

Palmer Planning Board  
Planning Board Meeting Minutes  
Monday, June 6<sup>th</sup>, 2022

**I. Call to Order**

Chairman Michael Marciniac called the meeting to order at 7:07PM on Monday, June 6th 2022, in the Town Hall Meeting Room. Chairman Mike Marciniac, Vice Chair Norm Czech, Clerk Kathy Burns and member Jeff Florence were present. Member Tom Skowyrta was absent. Also present were Town Planner, Linda Leduc, and Senior Clerk Rebekah Wright recording minutes.

***II. Public Hearing:***

7:00pm- JJC Materials- Cont. from 4/4/22 & 5/2/22: Special Permit, Site Plan Approval: Earth Removal

7:15pm- Palmer Paving- Cont. from 4/4/22 & 5/2/22- Special Permit, Site Plan Approval: Earth Removal

7:30pm- JT Brown- Cont. from 5/2/22- Special Permit, Site Plan Approval: Earth Removal

7:45pm- RDL Associates- Cont. from 5/2/22- Special Permit, Site Plan Approval: Earth Removal

7:50pm- Liberty Plaza-Special Permit, Site Plan Approval

***II. New Business:***

- First Interim Gravel Reports
- BWC Dumplin Brook- ANR- Lot Consolidation
- Liberty Plaza- 1186 Thorndike St- ANR- Lot Division
- Silver Therapeutics- Lighting Plan Updates
- Burleigh Estates Review
- Meeting Minutes: 5/2/22
- Abutting Town Notices
- Interest Allocation Report

**Old Business:**

**Board Member Comments:**

**Town Planner Update:**

**Next Meeting Date: 6/27/22**

**II. Public Hearing:**

**7:00pm- JJC Materials 1213 Park St: Special Permit, Site Plan Approval: Earth Removal**

M. Marciniac opened the hearing at 7:07pm.

Kyle Crossett, Property/Special Projects Manager of Peckham Industries, introduced himself and Pete Barrett, owner/applicant. He gave a very brief synopsis of the project.

John Furman of VHB then went over his review memo dated 6/6. He stated that a landscape plan or waiver request is needed to be considered a complete application. He stated all regulations were addressed by the applicant.

He then went over the first interim gravel report dated 5/19. He stated there were a couple issues brought up during inspection. The first being there were excavator tracks going up the slope through the buffer. P. Barrett acknowledged and stated he would make sure it won't happen again. The second issue was that the application had a waiver request to use paper mulch. J. Furman

stated that the paper mulch creates a film that hinders vegetation growth. He recommends to treat areas with no growth, and replant where the paper mulch was placed.

M. Marciniac asked if there are any areas of erosion on the slope now. J. Furman stated yes. M. Marciniac then asked why the west side of the pit can't be closed out, since it is not actively being used. P. Barrett stated that it can, but there is a gray area between him and abutters. More discussion.

M. Marciniac stated that a new buffer between parcels has to be planted and established in order for the landscape buffer waiver request to be granted. He then stated that they will discuss at next gravel inspection.

After discussing with the board, it was decided to separate the Stormwater and Special Permit votes at the hearing which is not normally done, due to an anticipated change in the Board makeup with the upcoming election.

M. Marciniac stated that there will be conditions to state remediation of invasives and applicant to provide reestablishment of damaged buffer as well as a closeout plan.

N. Czech motioned to accept the first interim gravel report. J. Florence seconded. Motion passed 4-0.

N. Czech motioned to accept two requested waivers, 11.7.i soil borings and 11.8.2.b landscape buffers. J. Florence seconded. Motion passed 4-0.

N. Czech motioned to approve the Special Permit. J. Florence seconded. Motion passed 4-0.

N. Czech motioned to continue the hearing for the Stormwater and Site Plan Approval to 6/27/22 at 7:20. J. Florence seconded. Motion passed 4-0.

### **7:15pm- Palmer Paving 863 Ware St: Special Permit, Site Plan Approval: Earth Removal**

M. Marciniac opened the hearing. K. Crossett briefed the board on the changes that had been made to the plan since the last meeting as requested by the Board.

J. Furman went over review memo dated 6/6.

He stated that the applicant is requesting two waivers- the first being 11.7.i soil borings and 11.7.j no excavation to occur within 150ft to building.

He also stated that some abutters had been left off the plan submitted. He then confirmed the operating area is 11.36 acres.

He also stated that no close out is anticipated in this 3 yr. term.

He stated the bond needs to be updated and the correct amount should be for \$56,800, as the application is not complete without updated bond.

He also stated that signage need to be replaced. The erosion barrier in the front of the pit also needs to be refurbished.

N. Czech motioned to accept the first interim gravel report. J. Florence seconded. Motion passed 4-0.

N. Czech motioned to accept two requested waivers, 11.7.i soil borings and 11.7.j No excavation. J. Florence seconded. Motion passed 4-0.

N. Czech motioned to approve the Special Permit. J. Florence seconded. Motion passed 4-0.

N. Czech motioned to continue the hearing for the Stormwater and Site Plan Approval to 6/27/22 at 7:30. J. Florence seconded. Motion passed 4-0.

### **7:30pm- JT Brown- Special Permit, Site Plan Approval: Earth Removal**

N. Czech motioned to continue the hearing to 6/27/22 at 7:45pm. J. Florence seconded. Motion passed 4:0.

**7:45pm- RDL Associates- Special Permit, Site Plan Approval: Earth Removal**

K. Burns motioned to continue the hearing to 6/27/22 at 8:00pm. N. Czech seconded. Motion passed 4:0.

**7:50pm- Liberty Plaza-Special Permit, Site Plan Approval**

M. Marciniac opened the hearing. Senior Clerk R. Wright read the public hearing notice. Jake Modestow, PE from Stonefield Engineering introduced himself. He then went over the plan for the parcel. He stated that the plan is to raze everything on site. He then stated that they are hoping to construct a single building with multiple tenants housed. Starbucks with a Drive Thru will be located farthest left closest to McDonald's. There will also be a medical tenant, possibly a Dental office, as well as a retail tenant. He stated they are proposing a 3500 sqft building. He then said that by code they are only required to supply 57 parking spots, but will be supplying 87. He also stated there will be two trash enclosures on rear left, which will be fully screened.

They will plan on reconstructing sidewalk in front of the building, along Thorndike St. There will also be a designated left and right turning lane to help ease the flow of traffic exiting the plaza. J. Modestow then stated that there will be no detriment to the public with Stormwater.

He stated there will be a pile on sign, which will be submitted for review and permitting. There will be 13 area lights, 20 ft. down lit and 20 wall mounted lights.

He stated that as far as the buffer goes, there will be holly, spruce, pine, oak and red maple. 186 shrubs will be planted around perimeter in phase 2.

There will be a loading zone in the rear of the building, which will only be used during non peak hours. He then stated a traffic study and O&M plan will be submitted.

M. Marciniac asked if a Stormwater basin planned for phase 2 would be built in phase 1. J. Modestow stated that no, that will be separate. M. Marciniac then asked if there will be access from phase 1 to phase 2, to which J. Modestow replied yes.

M. Marciniac asked about the difference in elevation from property line abutting the neighbor (on the right) down slope. J. Modestow stated it goes from 47 to 31 ft making a difference of 17 feet. M. Marciniac asked why there will be no planting on actual property line. J. Modestow stated that it is too steep of a slope and any trees planted will not successfully grow. M. Marciniac stated that there needs to be something tall planted to act as a buffer.

M. Marciniac asked about the condition of the existing fence on the property line. J. Modestow stated he was unsure.

It was then discussed that the ANR that was submitted to break the property into two separate parcels will be withdrawn.

J. Furman went over his memo dated 6/3/22.

He stated that it is VHB's opinion to use the whole project (both phase 1 and phase 2), for the traffic study and to not break it up.

M. Marciniac then opened the floor for comments.

Michael Bertera, of Bertera Chevrolet, stated his concerns with the sewer line, and the additional stress this plaza will have on the already struggling system.

M. Marciniac then informed him that L. Leduc had submitted a grant application to replace the sewer siphon to remediate the issues.

N. Czech made a motion to continue the hearing to 6/27/22 at 8:10pm. J. Florence seconded.

Motion passed 4-0.

### **7:30pm- JT Brown- Cont. from 5/2/22- Special Permit, Site Plan Approval: Earth Removal**

The hearing was continued to 6/27/22 at 7:45pm

J. Furman went over memo dated 5/19/22. He stated that the invasives will need to be sprayed again.

### **7:45pm- RDL- Cont. from 5/2/22- Special Permit, Site Plan Approval: Earth Removal**

The hearing was continued to 6/27/22 at 8:00pm.

J. Furman went over memo dated 5/19/22

A motion to acknowledge receipt of JT Brown and RDL gravel reports was made by N. Czech, seconded by J. Florence. The motion passed 4-0.

### **BWC Dumplin Brook- ANR- Lot Consolidation**

Tim Armstrong of Berkshire Design was present. He briefed the board on the plan. He stated there are 3 parcels, combining to make 2 parcels.

A motion to approve the ANR was made by N. Czech, seconded by J. Florence. The motion passed 4-0.

### **Burleigh Estates Review**

John Morrison, developer, was present.

J. Furman went over memo date 6/6/22. He stated that there were many issues found during his review. He said the roadway was never completed.

He stated lots 3,5,18 and 19 have been completely disturbed.

He stated the detention basin has not been maintained and sediment is being released. He stated that in the permit, it was stated that developer's responsibility to maintain the basin, but nothing has done and there are 6-8inch wide trees growing in it.

He stated that there is a building in a no building zone.

There are cracks that go along berm of roadway, as well as severe cracks, and failures in the pavement.

He stated two drop inlets have completely collapsed.

He then stated that there are trees 6 inches thick in roadway.

He stated that a Stormwater permit can be required, and a bond increase by 125% under prevailing wages.

J. Morrison then spoke and stated he agrees with the concerns regarding the silt and detention basin.

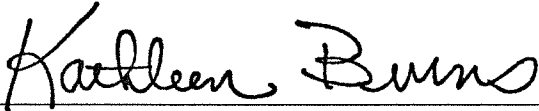
He was upset and said he rebuilt the swale three times.

He was also upset that he had to provide the access road, but M. Marciniac stated that was the plan he provided for the board to approve.

M. Marciniac stated that a homeowners association, which was required as a condition of the permit, but never formed, would have remediated many of the present issues.

**Adjournment**

A motion to adjourn the meeting at 10:27 pm was made by K. Burns seconded by N. Czech. The motion passed 4:0.

  
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Kathleen Burns, Clerk

