



Planning Board

Meeting Minutes of July 5, 2022

Board Members:

Present: Casey Campetti, Al Patenaude, Joyce Morrow, David Ganong, Joan Ladik, and Tiffany James

Staff: Jenny Gingras (Town Planner), Cheryl Lutcza

Attendees: Bentley Herget, Jack Visniewski, Carolyn Ahdab and Dave Lavender, Ali Lorden, Sherrill Rosoff, Tony Beattie

1. Call To Order:

7:00P.M. The remote public meeting (recorded for future broadcast by Pepperell Community Media) was called to order by Mx. Campetti (Chair).

2. Consent Agenda:

Mx. Campetti asked for a motion to accept the items on the Consent Agenda. So moved by Ms. Ladik, seconded by Ms. Morrow. All in favor. Mr. Patenaude abstained.

- a. Acceptance of Minutes from June 21, 2022 Meeting
- b. Acceptance of Minutes from June 28, 2022 Meeting

3. Action Items:

a. Planning Board Reorganization (Selection of Chair and Clerk):

Mx. Campetti opened discussion on the Planning Board Chair role. She said that she has enjoyed being in the Chair role, however she would love to take a step back and was wondering if any of the Board Members were interested in being Chair. Discussion ensued among the Board Members. Mr. Patenaude said he was interested in taking on the Chair position, however he wants to be sure that there wouldn't be any conflicts. Mx. Campetti she would be happy to consider taking on Chair again at some point in the future, if need be. Discussion ensued. Ms. Ladik and Ms. Morrow said they were in support of Mr. Patenaude. Mx. Campetti said she would like to nominate Mr. Patenaude as Chair. Ms. Ladik seconded the nomination. Mx. Campetti asked Mr. Patenaude if he would accept the nomination. Mr. Patenaude said that he would. Mx. Campetti asked if there was further discussion. Mx. Campetti asked if all the Board Members were in favor of nominating Mr. Patenaude as the new Chair of the Planning Board. Mr. Ganong, Ms. Morrow, Mx. Campetti and Ms. Ladik all said that they were all in favor of nominating Mr. Patenaude as Chair. Mx. Campetti said that this would take effect after this evening's meeting.

Mx. Campetti said that the Board also needed to choose a Clerk of the Board. Mr. Ganong asked what that entailed. Ms. Ladik nominated Mr. Ganong as the Clerk of the Board, seconded by Ms. Morrow. Mx. Campetti asked if there was further discussion. Mx. Campetti, Mr. Patenaude, Ms. Ladik, and Ms. Morrow said that they were all in favor of Mr. Ganong as the new Clerk of the Board.

b. Selection of Planning Board Representative to NMCOG:

Mx. Campetti explained the role of the Planning Board's representative to the Northern Middlesex Council of Governments (NMCOG) and asked if any of the Board Members were interested in taking on that role. Mx. Campetti suggested Ms. Morrow would be a great selection for this role. Ms. Morrow said that she was interested and being on the Master Plan Committee gave her a great opportunity to understand the work that NMCOG does. Mx. Campetti nominated Ms. Morrow. Seconded by Ms. Ladik. Mx. Campetti asked if there was further discussion. Mx. Campetti asked who was in favor of nominating Ms. Morrow as the Planning Board's NMCOG Representative. Mr. Patenaude, Ms. Ladik, Mx. Campetti and Mr. Ganong were all in favor of nominating Ms. Morrow as the Planning Board's NMCOG representative.

4. Reports/Correspondence/Discussion:

(Matters may arise that the Chair did not reasonably anticipate)

a. Babin Landscaping Site Plan Discussion:

Mx. Campetti said that this would be an informal, early discussion for some feedback and that it was not a formal hearing.

Jack Visniewski provided an overview of the Concept Site Plan Revisions (shown via screen share) as follows:

- The back right corner shows the approved diesel-fueling station, however that area has proven to be too tight, and they would like to exchange the diesel-fueling station for a propane-filling station. They have been in contact with both the Building Commissioner and the Fire Chief, and they have both given their approval. They were hoping that the Board would entertain a minor site plan approval.

Mx. Campetti said that the Agenda didn't indicate that the Board would be taking any votes or approvals on this item this evening.

Mr. Visniewski continued his presentation:

- They would like to make some logistical changes on the site, now that they see how it operates and the location of porous pavers.
- They would like to put the diesel-fueling station (used for their own equipment) at the back corner, as it would allow for easier maneuvering of their trucks.
- Along the left-lot line there are a lot of dead/dying trees. This is partially on the B&M Railroad property, and they would be happy to see those trees go too. They would need to go through the Conservation Commission for this.

- With all of these changes, we were hoping this could be considered as a minor site plan, however the Planning Board may want to see more of a formal presentation, and we are looking for guidance on how the Board would like them to proceed. The most important item is being able to swap out the diesel-fueling station area for a propane-refill station area.

Mx. Campetti thanked Mr. Visniewski for his presentation. She asked if the Board Members had any questions on the proposed plans.

Mr. Patenaude inquired about the northern side, where they are talking about changing over to pervious pavers, and asked if the original plan showed plantings. Mr. Visniewski said no. Mr. Patenaude asked if that entire area was approved, even by Conservation for pavement. Mr. Visniewski said yes, but they would like to put porous pavers there so that the water could leach into the soil more readily. Mr. Patenaude asked if the overall impervious area has changed. Mr. Visniewski said has actually decreased. Mr. Patenaude asked about proposed retaining wall (which is already there, so not really proposed). He asked if there was any proposal for a guardrail there. Mr. Visniewski said the wall is an improvement to keep anyone from thinking that area was an entrance. Mr. Visniewski said if it is a safety concern, they would entertain putting in a guard rail. Mr. Patenaude said that was a point of concern. Mr. Patenaude asked about the proposed fuel tank pad location and if the residential lot was rezoned. Mr. Visniewski said that Babin's owns that residential lot. Mr. Patenaude asked if the Planning Board could allow this. Mr. Visniewski said the main re-fueling station would be on the old "Conway" lot. Mr. Patenaude said based on the way it is positioned, the trucks could be on the residential side. Mr. Visniewski said that is why they have been speaking with the Building Commissioner to see if that is allowed or not. Mr. Patenaude asked if the propane-fueling station would be designed with a high mast, to at least push the fume release above the normal area. Mr. Visniewski said he would have to go over this with Mr. Babin so that this could be addressed so that the fumes do not affect the residential abutters.

Ms. Morrow said she would be interested in the Fire Chief's comments on both of the fueling stations. Mr. Visniewski said that it should be in the Planning Board's file. Ms. Morrow asked if it would address the fuel odor. Mr. Visniewski said it did not. Ms. Morrow asked what the acreage is of the residential property that Mr. Babin purchased. Mr. Visniewski said he did not know however it is a relatively small lot. Ms. Morrow asked if there were any plans to do anything with the existing structure on the residential lot. Mr. Visniewski said he did not know. Ms. Morrow asked if there is a right of use written into the Deed as a covenant. Mr. Visniewski said he did not know, but he could find out.

Mr. Ganong asked if the area that was receiving the porous pavers was a septic leaching area. Mr. Visniewski said that it was. Mr. Ganong asked if that area is paved over currently. Discussion ensued. Mr. Visniewski said that you can pave over it, however it has to be vented and currently it is not vented.

Mx. Campetti asked if there were any outstanding Conditions from the original Major Site Plan Approval that are still remaining. Are all of the Conditions completed? Mr. Visniewski said he did not know; however, the site is a work in process, and they will be complying with the original Site Plan Approval. Mx. Campetti said that is definitely something she would be looking for. She said that she did not think the Decision had a lot of Conditions. She asked about the area for the bins and that it was originally supposed to be a nursery-storage area. Mr. Visniewski said that the bins that were supposed to be in the back will still be in the back and there will be no further bins proposed in the front. Mx. Campetti asked if there have been any concerns for noise with the site operations that he is aware of. Mr. Visniewski said he has not heard of any concerns and that he has not heard any negative comments and has only heard good things.

Mx. Campetti asked about reviewing the Operations and Maintenance Plan and if there are requisite updates to that Plan with the proposed changes, she would like the Board to consider those things together. Mr. Visniewski said that the proposed changes could be considered minor changes to the Site Plan, and they could certainly update the Operations and Maintenance manual.

Mx. Campetti said that procedurally, in order for the Board to consider whether it is minor or is consistent with what was there before, would have to be done at a posted meeting.

Mr. Patenaude asked if Mr. Visniewski if he knew the height of the vertical tank. Mr. Visniewski said that he could get that information to the Board. Mr. Patenaude asked about the rectangle shown on the Plan. Mr. Visniewski could not confirm what that was. Mr. Patenaude asked about screening. Mr. Visniewski said that screening could be extended to the tanks and along the lot line. Mr. Patenaude asked if there is enough room for screening and what could be utilized for screening of the propane tanks. Mr. Visniewski said he could get that information.

Mx. Campetti asked if Ms. Gingras had anything to add or any information she would like to see. She said that the Board could address some of these issues at the Board's next regular meeting.

Ms. Gingras said that she felt that it would be appropriate for Babin's to apply for minor revisions to the Site Plan they already have, and if the Board wanted to put this on the next meeting for minor modification of the original approval, that would be appropriate. Mx. Campetti asked the Board Members if that was okay with them. Mr. Patenaude said yes. Ms. Morrow agreed as well. Discussion ensued regarding the Board's next meeting date of July 18th. Mr. Visniewski said that he is not available on July 18th. Discussion ensued. Mx. Campetti said that she appreciated Mr. Visniewski coming in to have a "chat" about this. Mr. Visniewski said he would try and get something together for the Board.

b. 40-R (Smart Growth Overlay District) and Mixed-Use Overlay District Updates:

Mx. Campetti asked Ms. Gingras if she had any updates.

Ms. Gingras said she doesn't have any new drafts; however, Chris Hayes should be sending over a new draft this week and she will get it out to the Board and post it on the website. The preliminary hearing on 40R is scheduled for Thursday, July 21st, and abutter notifications will be going out in the mail this week, as well as posted on the Town website.

Ms. Gingras said that the developer for the proposed Leighton Street project had sent her floor plans and photos of example projects he has done in other towns and that is essentially what he will be proposing to do in Pepperell as well. These are posted on the Town website.

Ms. Gingras said that if anyone has any questions on 40R they can send them to her. The biggest concerns are with the WRPOD and with 40R the developer will need to comply. The developer for the proposed Leighton Street project had said that he plans to comply with that.

For the Mixed-Use Base District, she said she doesn't have any updates, however all the documents are up on the Town website. She had also sent out an email to the Working Group.

Mx. Gingras wanted to ask the Board about the draft proposed Design Guidelines that were worked on with NMCOG. Ted Brovitz also sent over Design Guidelines for the Town Center. She wanted to add a discussion on Design Guidelines to the Board's upcoming agenda. Mx. Campetti said that it makes sense to revise that, as we ran into an end of the year calendar deadline with the consultant. Ms. Gingras said that the ones that Mr. Brovitz drafted have already been sent out to all of the Board/Committees and she has asked for feedback. She said that the Climate Change Council is reviewing it. She said that she would compare what was done by the end of the year and what Mr. Brovitz had done, and then send it out to the Board so that it could be discussed at a future meeting. Discussion ensued.

Mx. Campetti asked if there were any other questions by the Board Members. Ms. Morrow brought up signs and lighting and said that the Building Department and Planning Department need to be on the same page. Mx. Campetti said this would be an opportunity for more coordination.

c. Staff Updates:

- Ms. Gingras said that Heritage Estates will be on the July 18th meeting
- Ms. Gingras said that the proposed 40R information is on the Town website (Planning Department page under “Zoning Articles”).

5. Future Meetings:

- a. July 18, 2022 (Monday)
- b. July 21, 2022 (Thursday)

Mx. Campetti thanked everyone for their support during her tenure as Chair of the Planning Board.

6. Adjournment:

Mx. Campetti asked for a motion to adjourn the meeting. So moved by Mr. Patenaude, seconded by Ms. Ladik. All in favor. Meeting adjourned at 8:12 p.m.

Planning Board Meeting Minutes of July 5, 2022, respectfully submitted by Cheryl Lutcza