

Palmer Planning Board

Planning Board Meeting Minutes

Monday, February 22, 2016

I Call to order

Chairman Michael Marciniac called the meeting to order at 7:00PM on Monday, February 22, 2015 in the Town Administration Building Meeting Room. Present were Norman Czech, Kathleen Burns and Thomas Skowrya and Andrew Golas. Also present was Town Planner, Linda Leduc, and Nicole Parker, recording minutes.

II New Business

7:00PM Angelica Properties,

The applicant, Angelica Properties, LLC c/o Joseph Kelley, is seeking a Special Permit and Site Plan Approval as required by sections 171.28, 171.62 and 171.29, respectively, for re-use of the existing building as professional office space in the Neighborhood Business District. The property is located at 1294 Ware Street, Depot Village, also known as Assessor's Map 37, Lot 5. N.Parker read public hearing notice.

The hearing was re-advertised due to an administrative error.

A letter requesting a continuance was sent via e-mail on February 22. However, later in the day it was requested to be retracted, and the applicant wished to proceed.

Motion was made to acknowledge receipt of letter by N.Czech. Seconded by A.Golas. Motion passed (5:0)

Present representing applicant were Rob Levesque and Felipe Kravo of R.Levesque Associates of 40 School Street, Westfield, MA. The applicant, Dr. Joseph Kelley, was also present.

A Massachusetts Department of Transportation (DOT) pipe was uncovered on the property by an employee from DOT. Pictures were provided to the Board from the neighbor, Ted Koziol, at the previous hearing showing the vehicle on the property and also the unearthed pipe.

It was stated that water is being discharged from Route 32 onto the property, along the swale and on to River Street. The current design shows reduction in all storm events. It was also stated that there is an energy dissipater in the swale.

J.Furman stated that the site has been neglected, forcing the applicant to rectify the issues. The stormwater ordinance was developed to keep a parcel's stormwater on their own parcel, and properly discharge it. The water in question is not necessarily coming from the site itself, rather from the public way. He stated that the system is actually over performing and country drainage is recommended.

It was also recommended that two conditions be in the decision regarding a certificate of occupancy, that some form of permission be granted to the applicant from the Department of Public Works to discharge water runoff onto River Street, and a better solution be put in place for a permanent stormwater management practice from the Mass Department of Transportation.

M.Marciniec opened up the discussion to the public.

Ted Koziol, of River Street, was concerned over the danger from speed and accidents along Route 32. The Board stated that a traffic study was conducted and the entire section was analyzed, and the report was found by the engineer to be acceptable. He was also concerned about the stormwater discharge. It was stated that the applicant has taken care of the stormwater going on to any abutter's property. His last concern was of the septic design and placement. The Board stated that the applicant is aware of their responsibility to comply with the regulations set forth by the Department of Public Health.

Motion was made to approve Special Permit by N.Czech. Seconded by A.Golas. Motion passed (5:0)

Motion was made to approve Site Plan Approval with conditions by N.Czech. Seconded by K.Burns. Motion passed (5:0)

Motion was made to grant Stormwater Permit by N.Czech. Seconded by A.Golas. Motion passed (5:0)

Mark Campbell, Golf center continued from December 7, December 28 & January 25

The applicant, Mark Campbell, is seeking a Special Permit and Site Plan Approval as required by sections 171.28, 171.55 and 171.29, for the construction of a mini golf course and associated site improvements located at Ware Street (Route 32), Palmer MA. This parcel is also known as Assessors Map 42, Lot 2-1.

A request to continue letter was submitted by the applicant, dated February 18, 2016.

Motion was made to acknowledge receipt of letter and continue to March 7, 2016 at 7:45PM by N.Czech. Seconded by T.Skowyra. Motion passed (5:0)

Mark Baldyga, Baldyga Auto Body continued from December 7, 2015, January 11, 2016 & January 25, 2016

The applicant, Mark Baldyga, is seeking Special Permit and Site Plan Approval as required by sections 171.28, 171.29, & 171.62 and a Special Permit as required by section 171.69, Water Supply Protection District, for the construction of an auto body repair facility and all other Site Plan Improvements at the property located at the 1366-1368 Park Street, Palmer MA. This parcel is also known as Assessors Map 56, Lot 85.

Present was applicant Mark Baldyga. Representing applicant was his engineer, Don Frydryk, of Sherman & Frydryk Engineering, and Attorney James Martin of Robinson Donovan P.C.

J. Furman went over his review dated February 8, 2016 under the comment summary.

Revised site plan shows location of sign, dumpster enclosure, and a formal landscaping plan was added to page 5, the erosion control plan. It was stated to applicant that all landscaping must adhere to the zoning ordinance which is different from business to business and business to residential. The Board is also

looking for some screening of the parking on the Park Street side, which is considered business to residential considering the parcels across the street are residentially zoned.

J.Furman discussed the section of the ordinance that involved parking. He stated that the parking in the front of the building should be removed as well as the proposed pavement.

Under the aquifer protection district, there is no allowance of hazardous waste materials allowed on site. There is a small exception to very small waste generators, which Mr. Baldyga is registered as. When considering the amount of earth to be removed, 6600 cubic feet, which proposes to bring the groundwater separation from 16 feet to 4 feet, with the auto body use considered as a dangerous use, it was noted that this project could potentially be detrimental to the aquifer protection district. It was strongly recommended that the Palmer Prudential Water Committee weigh in.

Mr. Baldyga stated that he spoke to the Superintendent at the Palmer Water Department, David Majka, who verbally told him he was ok with the project.

It was then recommended that the applicant submit in writing, a letter from the Palmer water district prudential committee stating that the project will not adversely affect the aquifer protection district.

J.Furman went over his stormwater review dated February 8, 2016. It was noted that the front drainage swale has been redesigned to include a hooded catch basin. D.Frydryk also stated that a berm has been added on south and east side of parcel.

It was stated that there needs to be an easement for the 3 family to allow discharge onto the lower parcel.

The discussion continued over the division of the three family from the front parcel. Attorney James Martine distributed a packet that contained deeds, water main easement and the dates of the adoption of the subdivision of land in Palmer to adequately meet the requirement of frontage on East Palmer Park Drive. It was determined with the Planning Board's Attorney that that was sufficient material to meet the suitability requirements.

Two waivers were requested:

1. Verification of Infiltration Rate by Percolation Test
2. §145-5.3 Inspections

Motion was made to grant waivers by N.Czech. Seconded by A.Golas. Motion passed(5:0)

Motion was made to grant Storm Water Permit by N.Czech. Seonded by T.Skowyra. Motion passed (5:0)

Motion was made to grant Site Plan Approval with Conditions by N. Czech. Seconded by T. Skowyra. Motion passed (5:0)

Minutes:

January 11, 2016:

Motion was made to approve minutes by N.Czech. Seconded by K.Burns. Motion passed (4:0:1) Golas
January 25, 2016

Motion was made to approve minutes as amended by K.Burns. Seconded by A.Golas. Motion passed (5:0)

Knox Pond Construction Report # 100

Motion was made to acknowledge receipt of report by N.Czech. Seconded by T.Skowyra. Motion passed (5:0)

Letter regarding RB Associates application and RDL Associates from Sherman and Frydryk

Letter was submitted by Don Frydryk of Sherman & Frydryk Engineering informing the Board of the upcoming applications for the Earth Removals.

Motion was made to acknowledge receipt by N.Czech. Seconded by T.Skowyra. Motion passed (5:0)

III Town Planner Update

- Palmer Motorsports Park Road Race

It was brought to the Board's attention that there was going to be a road race at the site on March 6th as a Palmer High School track fundraiser.

An abutter was present, Sheryl Jyringi, and inquired as to how they can operate if there's no running water. It was stated that that would be Board of Health jurisdiction and it was only for informational purposes to the Board.

- Rail Impact Study:

There was information regarding a commuter rail coming to Town. It was stated thaty there are 3 possible locations. Mass Department of Transportation to be released soon.

Motion was made to support the rail study and contact Pioneer Valley Planning Commission (PVPC) to vocalize support made by N.Czech. Seconded by T.Skowyra. Motion passed (5:0)

- MassWorks Grant

It was relayed to the Board that there is some interest in the 6 pad that belongs to Northeast Realty. It was state that some of the Sewer line was partially upgraded. More information will follow as it becomes available.

- Parking Ordinance

It was stated that PVPC is working on updating the Parking Ordinance. They are also supporting an initiative in town called mass in motion through the Board of Health and a committee, in which Linda Leduc is a member of.

IV Adjournment

Motion was made to adjourn at 9:30PM by T.Skowyra. Seconded by K.Burns. Motion passed (5:0)

Andrew M. Golas, Clerk