

# Palmer Planning Board

## Planning Board Meeting Minutes

Monday, January 11, 2016

### **I Call to order**

Chairman Michael Marciniac called the meeting to order at 7:00PM on Monday, December 28, 2015 in the Town Administration Building Meeting Room. Present were Norman Czech, Kathleen Burns and Thomas Skowyra. Andrew Golas was absent. Also present was Town Planner, Linda Leduc, and Nicole Parker, recording minutes.

### **II New Business**

Public Hearing; Zone Change

In accordance with the provisions of Chapter 40A, Section 5 M.G.L. the Planning Board will hold a Public Hearing on Monday, January 11, 2016 at 7:00 p.m. in the Town Hall Meeting Room to consider amending the Town of Palmer Zoning Map for a change of zoning districts from the Rural Residential District to the Highway Business District for a 6.47 acre parcel located on 1524 Park Street, owned by Ruport Realty, LLC and submitted by its manager, John Rahkonen. This subject parcel is also known as Assessor's Map 2, Lot 60.

N.Parker read public hearing notice.

Present was land owner John Rahkonen, owner of Rupert Realty.

M.Marciniac read the Town Planner zoning review. He also explained that the process for a zone change stating that the Board makes an advisory vote to Town Council who has the final vote on approval or denial for zone change. If the Planning Board does not vote favorably and the Town Council denies it, the parcel cannot be considered in any zone change for two years. M.Marciniac encouraged the abutters to attend the Town Council meeting for this request.

Mr. Rahkonen stated that the parcel is not in the aquifer protection district. He stated that he was approached by a solar company but refused the proposal. He stated the may sell the parcel.

M.Marciniac opened the discussion up to the public.

Henry Plante, of 1564 Park Street, stated that he felt the existing business is out of control. He thought the lot was a buffer in between businesses and residential.

Joseph Gulluni, land owner of 81 Nipmuck St, stated that there is residential all around and feels like noise will certainly be factor. He also stated that 5 years ago the same request was denied. He feels residential areas don't impact abutters but commercial use would.

N.Czech stated that there needs to be a buffer between residential and business lots.

Motion was made to send letter to not support zone change to the Town Council by N.Czech. Seconded by K.Burns. Motion passed (3:0:1) Skowyra

7:30 Continuance from December 7, 2015

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.

M.Marciniac explained that there is no quorum for Special Permit Application and a member that missed a previous meeting will need to hear the audio and sign the Mullin rule document before any more action can be taken on application.

Motion was made to continue hearing to January 25, 2016 at 7:20PM by K. Burns. Seconded by N.Czech. Motion passed (3:0:1) Skowyra

Interest Allocation Report December 2015

Motion was made to acknowledge receipt of report by N.Czech. Seconded by T.Skowyra. Motion passed (4:0)

The following Palmer Motorsports Park information submitted to the Board:

1. Letter from Attorney Heep
2. Board of Health septic install report
3. Conservation Commission (ConCom) Enforcement Order
4. Vanasse, Hangin & Brustlin review memo for ConCom

Minutes:

November 16, 2015

Motion was made to accept minutes as amended by N.Czech. Seconded by K.Burns. Motion passed (4:0)

December 28, 2015

Motion was made to accept minutes as amended by K.Burns. Seconded by N.Czech. Motion passed (4:0)

7:45PM Continuance from November 16, 2015

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.

Present representing applicant was Felipe Cravo, P.E, of R.Levesque Associates, Inc.

A memo was submitted to the Board dated January 11, 2016. Mr. Cravo explained that there are 12 parking spots on the property and all are out of the public right of way. Exterior building elevations were provided with photos. The sign location is now on the plan. All stormwater inspection dates will be provided at pre construction meeting. An illicit discharge statement was provided. The 12” corrugated metal pipe will be televised.

A traffic study was conducted on December 7, 2015 and an addendum was added on December 29, 2015 addressing the stacking and safety of sight lines for cars.

M.Marciniec opened discussion up to the public.

Abutter Ted Koziol stated that he believed the property lines have been moved to the south approximately 8-10 feet to the south. He would like to dispute the boundary in which the Board informed him that the Board has no jurisdiction over that. He also passed out pictures he had taken earlier that day showing Mass DOT excavating the lot and exposing a pipe that had been in question as to where it discharges if anything.

It was stated that more information needs to be provided especially on the newly exposed drain pipe.

Motion was made to continue to January 25, 2016 at 7:45PM by N.Czech. Seconded by K.Burns. Motion passed (4:0)

Palmer Motorsports Park Minor Amendment

A revised plan dated December 28, 2015 was submitted to the Board for approval of a 20’ X 120’ carport garage.

Motion was made to grant approval by N.Czech. Seconded by K.Burns. Motion passed (4:0)

Ray Breton Letter

Raymond Breton, owner of Breton Estates, sent a letter to the Board regarding an extension for earth removal. The Board decided to write a letter back requiring review fee for inspections due to the condition of the site.

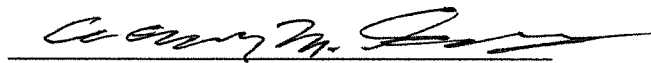
Motion was made to send letter to Ray Breton by K.Burns. Seconded by N.Czech. Motion passed (4:0)

**III Town Planner Update:**

The Building Commissioner issued Cease and Desist letter was sent out to Raul Octaviani of 52 Olney Rd for conducting a business illegally. It was brought to the Board's attention in the event the resident comes in for a Special Permit.

**IV Adjourn**

Motion was made to adjourn at 8:50PM by N.Czech. Seconded by T.Skowyra. Motion passed (4:0)



Andrew M. Golas, Clerk