



Town of Pepperell

Planning Board

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MINUTES

Monday, January 11, 2010

Town Hall

Members Present: Nick Cate, Dennis Kane, Mark Marston, Rick McHugh, Steve Themelis

CALL TO ORDER: Mr. Cate called the meeting to order at 7:07pm and requested the Board enter into Executive Session to discuss his recent arrest, waiving his rights under the MGL, and asking Mr. Themelis to chair the session. A roll call vote was taken to enter Executive Session and reconvene in open meeting at the close of the session.

The Board reconvened in open session at 7:32pm.

VOUCHERS:

- Payroll vouchers for weeks ending 1/16/10 and 1/23/10 were endorsed.
- Invoice for \$6,000 from Babbin Landscaping for winter operations at Julia Lane and Beaver Creek Circle was endorsed.

ACCEPTANCE OF MINUTES:

- The Board M/S/V to approve the minutes of November 23, 2009.
- The Board M/S/V to approve the minutes of December 14, 2009.

BUILDING &/OR OCCUPANCY PERMITS:

- None

ANR PLANS:

- None

ACTION/DISCUSSION ITEMS:

- ZBA Application – 29 Groton Street – Appeal, Variance, & Special Permit
The Board offered no comment on this application.
- Budget Proposal Submittal to FinCom
The Board agreed to present an FY11 proposed budget with 4 options – one for level funding – same pay, same hours; one with a 5% decrease in level funding – same pay, hours reduced to 28.5 per week; one for level services – same hours with merit wage increase; and one for reduced level services – merit wage increase with reduced hours to

28.5 per week. The preferred choice, it was agreed, was to use the level funded budget and keep things status quo in the planning department and this was stated in the memo to the finance committee that will accompany the budget proposal.

- **Annual Report Submittal**
The Board reviewed the Annual Report submittal and all agreed it was okay to submit for publishing.
- **Julia/Beaver Creek Follow Up**
The Board was brought up to date on the recent activity regarding Julia Lane and Beaver Creek Circle. Earlier in the meeting the Board had approved the invoice from Babbins for plowing the streets. They were now informed that a check had been received for the total amount remaining with Enterprise Bank. The Board agreed to have Bob Lee act as agent for the Board in procurement of all final work to be done provided they and their administrator are kept informed of all actions.

APPOINTMENTS/HEARINGS:

- **7:15pm – Public Hearing cont. – SP2009-03** – Application for Site Plan Review under Section 9400 of the Zoning Bylaws on property located at 16 Groton Street shown on Assessors Map 25 Lot 32, 33, 34. Applicant: Shattuck Oil Company, 16 Groton Street, Pepperell, MA 01463.

Mr. Cate opened the continued public hearing at 7:37pm. Jack Visniewski and Bob Collucio presented the plan for the containment area to the Board. Mr. Visniewski stated the plan shows the structure using the footprint as shown on the site plan and additionally an elevation plan for the structure was provided. Plans for lighting on the structure were shown as well. It was stated that the containment area was designed to contain full capacity of the large tank along with two 25 year storms levels.

Mr. Themelis read the review comments from Bob Lee. Mr. Visniewski stated the roof drainage in question had been included in the stormwater calculations. It was confirmed that rails would be installed in all areas as required by State Fire Marshall regulations or EPA regulations. Mr. Collucio stated that the EPA encourages environmentally friendly safety enclosures such as fencing.

The smaller containment area around the pumps was explained to be about knee-high and would contain spillage from the hoses but any large spill would flow over into the larger area.

Mr. Visniewski stated that there are no additional concerns with Natural Heritage since the plans were changed and there is no longer any pumping or drainage out into the river.

The Board agreed that all necessary information had been provided. Mr. Themelis made a motion to close the public hearing. Mr. Marston seconded the motion. All members voted 'aye' to close the public hearing.

- **7:30pm – Roger Goscombe – River Road Development Proposal**
Mr. Goscombe requested postponement to the January 25th meeting. It was explained

briefly that Mr. Goscombe's proposal is about a planned type of sustainable community similar to one in the western part of the state. The Board looks forward to seeing the proposal at the next meeting and would like to see a brief overview to review prior to the meeting.

CORRESPONDENCE/OTHER:

Check on the status of the court case regarding the cell tower.

E-mail meeting schedule.

APPROVED:

Nicholas A. Cate

Mark F. Marston

Dennis A. Kane

Richard C. McHugh, Jr.

Stephen C. Themelis