

MERRIMAC PLANNING BOARD, OCTOBER 6, 2020

APPROVED AS AMENDED

(Virtual Meeting by ZOOM & Broadcast on Cable)

CALL: Chairperson Sandra Venner called the meeting to order at 7:11 PM.

ATTENDANCE: The Chair, Vice Chair Karol Flannery, Member Thomas Abisalih and Alternate John Thomas in attendance. Also, Site Plan Committee Members Commissioner Robert Sinibaldi and Jon Pearson. Board Members Dennis Brodie and Keith Pollman absent.

APPROVAL OF MINUTES:

1. September 2, 2020 will be held for a quorum of members attending this meeting.

OLD BUSINESS:

1. Project Updates:

- a. Abby Road: See report from Janet Bernardo P.E. Horsley Witten on file.
- b. 114 East Main Street: Commissioner Sinibaldi reported that berm, sidewalks and stone signage are going in and the project is moving smoothly.
- c. Regency Village: See report from Janet Bernardo P.E. Horsley Witten on file.
- d. Regency Office Park: No report available for this period.

PUBLIC HEARING: Article 17A Proposed Zoning Amendment for Fall Special Town Meeting. Chair Sandra Venner called the hearing to order at 7:22 PM. The Chair read the rationale for the changes, the article would make available an alternative to 40B, on land having existing municipal buildings and remediated hazardous waste sites and give greater control to the town for such projects. Attorney Pam Brown and KP Law have reviewed the Article and suggested edits have been made to the final language. The following motion was made by The Chair and seconded by Vice Chair Flannery.

MOTION: To approve the language changes to Article 17A By-law change to be included on the warrant for the Fall Special Town Meeting on October 19, 2020.

ROLL CALL VOTE: Chair Venner YES / Vice Chair Flannery YES/ Member Abisalih YES. /**VOTE** 3 YES, 0 NO , 0 ABSTAIN **MOTION APPROVED.**

MOTION by Member Abisalih, 2nd by Vice Chair to close the Public Hearing: VOTE 3 YES/ 0 NO **MOTION APPROVED.**

NEW BUSINESS:

1. 118 East Main Street: Informal discussion on a proposal to modify a formerly approved Special Permit for this parcel, commonly known as the East Main Street strip mall fire site. The Special Permit and Site Plan Review was granted for Lily Village Plaza on May 30, 2017. A new Special Permit would be required, the new project differs in use from the prior and has lapsed.

Mr. Page is proposing an over 55 elderly housing complex of 16 units of duplex housing on the site. This use is by right with a Special Permit, in the Rural Highway District location. Commissioner Sinibaldi noted that just like the prior developer a major water issue regarding the water main must still be addressed

before a development of this density could go forward. The original applicant agreement can be found on a letter dated March 28, 2017, on file at the Planning Office calling for the replacement of 1,000 lineal feet of a new water line running from Wallace Way to the Development Site. This letter details the responsibilities of both the Town and Developer. The same would hold true for any development of this size. If Mr. Page would agree to the same agreement then the Commissioner would have no problem, with the plan. Mr. Page replied to Member Abisalih's question that none of the housing units were planned to be affordable. Site Plan Review Member Jon Pearson, Conservation Representative, noted that several conservation issues regarding the adjoining brook and wet lands would need to be resolved prior to approval. Mr. Page thanked the board for their time and will be in contact.

2. 5 East Main Street: Informal discussion with Merit McIntyre to develop the 2nd floor of this existing commercial building at the address. The building has several small businesses on the first floor and the second level, once housing Lahey Health has been vacant for over a year with no commercial interest coming forward. The Village Center District, where the building is located would require only a Site Plan Review, as by right a building with at least 30% of the area commercial can have residential use on an upper level. Mr. McIntyre proposes 4 one-bedroom apartments for the space. Each unit facing a large parking area. The floor currently has water and plumbing and a handicap ramp. Mr. Pearson informed Mr. McIntyre that the currently a retaining wall, while not on his property, is giving way causing erosion to Cobblers Brook which abuts this property, it appears the situation is being caused by the pushing of snow to clear the parking area which is on his property and would need to be addressed. The Chair suggested that some landscaping be added to break up the bleak view of the vast parking area. Mr. McIntyre thanked the board for their time and will return to the board with a proposal in the future.

CORRESPONDENCE:

1. **WARRANTS:**

a. **Motion:** To approve Horsley Witten Invoice # 48362 in the amount of \$270.00 for construction observation and report for 8/28/20 at Abby Road development. VOTE 3 YES / 0 NO **Motion Approved.**

b. **Motion:** To approve a warrant in the amount of \$344.50 for 2 legal ads for the Public Hearing on proposed Article 17A By-law Amendment. **Vote 3 Yes / 0 No Motion approved.**

c. **Motion:** To approve a warrant from Attorney Pam Brown, in the amount of \$1050.00 for legal consulting regarding By-law language. **Vote: 3 yes / 0 No Motion approved.**

2. **Appeals Board:**

a. **Petitions: (1)** Variance, Mary Cormier, Inc./ Dimensional Variances, for 3 new ANR Lots created on Vale Street

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

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

a. **Surrounding Towns:** 2 from Haverhill, no action needed.

b. **Next Meeting Date:** November 17, 2020.

ADJOURNMENT: 8:21 PM