

DATE: February 10, 2021
LOCATION: Online
TIME: 7:00pm

Members Present

Chris Thornton (Chairman), David Jaquith (Vice Chairman), Kevin Moriarty (Member), John Urbaczewski (Member, Troy Spaulding (Member), and Kirk Baker (Town Planner) were present. Baker called the meeting to order at 7:00 p.m. Meeting conducted by remote participation to the greatest extent possible, due to Governor's orders on suspending open meetings and gatherings of more than 10 people.

Continued Public Hearing

Special Permit/Site Plan Review/Accessory Garage/11 Rivers Edge Drive

Per Baker, no revision has been received from the applicants as of this date. Applicants not present at meeting and Baker did not receive a request for continuation of hearing from them. Motion to continue hearing at February 24, 2021 meeting made by Jaquith and seconded by Spaulding. All voted in favor (5-0).

Special Permit/Site Plan Review/New England Village Development/12 Main Street

Jaquith recused himself from the hearing. Applicant Edward Sutherby, and his Engineer, George Zambouras were present. They followed up on the response received by Zambouras from the Planning Board's Consulting Engineer, Wayne Amico of VHB, regarding curbing to Main Street and questions on the ANR plan, which will be submitted to allow special permit approval. Thornton discussed the additional parcel needed from 4 Main Street for this project, approximately 5,800 sq. ft., leaving 30,338 square foot balance for the lot at 4 Main Street, enough to maintain town conformity of 30,000 sq. ft. for the lot.

Attorney Richard Kallman, spoke on behalf of the abutter Paglia to discuss concerns regarding the portion of 4 Main Street being utilized for the 12 Main Street project, which also abuts Paglia property. The concern was regarding the tree buffer that was required for the 4 Main Street permit. Though he did not go to the area, he asked Baker if a review would be completed of the 4 Main Street permit to ensure all work for the buffer was completed. Zambouras stated there are new white pines that were planted, and Sutherby stated that there were 7 trees that were planted by himself.

Baker stated he did perform a site visit for 4 Main Street upon completion of the project. He stated Amico may want to review to ensure storm water ratios still apply. Baker does not feel need to complete full review of 4 Main Street at this time. Zambouras and Kallman discussed storm water issue or non-issue. Amico shared the plan provided for the utilizing of rear property at 4 Main St., which shows that it appears the transferring of the parcel of land will not affect the storm water. Kallman's client just want to be confident that screening was provided previously as well as with the new project. Per Thornton, the Board will confirm trees there are thriving and if not, will request they be replaced. Thornton notes that an as-built plan will be required prior to signing off on 12 Main Street. Discussion on whether a modification is required. Zambouras will verify legally if it is required or not. Amico stated applicant and engineer addressed all concerns listed in his report. Amico is satisfied with the review.

Kallman further discussed concerns regarding new trees to be planted, how they could be near the Paglia septic area and Paglia's request of the trees possibly going further in the direction of the Pancake House. Mrs. Paglia was present, and stated she does not want the buffer trees on her property. Screening will be on the applicant's land not abutters land, but Sutherby stated would be on the lot for 12 Main Street project. Zambouras will investigate where the Paglia septic tank is located prior to planting. Discussion ensued on screening. Resident Dick Curran also spoke regarding type of trees. He stated the abutter (Paglia) would like the hearing to remain open until a satisfactory conclusion is reached

for what is being presented. After discussion with Zambouras and the Board, it was decided Baker will draft a proposed vote for the next meeting. Moriarty made a motion to close the public hearing. Spaulding seconded the motion and all voted in favor. (4-0) Motion carries. The Board will review proposed vote at February 24, 2021 meeting.

Special Permit/Site Plan Review/OSRD/548 Wethersfield Street

Jaquith rejoined the Board. Applicant requested hearing continuance to March 10, 2021. Motion made by Jaquith to continue hearing to March 10 meeting and seconded by Spaulding. All voted in favor (5-0).

Definitive Subdivision and OSRD Special Permit/Danielsville, LLC/Map 9, Lot 23

Both public hearing items are being held simultaneously, as confirmed by Baker. Mr. Decoulos submitted a request that the deadline for approval be extended to the April 7, 2021 meeting on the subdivision hearing. Decoulos presented a plan where they left off last meeting. The Board felt the layout was not creating a neighborhood cluster and a draft alternative site plan was presented, showing nearly 14 acres of open space, 22-foot width for the road off of Daniels Road to continue on a one-way loop with off street parking for the public. 7 of 9 houses will be facing the green with a common septic system in the middle of green. Lots are 10,000 sq. ft. with 20-ft. setbacks. Decoulos went into detail on the roadway, driveways, accessibility, public way, land elevation, garage placement, keeping of the trees and preserving the wetland crossing and the possible access point as well as placement of the Presby septic system. Decoulos compared the project to a similar one in West Newbury, showing the difference in settings, with this project showing more separation of the lots. After numerous questions, discussion and suggestions from the Board, Decoulos asked if a vote could be taken for the OSRD permit to enable applicant to move forward. Baker stated the Board is giving clear feedback stating they like the way the project design is moving forward, and explained why hearing should not be closed at this time. Thornton queried the Board on their opinion and much discussion on driveways for lots 5 and 6, the green, snow removal and management and review by various town departments. Graham discussed history of roads in the past with a temporary turn-around until such time as a through-road goes in. It is important to engineer the Daniels Road intersection well per Thornton, and the applicant has commenced working with the light department regarding current poles being moved.

Motion to continue hearing to March 10, 2021, made by Thornton, and seconded by Jaquith, and all voted in favor (5-0).

Other Business

Update on Estimate for Completion of Cindy Lane

Per Baker, John Morin gave an estimate on the cost to engineer and make final improvements to connect Cindy Lane to Meetinghouse Road, valued at approximately \$5,000. This is the amount the town can hold to finish the road. The legal process is run by the town council, and the Board was notified that it cannot use the TPA fund to carry through the legal process. The town would have to pay the bill for the eminent domain portion. Baker stated this would have to be an agenda item approved and performed by the Board of Selectmen to call for the money, having Mr. Abuzahra and his legal council present. Mr. Serafini was present and spoke regarding the estimate to complete the work. He is in favor of taking of the property by eminent domain and agrees it should be an agenda item at town meeting. Council could not support going beyond the \$5k estimate for the work, and Thornton stated there is no hurry to take this action. Baker will inquire on how to proceed from here with the taking of the property.

Update on Status of Rowley Solar Facility, 623 Wethersfield Street

Dirk Michels of Powerfund I was present to give an update. A decision was made pertaining to the soil. USDA certified organic soil is not available – there is no such thing. USDA does not certify soil. The court agreed on the USDA qualification. Dirk proposed the standard held by state of Mass. He is contacting suppliers the landlord proposed to decide on the soil type for Rowley Solar. He is certain he will find a solution with the landlord and he hopes to have components for soil to be available to be delivered to site by end of April, weather permitting, for work continuation.

Thornton asked if the landlord has discretion in the standard of soil, which led to a discussion on different standards. Michels will hear from the court which standard will apply, and will abide by the decision of the court. Atty. Beatrice (for the landlord) was present. He discussed organic components of top soil, and stated the lease for the project asks for this compliance. He has a name of a supplier willing to present their product. The landlord and tenant will discuss a solution with the benefit of court instruction and direction. Michels will follow the process to get project completed.

Adjournment

Motion to adjourn meeting was made by Thornton and seconded by Spaulding. All voted in favor (5-0)
Meeting was adjourned at 9:10 p.m.