



TOWN OF WARREN
PLANNING BOARD
WARREN, MASSACHUSETTS 01083

TEL: (413) 436-9312 x260
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WARREN PLANNING BOARD
MINUTES OF May 23, 2022

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

Absent: None

ATTENDEE: Dan & Lori Fournier, Michelle S. (See List)

Meeting was called to order at 7:20PM

Public Hearing on Special Permit No. 301 for 727 Brimfield Road, LLC under 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 727 Brimfield Road, Warren. This parcel is also known as Assessors Map 9 Lot 81 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.**

Representative for 727 Brimfield Road, LLC: Ron Cox

Documents Submitted:

- Site Design Plans by Civil Engineering Services (project No. 20-749-) dated 3/21/2022

Mr. Dufresne asked Mr. Cox if he was trying to operate a quarry. Mr. Cox stated that is an Earth Removal Permit. There are 3 separate locations that were dug out over the years. There are currently three open areas. They are going to start with one of those open areas and make it accessible for the trucks to get across the property. The areas they are looking at for proposed excavation is area #1 having 1.51 acres and area #2 having 4.78 acres in area. Mr. Veliz asked about what it would look like after excavation because of a existing stream in the area, he is worried about changing the land and the possibility of it causing water runoff. Mr. Cox stated the Warren bylaws control how big of a drop there can be; if they need to terrace it they will. Mr. Veliz is asking the applicant to have a proposed topography report showing that modification of topography will not affect the natural flow of water. Mr. Cox stated that request is not in the scope of Warren bylaws or the state laws or Conservation that would require a proposed topography report. Mr. Cox personally met with most of the neighbors to discuss any concerns. He does not want to affect any part of the wetlands. He explained if you look at the contours of the land there is a section that earth cannot be removed from because it is within the 100 feet buffer and it will slow down the water flow. The land will remain elevated between the wetlands and the stream in the area where they will be working. Mr. Cox pointed out on the map the section he

was speaking about. The land on the stream side will stay the same. Mr. Dufresne wanted to know how close the houses were to the gravel pit. The Board and Mr. Cox spoke about property abutters. One of the abutters is around 300 feet from one of the proposed areas. The house is about 150' to 200' from the area. Mr. Cox said it is not. The gravel pit is approximately 2,600' from Heritage Association. Mr. Dufresne asked what Mr. Cox would eventually do with the other acreage. Mr. Cox said he was not sure. He may build houses. They discussed if there is a plan to put low-income housing on the property. Mr. Cox said there are not any plans for that. Mr. Dufresne asked if the property was in Chapter 61. It is not in Chapter 61. They are only clearing the areas, they are going to take the material out. He is cutting timber (a select cut) at the property to harvest and will replant before he moves on to another section according to the town by-law the property owner has the right to do what he will be doing with the land. The Board cannot tell him he cannot cut trees on his property. He has the right to use the road through the trailer park, but he is choosing not to. Mrs. Fournier spoke about some concerns that did not have anything to do with the Earth Removal Permit. Mr. Dufresne stated that those concerns had nothing to do with this special permit hearing. Mr. Cox stated that they purposely stayed outside of the Conservation jurisdiction so there will not be any issues. The Board called Joyce Eichacker of the Conservation Commission on the phone to answer questions about Mr. Veliz's concern about the gravel pit affecting the stream. She confirmed the proposed areas for the gravel pit are out of Conservation Commission's area of jurisdiction. She said the applicant should conduct best management practices to prevent material from entering the wetlands. If material runs into the wetlands then it will be in Conservation's jurisdiction and they can shut down the operation. Mr. Cox said there is good gravel in that area in which they could get a permit for, however they are doing everything in their power to not work in that area. This is the reason they will be staying away from the that area. Mr. Dufresne confirmed that abutting property owners were notified as well as the fact that there were not any e-mails opposing the special permit. The board let Mr. Cox know that the special permit will expire in 5 years and that the Building Inspector will conduct an annual inspection.

Motion to close the public hearing for Special Permit No. 301 made by Mr. Richard Eichacker; second Mr. David Dufresne- Roll Call Vote - Mrs. King- yes; Mr. Eichacker- yes; Mr. Dufresne- yes; Mr. Londergan- yes; Mr. Veliz- no- 4 yes votes; 1 no vote.

Motion made to accept Special Permit No. 301 for 727 Brimfield Road, LLC with conditions as discussed for area #1 made by Mr. Eichacker: second Mr. Dufresne - Roll Call Vote- Mrs. King- Yes; Mr. Londergan- yes; Mr. Dufresne- yes; Mr. Eichacker- yes; Mr. Veliz- no - 4 Yes Votes; 1 NO Vote.

Discussion on ZPT- Coy Hill Road Peer Review Funds-

Mr. Eichacker stated that he and Mrs. Eichacker of Conservation Commission spoke with legal about ZPT not giving any more funding for Peer Reviews. They were told that part falls on the Planning Board and part falls on Conservation Commission. Legal wants to see the conditions that Conservation have for ZPT so they can review them and get back to the Board. The Board wants to put this topic on the next meeting agenda.

Discussion on Special Permit and Site Plan fee schedule-

I (Jill Chalifoux-Miller) explained to the board that we the \$200 fee we currently have for Special Permits did not cover the Hearing Publication in the newspaper and the postage for all letters and documents that need to be mailed. I must use money from the Planning Board budget to cover the cost. We discussed the postage came to about \$40 over the

special permit application fee. The board discussed raising the fee for both Special Permits and Site Plans. The Board discussed what the increased fees should be.

Motion to increase the Special Permit application fee and the Site Plan application fee from \$ 200.00 to \$ 300.00 each made by Mr. Londergan; second Mrs. King— Roll Call Vote- Mrs. King- Yes; Mr. Londergan- yes; Mr. Dufresne- yes; Mr. Eichacker- yes; Mr. Veliz- yes- 5 Yes Votes.

Payroll/Bills/Budget-

Motion to approve and sign payroll in the amount of \$ 364.91, and \$ 240.60 for Jill Chalifoux-Miller made by: Mr. David Dufresne second Mr. Londergan - Roll Call Vote- Mrs. King- Yes; Mr. Londergan- yes; Mr. Dufresne- yes; Mr. Eichacker- yes; Mr. Veliz- yes- 5 Yes Votes.

Motion to approve and sign payroll in the amount of \$ 65.42 for Kathy Czub made by: Mr. David Dufresne second Mrs. King - Roll Call Vote- Mrs. King- Yes; Mr. Londergan- yes; Mr. Dufresne- yes; Mr. Eichacker- yes; Mr. Veliz- yes- 5 Yes Votes.

Motion to approve and sign Invoice # 43186 dated 5/6/22 for Turley Publications Legal Notice for Sp. Permit# 301- 727 Brimfield Road in the amount of \$174.16 made by Mr. Londergan; second Mrs. King- Roll Call Vote- Mrs. King- Yes; Mr. Londergan- yes; Mr. Dufresne- yes; Mr. Eichacker- yes; Mr. Veliz- yes- 5 Yes Votes.

Motion to approve and sign Expense Sheet in the amount of \$290.00 to purchase Stamps for Planning Board made by Mr. Londergan; second Mrs. King- Roll Call Vote- Mrs. King- Yes; Mr. Londergan- yes; Mr. Dufresne- yes; Mr. Eichacker- yes; Mr. Veliz- yes- 5 Yes Votes.

Motion to approve and sign minutes from May 09, 2022 as amended made by: Mr. Eichacker; second Mr. Dufresne - Roll Call Vote- Mrs. King- Yes; Mr. Londergan- yes; Mr. Dufresne- yes; Mr. Eichacker- yes; Mr. Veliz- yes- 5 Yes Votes.

Comments and Concerns-

Mr. Eichacker wanted to know about Agilitas and the saving of electricity costs to the town. He would like me (Jill) to send an e-mail asking for an explanation on how it will work.

The Board discussed the question of how clear cutting of land can affect natural water supply. The difference of possible water runoff on solar fields and the land of gravel pits.

Mr. Fournier spoke about how it is hard to read the Planning Board meeting agenda on the main page calendar of the town website. The Board spoke about how we can save it as a pdf so it will not be a background picture. It will be worked on before the next meeting.

Other Business-

None

Motion to Adjourn made by: Mr. David Dufresne second Mrs. Drue King - Call Vote- Mrs. King- Yes; Mr. Londergan- yes; Mr. Dufresne- yes; Mr. Eichacker- yes; Mr. Veliz- yes- 5 Yes Votes.@ 9:09pm

Next Meeting Date: May 23, 2022 @ 7:15pm

Respectfully submitted,

Jill Chalifoux-Miller

Secretary

Jill Chalifoux-Miller

6/27/2022

Date Approved

Members of the Board Signatures

[Signature]
[Signature]
[Signature]
[Signature]
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