

**WARREN PLANNING BOARD  
MINUTES OF AUGUST 15, 2012**

Present: Mrs. Susan Libby; Vice-Chairman, Mr. Peter Krawczyk, Mr. David Messier, Mrs. Melissa Sepanek and Mr. Bill Scanlan

Absent: Mr. Bill Ramsey

Attendees: Richard Cook, Greg Hering, Roger Freeman, Ed Kretkiewicz and Gerry and Janelle Morin

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Opened the Meeting at 6:00 PM.

**Comments and Concerns: None**

Motion to accept the Minutes of July 11, 2012 as written made by Mrs. Sepanek; second: Mr. Krawczyk - 3 Yes Votes. (Mr. Messier abstained due to absence)

Motion to accept the Minutes of July 26, 2012 as written made by Mrs. Sepanek; second: Mr. Krawczyk – 3 Yes Votes. (Mrs. Libby abstained due to absence)

Motion to sign payroll for Rebecca Acerra in the amounts of \$185.12, \$113.92 and \$170.88 made by Mr. Krawczyk; second: Mrs. Sepanek – unanimous.

Motion to sign two invoices for Wm. Scanlan, both in the amount of \$1,300.00 made by Mrs. Sepanek; second: Mr. Krawczyk – unanimous.

The Board reviewed the Expenditure Report for July 2012. After the review, the Board made the following motion: Motion to purchase the Massachusetts Land Use and Planning Law Supplement in the amount of \$155.00 made by Mr. Messier; second: Mrs. Sepanek – unanimous.

**6:15PM – Continuation of the Public Hearing for Michael Garrepy for SPR#15.** Documentation that has continually been requested from Mr. Garrepy has yet to be provided. Mrs. Acerra called MASS DOT again (4<sup>th</sup> time) today and their representative stated that Mr. Garrepy has not submitted his application for the street entrance permit. With no interested parties in attendance this evening, the Board agreed to send a letter to Mr. Garrepy with a final continuation date of September 19, 2012 at 6:15PM. Final action will be taken at that meeting. Mr. Messier disagrees and feels that the board should act this evening and deny the application. Mr. Messier went on to say that the applicant expressed time as being an issue and the Board once again accommodated the applicant by having additional meetings only to have them fail to provide the needed information. A letter will be sent to Mr. Garrepy notifying him of tonight's outcome. With no further discussion, the following motion was made: Motion to continue the Public Hearing to September 19, 2012 at 6:15PM made by Mr. Krawczyk; second: Mrs. Sepanek – 3 Yes, 1 NO vote by Mr. Messier.

**Richard Cook** – Mr. Cook presented an ANR for a small portion of land on Coy Hill Road. The plan is for Samuel Sawyer. The portion of land is NOT a building lot and does not meet the current zoning (Lot 150A). After a review, Mr. Scanlan noted that the narrative on the plan conflicts with the intent. All, including Mr. Cook agree that it is an error and will be corrected. Mr. Cook will do a new set of plans with the proper wording and provide them to the office. Motion to sign the ANR for Samuel Sawyer for Lot 150A, with proper wording made by Mrs. Sepanek; second: Mr. Messier – unanimous.

**Solventerra, LLC/Morin Solar, LLC** – Roger Freeman, President of Solventerra, LLC, addressed the Board this evening regarding their Site Plan Review Application No. 16, 17, 18 & 19. The proposal is for the construction and operation of four (4) 1.4 MW ground-mounted solar energy facilities, which would be located on Little Rest Road. The property is owned by Gerard and Janelle Morin. Mr. Freeman addressed the issue of outstanding back taxes on the property.

According to the most current tax records, Mr. Morin owns property that is in tax title with an amount due in excess of \$57,000.00. The Town of Warren General Bylaw Article X, Section 15, states in part, *“Any holder of or applicant for a local license or permit issued by any board, officer or department of the Town, who has neglected or refused to pay any local taxes, fees, assessments, betterments, or any other municipal charge shall have said license, permit or application suspended, revoked or denied.”*

With that understanding, Mr. Freeman stated that a construction mobilization payment is built into the project and is willing to pay the town directly in order to move the project forward. However, the financing is dependent on a positive Site Plan Approval.

The Board is willing to work with the landowner and developer on this project, however feel that a legally binding agreement would be required. Mr. Freeman stated that he is more than willing to provide such a document. As always in a case such as this, the Board will request from the Board of Selectmen to use town counsel’s services to ensure financial protection to the town. The issue of the property being in Chapter 61A was also discussed. Mr. Freeman and Mr. Hering will contact the Board of Assessor’s Office in order to address this matter. The Board is required to act on the application, therefore a public hearing will be set for Wednesday, September 5, 2012 at 6:30 PM. Lenard Engineering, Inc., will be notified to proceed with the peer review.

Motion to Adjourn made by Mrs. Sepanek; second: Mr. Krawczyk – unanimous at 7:20 PM.

Respectfully submitted,

Rebecca Acerra  
Secretary

Date Approved \_\_\_\_\_