

# Planning Board Meeting Minutes

2/1/2021

## Board Members

Present: Casey Campetti, Chuck Walkovich, Jennifer Gingras, Joyce Morrow, Paul Loneran

Absent: Al Patenaude

Staff: Lisa Davis, Planning Consultant, Cheryl Lutzka, Administrative Assistant

Guests: Andrew MacLean, Town Administrator; Anthony Beattie, Selectman; Paula Terrasi, Conservation Commission; Mark Matthews, MPIT; Ken Kalinowski, Town Engineer; Steve Themelis; Deb Fountain, MPIT; Emily Scerbo, Tighe & Bond; Kim Blood; Sherrill Rosoff

### 1. Call to Order

The meeting was called to order by Chair Campetti at 7:00PM

### 2) Acceptance of Minutes

- a. **January 19, 2021** – The Minutes were accepted as written by motion from Mr. Walkovich, seconded by Mr. Loneran. All in favor.

### 3) Plan Endorsement

#### a. Revised ANR for 27 Shirley Street (Blood Family Trust)

Ms. Davis reported that the only revision on the ANR for 27 Shirley Street was the addition of the Trustee name which was not included on the original ANR presented to the Planning Board. A new mylar and plans would need to be signed by the Planning Board members; no fee charged as the change was a minor one.

Mr. Loneran moved to accept the revised ANR for 27 Shirley Street to include the Trustee name; seconded by Ms. Morrow. All in favor.

### 4) Action Items

#### a. Kaiser Farm Right of First Refusal

Ms. Davis explained the background on the Kaiser Farm property stating that the Planning Board already approved the ANR at an earlier meeting and this was a follow up discussion. She noted that before the Select Board recommends right of first refusal, all Town Boards would need to review whether the property is valuable to the town. Ms. Terrasi, from the Conservation Commission, reported that this 8-acre parcel, zoned under Chapter 61, would be discussed at their meeting on February 2, 2021, and that the Board of Assessors would also discuss this at their next meeting. Once the Boards make their determinations, they would forward them to the Select Board for a final decision. Ms. Morrow asked if there was any significance or potential value of this property to the Town in any way, shape or form. A brief discussion ensued about value of this property to the Town. Mx. Campetti stated that the Planning Board's primary focus tonight was whether to recommend the right of first refusal to the Select Board or not.

That said, Ms. Morrow moved that the Board vote to recommend to the Select Board that the Town Not exercise the option to purchase the property at 74 Brookline Street, as described in

the Notice of Intent to sell received from Attorney Richard Shea on behalf of property owners Jon and Anne Kaiser. Mr. Lonergan seconded. All in favor.

**5) Reports/Correspondence/Discussion**

*(Matters may arise that the chair didn't reasonably anticipate)*

**a. Discussion with Town Administrator, Andrew MacLean, relative to a possible Town Meeting Article to adopt Table of Use Changes**

The Town Administrator, Mr. MacLean, opened the discussion by asking for support from the Planning Board on adopting changes to the Table of Uses. Using his slide presentation, he reviewed the list of changes being requested. By changing the Table of Uses from "No to Special Permit" by the Planning Board, zoning changes for the Peter Fitzpatrick School (Peter Fitz Collaborative) could offer additional business opportunities to the following groups:

- *Business of Professional Offices*
- *Personal Service establishments*
- *General Service establishments*
- *Medical Centers or Clinics; excluding Methadone Clinics*
- *Light Manufacturing/Research labs*
- *Commercial Kitchens – this is a new category that would be added*

Mr. MacLean noted that there was a need for a future comprehensive review of Pepperell's zoning as it now stands, but this would take approximately 2-3 years to process and revamp. Changing the Table of Uses would allow for small incremental changes in the zoning district from the Rotary to 1 Main Street. A lengthy discussion took place regarding strategies to review the current residential zoning district on Main Street, using GIS technology and mapping to see how these changes would impact the residents and their properties. The Planning Board is going to review the GIS and maps of this zoning district, reviewing the feasibility of changes and whether they would be beneficial to the Town and its residents.

Mx. Campetti asked Mr. MacLean the timeline necessary to submit a warrant article. Mr. MacLean stated that a Public Hearing would have to be scheduled 60 days prior to the Town Meeting to obtain public comments. Warrant articles are due March 19, but can still be tweaked until closer to the actual Town Meeting in May.

As the discussion wound down, Mx. Campetti asked the Board if they would like to review the implications of the changes to the Table of Uses before the next meeting in order to make an informed decision. Mx. Campetti asked Mr. MacLean how they would get the data necessary to review this material and he stated he would send the necessary documentation to the Board for their review.

**b. Stormwater Bylaw**

Mr. Ken Kalinowski, Director of the DPW and Town Engineer, presented his report on the new Stormwater Bylaw. This meeting and discussion were a follow up from an earlier August meeting, but he was at the meeting now to discuss the whats, whys and hows of the Bylaw. The Bylaw was posted on the video screen so everyone could read the document. The MS4 Municipal Assistance Grant Program of 2014 requires a Stormwater Bylaw for every municipality in Massachusetts. This will be a General Bylaw appended to the Code of Pepperell and can be approved by a simple majority vote at the Spring Town Meeting. Once approved by Town Meeting there is a 90 interval during which the Attorney General's office reviews and eventually approves the Bylaw.

The two items on the Bylaw are as follows:

- *Prohibit Pollution discharged into the Storm Drain*
- *Manage Stormwater from development and redevelopment projects*

Mr. Kalinowski suggested that the authority for overseeing this Bylaw would rest with the Planning Board. Working with the Planning Board, there will be a Stormwater Committee created that will consist of the Planning Board, the Town Engineer, the Conservation Commission member, and the Superintendents of the Highway and Water/Sewer.

Ms. Scerbo, from Tighe and Bond stated that there will be a generic template detailing all rules and regulations that will accompany the Bylaw, spelling out performance standards. This packet can be distributed to all developers by the Planning Board to ensure that they adhere to the new Bylaw and regulations. The Bylaw and regulations will be posted on the Town website to be available to all residents and developers.

Mr. Kalinowski noted that because the Planning Board interfaces with the public, they are the best resource for permitting and enforcement of the new Stormwater Bylaw. The Stormwater Committee will handle all the day-to-day activities but the final granting will be determined by the Planning Board, ensuring all paperwork is completed and projects done properly.

Additional discussions took place regarding

- Who the enforcement officer should be and that was not formalized at this meeting.
- What are allowable and not allowable discharges into the Stormwater drains. Mr. Kalinowski stated that chlorinated pool water, sump pumps, floor drains and pet waste are not allowable.
- Ms. Morrow asked about how Stormwater drainage would be affected by either impervious surfaces or curb cuts, and if one was more damaging than another. Mr. Kalinowski stated that there really was no difference.

Mx. Campetti asked Mr. Kalinowski whether a formal recommendation was necessary from the Planning Board. Mr. Kalinowski stated that he would like the Planning Board to sponsor the Stormwater Bylaw Article at the Spring Town Meeting. Mr. Walkovich asked if the Board could see a draft of the Bylaw and Regulations page so they would review the document. Mr. Kalinowski stated that a placeholder on the Town Warrant could be added while the Planning Board reviewed the article. Ms. Scerbo noted that the Planning Board could get a copy of the draft by the next meeting. Ms. Davis suggested that the discussion on this warrant article take place at the March 1 meeting instead, giving the Planning Board ample time to review the documents. Ms. Scerbo also noted that this document was using an already existing model and modifying it to fit with the Town of Pepperell's needs. Mr. Kalinowski stated that approving the Bylaw will meet the year's permit requirements with the EPA.

Mr. Beattie, Selectman, offered a suggestion that the Planning Board hold a Public Hearing on this Bylaw so that the public could be more involved. He feels that existing homeowners may be affected with the run-off situation and should be advised of the new regulations. Mr. Kalinowski agreed that it would be a good idea to hold a Public Hearing to allow comments. It was suggested that the Hearing be posted as an announcement on the Town website and send out invitations to the Committees and Boards to get the word out. Mx. Campetti noted that the Board will think about the best way to capture public input.

**c. Local Resources Recovery Planning Grant**

Ms. Davis received an email from the state approving the grant application. Once an official letter from the Governor's office is received the committee can move forward. It is her understanding that a consultant will be assigned to the committee, but a committee will need to be created to work on the grant. There will also be a webinar mid-Feb providing training. The focus on the Grant is to assist downtown businesses who have been negatively affected by COVID and determine what actions, improvements are available to aid businesses. Jennifer Gingras volunteered to represent the Planning Board on this 8-person committee.

**d. Master Plan Priorities**

Due to time constraints, this item was tabled

**e. Master Plan Implementation Team Update**

Ms. Fountain presented the MPIT Summary Report of Recommendation Changes by posting the pages on video for everyone to review. There was a lengthy discussion reviewing modifications/edits/deletions for the following groups of recommendation items:

- *Stormwater – 4 items*
- *Design guidelines – 6 items*
- *Historic structures - 2*
- *Miscellaneous Major change requests - 6*

After the discussion ended, Mx. Campetti called for a motion to accept the MPIT Recommendations Table as discussed. Mr. Lonergan moved to accept this document with changes recommended by MPIT; seconded by Ms. Morrow. All in favor.

**6) NMGOG Update/DLTA Funding Request**

Ms. Davis reported that it is time to address DLTA funding. In years past we have received assistance from NMCOG for our work on the Master Plan, Community Compact, Housing Production plan, and the Hazard Mitigation plan. Ms. Davis suggested we ask for funding to help with: 1. OSRD (Open Space Residential Development) and 2. Design Guidelines. After a brief discussion, Mx. Campetti asked if anyone had any other suggestions and Mr. Walkovich stated that both Ms. Davis' suggestions were within NMCOG's wheelhouse and agreed they fit in well with what the Planning Board was already doing. All Board members agreed this was the right plan and that Ms. Davis should prepare the document and submit it to NMCOG.

**7) Future Meeting(s)**

**a. Tuesday, February 16, 2021**

**b. Monday, March 1, 2021**

The meeting was adjourned at 9:30PM by motion from Mr. Walkovich, seconded by Ms. Morrow. All in favor

Respectfully submitted by Joan Ladik