

Saugus Board of Selectmen
March 2, 2016

*****MEETING MINUTES*****

March 2, 2016 at 6:30 PM- 7:30 PM
Town Manager's Office, 298 Central St.

1.) Executive session: for the purpose of contract negotiations with non-union personnel / Town Manager.

AGENDA ***Amended 2/29/16**
Saugus Board of Selectmen
March 2, 2016 at 7:30PM
Town Hall Auditorium, 298 Central Street
Saugus, MA

Correspondence:

- 1.) Mr. Surabian re: double utility poles.
- 2.) Ms. Cerbone re: request for Cpl. Scott J. Procopio Gold Star Road Race banner
- 3.) Prince Restaurant re: request to resubmit application to ABCC for reconsideration.

*Late Correspondence: Rotary Club re: request for Annual Art Festival banner.

Citizen's Comments

Continued Hearings: 0

Public Hearings:

7:45 PM RJ Carr Jewelers, LLC, for change of location of Valuable / Used Goods License from 469 Lincoln Avenue TO: 358 Central Street, Unit B.

7:50 PM Omayra Gonzalez d/b/a Kids Cool Cuts, for Special Permit (S-2) to allow hair salon to be located at 1423 Broadway, Assessor's Plan 1025A, Lots 90, 91, 96, 66.

8:00 PM Red Dog Pet Resort & Spa, for Special Permit (S-2) to allow pet care and overnight boarding to be located at 190-192 Walnut Street, Assessor's Plan 1043, Lots 248 & 247.

8:10 PM 7-Eleven, Inc., located at 386 Lincoln Avenue, for Permit to extend hours of operation in accordance with Section 810.00 of the Town of Saugus By-Laws by allowing business to be open for operation between 2:00 AM & 6:00 AM.

Old Business: 1.) Mr. Perry re: Elm Street & Saville Street drainage / flooding issues.
2.) Alternative Therapies Group re: request for letter of non-opposition.

Manager's Report:

Approval of minutes: January 20, 2016 & February 10, 2016

Appointments: Cable Advisory Board & Cultural Council

Member's Comments:

Citizen's Comments

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1.) Executive session: for the purpose of contract negotiations with non-union personnel / Town Manager.
The Chair called the meeting to order at 6:34PM in the Town Manager's Office, 298 Central Street.

Selectman Brazis moved the Board vote to go into executive session to discuss contract negotiations with the Town Manager and to return to open session. Those to be present: Selectmen Scott Brazis, Jeffrey Cicolini, Jennifer D'Eon, Mark Mitchell, Debra Panetta and Scott Crabtree. Chair seconds. Roll call vote: Selectman Brazis, yes; Selectman Cicolini, yes; Selectman D'Eon, yes; Selectman Mitchell, yes; Selectman Panetta, yes.

The Board entered into executive session at 6:34PM.

The Board reconvened in open session in the Town Hall Auditorium at 7:30 PM.

The Saugus Board of Selectmen met on March 2, 2016 at 7:30PM in the Town Hall Auditorium, 298 Central Street. Present were: Selectmen Scott Brazis, Jeffrey Cicolini, Jennifer D'Eon, Mark Mitchell and the Chairman Debra Panetta. The Town Manager Scott Crabtree was also present.

Correspondence:

1.) Mr. Surabian re: double utility poles.

Harry Surabian, 47 Staaf Rd was present and explained his concern with double poles and said he hoped the Board would give some thought to removing them and said he did reach out to Verizon, State Delegates and Attorney General's Office. The Chair thanked him and said she has noticed many double poles and suggested the Board send letters to Verizon & National Grid asking them for timeframe / plan to rectify. Mr. Surabian said Revere has the same issue and their City Council is meeting on the issue with the utility companies. The Chair said the office will notify him of any information received.

2.) Ms. Cerbone re: request for Cpl. Scott J. Procopio Gold Star Road Race banner.

No one was present. The Chair read request.

Selectman D'Eon moved to approve the request for banner for Cpl. Scott J. Procopio Gold Star Road Race with standard conditions from May 2 to May 27, 2016 on Main St at Vine St and to waive the bond requirement. Chair seconds 5-0.

3.) Prince Restaurant re: request to resubmit application to ABCC for reconsideration.

No one was present. The Chair read request.

Selectman Cicolini moved the Board approve the request of Prince Restaurant to resubmit application to ABCC for reconsideration. Chair seconds 5-0.

*Late Correspondence: Rotary Club re: request for Annual Art Festival banner.

No one was present. The Chair read request.

Selectman D'Eon moved to approve the request of Saugus Rotary Club for Annual Art Festival banner with standard conditions from March 10 to April 10, 2016 on Essex St at School St and to waive the bond requirement. Chair seconds 5-0.

Citizen's Comments

Selectman Mitchell said in fairness to applicants with scheduled public hearings, suggested to push citizens comments to the end of the meeting. The Chair said they are running behind schedule for the 7:45 PM public hearing. Board Members agreed.

Continued Hearings: 0

Public Hearings:

7:45 PM RJ Carr Jewelers, LLC, for change of location of Valuable / Used Goods License from 469 Lincoln Avenue TO: 358 Central Street, Unit B.

Ralph Carr, 10 Springdale Ave was present and explained he was forced to relocate his business due to water damage. The Chair asked if he already moved. Mr. Carr said yes, he had to move and does have an agreement with the landlord. Selectman Cicolini said he has seen some foot traffic there and asked if he was open. Mr. Carr said no, he is just getting the business ready.

Any to speak in favor or opposition? None.

Selectman D'Eon moved to close the hearing. Chair seconds 5-0.

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Selectman D'Eon moved to grant the request of RJ Carr Jewelers, LLC, for change of location of Valuable / Used Goods License from 469 Lincoln Avenue TO: 358 Central Street, Unit B with same conditions. The Chair added without objection condition of fire inspection required. Chair seconds 5-0.
7:50 PM Omayra Gonzalez d/b/a Kids Cool Cuts, for Special Permit (S-2) to allow hair salon to be located at 1423 Broadway, Assessor's Plan 1025A, Lots 90, 91, 96, 66.

Omayra Gonzales, 904 Saratoga St, East Boston was present and said she had a shop at the Meadow Glen Mall but the mall closed and she would like to open in Saugus and said she has 13 years experience and worked at Snip-Its in Saugus. The Chair asked location. Ms. Gonzales described next to Gentle Dental. The Chair asked hours of operation. Ms. Gonzales said 10am to 6pm Monday through Sunday. Selectman Cicolini asked about parties. Ms. Gonzales explained they will offer birthday parties, do hair, nails, make-up and have cake the parents would bring. The Chair noted an outstanding bill at the location that will need to be paid as condition.

Any to speak in favor or opposition? None.

Selectman Cicolini moved to close the hearing. Chair seconds 5-0.

Selectman Cicolini moved to grant the request of Omayra Gonzalez d/b/a Kids Cool Cuts, for Special Permit (S-2) to allow hair salon to be located at 1423 Broadway, Assessor's Plan 1025A, Lots 90, 91, 96, 66; with the following conditions: hours of operation 10am to 6pm Monday through Sunday; outstanding balance due the Town must be paid to the satisfaction of the Collector of taxes; fire inspection required. The Manager suggested clarifying the space. The Chair added without objection: restricted to "Space #1" described as 1,180 s.f. unit within #1423 Broadway. Chair seconds.
Roll call vote: Selectman Brazis, yes; Selectman Cicolini, yes; Selectman D'Eon, yes; Selectman Mitchell, yes; Selectman Panetta, yes.

8:00 PM Red Dog Pet Resort & Spa, for Special Permit (S-2) to allow pet care and overnight boarding to be located at 190-192 Walnut Street, Assessor's Plan 1043, Lots 248 & 247.

Attorney George Gregson was present with applicants Raymond Schneider owner & Eric Schneider operator of Boston location and described the building and abutting properties and stated the taxes have been paid to date and understands it will be subject to Board of Health regulations and noted police and fire had no objections. The Chair asked if there will be pet sales. Mr. Schneider said no. The Chair asked the number of dogs that may be boarded at any one time. Mr. Schneider said 150+. The Chair asked if outside will be fenced. Mr. Schneider said yes. Selectman Cicolini asked if pricing will be consistent with Boston location. Mr. Schneider said it may be a little less. Selectman Cicolini pointed out there are residents near there. Attorney Gregson said there are 2 and abutters were notified. Selectman Cicolini said he was thinking about the outdoor area. Mr. Schneider stated the highway is louder than dogs. The Chair asked hours of day care. Mr. Schneider said 7am to 7pm. Selectman Cicolini noted the Boston location is open until 10pm. Mr. Schneider said dogs are not out at night. The Chair asked if they will be open 7 days a week. Mr. Schneider said usually 5 days and Saturday if needed / requested. The Chair said at Pet Smart you can drop your dog off at 7:00 am, but they aren't open for business until 9:00 am and doggy day care is over at 5:00 pm and you have until 9:00 pm to pick up your dog or he'll be put in a kennel over night and noted Good Fellas hours are 7am to 7pm. Selectman D'Eon said she has never seen a luxury spa before and it looks great. The Chair asked number of dogs capacity limit. Mr. Schneider said they have 18-20 dogs per person on staff. Selectman Brazis asked limit allowed outside. Mr. Schneider said the dogs are always with someone, maximum of 40. Selectman Cicolini said he could support 20 and noted there are a couple of residences there and it could get loud. Eric Schneider explained groups in day care by size and dogs are not out after 5pm. Selectman Cicolini asked policy on clean up. Eric Schneider explained bag in bag in dumpster. Selectman Cicolini noted it attracts rodents and asked if he was ok with condition of rodent control. Selectman Brazis asked time limit of outside. Eric Schneider explained play time not after 5pm and they stop putting them out around 6-7pm. Selectman Cicolini asked hours for Saturday & Sunday. Eric Schneider said 10am to 6pm on Saturday. Selectman Cicolini expressed concern with weekend hours. Eric Schneider explained they typically have 10-15 dogs on Saturday. The Chair asked the number of dogs they would be boarding at one time. Eric Schneider said 150-175. Selectman Cicolini noted an existing competitor has restriction of 75, no Sundays and asked if

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he can live within 150 dog limit. Mr. Schneider asked why set limit. Selectman Cicolini said the more capacity, the more rotations to go outside. Mr. Schneider was ok with 25 cats and 150 dogs.

Any to speak in favor or opposition? None.

Selectman Cicolini moved to close the hearing. Chair seconds 5-0.

Selectman Cicolini moved to grant the request of Red Dog Pet Resort & Spa, for Special Permit (S-2) to allow pet care and overnight boarding to be located at 190-192 Walnut Street, Assessor's Plan 1043, Lots 248 & 247 with the following conditions: taxes to be paid to the satisfaction of collector of taxes; hours of operation Monday through Friday 7am to 7pm, Saturday 9am to 6pm; Sunday 10 am to 6pm; boarding capacity limit of 150 dogs and 25 cats; outside capacity limited to 30 dogs total at any one time; set ratio of no more than 15 dogs in each of the two partitioned fenced areas and each area will be supervised by a staff person whenever in use; outside recreational activity for dogs on Saturday and Sunday will be managed in attempts to limit as much as possible; fire inspection required; all feces and other animal discharge will be removed as quickly as possible and placed in sealed plastic bags and then deposited in the dumpster (to be emptied at least weekly) and appropriate pest control measures will be implemented; plans must be approved by the Health Dept & Animal Control Officer; business must comply with State Sanitary Code and Animal Control Rules and Regulations; outside area to be fenced; all outside recreational activity to cease by 5pm; and must have pest control. Chair seconds.

Roll call vote: Selectman Brazis, yes; Selectman Cicolini, yes; Selectman D'Eon, yes; Selectman Mitchell, yes; Selectman Panetta, yes.

8:10 PM 7-Eleven, Inc., located at 386 Lincoln Avenue, for Permit to extend hours of operation in accordance with Section 810.00 of the Town of Saugus By-Laws by allowing business to be open for operation between 2:00 AM & 6:00 AM.

Terry Bohnert, 1722 Routh St, Dallas, TX was present with Ray Coullard, 4 Bacon Dr and explained 7-Eleven recently acquired Todeschi and are requesting 24 hours. The Chair asked if the neighbors were notified. Their clerk confirmed they were. The Chair said she has concern for neighbors. Mr. Bohnert said it is a very heavily traveled intersection.

Any to speak in favor or opposition?

Patricia Chadsey, 20 Kent St was present and expressed concern with illegal activity in the area and this being open 24 hours could attract more. The Manager asked she speak with him after the hearing and he will have police assess the area and issues. Mr. Bohnert said they will work with the community.

Selectman D'Eon moved to close the hearing. Chair seconds 5-0.

Selectman D'Eon moved to approve the request of 7-Eleven, Inc., located at 386 Lincoln Avenue, for Permit to extend hours of operation in accordance with Section 810.00 of the Town of Saugus By-Laws by allowing business to be open for operation between 2:00 AM & 6:00 AM; with condition they work with police on an agreeable plan to address neighbor concerns. Chair seconds. Vote 4-1 with Selectman Brazis voting in opposition.

Selectman D'Eon moved for recess. Chair seconds 5-0. Meeting recessed at 8:57pm.

The Chair called the meeting back to order at 9:13pm.

Old Business: 1.) Mr. Perry re: Elm Street & Saville Street drainage / flooding issues.

Jack Perry, 7 Innis Street was present and described and explained the flooding issues in the area and is asking something to be done about it and said it has been determined there needs to be more drains. The Chair said she understands he spoke with the Manager and asked Manager for update. The Manager said this issue is 50+ years old caused by development without proper drainage infrastructure and explained a few years ago applied and was awarded a FEMA grant but the previous Board didn't approve removing the bridge and grant is not an option and this is a multimillion dollar project that will need funding and the Town has cleaned the drains and have proposed a study assessment of the area to upgrade the infrastructure and have planned in the budget for July 1st and do it in phases. Mr. Perry insisted it is best to put the drain on the low side of the bridge as stated in the 2014 report. Selectman Mitchell asked if the DPW Director would meet with Mr. Perry. The Manager said they have met and explained we need a plan, then design, bid, build and said an overall system needs to be in place and we are moving in that direction. Mr. Perry said he spoke with the DPW Director and said the engineers, CDM Smith, say we

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need more drains. The Manager said we are working toward putting a plan together and said it's not just moving a pipe, it is more complex and said it is a priority and an engineered design is needed and said the first phase will not correct the problem, it needs to be multi-phased project.

Old Business: 2.) Alternative Therapies Group re: request for letter of non-opposition.

The Chair said the Board did receive additional information to consider and at this point she feels they need to do more due diligence to properly vet this through and there is a lot to think about and said others have shown interest and is not saying she is not interested, but she is not ready to issue a letter of non-opposition. Selectman Cicolini agreed and said he wants to make it clear he is not saying no, and said Town Meeting designated this area for this use and the Board has heard some opposition and did attend site visit to Salem location and it's a well run place and said other organizations have shown interest and said his hang-up is the ballot question to legalize it and how to protect the Town from the use changing, noting the property owner has offered to address that but at this time he is not prepared to support a letter in non-opposition. Selectman Mitchell said he thinks the Town can do better and reiterated that the zoning stuck it in a corner of Town to hide it and it has a bad appearance and is totally against this proposal, but is not against medical marijuana, but has concerns especially with the major drug problem in Saugus.

Selectman Brazis moved the Board vote to deny the request of Alternative Therapies Group re: request for letter of non-opposition at this time. Chair seconds Vote 5-0.

Manager's Report:

-announced the MSBA Designer Selection Panel did hold a meeting and overwhelmingly supported the SHS Building Committee recommendation for architect pending successfully negotiating a contract.

-announced and welcomed the new Director of Public Health David Greenbaum and said he is working with depts. on bringing in software to help with the FOG Regulations.

-said he is exploring a GIS System and is looking for a grant and getting input from Depts.

-said it was an honor to participate in Dr. Seuss Day at Veterans School and thanked them for the invite.

Approval of minutes: January 20, 2016 & February 10, 2016

Selectman D'Eon moved to approve the minutes of January 20, 2016. Chair seconds. The Chair offered some updates & Selectman Cicolini offered some corrections. Vote 5-0 with changes.

Selectman D'Eon moved to approve the February 10, 2016 minutes. Chair seconds vote 5-0.

Appointments: Cable Advisory Board & Cultural Council

Selectman Cicolini moved to William Ferringo to the Cable Advisory Board to expire May 31, 2016. Chair seconds 5-0.

Selectman Cicolini moved to appoint William Ferringo to the Cultural Council to expire December 31, 2018. Chair seconds 5-0.

Selectman Cicolini suggested the Board extend the deadline for Zoning Board of Appeals, Library Board of Trustees and Cultural Council. All agreed.

Member's Comments:

Selectman D'Eon gave update on Superintendent Search Committee and said resumes are coming in and will be reviewing them in a couple of weeks; and congratulated the middle school hockey team on winning the championship.

Selectman Brazis announced another scam out there offering copy of your deed for a price; and announced the SHS Hockey Alumni Game to benefit SHS Scholarship; and also recognized 7th & 8th grade hockey team at Belmonte Middle School coming in 2nd place; and congratulated the 6th grade team for winning the championship and would like to invite them in to be recognized.

Selectman Cicolini thanked the Town Clerk and her team on a smooth election.

Selectman Mitchell wished the SHS basketball team good luck in the State Tournament.

The Chair announced Saugus River Watershed Council Casino Royal fundraiser.

Citizen's Comments

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Bill Brown, TMMP6 was present and commended the Board on the Cable appointment and said he's happy to see that and said people need to get together to discuss where we want to go or do with the cable studio and thinks we can have a discussion without getting into litigation issues. Mr. Brown said he has requested copy of the 2014 audit. Selectman Cicolini said it is underway and said the 2013 audit is completed. The Chair said the Board wants it as well. Mr. Brown asked about getting copy of the budget. The Chair said it is on line. Mr. Brown asked if he could get a paper copy. Selectman Cicolini said he can submit a request. The Manager said he could go to the Clerk's Office to get copy.

Bob Cox, asked the Board if they could make sure the budget gets to Town Meeting Members with enough time to review. Mr. Cox said he was present for the 1st citizen's comment and asked out of respect for the people they should not have it at the end of the meeting.

Gene Decareau, 388 Central St TMMP8 said Mr. Perry is 100% correct and contractors have told him it's about a couple hundred thousand dollar job. The Manager questioned that with no response. Mr. Decareau said he wants to know why the Board keeps taking him off the agenda. Selectman Cicolini explained he wasn't taken off the agenda, he was not added to it. Mr. Decareau said he received a note stating per Town Counsel opinion and (read) and said he doesn't want to speak about litigation. Selectman Cicolini asked if he was asked to clarify "other issues". Mr. Decareau said he won't say he was or wasn't. The Chair said he needs to be specific on topics to discuss and the Board can't speak about litigation. Mr. Decareau disagreed.

Harry Patel, 126 Morris St Revere and Erich Prinz, 20 Woodland Rd Boxford were present and Mr. Patel said the Board of Health wants to ban flavored tobacco and read statement in opposition and asked for the Board's support.

Everett Millea, 142 Main Street, described conditions on the Fellsway since the blasting homes are getting water and another issue that he hears the traffic light on Main & Vine is being moved and at a previous meeting he requested the crosswalk be moved from the high school to Longwood Ave for safety. Selectman Mitchell said he lives in that corridor and feels his pain. The Chair said it is her understanding the changes to traffic light location was to make it safer and asked if he has seen any plans. Mr. Millea said no. The Chair suggested the police look at the area. Selectman Mitchell said the police should look at parking on Summer Street also. The Manager said he will request directed patrols on Sundays.

Jack Perry, 7 Innis Street asked for a deadline of when the Town will do something about Elm Street. The Chair said they will know by June 30th.

Selectman Brazis moved to adjourn. Chair seconds 5-0.

Meeting adjourned at 11:02PM

Respectfully submitted,

Wendy Reed, Clerk