

Middleton Planning Board  
Middleton, MA  
MINUTES OF THE MEETING  
December 14, 2016

The Middleton Planning Board met at a regularly scheduled meeting on December 14, 2016 at the Fuller Meadow School, 143 South Main Street, Middleton, Massachusetts at 7:00 pm

The following board members were in attendance:  
Chairperson Beverly Popielski, Clerk Rick Kassiotis, members Tony Tierno, David McGlone, John Knott, alternate members Nick Bonugli and Karin Turner

Others present:  
Katrina O'Leary, Town Planner

Chairperson Beverly Popielski called the meeting to order at 7:00 PM

Chairperson Popielski welcomed our new alternate member, Karin Turner.

**Minutes November 9, 2016**

**MOTION: Made by Rick Kassiotis to approve the minutes as written. Motion seconded by Tony Tierno. Vote 5-0 in favor, motion carried.**

**Public Hearings**

B. Modification of Definitive Subdivision: Ridgewood Estates Phase VII: Applicant & Owners: Louie & Rita Roberto, Trustees of East Street Realty Trust

Represented by Jill Mann. Phase VII is being reduced in size from 9 to 5 lots which will be a 50' reduction of street length. Conservation Commission has agreed to the change. Bob LaBossiere has also agreed.

**MOTION: Made by Rick Kassiotis to approve the modification of the definitive subdivision regarding Phase VII of Ridgewood Estates. Motion seconded by David McGlone. Vote 5-0 in favor, motion carried.**

C & D. Definitive Subdivision Application: 17 Old Essex Street: Applicant: JJ McCarthy LLC

Chairperson Popielski excused herself for this discussion. Appointed Tony Tierno to act as Chairperson.

Acting Chairperson Tierno opened the Public Hearings. Atty. Jill Mann explained the basics of the project and indicated looking to continue until the January meeting of the Planning Board.

Old Essex is a one-way 16' wide street. The Planning Board went on a site walk – total area is 8 ½ acres, 4 lots, 3 lots will have a duplex and a single driveway approx. 550' in length.

Public Comments:

Seth Robbins – 10 Old Essex

Had submitted a letter outlining his concerns. Concerned with the safety of the street introducing that many more people and cars. Concerned that this will change the character of the neighborhood. The street is very narrow and not originally meant to service this many houses, people, cars. The increase number of homes with more people and cars will cause some safety concerns with traffic, no study has been done.

Fredricks Family – 9 Old Essex

Support Mr. Robbins' concerns and agree with him

**MOTION: Made by John Knott to approve the request for a continuance to discuss the definitive subdivision to the next Planning Board meeting on January 11, 2017. Motion seconded by Nick Bonugli. Vote 5-0 in favor, motion carried.**

**MOTION: Made by John Knott to approve the request for a continuance to discuss the special permit to the next Planning Board meeting on January 11, 2017. Motion seconded by Nick Bonugli. Vote 5-0 in favor, motion carried.**

A. Proposed Zoning Amendment

Clerk Rick Kassiotis read the public hearing notice into the record.

Public Comments:

**In favor**

Michelle Whitman – 28 Dixey Drive

The zoning amendment proposal was a citizen petition to protect residential neighborhoods from abutting industrial lots. The proposal suggests a 100' buffer which is reasonable. Many other towns also have a 100' buffer zone. The largest percentage of taxes paid to the Town come from the residential population and they should be better protected.

**Opposition**

Jill Mann – 13 James Ave

Not in favor of the increase – which is 3x the current buffer zone. This amendment would create a large volume of non-conforming lots, when owners want to develop they will need a special permit. What does the 100' buffer zone mean? Looking for more information. How many properties will now be completely unbuildable? What is the impact of this change to the Town/landowners? What has the ZBA said in

regards to this proposal? She suggests the Board should seek to get more answers/information and continue this discussion to another meeting.

Paul Richardson – 26 Peabody Street

You don't make zoning changes on a whim. You make changes through information & thoughtful consideration. Would like this topic come before the Master Plan Committee. Since he recently was doing some work in Danvers, shared that the set back there in 50'.

Jay Currier – 135 Forest Street

If this change goes through, he won't be able to use a large area of his land since it be unusable.

Tim Houten – 47 Lake Street

There on behalf of the Master Plan Committee. Doesn't know what the right number is but need more information, needs more research. What does it do to the Town? What are the ramifications?

Warren Kelly – Perkins Road

While sympathetic to the residents of Dixey Drive and their situation, feels like this is a 'shotgun' approach. To render most of S. Main Street non-conforming or unbuildable is not beneficial to the Town. Needs to be a lot of education and everyone should be notified.

Doug Whiffen – 28 Dixey Drive

Asked a question about some maps on display during the meeting which were showing what the new proposal would do to many lots in Town.

Janet Schuller – 27 Dixey Drive

Master Plan Committee didn't take care of Dixey Drive when there were changes to zoning on N Main St – no one notified Dixey Drive residents about these changes – no one protected them.

Clerk Rick Kassiotis read the correspondence into the record.

Michelle Whiffen – 28 Dixey Drive

Since even if the Planning Board denies they still allowed to go before Town Meeting, then let the process take its course.

Narissa Hill – business owner, not resident

Understands the concerns and expressing that everyone should meet in the middle. If the new amendment makes lots unbuildable then they will go vacant which could end up being a public safety issue.

Tim Houten – as a Selectman

This matter will to go Town Meeting since it is a citizen's petition.

Public Hearing was closed.

**MOTION: Made by John Knott to make a positive recommendation to town meeting regarding the adoption of the proposed zoning amendments. Motion seconded by Tony Tierno. Vote 5-0 against, motion denied.**

#### **Town Planner Update**

Katrina made a plug for everyone to complete the survey for the Master Plan Committee and ask all your friends.

Items Not on the Agenda

Chairperson Popielski told the Board that she will be out town for the next few months and they need to appointment an acting Chair.

**MOTION: Made by Rick Kassiotis to appoint Tony Tierno as acting Chairperson in Beverly Popielski's absence. Motion seconded by David McGlone. Vote 5-0 in favor, motion carried.**

#### **Adjournment**

**MOTION: Made by Rick Kassiotis to adjourn. Motion seconded by Rick Tony Tierno. Vote 5-0 in favor, motion carried. Meeting adjourned at 8:22 pm.**

Respectfully submitted by Amy Becker, recording secretary

Minutes accepted at the January 11, 2017 meeting of the Middleton Planning Board.