

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

COMMITTEE: ZBA

MEETING DATE: May 17, 2022

Meeting Location: Merrimac Town Hall and (REMOTE) via ZOOM  
School Street, Merrimac, Ma 01860

Members present: Matthew Passeri, Josh Jackson, Mitch Kostoulakos,  
Amy Kwsell, Ray Cormier, Bob Sinibaldi, Joe Peznola, Mark Bobrowski, Michelle Greene, Carol  
McLeod, Sandy Venner, Jerome Mathieu, Mike Roy, George Chadwick, Chief Larry Fisher, Greg  
MacLeon, Chief Eric Shears, Linda S, J Pearson, Mike Roy, Phillip Marchetti

**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.

There was discussion regarding board members missing a meeting-they are allowed 1-they must watch the video of the meeting and sign a certificate with the Town Clerk post meeting.

**7:11PM**

Administrative Business

Invoice for SME 5/6/22 \$535.60. Mitch made a motion to approve the invoice, Josh 2nd the motion Roll call vote 3:0

Invoice for SME 4/1/22 \$3,99.15 Mitch made a motion to approve the invoice, Josh 2<sup>nd</sup> the motion Roll call vote 3:0

Invoice for Haley and Ward \$720.00 4/11/22 Mitch made a motion to approve the invoice, Josh 2<sup>nd</sup> the motion Roll call vote 3:0

**7:14PM**

Working session for the Waste water was discussed. Concerns...holding tank on the property, release on off hours, pumps-grinders to break up solids. Issue with DEP, discharge and the capacity.

There appears to be a breakdown in communication with the DEP-they were not aware of the Flats project or the MBTA communities reference. There are different areas of DEP that deal with issues-an increase in discharge is a major concern.

There are concerns over existing permits within the town and the increase to flow limits

George Chadwick-Bedford Design-discusses 20,000 galloon holding tank, details on releases-discharge to plant at a slow rate

Current 379,000 galloons per day, 35,000 for the projected=414,000 galloons/day

Add 34,500 new projects-4448,500 per day this is under capacity but over 80%

An on-site package for treatment was discussed. The concept of reducing the number of units was discussed.

Joe Peznola-discussed the reality vs theoretical relating to flow and numbers.

Another working session will be needed. Consider access and hook up. The Applicant needs a sewer hookup application.

Mark Bobrowski is wanting a response from the Fire Chief re: hydrants. There will be a storm water report from Chadwick on June 14. The NOI should be filed this week per the applicant.

Water peer review is in process.

The hearing was opened on 2/3/22--- 180 days=8/2/22

Michelle Greene would like a copy of the storm water report. Horsley Whitten will present a modified proposal via Amy Ball, relating to impacts to compliance, wetlands, bylaws for waiver requests-conditions to be set. This scope of services will be separate from the ZBA/con com. Mark Bobrowski would like a copy.

Separate waivers are needed for Con Com instead of a blanket waiver request.

The issues of Zoom meetings were discussed. The board will follow the State in terms of being able to meet remotely after 7/15/22. Guidance will be provided

**8:01PM**

Josh Jackson made a amotion to continue the hearing (remote) to 6-14--22 Mitch Kostoulakos  
2<sup>nd</sup> the motion, roll call vote 3:0

Matthew Passeri Board Chair

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