

Saugus Board of Selectmen
January 23, 2019

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

AGENDA

Saugus Board of Selectmen
January 23, 2019 at 7:00 PM
Town Hall Auditorium, 298 Central Street
Saugus, MA

Call to order.

Correspondence:

- 1.) Library Board of Trustees re: request to approve amended Rules & Regulations of the Library Board of Trustees.
- 2.) Knights of Columbus re: Submission of Annual Beano Report.

Citizen's Comments

Continued Hearings:

- 1.) TB Holdings, LLC, for modification of Special Permit (S-2) voted 1/6/16 to allow buildings with six stories and to exceed 55 feet in height, BY increasing the height limitations of 4 buildings located address now known as 26-44 Collins Avenue, Assessor's Plan 2030, Lots A-10, A-11, A-12, A-13, A-15, A-49, A-58, A-59 and A-60.
- 2.) Show Cause Hearing to deny, revoke or suspend license held by: Mayflower Square One, LLC d/b/a Square One Mall, 1201 Broadway for failure to pay municipal taxes, fees and / or other municipal charges for more than 12 months.

Public Hearings:

7:15 PM 22 Lincoln Restaurant Group, Inc. d/b/a K Pub, 22 Lincoln Avenue for transfer of All Alcohol Common Victualer's License FROM: Baked Corp. d/b/a Spud's Restaurant & Pub, 22 Lincoln Avenue; and for change of manager TO: Wan Xi Ye. Application is also being made for Entertainment License.

7:20 PM a public hearing on amending the Town's Traffic Rules & Regulations in accordance with the provisions of MGL c.90, Section 18 as amended, and to adopt the following Special Speed Regulations by reducing the speed limit to 25 mph on the following streets and / or portions of the following streets: Central Street, unless the speed limit is already lower.

New Business: -FY20 Board of Selectmen's Office Budget.
-DRAFT FY18 Selectmen's Annual Report to finalize & review.

Manager's Report:

Approval of minutes: January 9, 2019

Appointments: SCTV Board of Directors

Member's Comments: 2019 Meeting Schedule
Santoro's Sub Villa closing

Citizen's Comments

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The Saugus Board of Selectmen met on January 23, 2019 at 7:00 PM in the Town Hall Auditorium, 298 Central Street. Present: Selectmen Scott Brazis, Jeffrey Cicolini, Jennifer D'Eon, Mark Mitchell and the Chairman Debra Panetta. The Town Manager Scott Crabtree was also present.

The Chairman congratulated their clerk on 23 years as Clerk to the Board of Selectmen.

Correspondence:

1.) Library Board of Trustees re: request to approve amended Rules & Regulations of the Library Board of Trustees.

Debra Dion-Faust, Chairman of the Library Board of Trustees was present and said they have been working on this for a year and requested the Board approve changes. The Chair said she had Town Counsel review and read opinion from Town Counsel.

Selectman D'Eon moved to approve changes as submitted. Chair seconds 5-0.

2.) Knights of Columbus re: Submission of Annual Beano Report.

No one was present. Selectman Cicolini said he will abstain because a relative was the preparer of the report.

Selectman D'Eon moved to accept the report for the file. Chair seconds 4-0 and 1 abstention by Selectman Cicolini.

Citizen's Comments: None.

Continued Hearings:

1.) TB Holdings, LLC, for modification of Special Permit (S-2) voted 1/6/16 to allow buildings with six stories and to exceed 55 feet in height, BY increasing the height limitations of 4 buildings located address now known as 26-44 Collins Avenue, Assessor's Plan 2030, Lots A-10, A-11, A-12, A-13, A-15, A-49, A-58, A-59 and A-60.

Attorney Richard Magnan, 194 Central Street was present with Michael Touchette and said the hearing was continued because the Selectmen suggested the Planning Board give input and did have a site visit in December and the Planning Board did ask for a peer review and they voted 5-0 no objection to modification and explained the increase in height is not really an increase because the increase is behind the parapet and the parapet will be shorter. The Chair confirmed the parapet approved at 6' will be 3'. Selectman Mitchell thanked them for the site visit and said it was very informative. The Chair asked about the garage. Mr. Touchette explained they cannot blast that close to the gas pipeline. Selectman Cicolini said they are trying to preserve green space. Selectman Brazis asked where the original location was. Mr. Touchette said same location. Selectman Brazis asked how high each floor in garage. Mr. Touchette said 10' 4". Selectman Brazis said he thought part would be underground. Mr. Touchette said no, it would be level and explained under regulations they can't blast. Selectman Brazis asked for copy of regulations because he couldn't find them. Selectman Mitchell said if he had attended the site visit he would see this doesn't affect site lines and doesn't think it's a major issue. Selectman D'Eon asked where they are in the project. Mr. Touchette said commercial are rented and the 78 unit building is ready. Any in favor or opposed? None.

Selectman Cicolini asked given the concerns of Selectman Brazis, if he needs more information on the parking garage. Selectman Brazis said it doesn't seem the same. The Chair noted a 4/5 vote is required for it to pass. The Town Manager said the existed S-2 doesn't reference the garage. Attorney Magnan said it doesn't specify the garage but there's a condition not to exceed 6 stories. Selectman Mitchell said it's not necessary to hold them up since it's already on the S-2 Permit. Attorney Magnan asked if it was possible to withdraw the request on the garage and just vote increase on other buildings. Selectman Cicolini said when they first came they didn't need extra height on the garage but now they do so would need a Special Permit.

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

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Selectman Cicolini moved the Board vote to approve the request of TB Holdings, LLC, for modification of Special Permit (S-2) voted 1/6/16 to allow buildings with six stories and to exceed 55 feet in height, BY increasing the height limitations of 3 apartment buildings located at address now known as 26-44 Collins Avenue, Assessor's Plan 2030, Lots A-10, A-11, A-12, A-15, and A-60 with a maximum height of buildings including parapets not to change. Chair seconds
Roll call vote: Selectman Brazis, yes; Selectman Cicolini, yes; Selectman D'Eon, yes; Selectman Mitchell, yes; Selectman Panetta, yes.

Continued Hearings:

2.) Show Cause Hearing to deny, revoke or suspend license held by: Mayflower Square One, LLC d/b/a Square One Mall, 1201 Broadway for failure to pay municipal taxes, fees and / or other municipal charges for more than 12 months.

Selectman D'Eon moved the Board vote to take no action because they have paid to the satisfaction of the Collector of taxes. Chair seconds 5-0.

Public Hearings:

7:15 PM 22 Lincoln Restaurant Group, Inc. d/b/a K Pub, 22 Lincoln Avenue for transfer of All Alcohol Common Victualer's License FROM: Baked Corp. d/b/a Spud's Restaurant & Pub, 22 Lincoln Avenue; and for change of manager TO: Wan Xi Ye. Application is also being made for Entertainment License.

Attorney Richard Magnan, 194 Central Street was present with applicants Kevin Ye, 17 Fossen Way, Andover & Wan Ye, 53 Mayflower Drive, North Andover and said the property is under agreement and are requesting same as existing license and described the manager's experience. The Chair asked about menu. Atty. Magnan submitted a copy. The Chair asked if 8:30 am opening is necessary. Attorney Magnan said they are flexible. The Chair asked what their intent for hours is. Mr. Ye said 11am 7 days a week and would like to be open later on Friday & Saturday and have not decided on closing time Sunday – Thursday. Selectman Cicolini said there was no issues with the currently establishment and would support a 1:00 am closing. Selectman Brazis suggested 11am to 1:00 am 7 days a week. Selectman Cicolini agreed and asked if they own the lot on the right side. Atty. Magnan said yes. The Chair said there are currently 185 seats and that will be the same and they are requesting 4 TV's. Atty. Magnan said that is correct. Selectman Cicolini noted an external grease trap must be installed and a fire inspection. Atty. Magnan said they are aware.

Any to speak in favor or opposed? None.

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

Selectman Cicolini moved to grant the request of 22 Lincoln Restaurant Group, Inc. d/b/a K Pub, 22 Lincoln Avenue for transfer of All Alcohol Common Victualer's License FROM: Baked Corp. d/b/a Spud's Restaurant & Pub, 22 Lincoln Avenue; and for change of manager TO: Wan Xi Ye and to approve application for Entertainment License for four televisions with: hours of operation Sunday through Thursday 11:00 am to 12 midnight, Friday & Saturday 11:00 am to 1:30 am; limit of 185 seats and 220 total capacity; contingent on external grease trap installed; inspection of Fire Dept. and approval from the Board of Health. Chair seconds 5-0.

7:20 PM a public hearing on amending the Town's Traffic Rules & Regulations in accordance with the provisions of MGL c.90, Section 18 as amended, and to adopt the following Special Speed Regulations by reducing the speed limit to 25 mph on the following streets and / or portions of the following streets: Central Street, unless the speed limit is already lower.

The Chair said as she mentioned last meeting, this hearing is just on Central Street. Lt. Art Connors was present and summarized letter from the Police Chief stating he feels the current speed limits are appropriate. Selectman Cicolini said the Board is not considering changing speed limits where they are lower and does support lowering the speed limit and also supports the town wide traffic study. Selectman D'Eon asked when the study will be complete. The Manager said in the spring. Selectman

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D'Eon asked Board Members about tabling this until the spring, until they have results from the study. Selectman Cicolini said he personally feels the Board should take action on the four streets in his original motion. Selectman D'Eon said some things have come about that she didn't know and is curious to see results of the study. Selectman Cicolini said the Board agreed to hear the four streets and then wait for the study before looking at any other.

Any in favor or opposed:

Bill Brown, TMMP6, 90 School Street said he represents a group of people that would like to see 25MPH throughout town. The Chair said the previous streets approved have been sent to the DOT and said he supports this.

Bob Davis 8 Holden Ave, said he called DOT and they shared some information and read a statement in favor of 25MPH throughout town.

Bob Palleschi, 37 David Dr said he would like to see more consistency and there's a need to make people aware of the dangerous curves in the road and is in support.

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

Selectman Cicolini moved the Board vote to amend the Town's Traffic Rules & Regulations in accordance with the provisions of MGL c.90, Section 18 as amended, and to adopt the following Special Speed Regulations by reducing the speed limit to 25 mph on the following streets and / or portions of the following streets: Central Street, unless the speed limit is already lower. Chair seconds 5-0.

New Business:

-FY20 Board of Selectmen's Office Budget.

Selectman D'Eon moved to submit a level funded budget to the Town Accountant. Chair seconds 5-0.

-DRAFT FY18 Selectmen's Annual Report to finalize & review.

Selectman Cicolini moved to approve as submitted. Chair seconds 5-0.

Selectman Cicolini suggested inviting police, dispatchers and fire that handled the delivery of a baby.

Manager's Report:

The Manager reported we had our first winter storm of the season and commended DPW; updated the Board on the Elm Street drainage project and said it looks like it is successful but will keep monitoring it; and said budget season has started.

The Chair thanked DPW and thanked the Manager for following up on issues.

Approval of minutes: January 9, 2019

Selectman Cicolini moved to approve the minutes as presented. Chair seconds 5-0.

Appointments: SCTV Board of Directors

The Chair said they have all expressed interest in continuing to serve and said they are to stagger appointments and suggested 3 members for 3 year term & 2 members for 2 year term.

Selectman Cicolini moved to reappoint Fatima Allan, Al DiNardo and Bill Williamson to expire 1/31/2022; and further moved to reappoint Donna Sordello and Assunta Sue Palomba to expire 1/31/2021. Chair seconds 5-0.

Member's Comments: 2019 Meeting Schedule

Santoro's Sub Villa closing

The Board discussed meeting schedule and dates and set: April 3rd & 23rd, May 8th & 22nd, June 5th & 19th.

Selectman Mitchell said he has nothing this evening.

Selectman Cicolini thanked DPW & the Manager; and offered condolences to the Russo Family on the passing of Dom Russo.

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Selectman Brazis also offered condolences to the Russo Family; and recognized Steven, for graduating as an officer and is now stationed in Pensacola, and wished him the best of luck.

Selectman D'Eon offered the deepest of sympathies to Selectman Cicolini and family; and thanked public safety for all they do; and thanked DPW; and announced a presentation on cyber safety at BMS on January 29th.

The Chair offered her condolences to the Russo Family and said Rick Doucette's father passed away and offered condolences; wished Santoro's the best of luck after 65 years they are closing; said Tumble Inn in celebrating 5 year anniversary; and said she attended meetings on the proposed recreational marijuana establishment on Boston Street.

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

Meeting adjourned at 8:42 PM.

Respectfully submitted,
Wendy Reed, Clerk