

Palmer Planning Board Planning Board Meeting Minutes

Monday, September 18, 2017

I. Call to order

Chairman Michael Marciniec called the meeting to order at 7:05PM on Monday, September 18, 2017 in the Palmer Police Station meeting room. Present were Norman Czech, Thomas Skowyra and Paul Burns-Johnson. Also present was Town Planner, Linda Leduc and Nicole Parker, recording the minutes.

II. New Business

SANR – Julian, Lot Consolidation - Mason Street

A motion was made by P. Burns-Johnson and seconded by N. Czech to approve of the Lot Consolidation Plan. The motion passed. Vote 4:0.

7:12pm Member Kathy Burns joined the meeting

Meeting Minutes; August 28, 2017

A motion was made by P. Burns-Johnson and seconded by N. Czech to approve of the August 28, 2017 meeting minutes as amended. The motion passed. Vote 5:0.

III. Public Hearing

7:15PM – Finding Application - MD Architects, 1028 Thorndike Street

The applicant, MD Architects, PC, is seeking a Finding as allowed by section 171-83K.(1)(a) and (2) for expansion, alteration or extension of a pre-existing, non-conforming use and structure, respectively. The request is to add a 430sq. ft. addition to the front of the VCA Palmer Animal Hospital located at 1028 Thorndike Street, Palmer, MA. This parcel is also known as Assessor's Parcel 57 Lot 74 & 75.

Don Frydryk from Sherman & Frydryk Engineering was present to represent the applicant.

The property is located on the corner of Thorndike and Foster Streets. The proposal is to add a 430sq. ft. addition to the front southern portion of the building. The animal clinic has been operating in Palmer since 1983. The current front yard setback is 19.3' and the maximum allowable setback is 10' this causes the building to be non-conforming. The addition will maintain the current setback and is not proposing to construct the structure any closer or further than the existing structure.

D. Frydryk stated that there will be a slight increase in traffic. The exterior lighting and signage will remain unchanged. He noted that there are currently 11 parking spaces where 8 are required.

The applicant has not submitted a stormwater application and has requested that the Board determine that the Stormwater Management Permit is inapplicable.

M. Marciniec conducted a site visit earlier in the day and noted that the dumpster is currently located in the northwest corner of the property and is not screened.

Chairman Marciniec asked for public comment. Abutters, Attorney Jim Rooney and wife Marcia, property owners of 1020 Thorndike Street were present and spoke in opposition of the project.

Attorney Rooney stated that the project was not currently allowed in the Village Center district unless by Special Permit. He stated the increase in traffic would have serious detriment to public safety and the proposal was not in harmony with the neighborhood. He stated the Board must make the Finding that the expansion of the structure and use is not inappropriate in scale and nature for the neighborhood. He asked why the proposal can't meet the current setback requirements. Have all the areas to place the addition been explored? Can the addition be placed in another location besides the front of the building. He expressed concern over the expansion blocking his view from his library room to the main street and that the flat roof design is not in character with the architectural period of the building or the neighborhood.

Board members stated concern over the architectural choice of flat roof, the unscreened dumpster, and whether there was a different location where the addition could be placed.

N. Czech expressed support of the project and the expansion of a business downtown.

A motion was made by P. Burns-Johnson and seconded by T. Skowyra to continue the public hearing session to October 16, 2017 at 7:00pm. The motion passed. Vote 4:1(Czech)

7:30pm Minor Site Plan Amendment - Gold Circuit E-Cycling, 1 Third Street

Matt Pronovost, President and CEO of Gold Circuit E-Cycling, LLC was present to discuss his recycling business and proposal to re-locate to 1 Third Street in Palmer. He presented a business narrative dated 09/10/17 to the Board.

He stated that they currently operate at 100 State Street in Ludlow but are ready to expand the business and need a larger location. The Palmer site at 1 Third Street is a beautiful, well maintained site, and it fits into his business image as a clean, well-organized operation that is maintained both inside and outside the building. Gold Circuit E-Cycling has been in operation for 7 years, and their plan is to enter into a 5 year lease at the facility in Palmer, with intention to continue to operate out of that space for many more years.

The business currently employs a core team of 4 and he expects to add two new full time positions and have a maximum number of employees at 6. Hours of operation are first shift only, from 7am-3:30pm, Monday thru Friday. They are open for customer drop offs from 8am-3pm M-F and 10am-Noon on Saturdays. Both interior and exterior surveillance cameras will operate 24/7

with 30 days of recording time and there will be ample signage stating that drop offs after hours or illegal dumping will not be tolerated and fines will be incurred. These measures are in place at their current location in Ludlow and there has never been a problem. They take pride in maintaining a clean and orderly site.

They currently have two trucks that service the many cities, towns and businesses around Massachusetts and utilize a single truck 90% of the time. This truck makes an average of 1 pickup per day, 4 days out of the week, while making up to 3 pickups per day 1 day a week. A tractor trailer will make an average of 1 outbound haul per month from the facility.

Trash will be placed in an enclosed trash compactor. Two 40 yard roll offs will be location outside at the back of the building for the collection of light iron. These containers will be covered to avoid stormwater leeching through the contents and contaminating the Town's Stormwater system. These containers will be swapped out weekly.

They are one of the few companies that recycle Styrofoam through a densification process which basically melts down the Styrofoam and turns it into blocks. This plastic product can then be used in making new products. They are aware that the densification process can produce unwanted odors. The facility will have an extensive ventilation system but if there is any noticeable odor an activated carbon filtration system will also be incorporated.

Core Business Description:

The purpose is to provide the initial steps in the recycling process of the below materials, and utilize downstream vendors to take that material through the next steps in the recycling process. The core business practices include the collection, sortation, and some light dismantling of the following materials for recycling purposes:

- Computer Equipment
- Electronics
- Refrigerated Appliances

The Collection and baling of the following materials for recycling purposes:

- #4 LDPE Film/Shrinkwrap/Pellet Fuel Bags
- OCC Cardboard / Fiber Cores / Drums

The Collection and Densifying of the following materials for recycling purposes:

- #6 EPS Styrofoam
- #6 XPS Insulation Board Foam
- #4 LDPE/EPE Packing Foam

They will also serve as a collection point for the following materials for recycling purposes:

- Pallets/Skids
- Furniture

- Mattresses/Boxsprings
- Fluorescent Lamps

The Board reiterated the importance of keeping the location clean, no placement of any items will be allowed outside the building. They also expressed the importance of proper ventilation. No noxious odors should be detected outside the building.

The Board motioned to approve of the minor amendment to the current site plan dated 7/22/88 with new conditions added relative to odor, outside storage, and covered collection containers. A motion was made by P. Burns-Johnson, seconded by N. Czech. The motion passed. Vote 5:0.

8:15 PM – Special Permit - RB Enterprises Earth Removal, Robinson Rd: Continued from February 27; March 6; April 10; May 8, June 5; June 19; July 24; August 28

8:15 PM - Special Permit - RB Enterprises Access onto Route 67: Continued from June 19; July 24; August 28

Chairman Marciniac opened both the Earth Removal Application and Access Application public hearings at 8:15 PM.

Attorney Jonathan Breton from Bacon and Wilson was present and spoke on behalf of the Applicant. He went over the changes to the Plan, which included adding two rows of White Pines along the access road, moved the access road farther away from the #128 Boston Road back boundary line and added a row of arborvitae along the detention basin at the base of the road. A 6' high vinyl gate was added to facilitate the Szlachetkas' access to their wells and the access road would be paved for 600' for dust mitigation.

The Cross-section Plan shows that the excavation elevations would maintain the required 5' separation to all ground water levels. It was stated that a site distance of 1000' to oncoming traffic exists. Two new wells (#13 & #14) have been added to the plan.

Assessment of the topsoil levels indicate that there would be approximately 32,000 cu. yds. of topsoil and subsoil stockpiled on site.

Herbert Singleton from Cross Spectrum Acoustics reviewed his memo dated September 14, 2017. Ambient noise was measured on August 30th and 31st at the location where the access road is being proposed between 128 Boston Road and 138 Boston Road. A sound meter was placed at a distance equal to the set back of the adjacent houses. An L90 of 40dBA was used to characterize the background level. The dump trucks moving along the driveway would generate the highest noise levels at adjacent receivers.

The Leq is proposed to meet the DEP Limits. However, the Lmax noise level from trucks will be approx. 65 dBA at the closest residence. At this level the Lmax would exceed DEP Limits. Leveling character would be similar to the Boston road traffic.

Mr. Singleton concluded with suggested mitigation measures.

J. Furman questioned how this additional noise would affect the abutter's use of their back yards and what materials may be proposed that meet the mitigation criteria stated in the conclusion of the memo.

M Marciniec opened the hearing to public questions.

The public expressed several concerns with the direction of truck travel, noise from the excavation and trucks reverberating throughout the valley, engine breaks on Route 67, the number of daily truck trips, and what type of trucks will be used; the biggest trucks are not always the loudest.

Mrs. Szlachetka made a presentation expressing her concerns as the closest abutter:

She expressed concerns regarding public safety and believes the Northern and Southern site lines are inaccurate. She stated that the speed limit noted on the MassDOT application was incorrect, and that 48 truck trips a day would negatively impact her normal use of her property with impacts from noise, dust, vibration and compaction damage to her water lines.

Regarding impacts to the ground water quality, particularly with the recent drought, potential change to water hydrology affecting their septic systems and shallow wells, and the noise made from the excavation operation and trucks. Abutters from 128 Boston Road expressed specific concerns over their wells, that they were not shown on the plans and the new access road would cross over the water pipes.

A motion was made by K. Burns, seconded by P. Burns-Johnson, to continue both hearings to October 2, 2017 at 7:00PM. The motion passed. Vote 5:0.

Approval of Dollar General's Stormwater Reports and verification of Site Plan Compliance:

Andrew Comollo of Lisciotti Development was present to formally submit the required stormwater inspection reports to the Board. Copies were submitted to the office earlier in the day. J. Furman of vhb questioned a notation in the August 2017 Report substituting the approved StormTech model SC-740 infiltration chamber with the installed StormKeeper model SK75. He stated there should be verification that it is a comparable substitution. A. Comollo stated he would provide a letter from the engineer containing that information the following day.

M. Marciniec and L. Leduc stated that they walked the site earlier in the day with the Dollar General team and the site looks complete. The Stormwater system is installed and functioning as designed and the landscaping is complete and stable. A. Comollo stated that the store is fully stocked and ready to open but they are waiting for the final CO from The Building Inspector, Bonnie Weeks. She, in turn is waiting for a final sign off from the Board. He is hoping that Board will be able to do that now prior to receiving verification of the infiltration chamber substitution.

N. Czech made a motion to advise Ms. Weeks that all the necessary information has been received by the Board as required by the Site Plan and Special Permit and Stormwater permits. P. Burns-Johnson seconded. The motion passed. Vote 5:0.

PMP Update:

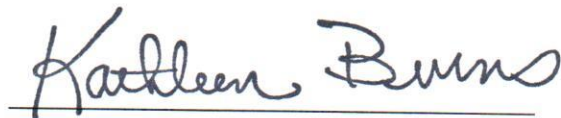
M. Marciniac distributed to the Board a letter from Attorney Chris Heep dated September 18, 2017 updating the Board as to the status of the pending enforcement action against Palmer Motorsports, LLC.

Knox Pond Construction Report # 119:

A motion was made to acknowledge receipt of Knox Pond Construction Report #119 by T. Skowyra, seconded by K Burns. The motion passed. Vote 5:0.

V. Adjournment

9:30PM - A motion to adjourn was made by T. Skowyra, seconded by P. Burns-Johnson. Motion passed 5:0

A handwritten signature in cursive script that reads "Kathleen Burns". The signature is written in black ink and is positioned above a horizontal line.

Kathleen Burns, Clerk