

The Office of the Zoning Board of Appeals  
THE TOWN OF MERRIMAC  
Massachusetts, 01860

**COMMITTEE: ZBA**

**MEETING DATE: March 16, 2022**

**Meeting Location: Merrimac Town Hall and (REMOTE) via ZOOM**

**School Street, Merrimac, Ma 01860**

**Members present: Matthew Passeri, Josh Jackson, Mitch Kostoulakos,**

**Ben Beaulieu, Ken Nobrega**

**Amy Kwsell, Ray Cormier, Bob Sinibaldi, Joe Peznola, Mark Bobrowski, Michelle Greene, Carol**

**McLeod, Alyssa Sexton, Sandy Venner, Chief Eric Shears. Cam Shote, Greg MacLean, Yvonne, Bill**

**Pollman, Phillip Marchetti, Shawn Kelly, Holly, Linda Swift, Jim Colburn, Michael Marden, J**

**Pearson, Michael Popilli**

**7:00PM**

**Matt Passeri continued the hearing....**

The Zoning Board of Appeals will hold a public hearing on February 3, 2022 at 7:05PM remotely. The hearing is on the application of AA @ Merrimac Square, LLC concerning the premises located at 0 West Main Street, Merrimac, Massachusetts. This public hearing will be conducted under the "Executive Order suspending certain provisions of the Open Meeting Law GL c 30A Section 20." This property is located in the Rural Highway Zone. The Petitioner seeks a Comprehensive Permit to construct 180 rental apartment units in two structures on land containing approximately 19.97 acres. The property owner is Kenoza Vending , Michael DerBogosian. The application is pursuant to Merrimac Zoning Bylaw and in accordance with Massachusetts General Law ("G.L.") Chapter 40B, 20-23 (the "Act") and 760 CMR 56.

Mitch Kostoulakos made a motion to approve the meeting minutes from 2/3/22, Josh Jackson 2<sup>nd</sup> the motion. Roll call vote 4:0

**7:03PM**

Ben Beaulieu made a motion to approve the McMahon Invoice \$1,500.00, Mitch Kostoulakos 2<sup>nd</sup> the motion, Roll call vote 4:0

**7:04PM**

Josh Jackson made a motion to approve the KP Law invoice \$798.00, Mitch Kostoulakos 2<sup>nd</sup> the motion. Roll call vote 4:0

The board discussed what fees would be paid from the account set up by the applicant, The board admin's hours, peer reviews, and mailings/legal ad. Legal fees would not be paid from this account.

Michael Pompilli, McMahon Associates, presented. See report and comment letter 3/11/22.

There are no great safety concerns relating to intersections/roundabouts. Crash data that was used was from 2020, confirmation needed. There was a seasonal adjustment made 10/2020. Volumes in October higher. ETR data-ok

A growth rate of 1% was discussed-the applicant must confirm.

Shawn Kelly-Vanasse and Associates-Traffic-Applicant

Conducted a study of the intersections-looked at crash, transit and speed data.

Some recommendations: Site access-in accordance with MUTCD design

Landscaping and signage should be located and maintained to ensure sight lines, implement transportation demand mgt Plan, the access plan as designed is safe

Josh Jackson would like the applicant to consider being a level 3 related to electric chargers/cars

The Plan is to revisit the lane around building B to make sure of its width. (24ft)

There is a need for crosswalk signage, accessibility ramp

David Crossman (resident) has questions about the offset intersection.

Merrimac is defined as a MBTA community and the figures are important.

Chief Eric Shears has safety concerns about the offset intersection.

Michelle Greene-Conservation-keep the wetlands issue preset and possibly change the width of the fire lanes

**7:46PM**

Scott Miller -Haley and Ward

Letter 3/9/22

Describes the water main-

Water is a significant issue, that will need to be addressed. Miller states that there is no excess water which is in disagreement with the applicant. Miller will work with the applicant and attorney.

Members of the public are concerned about water flow etc.

Attorney Bobrowski stated that he was reluctant to fund \$10,000 for part 1 and \$7,200 for part 2 (Haley and Ward)

SME

Bobrowski requested as built plan-sent on 3/9/22

Notice of Intent 4/20/22

Will send to Joe Penzola

Next meetings are set for April 12 and May 17. Traffic will follow up, Sewer along with any recommendations from Conservation

The board will seek further input from Fire/Police

**8:50PM**

Ben Beulieu made a motion to continue the hearing (remote) to 4-12-22 Mitch Kostoulakos  
2<sup>nd</sup> the motion, roll call vote 4:0

Matthew Passeri Board Chair

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