

WARREN PLANNING BOARD
MINUTES OF AUGUST 26, 2009

Present: Mr. Marc Richard; Vice-Chairman, Mrs. Susan Libby, Mr. Peter Krawczyk and Mr. David Messier

Absent: Mr. Bill Ramsey

Attendees: Bill Scanlan, Patricia Burnham, Donald Graves, Jeff Walsh, Scott Charpentier, Chris Dunphy and Jon Callahan

Opened the Meeting at 6:00 PM

Mrs. Burnham addressed the Board this evening regarding an ANR plan for a property currently owned by Jerome Diamond on Coy Hill Road. (Map 3, Lot 151) The Planning Board dating back to July 11, 1987 signed an ANR plan that was incorrectly filed with the Registry of Deeds under the Town of Winchendon. The plan shows a parcel of land with 27 plus acres, however with only 125' of frontage. Zoning by-laws were enacted in 1984, requiring parcels of land in the rural district to have a minimum of 150' of frontage. Planning Board Minutes from 1987 will be reviewed to see if there is an answer as to why a plan would have been signed with insufficient frontage. The possibility remains that it could be a protected lot. The secretary will check into the matter and will advise Mrs. Burnham.

Motion to accept the Minutes of July 22, 2009 as written made by Mrs. Libby; second: Mr. Krawczyk - unanimous.

At the direction of the Planning Board, Mr. Scanlan sent out three Requests for Qualifications (RFQ) to area engineering firms. The purpose is that under the newly adopted Site Plan Review, the Board has the right to have an independent consultant review a plan on behalf of the Town. Out of the three requests, two were returned; Donald Graves from Graves Engineering and Scott Charpentier from Lenard Engineering. Both firms are on the agenda this evening to be interviewed.

Donald Graves: Mr. Graves, President and Principal Engineer of Graves Engineering submitted a RFQ for consideration. Both he and his Project Manager, Jeff Walsh was present. Mr. Graves began by thanking Mr. Scanlan and the Board for the opportunity for consideration for engineering consultation. He stated that his company is a Civil Engineering firm based out of Worcester whose clients are primarily municipal. The largest focus is for Planning Boards. Mr. Walsh would perform 95% of the work, however has a full staff that specializes in their own field, such as Conservation issues, designing and managing wastewater projects, parking lots and all aspects of Title V Systems. Mr. Richard questioned how his company assessed fees. Mr. Graves stated that he prefers an hourly rate, allowing his firm to do quality work. Approximate turnaround would be 2-3 weeks. After additional discussion, the Board requested that a contract be sent for review. Mr. Graves will e-mail a contract to Mr. Scanlan.

Scott Charpentier: Mr. Charpentier, Branch Manager of Lenard Engineering, Inc. also submitted a RFQ as requested. Mr. Charpentier is very familiar with the Town of Warren. Lenard Engineering has worked on many projects for the town to date. His fees are \$125.00 per hour for Branch Manager and Principal Engineers ranging from \$90.00 to \$95.00 per hour. Mr. Charpentier did state that some easy developments that are located on difficult sites could drive up the cost. His proposal to provide a fee estimate on a project within several days and with a thorough submission he could provide a comment letter within a week. Like Graves Engineering, he too will send a contract for review.

Note: All fees for projects that require peer review will be at the expense of the developer. Also, neither company has done work for any private individuals in the Town of Warren.

Chris Dunphy: Mr. Dunphy stopped by this evening to discuss Crescent Street. He just finished speaking with the residents on Crescent Street regarding the CDBG project. Consideration is under way to convert Crescent Street into a one-way street. Entrance would be from Southbridge Street and exiting onto Comins Pond Road. Mr. Dunphy explained that the decision is under local jurisdiction and would request the Planning Board to consider such a change. A letter will be sent to the BOS stating support for changing Crescent Street into a one-way street as discussed.

Jon Callahan: Mr. Callahan requested to speak with the Board this evening to discuss the situation on Rte 19 and the Cease and Desist Order to Mr. Fountain. With and agreement with Jim Fountain, Palmer Paving has been hauling and storing road grindings in Mr. Fountain's gravel pit (SP#205). Zoning by-laws prohibit the storing of road grindings unless specified in the Orders of Conditions. Mr. Fountain does not have that stipulation. Mr. Callahan asked if an extension could be allowed. Mr. Richard stated that at this point the Planning Board does not have any say in the matter and he should contact the Zoning Enforcement Officer for an opinion. Mr. Callahan stated that Palmer Paving Company would make a good faith attempt in removing all material within the 7 days in order to comply. Mr. Richard who spoke on behalf of the Board stated that all parties are aware of the positive contributions that he and his company have made to the town and have the utmost respect for the entire Callahan Family and their company.

Motion to sign payroll for Rebecca Acerra in the amounts of \$258.40 and \$210.80 made by Mr. Messier; second: Mrs. Libby - unanimous.

Motion to reappoint Mr. Krawczyk to be the CMRPC delegate for Warren made by Mr. Richard; second: Mr. Messier - unanimous.

The Board reviewed the MIIA deductible for 11 Quaboag Street.

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Motion to sign the Telegram & Gazette invoice in the amount of \$117.99 for advertising (encumbered funds) made by Mr. Messier; second: Mrs. Libby - unanimous.

After a discussion, the Board was unanimous in forwarding a letter of concern to the Attorney General's Office regarding a possible violation of Open Meeting Law.

A letter will be sent also to Palmer Paving Company reiterating the Board's position in this matter.

Lastly, in a review of the Special Permit file (#205) for James Fountain for his gravel pit on Rte 19, it has been noted that the Letter of Credit has expired. This is a condition of Section 8.6.14 that is currently not in compliance. A letter will be sent to Mr. Fountain requesting a current letter/bond as required.

Motion to Adjourn made by Mrs. Libby; second: Mr. Messier - unanimous at 8:45 PM.

Respectfully submitted,

Rebecca Acerra
Secretary

Date Approved _____