

MERRIMAC PLANNING BOARD, JUNE 19, 2018
APPROVED AS AMENDED

CALL TO ORDER: Chairperson Sandra Venner called the meeting to order at 7:07 PM

ATTENDANCE: The Chair and Members Dennis Brodie, Keith Pollman and Arthur Amirault in attendance, and Site Plan Review Members, Commissioner Robert Sinibaldi and Jon Pearson, Conservation. Vice Chair Karol Flannery absent.

APPROVAL OF MIUTES:

1. Motion: To waive the reading of the minutes of June 5, 2018 and approve as presented. Vote: 3 Yes / 0 No /1 Abstain Motion approved.

SITE PLAN REVIEW CONTINUED: REGENCY VILLAGE, COMMERCIAL DEVELOPMENT 106 WEST MAIN ST LOT3

The Chair called the SPR Meeting to order at 7:16 PM. Attending for Regency Village was Attorney Philip Parry and the applicant Jim Palmisano. Also Janet Bernardo Engineer Horsley Witten in attendance for the board. Mr. Palmisano began by answering the questions asked by resident Scott Michel, at the prior meeting, at which he was not in attendance, regarding the financial stability of his company. He stated that they have never flipped a property because it was not performing and gave the example of two similar projects in Hookset NH which have commercial units that are full and have been since the development was built, that his company has never been in foreclosure or any financial difficulties.

He also presented the board with the lighting plan showing the illumination, no light will shine beyond the property border on West Main St or beyond. Horsley Witten Engineer Bernardo, Horsley Witten presented her third review and stated that she has no concerns and could have the decision written and presented to the board for a vote by the next meeting of July 10, 2018 if the board was inclined to complete the SPR this evening. Conservation Representative Pearson and Commissioner Sinibaldi also expressed no further concerns. **Motion:** To close the Site Plan Review at 7:43 PM. **Vote 6 Yes / 0 No Motion approved.**

OLD BUSINESS:

1. PROJECT UPDATES:

a. **ABBEY ROAD, 22-32 BEAR HILL ROAD:** The board has received the engineer cost estimate to complete the infrastructure, as requested at the last meeting with Mr. Groden. The Commissioner feels the estimate is too low for the funding needed to complete the project to street acceptance, particularly the estimate for the offsite infrastructure. Mr. Sinibaldi will work together with the applicant and engineer to come to a more precise figure. Also Commissioner Sinibaldi stressed that that lots to be continued to be held, be reviewed carefully as some were of lesser value than others. Mr. Groden will be invited to attend the July 19, 2018 meeting to discuss the matter.

b. **LILY VILLAGE 118 EAST MAIN STREET:** No update at this time

c. **QUAIL RIDGE, BATTIS ROAD:** No update at this time.

d. **REGENCY VILLAGE, 106- 108 WEST NAIN STREET.** Jim Palmisano reported that the framing of building #1 will begin after the week of the July 4th holiday and that the foundation will begin on Building #2; shortly everything is running smoothly at the project.

2. POPLAR HILL, MIDDLE ROAD: SURETY TRANSFER. Davie Trahan, Poplar Hill

Development LLC attended to release the last lot held by the board in exchange for a cash bond surety to complete the development. The estimated cost to complete submitted by his engineering firm had been reviewed by the Commissioner and by Ms. Bernardo and the final agreed amount of \$75,235, Seventy five thousand two hundred thirty five. (See attached estimate.) The paper work for the Performance Bond had been signed and notarized by the principal of Poplar Hill Development LLC. **Motion:** To accept the amount of the cash performance in the amount of \$75,235 and to allow for the release of the last remaining lot held by the board as bond for completion of the project. **Vote 3 Yes / 0 No Motion approved.** The board signed the form G.1.1 and the signatures were notarized.

3. HORSLEY WITTEN CONTRACT UPDATE: The Board of Selectmen forwarded the proposed contract to KP Law to review as to form and content and the reply noted several provisions that KP Law felt were not recommended for a municipal contract. Janet Bernardo submitted the contract to their house counsel and the response from KP Law and the Attorneys will discuss and come to an agreement and submit the new proposal. This sort of thing often happens. The firm is currently working on projects for which individual contract have been make under the existing contract. The board wanted to confirm their intention of renewal and made the following motion. **Motion:** To continue the current contract with Horsley Witten for the Merrimac Planning Board Engineering and Construction Supervision Technical Assistance Agreement until such time as, the 3 year contract can be agreed upon and signed. **Vote 3 Yes / 0 NO Motion approved.**

4. MULTI-FAMILY INTERPRETATION: The board received from Attorney Pam Brown, the requested information regarding the proper interpretation of the definition of Multi-family Housing and if our By-law definition met the standard. She agreed with the Board's interpretation and that multiple single- family dwellings even if connected by a breezeway would not become multi-family or a multiple dwelling structure.

CORRESPONDENCE

1. WARRANTS:

a. **Motion:** To approve a biweekly payroll warrant for Admin. Assist Pat True in the amount of \$ 291.00. **Vote 3 Yes / 0 No Motion approved.**

b. **Motion:** To approve a warrant in the amount of \$500.00 for Attorney Pam Brown for a zoning interpretation, this amount was the agreed maximum cost, for this request, instead of the invoice amount of \$560.00. The Chair will advise Ms. Brown, that a prior phone conversation indicated on the bill would be removed. **Vote: 3 Yes / 0 No Motion approved.**

2. APPEALS BOARD:

a. **Decisions:** None filed at posting

3. COMMUNICATIONS NOTICES AND ANNOUNCEMENTS:

a. **Surrounding Towns:** None filed at posting

b. Confirm next meeting on July 10 at 7:00 PM

c. Received Mass Housing Project Eligibility / Site Approval for Ramshead, informational only.

ADJOURNMENT: 8:40 PM

