

MERRIMAC PLANNING BOARD

August 20, 2024

MINUTES

CALL TO ORDER: Chair David Cressman called the meeting to order at 7:00 PM

ATTENDANCE: Chairperson David Cressman, Member Bill McGowan, Member Thomas Abisalih, Member Dennis Brodie, Alternate Sandra Venner, DPW Director Bob Sinibaldi, Conservation Commissioner Jerome Mathieu, Chris Gaudet Chairperson Commission on Disabilities

ABSENT: Vice Chair Karol Flannery

Quorum was not met at the meeting to approve the minutes for 05/21/2024. A motion was made by Member Thomas Abisalih to approve the minutes of 07/16/2024, 2nd by Member Bill McGowan, all in favor 3-0.

OLD BUSINESS:

1. **Stormwater Management for 1 High Street** –Planning Board sought an application submission for the project before August 30, 2024. Phil Parry took to the podium on behalf of John Cormier, the owner of the property, to give the board an update. Although the owner has not provided an application, they have made progress by retaining a new engineering firm and halting all work until necessary permits are obtained. More time is requested by the applicant to prove an application. In response Chairperson David Cressman shared that there has been a stop work order for over two-years and land has been disturbed, the board strongly desires a final solution to the project. Town Consultant, Denise McClure brought up heavy concerns with the project, but having the new engineering firm oversee the project to eventually submit a definitive plan is ideal for the town.

PROJECT UPDATES:

1. **Abbey Road** – DPW Director Bob Sinibaldi gives an update that there has been a delay in the granite curbing, no other updates.
2. **51 E. Main** – No new updates.

NEW BUSINESS:

1. **ANR Plan – 92, 94, 96 East Main Street** – Proposal to subdivide a portion of the lot to be combined with an adjacent lot. Member Bill McGowan made motion to approve the ANR, 2nd by Thomas Abisalih, 4-0 approved.
2. **Public Hearing – 1 Bear Hill Road** – Special Permit/Site Plan Review/ Stormwater Management. Chair David Cressman made motion to open the public hearing – 2nd Thomas Abisalih, all in favor 3-0.
 - a. Alex Sellar from TEC inc. presented the proposed project at 1 Bear Hill Road, a 19,200 sq.ft., 2-story indoor gymnastics facility containing off-street parking, landscaping, and utility and stormwater management infrastructure. In their assessment of traffic impact, it was found there was no significant impact to local traffic by the proposed project.
 - b. In regard to electronic vehicle charging, Thomas Abisalih questions why the application states it will be installed in the “future”/ when will that date be determined? Mr. Sellar responds that the code states they only need to put the verbiage “future” to comply.
 - i. Member Dennis Brodie provides that the intersection of Bear Hill Road and East Main Street is a busy intersection in Merrimac and questions if the applicant considered the addition of sidewalks to the property. Mr. Sellar, TEC, Inc., references the parking lot in the rear of the property and that the site is not conducive to pedestrian travel. The position of the applicant is that the project does not impose requirements to provide upgrades to the existing roadway, however, the applicant is open to working with the town to improve.
 - c. Chris Gaudet, Chairman of Commission on Disabilities was present at the meeting to discuss access, however, it has not been incorporated into the project proposal. The MA Architectural Access Code will be incorporated into the project.
 - d. Ariande Wright, constituent at 6 Bear Hill Road, although excited about the proposal, has many concerns with the proposal and it’s impacts to the residential neighborhoods resources, safety, and property values. It is the view of the abutter that the proposed entrance to the facility causes a major safety hazard to traffic entering and exiting and significant impacts to their property’s driveway. In addition, the applicant brings concern to stormwater run-off, light pollution, and requests the applicant change the exterior of the proposed recreation facility to fit in with the surrounding neighborhood.

- e. Joseph Gray, constituent at 87 East Main Street, states opposition to the proposed entry and exit to the facility being located on Bear Hill Road, the area is “frequently congested” and that the proposed project will increase the burden on traffic. States that the curb appeal of the proposed building “does not match” the surrounding homes and concerned with property values of all abutters.
- f. Cassia Varvaro, constituent of 2 Bear Hill Road, is “devastated” that the property is not designated as residential. She states her and her fiancé’s biggest concern are “of our family’s financial investment and how this new commercial building would have a catastrophic effect on our home value”. She also mentions the impact on traffic, specifically gymnastics competition meets which draw large amounts of athletes from the surrounding area to the proposed gym, light pollution, and stormwater run-off.
- g. Jonathan Pena, constituent of 4 Bear Hill Road, takes the podium and states that he shares in the concerns of his surrounding neighbors. He works from home and is worried about the noise and increased traffic in the area. Asks the applicant of the project to consider planting many trees to cover the building.
- h. Alex Seller, TEC Inc., took the podium, to address the concerns of the residents. They clarify that the photometric and stormwater management plans are in the application submission. He states the stormwater management system in use is designed to have zero discharge in most storms and that the owner is paying a premium for the site stormwater.
- i. Owner of the property, Dunkin Gould, shares the hours of operations of the proposed gym to be mainly 4 pm to 9 pm and no lights would be on once the building is closed.

A motion was made to close the public hearing by Chairperson David Cressman, 2nd Bill McGowan, all in favor 3-0.

3. **Public Hearing (cont.) – 8-10 Church Street – Site Plan Review – proposal to convert upper floors of existing building to residential units.** A motion was made by Thomas Abisalih to approve the site plan, Bill McGowan 2nd, 5-0.

CORRESPONDENCE:

1. **None.**

WARRANTS/FINANCIAL:

1. Warrant – Horsley Witten – 92, 93, 96 E. Main second peer review & hearing attendance - \$1,170.00.
 - a. A motion was made by Member Bill McGowen to approve the warrant in the amount of \$1,170, Thomas Abisalih 2nd, all in favor 3-0.
2. Warrant – North of Boston – 8 Church Street – Legal Ad - \$548.80.
 - a. A motion was made by Member Bill McGowen to approve the warrant for North of Boston in the amount of \$548.80 Thomas Abisalih 2nd, all in favor 3-0.

OTHER BUSINESS:

No other business.

COMMUNICATIONS, NOTICES & ANNOUNCEMENTS:

Surrounding Towns:

1. Amesbury – Hearing July 29, 2024 proposal to amend existing Zoning Ordinance & Map of City of Amesbury.
2. Haverhill – Hearing Sept. 10, 2024 for right of way alteration for Chadwick Road widening.
3. Amesbury – Hearing Aug. 12, 2024 proposal to amend existing Zoning Ordinance & Map of City of Amesbury.
4. Haverhill – Hearing Aug. 20, 2024 special request to keep storage container at 2 Woodman Ave.

CONFIRM NEXT MEETING: The next meeting of the Planning Board will be on September 17, 2024.

ADJOURNMENT: There being no further business to come before the Board, and upon a motion by Thomas Abisalih, second by David Cressman, all in favor 3-0, it was voted to adjourn at 8:43 PM.

Respectfully Submitted,
Shayla Wells