

***Zoning Board of Appeals Minutes
February 14, 2018***

Attendees:

Present: Anthony Aveni, Chairman; Gerry Chipman, Member; Brian Heath, Member; and Michael Mainvielle, Member; Anna Klimas, Associate Member

438 Summer Street – Special Permit, Section 6.30.A.2

Mr. Anthony Aveni opened the continued public hearing at 7:00 p.m. on the second floor of the Municipal Office Building located at 66 Central Square, Bridgewater, MA. Board members present and voting were Anthony Aveni, Chairman, Brian Heath, Member, and Gerald Chipman, Member. Michael Mainvielle, Associate Member, was absent. The following occurred:

Mr. Gregory Maroney, Maroney Building and Construction, Inc., representing the applicant, submitted to the record a copy of the Planning Board decision letter filed with the Town Clerk's office on October 23, 2017 for review by the Board. The appeal period ended on November 13, 2017 without any appeals.

The Board reviewed and discussed all the facts as presented and there were no further questions or concern.

The hearing was closed. Mr. Gerald Chipman, Member, made a motion to approve the Special Permit under Section 6.30.A.2 of the Bridgewater Zoning By-laws. Mr. Brian Heath, Member, seconded the motion. The vote was recorded as follows: Mr. Anthony Aveni, Chairman – in the affirmative; Mr. Brian Heath, Member – in the affirmative; and Mr. Gerald Chipman, Member – in the affirmative. The reasons for granting the Special Permit were: 1) The proposed use would be in harmony and does not derogate with the general purposes and intent of the bylaw, and 2) Relief does not result in a substantial derogation of the intent and purpose of the bylaw.

Burrill Place Apartments 40B

Mr. Anthony Aveni, Chairman, opened the public hearing to review an application filed by The Zoning Board of Appeals will hold a Public Hearing on January 24, 2018 at 7:30pm in the Council Chambers located on the second floor of the Municipal Offices, 66 Central Square, Bridgewater, MA to review an application filed by Scollay Development, LLC, c/o Eric Shabshelowitz, Manager, 213 Newbury Street, Boston, MA 02116 for a proposed 40B Comprehensive Permit filed under MGL Chapter 40B § 20-23 known as Burrill Place Apartments for property located at 85 Plymouth Street, Bridgewater, MA as identified on Assessor's Map 34, Parcel 240. The applicant proposes to construct 60 rental units on approximately 1.967 acres. Area is zoned Residential D. Notices published in the Enterprise on January 10, 2018 and January 17, 2018. Board members present and voting were Anthony Aveni, Chairman; Brian Heath, Member, Gerald Chipman. Mr. Michael Mainvielle, Member, was sitting, but not voting. Mr. Ed Marchant, 40B consultant, working on the behalf of the town was also present.

The developer, Geoff Engler, made a presentation to the Board, giving an overview of the civil, traffic, architectural highlights of the proposed project. The Development of the property consists of a new "L" shaped mixed use 4-5 story building structure bordering Burrill Avenue. The Building is predominantly a residential apartment building with a mix of one, two and three bedroom units with some incidental retail space on the ground floor level along Burrill Avenue. Total building area is 66,000+/- square feet which includes approximately 3,700+/- square feet of subdividable retail space. A mix of 19 one bedroom units, 35 two bedroom units and six three bedroom units are planned. One and two bedroom units are dispersed through the four levels with all three bedroom units located on a penthouse partial fifth level located along the front of the building on Burrill Avenue. Units are accessible via three stairways and an elevator lobby located in the core area of the building. A contemporary "neo modern" architectural style of the building is envisioned which is typical of recent buildings built nearby on the college campus. Exterior walls shall be two tone "hardie plank" type wall panels with operable aluminum windows and "Juliette" balconies with glass doors with glass railings. The height of the building shall

be approximately 47'-6" at the four story portion and 58'-0" which includes the three bedroom penthouses on the fifth level. The building shall have a flat roof with larger extended overhangs at the top. Construction shall be wood frame, fully sprinkled. The site area of the parcel will be fully redeveloped from its current use. Current low scale building structures will be removed. From Burrill Avenue, the left side of the new building is set back approximately 53 feet from the side yard, 50 feet from entrance canopy with approximately 38 feet on the right side, 34 feet to entrance canopy. The front of the building is located 12 feet from the front property line, 6 feet to entrance canopy, to facilitate retail visibility and pedestrian access and because of a R.O.W. running through the rear of the site. The proposed plan allows for vehicular access via two access points along Burrill Avenue and along Plymouth Street. Onsite parking is 105 spaces, allocating 1.5 cars per apartment unit and 1 car per 246 square feet of retail. Handicap parking is provided per code. Provisions for a dumpster and enclosure are made for building occupants. Perimeter areas of the site and around the building shall be landscaped. Walkways are provided to facilitate pedestrian access. Site lighting will be via surface mounted fixtures on the building and light poles where needed. Development work around incidental on site wetland areas shall be undertaken per direction of the Conservation Commission. Sewer shall be tied into public sewer via Burrill Avenue. Site drainage shall be via on site subsurface drainage structures beneath parking areas.

Mr. Stephen Devine from KFP Architects, Hingham, MA, gave a detailed overview of the architectural plans submitted with the application dated November 17, 2017, titled "*Schematic Design Presentation Burrill Place Apartments, 85 Plymouth Street and Burrill Avenue, Bridgewater, MA*", Sheet 1 "Cover", Sheet 2 "*1st Floor Plan*", Sheet 3 "*2nd, 3rd, and 4th Floor Plan*", Sheet 4 "*5th Floor Plan*", Sheet 5 "*Typical Apartment Unit Plans*", Sheet 6 "*North and West Elevations*", Sheet 7 "*South and East Elevations*", and Sheet 8 "*Unit Breakdown*". Mr. Devine noted that through meetings with the Town Planner, they added in the retail shop feature to the development. Mr. Devine also discussed the elevations, bike storage provisions, and access points of the proposed dwelling. Five percent of the units will be handicap accessible and all units will have laundry rooms.

Jack O'Leary from Sitec Environmental discussed in detail the engineered plans submitted with the application, including the "cover Sheet", "General Notes and Legend", "Existing Conditions", "Demolition and Erosion Control", "Site Layout", "Grading Plan", "Utilities", "Landscaping" and the "Details" pages.

Jeffrey Dirk, P.E., PTOE, FITE, Principal, from and Associates, Inc. gave an summary of the transportation impact assessment report that was submitted with application.

The project will be filing with the Conservation Commission.

Mr. Anthony Aveni, Chairman, informed that applicant that the project will be peer reviewed with an independent engineering firm. He also advised the applicant that Mr. Ed Marchant, Technical 40B advisor will be reviewing the project and assistant the Board. Mr. Ed Marchant gave an overview to the abutters and all present what the 40B process will entail.

Mr. Anthony Aveni, Chairman, opened the hearing to abutter comments.

Mr. Jason Brogan, 51 Burrill Avenue, informed the Board that there is a 20' right of way easement that goes through the site from his property, and stated that it appears that the proposed development would impact his access to the easement. Mr. O'Leary stated that the easement will not be impacted by the development. Mr. Brogan disagreed. Mr. Geoff Engler stated that if Mr. Brogan would like to provide him a legal opinion regarding the easement, he'd be happy to have his attorneys look into it. Mr. Aveni, Chairman, stated that that is a civil matter and it is not in the Zoning Board of Appeals purview to determine.

Mr. Robert Lad, 30 Plymouth Street, expressed his concerns regarding the traffic flow of the neighborhood and the impact this development will have on the traffic in the area. There was a detailed discussion and debate of the concerns. Mr. Anthony Aveni, Chairman, assured everybody present that there will be a detailed traffic analysis will be peer reviewed.

APPROVED: June 27, 2018

Geoff Engler and the Board discussed and debated whether or not students would be renting units and what the lease restrictions would contain to keep any potential problems from transpiring. The Board request a copy of a sample lease. Mr. Ed Marchant, 40B Consultant, informed the applicant that the Board was not overreaching asking for a copy of the lease, given the nature of the project and its location.

The Board and the applicant discussed obtaining proposals from peer review firms within two weeks, and then have them start with the traffic review and be prepared for a presentation on traffic on March 28, 2018.

Mr. Gerald Chipman, Member, made a motion to continued the hearing to March 28, 2018 at 7:30pm. Mr. Brian Heath, Member, seconded the motion. Vote: All in favor, none opposed.

VIVA Bridgewater 40B

Mr. Anthony Aveni, Chairman, opened the continued public hearing on application filed by Claremont Lakeside Bridgewater, LLC, One Lakeshore Center, Bridgewater, MA 02324 for the a proposed 40B Comprehensive Permit filed under MGL Chapter 40B § 20-23 known as Viva Bridgewater for property located at Lakeshore Center, Route 104, as identified on Assessor's Map 96, Lot 17 and portions of 16, 18 and 19.

Mr. Aveni asked the applicant where they stood with the Water and Sewer Department. Mr. Patrick Carney stated that he has been working with Mr. Jonas Kazlauskas on the water impact study. Mr. Aveni stated that there are real concerns if the Elm Street pump station can adequately support this new development and he was not going to close the hearing before getting this information.

Mr. Freeman stated that the applicant has also been working with Mr. Dutton regarding the mitigation of this project, and he has not yet worked out the decision verbiage regarding what has been agreed upon. Mr. Aveni stated that there is a concern that the capacity will potentially double at the Elm Street pump station, which will impact the costs and the mitigation. Mr. Marchant stated that if the hearing was closed no new information can be accepted into the record and wanted to keep the hearing open pending the resolution of waiving fees, and the water and sewer impact.

Attorney Peter Freeman, Mr. Ed Marchant, Technical 40B Consultant, along with the Board reviewed and discussed in detail the waivers and conditions contained the draft decision letter as prepared, and made revisions as necessary.

Mr. Gerald Chipman, Member, made a motion to continue the hearing until February 28, 2018 at 7pm pending the results of the impact study. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed.

Zoning Board of Appeals Business

There was no board business for discussion.

Mr. Gerald Chipman, Member, made a motion to adjourn the regular meeting at 9:30pm. Mr. Brian Health, Member, seconded the motion. VOTE: All in favor, none opposed. Chairman Anthony Aveni closed the meeting. Next Zoning Board of Appeals meeting will be held on February 28, 2018 at 7:00pm in the Council Chambers located on the second floor of the Municipal Office Building, 66 Central Square, Bridgewater.

Respectfully submitted,



Jane K. Brown
Administrative Assistant