

MERRIMAC PLANNING BOARD, AUGUST 20, 2019
DRAFT MINUTES

CALL TO ORDER: Chairperson Sandra Venner called the meeting to order at 7:03 PM

ATTENDANCE: The Chair, Vice Chair Karol Flannery, Members Dennis Brodie, Arthur Amirault and Alternate Thomas Abisalih. Also SPR Committee Members Robert Sinibaldi and Jon Pearson. Member Keith Pollman absent.

APPROVAL OF MINUTES:

1. **June 11, 2019:** This minutes will be held for a quorum of members that attended that meeting.

2. **July 16, 2019: Motion:** To waive the reading of the minutes of July 16, 2019 and approve as presented. **VOTE: 3 YES/ 0 NO/ 1 Abstain Motion approved.**

OLD BUSINESS:

1. PROJECT UPDATES

a **Abby Road:** Field Report # 31 finds many issues still outstanding since the last inspection Commissioner Sinibaldi also reported that nothing has been done to accomplish the goal of roadway completion. He is very concerned about this complete lack of progress. He asked the board to forward a letter to Mr. Groden stating that no further releases will be signed until significant progress is made in these areas. He should also be reminded that the area must be put in shape for winter shut down. **Motion (Vice Flanner 2nd Member Amirault):** The board send a letter to Kevin Groden, Developer, to address the outstanding issues cited in the field Report and the issues of Commissioner Sinibaldi regarding the completion of the roadway as soon as possible, and the no further Lot Releases will be approved until significant progress is made in these areas. **Vote 4 YES/ 0 NO/ Motion approved.**

b **BeWell Organic Medicine:** Commissioner Sinibaldi reported that the group has leased additional land at the DPW salt shed area for employee parking. The board was not notified of that action and is concerned that this change may have exceeded the approve area scope of the plan. Engineer Bernardo will be instructed to look into this development to be sure they are within the scope of the plan. H.W. Field Report #3 shows all erosion controls functioning properly.

c **Police Station:** H.W. Field Report 3 shows all erosion and sediment controls are in good condition and secure. Commissioner Sinibaldi stated that the site crew used was great and he was happy with the progress.

d **Regency Village:** H.W. Field Report # 18 found many items still outstanding since the last observation, however an email from N. Palmisano received this week states that the outstanding items have been corrected.

e **Regency Village Office Park:** Report found only minor site issues.

2. **Legal Opinion:** In reference to the decision to notify Capital Waste Services of the forfeiture of their escrow account, (see meeting minutes of July 16,2019), it has been determined by KP Law that this would be not be an acceptable method of closing this inactive account. Instead KP Law has instructed Town Account Anne Jim of the method of returning without the proper normally required paperwork to be held on file and allow the fund balance to be returned.

NEW BUSINESS:

1. SPECIAL PERMIT, WITH SPR/114 EAST MAIN STREET: After discussion with the Applicant's Legal Representative, the board and SPR Committee it was determined that the Public Hearing will be scheduled to open on September 17, 2019. This date will allow the time needed to prepare and publish the required legal ads and notify by certified mail the abutters. Member Amirault made the motion 2nd Vice Chair Flannery. **Motion:** To open the Public Hearing, with Site Plan Review for the 10 units of Over- 55 Elderly Housing to be located at 114 East Main Street on Tuesday September 17, 2019 at 7:15 PM in the 2nd floor meeting room of Town Hall.

2. ANR/3A-5 CENTRAL STREET: Upon reviewing the plan, the board found all criteria for a Form A Lot has been provided by variances granted by the Zoning Board of Appeals the following motion was made by Vice Flannery & 2nd by Member Amirault **Motion:** To approve the Form A plan as presented and to sign the plan. **Vote 4 YES/ 0 NO Motion approved.**

3. PRINTER PURCHASE & FINANCE RESERVE FUND TRANSFER: Administrative Assistant Pat True requested of the board the opportunity of participating in an offer by Cartridge World to purchase initially 2 toner cartridges and ongoing purchase of their toner cartridges in exchange for lease of the printer of our choice. They will also provide service and delivery of the toner. The board was not aware of the offer prior to submitting the budget and so lacks the \$300.00 cost of the toner to begin the program, this additional funding would require the approval of a Reserve Fund Transfer from the Finance Committee. The current board printer is old and lacks many features now available including scanning and copying. **Motion:** To allow the Chair to request a Finance Committee Reserve Fund transfer in the amount of \$300.00 for funds to participate in the printer program from Cartridge World. **Vote 4 YES/ 0 NO Motion Approved.**

CORRESPONDENCE:

1. WARRANTS:

a. Motion: To approve bi-weekly Payroll Warrant for Administrative Assistant Pat True in the amount of \$262.47 **Vote 4 Yes / 0 No Motion Approved.**

b. Motion: To approve Horsley Witten invoice # 45501 in the amount of \$233.70 for construction observation & report on May 10, 2019 at 106 West Main Street.

Vote: 4 Yes / 00 No Motion Approved.

c. Motion: To approve Horsley Witten invoice # 45504 in the amount of \$571.20 for construction observation on Feb. 11, May 10 and May 21 2019 & reports at 22 Bear Hill Rd. Abby Rd. Development. **VOTE 4 YES/ 0 NO Motion Approved.**

d. Motion: To approve Horsley Witten Invoice #45488 in the amount of \$435.00 for construction observation & report on May 21, 2019 at 17 Broad Street. **Vote: 4 Yes / 0 No Motion approved.**

e. Motion: To approve Horsley Witten invoice # 45487 in the amount of \$408.70 for construction observation & report at Regency Village Office Park on May 10 & May 21 2019 **Vote 4 Yes / 0 No Motion approved.**

f. Motion: To approve Horsley Witten Invoice # 45567 in the amount of \$121.20 for construction observation & report at 106 West Main Street Regency Village on June 26, 2019. **Vote 4 Yes /0 No Motion Approved.**

g. Motion: To approve Horsley Witten Invoice # 45566 in the amount of \$121.20

for construction observation & report at 22 Bear Hill Rd. Abby Rd Development on June 26, 2019. **Vote: 4 Yes/ 0 No Motion Approved.**

Return of Escrow Warrants:

a. **Motion:** To approve the return of balance in the inactive Escrow Account #91-175-2550-913630 Mary Cormier Inc., in the amount of \$11,772.99 Planning Board Invoice # 002FY20. Project located at 3 Central Street was withdrawn at the request of the applicant on July 16, 2019. **Vote 4 Yes / 0 No Motion Approved.**

b. **Motion:** To approve the return of the balance in the inactive escrow account # 91-175-2550-913637 Capital Waste Services in the amount of \$1,787.98 Planning Board Invoice #003FY20; the project located at 128 West Main Street was withdrawn at the request of the applicant on January 9, 2018.

c. **Motion:** To approve the return of the escrow balance remaining in the inactive account #91-175-2550-913606 Sunset Rock Associates, Planning Board invoice # 003FY20 in the amount of \$40.68 for the completed Jakobek Way Sub-division. **Vote 4 Yes / 0 No Motion approved.**

d. **Motion:** To approve the return of the balance remaining in the inactive escrow account #91-175-2550-91364 Edward A. Curran in the amount of \$3,766.19 Planning Board Invoice #004FY 20 for the approved Medical/ Office Building to be located at 17Broad Street, approved project sold. **Vote 4 Yes /0 No Motion Approved.**

2. APPEALS BOARD:

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

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

3. COMMUNICATIONS, NOTICES & ANNOUNCEMENTS

a. **SURROUNDING TOWNS: Haverhill (1)** Special Permit, Adult Use Retail Marijuana Establishment, on leased property at 330 Amesbury Road, Applicant Mellow Fellows, LLC. (2) Special Permit for Adult Use Retail Marijuana establishment, proposed building construction on Vacant lot 299 Amesbury Road, Applicant Haverwell Market LLC

b. **Next Board Meeting: Tuesday September 17, 2019 at 7:00 PM Town Hall including Opening of Public Hearing of Over-55 Elderly Housing at 114 East Main Street and action on a Pre-Conceptual Plan located on High Street and a Form A Lot located at Moonlit Way.**

ADJOURNMENT: 8:02 PM