



Town of Pepperell

Planning Office

1 Main Street, Pepperell, MA 01463

978-433-0336 Phone

planning@town.pepperell.ma.us

MEMORANDUM

By: Jennifer Gingras, Town Planner
To: Al Patenaude, Planning Board Chair
CC: Planning Board Members
Date: August 12, 2022
RE: August 15, 2022 Planning Board Meeting

ACTION ITEM:

Major Site Plan Review – 81 Main Street (Pizza Pizzazz)

I. Petition Description

Type of Petition: Major Site Plan Review
Project Address: 81 Main Street (Map 23, Lot 172)
Property Owner: Marcio and Marli Machado
Pizza Pizzazz, Inc., 42 Mill Street, #1, Pepperell, MA 01463
Applicant: Goldsmith, Prest & Ringwall, Inc. (GPR),
39 Main Street, Suite 301, Ayer, MA 01432
Zoning: C (Commercial)

II. Description of Request:

This subject property is located at 81 Main Street, a currently unoccupied residential dwelling. The applicant is requesting a Major Site Plan Review to change a use from a residential use to a commercial (restaurant) use.

III. Staff Analysis

Section 9412 of the ZBL requires major site plan approval for this petition. Per Section 9422, an application for major site plan approval shall be governed by the procedures set forth for special permits in MGL c. 40A, §§ 9 and 11. A public hearing is required and the decision of the Planning Board shall be upon a majority. No building permit or certificate of occupancy shall be issued by the Building Commissioner without the written approval of the site plan by the Planning Board.

The applicant has submitted the following items with their application: Application and Request for Public Hearing, GIS Map showing location of property and wetlands, Appendix A, Site Plan dated June 10, 2022, Design Drawings, and a Certified Abutters List.

Section 9460 of the ZBL provides the Site Plan approval process. A Site Plan approval shall be granted upon determination by the Planning Board that the plan meets the following objectives. The Planning Board may impose reasonable conditions at the expense of the applicant including performance guarantees, to promote these objectives. New building construction or other site alteration shall be designed in the site plan, after considering the qualities of the specific location, the proposed land use, the design of the building form, grading, egress points, and other aspects of the development, so as to:

9461. Minimize the volume of cut and fill, the number of removed trees 6" caliper or larger, the length of remove stone walls, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, soil erosion, and threat of air and water pollution;
9462. Maximize pedestrian and vehicular safety on the site, egressing from it, and in the immediate vicinity;
9463. Minimize obstruction of scenic views from publicly accessible locations;
9464. Minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or premises residentially used or zoned;
9465. Minimize glare from headlights and lighting intrusion;
9466. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places;
9467. Minimize contamination of groundwater from on-site waste-water disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances;
9468. Provide adequate access to each structure for fire and service equipment and adequate provision for utilities and stormwater drainage consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulations; and
9469. Ensure compliance with the provisions of this Zoning Bylaw, particularly including parking, signage, landscaping, and environmental protection.

Site plan approval shall lapse after one year from the grant thereof if a substantial use thereof has not sooner commenced except for good cause.

The Planning Board Rules and Regulations for Site Plan Approval describe the Design Criteria as follows:

- a. The proposal, with consideration given to waivers granted, shall comply with all requirements of these Rules and Regulations and with applicable zoning requirements for parking, service areas, environmental performance standards, and any other applicable sections of the Zoning Bylaw;
- b. The development shall be integrated into the existing terrain and surrounding landscape and be designed to preserve natural and historic features, to minimize tree, vegetation and soil removal, to minimize grade changes and to screen objectionable features from neighboring properties;

- c. Architectural style shall be in harmony with the prevailing character and scale of buildings in the neighborhood;
- d. The project shall be served by an adequate water supply and waste disposal system as determined by the appropriate regulatory agencies;
- e. The plans shall maximize the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent ways with the traffic flow pattern showing adequate access to and from the site and adequate circulation within the site;
- f. The plans and documents shall show adequate measures to prevent pollution of surface water or groundwater, prevent erosion, sedimentation, changes in groundwater levels, increased run-off, or flooding, and that the drainage design will not adversely affect neighboring properties.
- a) The project will not place excessive demands on Town services and infrastructure.

IV. Internal Review

Comments were received by the Board of Health, Fire Chief, DPW Director, Conservation Commission, Historical Commission, and Planning Office.

Staff Comments:

The applicant is requesting a change in use from a residential single-family dwelling to a commercial restaurant. The area the site is located in consists of mostly commercial uses with a few residential uses in the area. The applicant is proposing to demolish an existing dwelling and build a new structure to accommodate a restaurant. The restaurant, Pizza Pizzazz, is currently located in the adjacent shopping center, along with other commercial uses such as grocery store, and a dentist office.

The Planning Board Site Plan Rules and Regulations state the required design criteria when considering a site plan review. The design criteria is listed as follows:

- a. The proposal, with consideration given to waivers granted, shall comply with all requirements of these Rules and Regulations and with applicable zoning requirements for parking, service areas, environmental performance standards, and any other applicable sections of the Zoning Bylaw;
- b. The development shall be integrated into the existing terrain and surrounding landscape and be designed to preserve natural and historic features, to minimize tree, vegetation and soil removal, to minimize grade changes and to screen objectionable features from neighboring properties;
- c. Architectural style shall be in harmony with the prevailing character and scale of buildings in the neighborhood;
- d. The project shall be served by an adequate water supply and waste disposal system as determined by the appropriate regulatory agencies;
- e. The plans shall maximize the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent ways with the traffic flow pattern showing adequate access to and from the site and adequate circulation within the site;
- f. The plans and documents shall show adequate measures to prevent pollution of surface

water or groundwater, prevent erosion, sedimentation, changes in groundwater levels, increased run-off, or flooding, and that the drainage design will not adversely affect neighboring properties.

- g. The project will not place excessive demands on Town services and infrastructure.

Action Required

The Board shall consider the project as required by Section 9460 of the ZBL for Site Plan Approval as detailed in Section III of this Staff Report.

Staff recommends that if the Major Site Plan is approved, the following Conditions of Approval be added to the motion:

This approval is granted with the conditions that:

- 1) Construction activities shall not encroach onto other abutting properties, rights of way, sidewalks, or roadways. Pedestrian and vehicle traffic shall not be impaired by any construction activities. All sidewalk and street areas shall be kept clear of any and all construction equipment and debris at all times. Appropriate measures for dust control shall be maintained throughout all construction activities.
- 2) All outdoor lighting must be fully shield and not cause light trespass, glare or skyglow for adjacent property.
- 3) Plantings shall be provided along the front of the property line to separate the sidewalk from the parking area. All plantings shall be native species. A list of appropriate plantings is available in the Pepperell Native Plant Guide.
- 4) Any snow shall be removed from the site within 72 hours of a storm.
- 5) A bicycle rack shall be installed in the front of the establishment.
- 6) A right turn only sign shall be placed at the exit of the parking lot, to alleviate any issues from the exit driveway of the parking lot on the adjacent property.
- 7) Signage shall not be internally illuminated.
- 8) The fence along the property line between 81 and 83 Main Street shall be kept in good repair.
- 9) Bollards will be installed in front of the main entrance of the building.
- 10) Any damage incurred to Main Street as a result of construction activities will be repaired by the property owner at no cost to the Town.
- 11) The entrance/exit to the establishment shall be separated physically and visibility from the neighboring parking lot in order to differentiate the sites for motorists and pedestrians. Any work will need to be coordinated with the Highway Division due to the constraints associated with the new pavement.
- 12) Sanitary flows will not be plumbed into the grease trap.
- 13) Prior to receipt of a building permit, the applicant will provide plans to depict the construction in order to allow for infiltration of all roof runoff.
- 14) The water service shall be replaced from the existing curb stop.
- 15) Prior to demolition, a site visit shall be arranged with the Historical Commission for the purposes of historical documentation of the existing structure.

16) Any change in property ownership will require a review of the Planning Office to determine if a new or modified site plan approval is necessary.

I. GIS Map and Photo

