

Town of Warren

Planning Board

48 High Street
P.O. Box 609
Warren, MA 01083

WARREN PLANNING BOARD MINUTES OF May 22, 2023

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

Absent: Mr. Edward Londergan

ATTENDEE: -See List

Meeting was called to order at 7:15PM

Public Hearing on Special Permit No. 308 for Samek Properties, LLC under Section 3.25.1 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.**

Documents Submitted:

- Special Permit Application
- Storage Shed plans dated 3/17/2023

Representatives: Michael Samek Owner

Mrs. Becky Acerra told the board that the Town of Warren Zoning by-laws sections listed on the Hearing notice is incorrect because it is listed as an industrial use not as commercial use. It is supposed to list sections 3.23.15; 5 and 5.3. not section 3.25.1. Mr. Richard Demetrius stated that he spoke with the Building Commissioner, Brenda Church today over the phone and she agreed it should be under the sections Mrs. Acerra spoke of. The Board agreed if it was filed incorrectly then it needs to be advertised with the correct zoning sections. They would like the Building Commissioner to present a memorandum stating the reason, under the town zoning by-laws, as to why a special permit is required. Mr. Samek agreed to withdraw SP# 308 without prejudice and submit a new special permit application stating the correct sections, along with the section filled out as to who will be his representatives. Mr. Dufresne asked if enough time has passed for Mrs. Acerra to be able to consult and/or represent Mr. Samek. She stated that she has not worked for the town of Warren for the past 3 years. Mr. Demetrius would have to recuse himself if there is anything under Conservation's jurisdiction. The Board and applicant agreed to hold the new hearing on 6/12/23 if the deadlines can be met to advertise the hearing with the required amount of time. If they cannot be met then

they will hold the hearing on 6/26/23 as long as proper documentation is submitted. The Board told Mr. Samek he would need to withdraw without prejudice by written confirmation. Mr. Samek asked the Board to vote to allow him to withdraw without prejudice.

Motion to accept the withdrawal of Special Permit# 308 without prejudice made by Mr. Richard Eichacker second Mrs. Drue King – Roll Call Vote- Mrs. King – yes; Mr. Dufresne- yes; Mr. Eichacker- yes; Mr. Veliz- yes; Mr. Eichacker- yes – 4 Yes Votes.

Motion to close the Public Hearing for SP# 308 made by Mr. Richard Eichacker second Mrs. Drue King – Roll Call Vote- Mrs. King – yes; Mr. Dufresne- yes; Mr. Eichacker- yes; Mr. Veliz- yes; Mr. Eichacker- yes – 4 Yes Votes.

Public Hearing on Special Permit No. 307 for Route 19 Materials, LLC, under Section 3.28, Earth removal (Pursuant to Section 8) of the Town of Warren Zoning By-laws. The applicant is seeking a special permit to remove earth material from the property located at Brimfield Road, Warren. This parcel is also known as Assessors Map 11 Lot 17 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: James P. Fountain Representative; David Poirier Owner; Blaise Berthiaume Attorney with Berthiaume & Berthiaume and Mark Farrell with Green Hill Engineering

Documents Submitted:

- Special Permit Application
- 6 Copies of Brimfield Road Earth Removal Plan by Green Hill Engineering Dated 08/01/22
- 6 Copies of revised Brimfield Road Earth Removal Site Plan (03/20/23) presented by Mark Farrell with Green Hill Engineering.
- 6 Copies of revised Brimfield Road Earth Removal Site Plan (05/16/23) presented by Mark Farrell with Green Hill Engineering.
- 6 Copies of revised Brimfield Road Earth Removal Site Plan (05/18/23) presented by Mark Farrell with Green Hill Engineering.

Mr. Farrell presented the plans to the Planning Board. He stated that since the last meeting he has gone back several times to revise the plans as requested by the Planning Board. The new plans show a 200 foot buffer from the property line on the street side and a 250 foot buffer from any dwelling. In addition, he included a couple of the sections in the plans, through the middle from the road to the back to the underserved area. He stated that the buffer is required so the project does not undermine the road and the plans show that it will not do that.

Motion to close the Public Hearing made by Mr. Richard Eichacker second Mrs. Drue King – Roll Call Vote- Mrs. King – yes; Mr. Dufresne- yes; Mr. Eichacker- yes; Mr. Veliz- yes; Mr. Eichacker- yes – 4 Yes Votes.

Payroll/Bills/Budget-

Motion to approve and sign payroll in the amount of \$369.00 and \$ 256.50 for Jill Chalifoux-Miller made by: Mr. David Dufresne second Mrs. Drue King - 4 yes votes.

Motion to approve and Expense sheet to the US Postal Service in the amount of \$ 315.00 to purchase stamps for Special Permit mailings made by Mr. David Dufresne second Mrs. Drue King - 4 yes votes.

Motion to approve and sign May Zoom invoice re-imbursement to Joyce Eichacker in the amount of \$ 16.99 made by: Mr. David Dufresne second Mrs. Drue King – 3 yes votes. (Mr. Eichacker recused himself)

Motion to table the May 08, 2023 minutes made by: by Mr. David Dufresne second Mrs. Drue King - 4 yes votes.

New Business/Old Business-

Motion made to support the 2022 Open Space & Recreation Plan as stated in the letter from CMRCP made by Mr. Richard Eichacker second Mrs. Drue King – Roll Call Vote- Mrs. King – yes; Mr. Dufresne- yes; Mr. Eichacker- yes; Mr. Veliz- yes; Mr. Eichacker- yes – 4 Yes Votes

Comments & Concerns-

Mrs. King wants to research rules and regulations for the storage of shipping containers and to possibly create a town by-law. Mr. Veliz thinks the Planning Board should work on by-laws that will put a cap on the number of gravel pits allowed in town.

Motion to Adjourn made by: Mr. Richard Eichacker second Mrs. Drue King – 4 yes votes @8:19pm

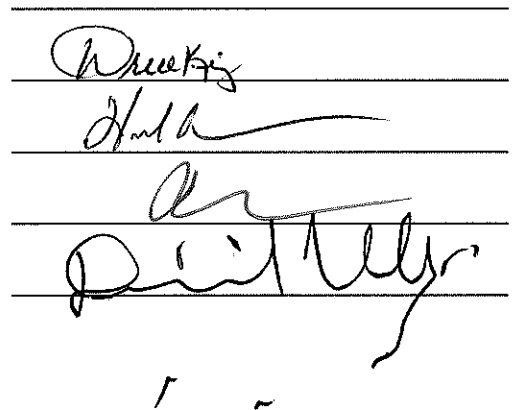
Next Meeting Date: June 12, 2023 @ 7:15pm

Respectfully submitted,

Members of the Board Signatures

Jill Chalifoux-Miller
Secretary

06/12/2023
Date Approved

The image shows three handwritten signatures on lined paper. The first signature is 'Drue King' in cursive. The second signature is 'H. Veliz' in cursive. The third signature is 'Richard Eichacker' in cursive. There are some small marks below the third signature.

