



TEL: (413) 436-9312 x260  
FAX: (413) 436-9754

**TOWN OF WARREN**  
PLANNING BOARD  
WARREN, MASSACHUSETTS 01083

**WARREN PLANNING BOARD**  
**MINUTES OF June 26, 2023**

**PRESENT:** Mr. Derick Veliz: Chairmen Mr. David Dufresne: Vice Chair; Mrs. Drue King

**Absent:** Mr. Edward Londergan Mr. Richard Eichacker

**ATTENDEE:** -Mrs. Brenda Church Building Commissioner; See list

**Meeting was called to order at 7:18PM**

ANR-Jeffery Gagner-Devils Lane- No one was present- Tabled to the end of the meeting.

ANR-Camsad Builders, LLC- Cronin Road- to create Parcel G-1 from existing Map 10 Lot 74.1.

Motion to approve the ANR for Camsad Builders, LLC. on Cronin Road made by: Mr. Dufresne second Mrs. King- 3 yes votes.

ANR- Joseph & Rosemary Paolucci- 123 Keys Road- to create 2 lots Lot# 1 and Lot# 2 from existing Map 10 Lot 144.1.

Motion to approve the ANR for Joseph & Rosemary Paolucci. on 123 Keys Road made by: Mr. Dufresne second Mrs. King- 3 yes votes.

Public Hearing on Special Permit No. 309 & Site Plan No. 69 for Samek Properties, LLC under Section 3.23.15 of the Town of Warren Zoning By-laws. The applicant is seeking a special permit to allow a 60 x 120' steel building with overhang to house and maintain necessary equipment for operation of sand and gravel pit located at 275 Brimfield Road, Warren. This parcel is also known as Assessors Map 30 Lot 04 which is in the Rural District. **A copy of the application may be inspected in the Office of the Planning Board or Town Clerks Office during normal business hours.**

Representatives: Michael Samek Owner

Documents Submitted:

- Special Permit Application
- 6 Copies of Site Plan Approval Application
- 6 Copies of Plan of Sewer Disposal System by Gobi Land Engineering Dated 08/25/22

The Board decided to continue the hearing because there was not a full quorum, two of the Planning Board members were absent from the meeting. The board will not be able to make any decision regarding this hearing. The Board apologized to Mr. Samek.

Motion to continue the Public Hearing to July 10, 2023 @ 7:15pm made by Mr. Dufresne second Mrs. King- 3 yes votes. – Roll Call Vote- Mrs. King – yes; Mr. Dufresne- yes; Mr. Veliz- yes -3 Yes Votes.

#### Discussion on Agilitas Special Permit Expiration-

Representatives: Mr. Zac Osgood: Vice President of EPC for Agilitas Energy; Mr. Kris Fournier: Senior Project Manager; Nicola Fancendola, P.E.- Principal/Project Manager for Agilitas Energy and Mr. Chris Davin

Mr. Dufresne stated that the Special Permit has expired and that the building permit should not have been issued. He wanted it to be known that an 18-wheeler was blocking the public way on Saturday, June 24, 2023. He has concerns about this happening again because emergency vehicles would not be able to pass through if there was an emergency. He said that after discussion between himself and the truck driver the driver reluctantly moved the truck to the side of the road. He wanted Agilitas Energy to be aware of this issue. Mrs. Church stated she has 30 days to issue or deny a building permit. She saw work being done and feels that it is considered substantial. She had to base her decision on the knowledge she had. According to the town bylaw, this is due reason to issue a building permit. Mr. Dufresne and Mrs. Church disagreed on whether the building permit should have been issued. Mr. Dufresne asked Mrs. Church if she could show him her notes on what work she saw being done on the site. He would like to meet with the Peer Reviewer and BJ at a Planning Board meeting to discuss this further. Mr. Zac Osgood stated that he had brought a letter dated 5/15/23 from Sherin & Lodgen stating all the work that they have completed and would like to enter it into public record dated 5/15/23. He stated that they have completed 8.6 million dollars' worth of work in expenses. They have cleared trees, logged, dug ponds, installed fencing, and a substantial amount of work. They have plenty of evidence showing that they have done a substantial amount of work. This evidence includes timelines with the Town of Warren Planning Board, Conservation Commission and Building Commissioner outlining the communication they have had with all, including meetings and cooperation operations up through and including October 2022. Mrs. Church asked if Agilitas had met with the Peer Reviewer on site. Mr. Osgood stated they had, and that Mr. Fancendola has spoken with O'Reilly Talbot & Okun Associates, the peer reviewer asking for copies of the reports and status. Mr. Dufresne stated he drives past there multiple times daily and has not seen any activity there prior to the past month. He showed the picture of the truck blocking the road and would like to know why this happened. He asked for me to get a copy of the pictures to Mr. Osgood this week. Mr. Osgood stated that Agilitas speaks to all contractors about the conditions in the special permits. He will reach out to Tom Galinski of Agilitas regarding the blocking of the road. The Board and Building Commissioner decided that they would like to discuss this further on 7/17/23 with Agilitas Energy and O'Reilly Talbot & Okun Associates and hopefully resolve this issue. This will give everyone time to research and gather their timeline and information for further discussion.

Discussion on Rules and Regulations for Site Plan Approvals- Tabled to a future meeting,

#### **Payroll/Bills/Budget-**

Motion to approve and sign payroll in the amount of \$ 297.00 and \$ 279.00 for Jill Chalifoux-Miller made by: Mr. David Dufresne second Mrs. Drue King - 3 yes votes.



Motion to approve and sign WB Mason invoices in the amount of \$ 49.90, \$ 72.38, \$ 43.52, \$ 73.96 and \$ 5.68 for office supplies made by: Mr. David Dufresne second Mrs. Drue King - 3 yes votes.

Motion to approve and sign the Expense sheet for mileage to Post Office in the amount of \$ 5.11 made by Mr. David Dufresne second Mrs. Drue King - 3 yes votes.

Motion to approve and sign June 12, 2023 minutes made by: Mr. David Dufresne second Mrs. Drue King - 3yes votes.

**New Business/Old Business-**

None

**Comments & Concerns-**

None



Motion to Adjourn made by: Mr. David Dufresne second Mrs. Drue King – 3 yes votes @8:21pm

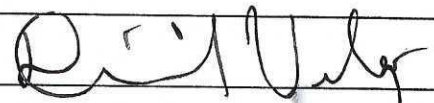
Next Meeting Date: July 10, 2023 @ 7:15pm

Respectfully submitted,

  
Jill Chalifoux-Miller  
Secretary

**Members of the Board Signatures**

  
  
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07/17/2023  
Date Approved

