

Planning Board Meeting January 4, 2022

Board Members: Paul Curran, Dale DiMeco, Thomas Bonci, Steve Lipka
Absent: Douglas Price
Guest: Jimmy Salmon

Paul Curran opened meeting at 6:00 pm

Agenda

**6:00 Site Plan Review/Special Permit – Jack’s Mill
474, 476, 490 & 500 Main Street
(Continuation from December 7, 2021)**

James Cunningham opened the meeting by discussing their new plan for traffic flow. He presented the board with an updated site plan where the traffic will enter at 500 Main Street and exit at Pleasant Street. They were able to move the egress back moving the initial plan away from Union Street and Dunkin’ Donuts. The exit at Pleasant Street will be an exit only.

Paul Curran asked if there were any questions from the board regarding the new traffic pattern. No questions at this time.

Paul Curran asked about the status with the Conservations Commission and where they currently stand in the process.

James Cunningham mentioned they have had a couple informal meetings and will comply with all conditions set forth. They plan to formally submit an application after getting approved/conditionally approved by the Planning Board.

Tom Bonci asked about businesses and tenants that are currently located on the property and what plans he had for them. James Cunningham said that he is willing to work with all current tenants. He also mentioned that Country Dogs will be staying and moving to a different location within the building. He said some of the tenants have also mentioned that the new building may not fit with their current business and they will plan to relocate on their own.

Paul Curran said we are at a standstill until a plan is in place with the Conservation Commission.

James Cunningham read through the updated Haley and Ward review (1/4/2022).

Some of the conditions and waivers suggested include:

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Drainage facilities and Site topography remains outstanding and is required to adequately demonstrate the impacts of the proposed parking improvements.

The existing parking plan is required to be 1 inch to 40-foot scale or larger. The submitted plan is 1:50. The plan does provide an adequate presentation on a single sheet.

Response: Your Board should consider a waiver of this requirement.

The fire protection capacity of the water distribution system should be evaluated prior to construction approval. This evaluation should include the following components

- i. Fire flow demand based upon proposed construction and NFPA standards. It should be noted if the structure will include fire sprinklers and the applicable code.*
- ii. Fire flow capacity to the site through the connection to the distribution system. Capacity should be based upon hydrant flow tests conducted by the applicant.*

Response: The applicant proposes to complete this testing as part of the construction approval process. Your Board should consider this requirement as a condition of approval.

The applicant should seek confirmation from the Department of Public Works that the municipal systems can provide adequate domestic water supply and wastewater disposal. Response: The applicant proposes to complete this task as part of the construction approval process.

Your Board should consider this requirement as a condition of approval.

The site plan should include a required and provided parking tabulation based upon the proposed use at 1.2 spaces for single bedroom units, 1.5 spaces for two bedroom and one visitor space for every 5 dwelling units. Commercial parking spaces should be provided based upon the proposed use and the requirements of 5140.

Response: The applicant has provided a tabulation in the response documents. The table should be included on the site plan as a record. The two bedroom and visitor space counts should be corrected and rounded up to a full space. The actual location and access to the underground parking should be noted. The layout of the "urban style overflow parking" should be described.

Proposed fire lanes should be noted on the site plan.

Response: The applicant has noted a fire lane around the perimeter of the building. Signage and pavement markings should be noted on the site plan to prevent parking in these areas.

At least eight accessible parking spaces should be provided in proximity to the principal use with an accessible route provided. Two van accessible spaces should be included in this count.

Response: A total of 302 parking spaces are currently proposed. ADA parking requirements call for 8 spaces HP spaces when 301 to 400 spaces are required. One additional space should be noted on the plans. At least four (4) spaces should have an accessible route to Phase I facilities during that use period.

The plan should provide a tabulation of the percentage of floor area dedicated to commercial space and residential space to show conformance with 7222.

Response: The applicant has provided this tabulation. The tabulation should be provided on the final site plan document for record purposes.

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Details of construction should be provided for the access drives and parking areas demonstrating applicable conformance to the Subdivision Rules and Regulations. (7247)

Response: This item remains outstanding.

Drainage calculations for the proposed parking area should be provided.

Response: This item remains outstanding.

The parking plan shows eleven parking spaces within 25 feet of a building containing residential units which is not allowed under 7250. 8 of these spaces are against the rear of building proposed for commercial use but with residential units on the second and third floors. Three additional spaces, including two handicapped accessible spaces are near a fully residential section of the building. Your Board should consider if a waiver of this requirement is warranted.

Response: Your Board should consider a waiver of this requirement due to existing site conditions and the lot shape.

The most remote parking space proposed at the site is 540 feet from the principal structure. 7250 requires that parking be provided within 300 feet of the dwelling they are to serve. Limited land area is available near the existing mill structures to provide closer parking spaces.

Response: Your Board should consider a waiver of this requirement due to existing site conditions and the lot shape.

The proposed parking exit curb cut is located within 25 feet of the Main Street and Pleasant Street intersection and is not in conformance with 5181. The exit drive should be moved away from the intersection or consideration should be given to aligning the exit with the eastbound lane of Pleasant Street.

Response: The December 28, 2021 plan submittal shows a revised exit location outside of the 25 foot intersection buffer. The site plan should show the removal of fencing and vegetation in this area to provide adequate sight distance.

Parking area landscaping should be provided to conform to 5170

Response: This item remains outstanding.

Appropriate directional traffic signage should be provided on the site and at the exits.

Response: The applicant acknowledges this requirement. Additional signage will be added to the site plan.

Paul Curran asked if there were any questions from the board members following the updated Haley and Ward review.

Dale DiMeco mentioned that he would like to see some nice greenery.

Steve Lipka mentioned his biggest concern is the traffic but likes the new traffic pattern on the updated site plan.

Steve Lipka made a motion to close public hearing on Site Plan Review/Special Permit for Jack's Mill, Paul Curran made a motion to second, all in favor with a (4-0) vote.

Dale DiMeco made a motion to approve Site Plan Review/Special Permit for Jack's Mill with conditions/waivers (listed above in Haley & Ward Review 1/4/2022), contingent on final site plan, and review of final site plan with Scott Miller and board members, Steve Lipka made a motion to second the vote, all in favor with a (4-0) vote.

**6:15 ANR – Scott Aponte
236 & 240 Stone Street**

The Planning Board voted (4-0) to endorse a plan submitted by Scott Aponte, Owner and titled "Plan of Land, 236 & 240 Stone Street, Clinton, MA 01510" and prepared by Goldsmith, Prest & Ringwall, Inc. of 39 Main Street, Suite 301, Ayer, MA 01432 and dated December 17, 2021 as a plan not requiring approval, under Section 3.2 or the *Town of Clinton Subdivision Control Rules and Regulations*.

Steve Lipka made a motion to approve ANR for 236 & 240 Stone Street, Clinton MA 01510, Tom Bonci made a motion to second the vote, all in favor with a (4-0) vote.

**6:30 Violation of License Agreement
Dicon Auto Sales LLC – Diego Batista Floriano
546-556 Main Street**

Dale DiMeco started discussion by going over violations from BOH and Building Inspector Dicon Auto Sales have been cited for. Dicon Auto Sales should only be selling and detailing cars on their property. No repairs should be done on site at that location.

Diego Floriano and Maicon Bittencort were there to represent Dicon Auto Sales.

There were pictures brought to the board members showing a lift system and compressor on the property.

The location also does not currently have a bathroom for employees to use. Maicon Bittencort said they are using the bathroom over at Dunkin' Donuts for now but wanted to use the trailer on property to install a bathroom with a toilet and sink.

Jimmy Salmon explained that trailers cannot be used on site at a business or any location unless being used for construction purposes.

They are going to look into getting a portable toilet on the property.

Diego Floriano said most of the violations have been addressed, tools have been removed off the property, they will put stickers on all cars that are being sold and they are going to work on getting a plan for a bathroom. They both want to work with the board and comply with all regulations.

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Paul Curran is willing to give Dicon Auto Sales LLC 30 days to fix all violations and comply with all regulations set forth. The building commission will be down to inspect once 30 days is up. They need to come to the next planning board meeting and report that all violations have been addressed.

If they want to do any repairs on cars they need to file an application to do so.

In order to obtain a new valid license they will need to fix all violations.

6:45 Informal – Catalino Mateo 60 Water Street – Auto Body Shop

Catalino Mateo would like to open auto body shop on 60 Water Street. He plans to have 1 bay for the cars. Catalino is planning to have a painting booth within the location. The parking lot can fit 9 cars (gated in).
He plans to lease the building.

The location was once an auto body shop before. The board advised Catalino to apply for a change of use and to move forward with his application.

Steve Lipka made a motion to close meeting, Dale DiMeco made a motion to second the vote, all in favor with a (4-0) vote.

Steve Lipka made a motion to accept meeting minutes from December 7, 2021, Tom Bonci made a motion to second the vote, all in favor with a (4-0) vote.

Meeting adjourned at 6:51 pm

Meeting Minutes taken by: Ryan Rouillard