

## MERRIMAC PLANNING BOARD

May 10, 2022

### MINUTES

**CALL TO ORDER:** Chair Sandra Venner called the meeting to order at 7:05 PM

**ATTENDANCE:** Chair Sandy Venner, Vice Chair Karol Flannery, Members Thomas Abisalih, Dennis Brodie,

Absent: Member, Keith Pollman (prior commitment)

Motion to move minutes approval and Old Business Section III on the agenda to section IV as to allow guest Light Department General Manager, Mary Usovicz to present. 1<sup>st</sup> Karol Flannery, 2<sup>nd</sup> Tom Abisalih, All in favor 4-0

GM Usovicz: Introduction and background. Looking into the minimization of light usage so as not to filtrate into neighborhoods.

-Available for questions on energy needs of the community.

-Been in the position for 3 months and in the industry for over 25 years

-Researching bulb replacement of community street lights for better energy conservation. 20 total lights bulbs to be retrofit to replace existing. A standard is being researched that is more affordable to use throughout the community

-Provide developers 2 choices to utilize for ornamental lighting in new developments.

-Provide a developer's package, for example, the developers will not buy their own transformers for the development. The light department will let them know the equipment chosen for purchase as the supply chain is 92-123 weeks behind in shipping currently. A pre-development meeting with Light and developer to be held to discuss as there is a state incentive to go green, the package would include the green solutions such as heat pumps for emission reduction.

Co-Chair Karol Flannery question: are there limitations of the equipment (transformers) to the size of the development?

Mary Usovicz: No, they just need to be the appropriate size for usage and the development.

Sandy Venner comment: We will not be involving the individual homes in the plan. It's only for the developments of subdivisions r SP projects, multi-family housing.

Bob Sinibaldi: Why are we going to the light department to decide? The light department currently approves or disapproves what comes from the engineer's decision for the project.

Sandy Venner: Planning Board receives the plans that are then sent to all town departments for approvals prior to the Public Hearings. The light department has already been involved in the approval.

Mary Usovicz: We would like to see a pre-construction meeting. The transformers will have to be to our "codes" and pre-paid. We will also build a back supply for town use only. They will not be able to be purchased or used in a development. No other towns have back up so we are unable to request any from other towns.

Sandy Venner: We can alert the developer as soon as we have word in discussions of new developments.

Board thanked Light General Manager Usovicz for the introduction and future plans.

#### Old Business:

**APPROVAL OF MINUTES for 3/15/22 and 4/19/2022:** Motion to approve minutes from 3/15/2022 meeting, 1<sup>st</sup>, Tom Abisalih, 2<sup>nd</sup>, Karol Flannery, Abstain, Dennis Brodie. All in favor, 3 approved-1 abstain-0 not approved. Minutes from meeting on 4/19/2022 moved to next Planning Board meeting for a quorum of those members that were present.

**Project Updates:**

**118 East Main Street/Merrimac Crossing:** Commissioner Sinabaldi reports there are 3 foundations in. First is completely back filled, construction on that first building will commence next week. Still working on the water.

**Abbey Road:** Two foundations on Lot 9 & 14 are in and back filled. One well was perked. No additional sitework.

**1 Jana Way:** Holes dug for 4-unit and 3-unit buildings. Commercial with approval will start. Convenience store to be run by the developer. Will have local wares.

**NEW BUSINESS:**

1. **Storm Water Management For 1 High Street.** Attorney Phil Parry representing John Cormier. Approved lots but no approved projects. There is a de-facto disturbance. Atty. Parry is trying to find out details of what John Cormier did and will come before the Planning Board with a plan going forward. John wasn't aware he needed to get a Storm Water Special Permit & approval from DEP. On Oct 2019 he retained Warren Cameron group to draw plans and submit them. The prior owner had TOPO and survey work done. In October 2019 through April 2020, he worked on the plans and storm water management law concerns. Work started in 2020 when the application was filed with DEP electronically. He was told the SWM permit was applied for by Warren Cameron. An email is available showing the SP was submitted 4/2/2020 but there is no paperwork as there was a dispute on fees with the Warren Cameron Group. John cleared in accordance to the plan from MCG. Since there was not supervision from a surveyor, we don't know how much beyond the plan John went. It appears to be beyond 40K sq. ft. Atty. Parry states the letter from the Planning Board to John Cormier made the issue a priority and he will pick up and seek a new permit. A new proposal is being prepared from another service. John is committing to no more work until the permit is filed. If Planning Board would like any remediations at the site he will comply.

**Sandy Venner commented:** The SWM permit application failed to be filed. He must first make sure the paperwork goes through to the planning board and the engineer for review. If anything in site needs immediate attention it needs to be remediated. Commissioner Sinabaldi suggests Horsley Witten to address immediate issues or Conservation Agent. A filing fee will be needed with the application to be able to pay Horsley Witten. Sandy Venner stated the filing fee from the by-laws. Bob Sinabaldi suggests the by law amount calculated and not the minimum. The balance can be returned if not used. Discussion started as to the appropriate fee. Atty. Phil Parry suggested the fee should be to include the minimum driveway, reduced frontage, and improvement of the section of roadway. In good faith it should be \$5000.00. He will suggest strongly to John Cormier that amount be paid forward immediately.

**Sandy Venner:** 1. Application for DEP, stormwater and disturbance to be submitted with filing fee of \$5000.00. 2. Horsley Witten will determine what has been disturbed and will let all know if there is needed remediation from erosion. 3. State will say it is greater than what is allowed. 4. Planning Board will look at the plan for further development with changes mentioned.

**Attorney Phil Parry suggests** the money come to the planning board prior to the application. The ESCROW to be named as Stormwater remediation 1 High St. If he doesn't agree consult with Denise McClure regarding fines imposed.

**Motion to accept** a \$5000.00 fee from John Cormier for an ESCROW for the initial assessment by site engineer report for disturbance of land and immediate remediation by the end of 10 calendar days from 5/10/22.

1<sup>st</sup> Tom Abisalih, 2<sup>nd</sup>, Karol Flaherty, All in favor 4-0.

**Motion to submittal of application** with engineers plans with Stormwater management and disturbance by next meeting June 21, 2022 or sooner.

1<sup>st</sup> Tom Abisalih, 2<sup>nd</sup> Karol Flannery, all in favor 4-0

**WARRANTS:**

1. Amazon purchase of new office monitor  
Motion to approve above purchase, 1<sup>st</sup> Tom Abisalih, 2<sup>nd</sup> Karol Flannery, All in favor, 4-0

**CORRESPONDENCE:**

1. No ZBA to report  
The Flats; brief discussion on frontage and storm water management

**COMMUNICATIONS, NOTICES & ANNOUNCEMENTS**

A. Surrounding Towns

1. Haverhill- May 10,2022. Request for restoration of a protected status of a non-conforming three-family dwelling located on 16-20 South Park Street currently used as a two-family.
2. Haverhill- May 11,2022, Public Hearing requesting that the board review the cited petition and forward a recommendation back to the City Council for its final decision on a zoning overlay business park at map 465, block 4, lot 5-B-1 and the rezoning of the 465, block 3, lot 6 to a business park.
3. Haverhill- May 24, 2022, SP, CCSP 22-7 for housing project at 345 River Street for commercial/residential, 3-unit multifamily in the Residential Rural Zone.
4. Haverhill-May 24,2022, Hybrid meeting to request to modify zoning for several parcels of land off route 110 to create a new business park for the city—to amend the zoning map to eliminate the zoning district OP (Office Park) and replace it with the BP (Business Park) and overlay the CH portions of the site to BP as well

**NEXT MEETING:** June 21, 2022

**ADJOURNMENT:** 8:59 PM. Motion to approve adjournment, 1<sup>st</sup> Tom Abisalih, 2<sup>nd</sup> Karol Flannery. All in favor 4-0