

**MERRIMAC PLANNING BOARD, MARCH 7, 2017**  
**APPROVED MINUTES**

**CALL TO ORDER:** Chairperson Sandra Venner called the meeting to order at 7:35 PM

**ATTENDANCE:** The Chair, Members John Thomas, Karol Flannery and Alternate Keith Pollman in attendance. Members Dennis Brodie and Vice Chair Ronald Barnes absent.

**APPROVAL OF MINUTES:**

**1 Motion:** To approve the minutes of February 28<sup>th</sup> with the following amendments: under **OLD BUSINESS #1 PUBLIC HEARING ALTERNATIVE THERAPIES. IN THE CENTER OF THE FIRST PARAGRAPH**, to read "This would allow 8 spaces for staff parking, which is felt to be adequate." (Changing from 9 to 8 the number of parking spaces and striking the remainder of the sentence after adequate. Also in the same paragraph from the sentence: The applicant also met with the BOS, continuing for the remainder to be moved from the body of the minutes and placed as a notation following the vote to continue the hearing for the applicant as much of this paragraph applies to the BOS meeting. **Vote: 3 Yes/ 0 No Motion approved.**

**OLD BUSINESS:**

**1 7: 42 PM: PUBLIC HEARING CONTINUED: DOLYPHN MOTORS, 128 WEST MAIN ST.**

This is the continuation of the hearing for the modification of a Special Permit & SPR from November 15, 2016. The original decision was permitted under Article 9.3.10 and involved a grandfathered auto repair business and added auto sales. This modification comes under 9.3.14 a repair garage for motorized vehicles, and the auto sales and allows for the replacement of the small repair garage with a large structure for the repair and maintenance of trash trucks. Building Inspector Robert Sinibaldi has considered an allowable use as it is just a broader interruption of the original use, a truck or a car are motorized vehicles. Janet Bernardo, Horsley Witten presented her peer review of the project. (See Peer Review Letter dated March 6, 2017), noting that several set back requirements did not conform, but much of the zoning was in compliance. The project is located within the Water Protection Overlay District and she believes that the applicant needs a Special Permit under Article 14.8.2 from the ZBA regarding the amount of hazardous waste, as it would appear that while not a large amount of waste would be produced, it would be greater than that normally associated with household use. She also recommended the applicant provide the estimated daily traffic to be generated by the use and the site line for the entrance be looked at; also a landscaping plan and the open space areas should be clearly labeled on the plan; were among the items noted in the report. The greatest concern to our engineer was the stormwater management plan which she feels is inadequate in many ways including but not limited to the following: the applicant needs to provide documentation estimating the potential flow of discharge and the proximity of the outfall to the adjacent wet lands and necessary information for Standards two and three have not been received, soil testing should also be done for the parcel.

The chair then opened the discussion to the two dozen abutters attending for their comments and concerns. The residents of the Carriage Town Mobile Home Park have grave concerns regarding the quality of life at their homes if this large project is approved. They are concerned with the noise of these trucks, starting and leaving the property at an estimated 5:30 to 7:00 AM, the order associated with trash trucks and the possibility of vermin on the property. Russell Hussy, a park resident presented to the board a petition stating various By-law sections they feel are relevant to the denial and other reasons for their opposition to the modification,

which they feel has grown out of hand. The Board accepted the petition as part of the hearing record. (See request from the Carriage Town Park Neighborhood Association, dated accepted by the board on March 7, 2017.) Also in attendance were Russell Herdrick & Steven Baker, park owners each voicing their objections to the proposed use, stating they have over the past twenty years of ownership invested much into updating and improving the property that was originally purchased in a deplorable condition, and feel this trash truck operation would devalue both their property and the value of the mobile homes owned by their tenants, as well as well as greatly impacting the quality of life of their mostly retired residents. The applicant provided the address of his Revere operation for the board to view if they desired. The applicant also stated that he will be receptive to any proposal to add to or change the plan from the abutters and if possible would use these ideas to minimize the impact on the abutters. This session of the hearing was closed at 9:15PM to be continued to April 5, 2017. **Motion:** To continue the Public Hearing for Dolphyn Motors, 128 West Main Street to Wednesday April 5 at 8:35 PM in the second floor meeting room of Merrimac Town Hall. **Vote 4 Yes / 0 No Motion approved.**

**NEW BUSINESS:**

**1. CONCEPTUAL SUB-DIVISION PLAN, REAR LOCUST GROVE RD, (AKA SCHOOL ST. and HIGH ST.)**

This development was originally submitted to the board as an ANR with Special Permits for Reduced Frontage Lots and a Common Drive, with a total of 3 lots. (See filing dated December 12, 2016 by the Town Clerk) The applicant requested, and the board granted an extension of determination for an indefinite time and has now submitted in its place the conceptual plan for a 6 lot sub-division. The applicant will be requesting a waiver for sidewalk and curbing construction and the use of septic systems, if running the sewer line from High Street proved to be unavailable. Town water would be available to the site. The applicant is looking for feedback from the board regarding the feasibility of the plan. The lot borders Interstate 495 and is very steeply sloped. Commissioner Sinibaldi stated that he would need more detailed plans showing the proposed elevations in order to determine if the grades would be acceptable. Engineer Bernardo, Horsley is seriously concerned with the erosion of these slopes and stated that knowing the type of soil being dealt with would be very important to determine if the development was possible to be constructed without lots sliding. The applicant will return with information regarding these issues.

**2. SCHEDULE SPR FOR PLAYGROUND PROPOSAL, STEVENS FIELD.** The board scheduled the SPR Public meeting for Wednesday April 5, 2017 ay 8:15 PM. The Playground Committee will be notified of the date and time and the need of a deposit for mailing notices to the abutters of the meeting, prior to the scheduled date.

**3. ANNUAL REPORT:** Board members received their copies of the Annual Report, no changes were suggested.

**CORRESPONDENCE;**

**1. WARRANTS:**

**A. Motion:** To approve a biweekly payroll warrant in the amount of \$225.84 for Clerk Patricia True. **Vote 3 Yes / 0 No Motion approved.**

**2. APPEALS BOARD:** No petitions or decisions filed

**3. COMMUNICATIONS, NOTICES & ANNOUNCEMENTS:**

A. Haverhill Notice of hearing for mixed use commercial & residential at 128 Washing Street. No board action necessary.

B. Next board meeting dates will be March 21<sup>st</sup> and April 5<sup>th</sup>.

**ADJOURNMENT: 9:56 pm**