed with Mr. Hill, Mr. Garnjost, Mrs. Dell, Mrs. Grosso and Mr. Curtis voting.

2. **Zoning Board Referrals:**

ZB 207-17 TAG Forest LLC map change to rezone property from C-L to C-G at 11 Forest Street.

ZB 207-18 TAG Forest, LLC text change to amend Article IV, Section 12 to allow parking requirements to be satisfied by lease or easement.

ZB 207-19 TAG Forest, LLC special exception to grant a parking reduction of 27 spaces to serve 18 dwelling units with 24 of the spaces provided by lease.

Rick Redniss, Planning consultant and Jerry Kiley, applicant presented the three related applications. Mr. Redniss proposed several “housekeeping” text modifications to up-date the regulations and to move the proposed map amendment to the center line of Forest Street. He stated that they had an agreement with the City for 12 passes for the Bedford Street Garage. He also mentioned that there were several back up plans including sufficient parking on the property and use of parking facilities at 100 Prospect Street. Several Board members raised concerns over the management of tandem spaces. In response to Mr. Garnjost, Mr. Redniss explained that the mixed-use project would decrease peak hour traffic when compared to the present all retail use. In response to concerns from Mr. Stein, Mr. Kiley suggested modifying the text to tie any parking lease to a city facility.

The Board agreed to table further discussion pending receipt of text modifications.

3. **Zoning Board of Appeals Referrals:**

a) **ZBA 060 Waterside Power LLC** modification of special exception to allow revised enclosures for mobile electric generating units at 17 Amelia Place. Mr.

Garnjost moved to recommend approval. Mrs. Grosso seconded the motion and it passed with Mr. Hill, Mr. Garnjost, Mrs. Dell, Mrs. Grosso and Mr. Tepper voting.

- b) **ZBA-067-07 Margarita Huamani** variances of setbacks and coverage to expand an existing legal non-conforming two family house at 50 Wardwell St. Mrs. Grosso moved to recommend approval. Mrs. Dell seconded the motion and it passed with Mr. Hill, Mr. Garnjost, Mrs. Dell, Mrs. Grosso and Mr. Curtis voting.
- c) **ZBA 068-07 Bryon Palma, Mirtala & Julio Garcia** variances of setbacks and parking to allow for an addition to a residence at 28 Leslie St. Mr. Tepper moved to recommend denial. Mrs. Grosso seconded the motion and it passed with Mr. Hill, Mr. Garnjost, Mrs. Dell, Mrs. Grosso and Mr. Tepper voting. It was the Board's opinion that the intensification of development on the site plus the inability to meet the required parking standards for a two-family dwelling would have an adverse impact on the neighborhood.
- d) **ZBA 069-07 Isaac Olaguivel** variances of area requirements and Article III, Section 6(A) to legalize a four unit residence and to relocate a garage at 253 Seaside Ave. Mr. Garnjost moved to recommend denial. Mr. Curtis seconded the motion and it passed with Mr. Hill, Mr. Garnjost, Mrs. Dell, Mrs. Grosso and Mr. Curtis voting. It was the Board's opinion that the additional unit and related parking would over intensify the parcel, which was far short of having adequate area for the fourth unit, and negatively impact the neighborhood. The Board was also concerned that approval of the application could set a precedent for additional intensification requests in the area.
- e) **ZBA 070-07 Dr. Jerome Simon** variance of sign requirements to replace a ground sign at 1486 (1500) Summer St. Mrs. Dell moved to recommend denial. Mrs. Grosso seconded the motion and it passed with Mr. Hill, Mr. Garnjost, Mrs. Dell, Mrs. Grosso and Mr. Tepper voting. The Board agreed that the request was excessive and contrary to the recently adopted sign regulations by the Zoning Board.

4. Minutes for Approval:
June 12, 2007 approved
June 26, 2007 approved

Old Business

ZBA-053-07 Anne & Mitchell Katcher, variances of setbacks and coverage to reconstruct a dwelling at 128 Davenport Drive. Mr. Stein explained that the Board had issued contradictory recommendations relating to this application and needed to clarify its intent. Peter Kurth, architect for the applicant, explained the project. He stated that due to the CAM/flood regulations, they could not simply add a second story addition but

were required to completely reconstruct a dwelling on the existing foundation. He stated that the only additions to the footprint were the expansion of the 1 ½ car garage to a 2 car garage and a small eating area off the kitchen. He stated that the increase in coverage was due to the topography of the site which necessitated the inclusion of a patio. He also agreed to increase the side setback to 10 feet, as opposed to 9 feet, so as to be consistent with the existing foundation. In light of the new information, Mr. Tepper moved to modify the Board's prior recommendation of denial and recommend approval. Mrs. Dell seconded the motion and it passed, 4-1, with Mr. Hill, Mrs. Dell, Mrs. Grosso and Mr. Tepper voting in favor. Mr. Garnjost opposed the motion.

Historical Society, Capital Appropriation for HVAC/windows replacement. The Board members and Mr. Stein reviewed the history of the capital budget hearings and presentation of back-up cost material for this project. At the time of the budget presentation by the Historical Society the costs of the project had not been well defined. Although subsequently, cost back-up was provided, there were no additional funds available in the Planning Board's proposed capital budget to fully fund the \$500,000. The Board members reiterated their support for a supplemental request to allow funding of both the boiler and window replacement. The Board noted that it would be inefficient and wasteful of energy not to do both prior to the winter. In addition the Board noted that the collection of historic papers, maps and artifacts are irreplaceable and should be protected. The Board asked Mr. Stein to convey that information to the Director of Administration.

New Business

Subdivision # 3959, 37 Cowan Ave., request for a public hearing. In view of a petition from the neighbors, the Board agreed to schedule a public hearing for August 14th on this matter.

Mr. Stein reviewed the application to modify frontage requirements, which had been approved by the Zoning board on July 23rd.

The meeting was adjourned at 9:40 PM.