

PLANNING BOARD  
THURSDAY, NOVEMBER 10, 2022  
RESOURCE ROOM

Attendance: Vice chair Jake Schultzberg, Ernie Marks, Aaron Socrat, Meg Schlesman, Richard Preston, Mike Greco, Mike Zwicker, Matt Benoit Community Development Director

Absent: Chair Tracy Sharkey

Vice Chair Jake Schultzberg called the meeting to order at 7:00 PM.

1. (7:00 PM) (0:09) Citizens Forum: Call for Public Comment: NONE
2. (7:00 PM) (0:20) ANR's: Joseph Rd – JMT Sleepy Hollow – Possible Votes  
Jeff Stefanik with Guerriere and Halnon joined remotely to request an ANR plan that is a boundary line adjustment over at Sleepy Hollow on the east side of Joseph Road, there are a couple of small parcels of land that are intended to be conveyed to the Hendrickson's at 17 Monroe Street. Mr. Benoit stated that it meets all the requirements of the towns ANR. There was discussion about the fence that was talked about along the property lines. If the property is now going to be owned by someone else before the fence goes up. Mr. Benoit stated that he will reach out to the developer about the concerns about the fence. There was also a question about the retaining wall from the board. Mr. Stefanik stated that the ANR meets the standard requirements by state law and that these requests are beyond the statutory requirements, and the ANR deals legally with the boundaries and these other issues are valid issues but are not statutory required issues.  
(7:07 PM) (7:54) Motion to endorse the ANR made by Ernie Marks, seconded by Mike Greco. Roll call vote – Ernie Marks, Aaron Socrat, Meg Schlesman, Richard Preston, Mike Greco, Mike Zwicker all in favor.
3. (7:09 PM) (9:07) Public Hearings: NONE
4. (7:09 PM) (9:11) Additional Business:
  - a. (9:17 TS) Bond Reduction Request – Sleepy Hollow  
Mr. Benoit sent this off to peer review and do not have a response yet.
  - b. (9:47 TS) Whitin Heights Progress  
The applicant is getting ready to pave and wants to put on the top course, so Mr. Benoit engaged the consultant from Lenard to take a look at the storm water system before they start paving. They identified that the basins need to be cleaned out and anything else that involves large equipment before the top course is put on. The building commissioner was there today to check out the work and felt that they didn't do what they could have to the basin at the end of the street so Mr. Benoit is sending the consultants out there again to verify before the paving.
  - c. (11:48 TS) 93 Davis St – Update  
Mr. Benoit received an email from Ms. Matson the owner of the property that he passed along to the Matt Wojcik the Town administrator for his interpretation. Mr. Zwicker has inquired about her doing the topcoat to the parking lot, because it has been 1 ½ years since she was supposed to have had it done. The board would like to see Ms. Matson come to the next meeting and they will await Mr. Wojcik's comments on this matter, and to request that the town council give options for the board on how to proceed.  
(14:40 TS) Motion to request town council opinion made by Mike Zwicker, seconded by Richard Preston. All members in favor.

d. (15:28 TS) 466 NE Main St – Upton Site Remediation – Update

Eugene Bernat vice president of Cover Technologies along with Bruce Haskell the environmental engineer is presenting and Allen Engineering prepared all of the survey documents. Mr. Haskell gave the board the history of the project for those that were not on board back in 2013. The conditions of the permit that the previous town of Douglas engineer felt fell under the preview of the board are the establishment of 3 to 1 slopes and their vegetation and the collection of all drainage to be kept on site and directed towards a detention basin at the rear of the site. Around 2015 the owner of Cover Technologies decided they didn't want to continue with the project and they approached the town and Bill Cundiff and said they were done with the project per the terms of the agreement and Bill Cundiff told them no they were not done and they were not returning their bond because the slopes are not at 3 to 1 and that resulted in the previous owner of the company suing the town for the return of the bond proceeds of \$50k. Mr. Bernat had left the company during the years of the litigation, returned around 2019, and contacted Bill Cundiff to resolve the issues and Mr. Bernat agreed to withdraw the lawsuit and continue the project to completion. Cover Technologies hired a new environmental engineer to redo the soil management plan and other issues involved which they have done and have reached final grades, during which they discovered issues with original grading plan that would have destroyed the sawmill and a buffer between the properties, so the grading plan was revised which resulted in higher final elevations of the platform but everything remained the same. Mr. Bernat stated that the project is complete and they do not have any intention on doing anymore work. Mr. Bernat approached the board with a written request to return the bond based upon the slopes being complete and vegetated and the basin being constructed. Mr. Benoit asked that they substantiate that with an as built, and he stated that he has sent it off to Jeff Walsh at Graves Engineering for peer review which Mr. Walsh has provided the town with a work program and just need to collect payment so that he can complete the review.

e. (26:55 TS) BlueWave Solar Bond Agreement – Possible Votes

Aaron Simms with BlueWave Solar joined remotely. This is the Oak Street solar farm, so Mike Zwicker will recuse himself from the discussion. There are 3 separate bonds that the board approved back in July and what is left if the matter of executing the bonds. Mr. Benoit stated that he sees no issues with this the only thing he requested was the bond be separate and they have done that. The board asked if the town council has reviewed this and Mr. Benoit stated that yes the town council has reviewed the decommissioning agreement back in July.

(30:55 TS) Motion to execute the decommissioning fund agreement made by Ernie Marks, seconded by Aaron Socrat. Roll call vote – Ernie Marks, Aaron Socrat, Meg Schlesman, Richard Preston, Mike Greco all in favor, Mike Zwicker abstains.

5. (7:31 PM) (31:44) Ongoing Development:

a. (31:49) ASD Wallum Lake Solar, 269 Wallum Lake Road (SPR-181002)

Mr. Benoit stated that the town should be expecting an as built plan for this project, which will be for the entire site not just the stormwater system that board had requested.

6. (7:32 PM) (32:15) Minutes: September 8, 2022 & September 22, 2022 – Possible Votes

(7:32 PM) (32:47) Motion to approve the September 8, 2022, meeting minutes as presented made by Mike Greco, seconded by Ernie Marks. Roll call vote – Ernie Marks, Aaron Socrat, Meg Schlesman, Richard Preston, Mike Greco, Mike Zwicker all in favor.

(7:33 PM) (33:46) Motion to approve the September 22, 2022, meeting minutes as presented made by Mike Greco, seconded by Ernie Marks. Roll call vote – Ernie Marks, Aaron Socrat, Meg Schlesman, Richard Preston, Mike Greco all in favor, Mike Zwicker abstains.

Upcoming Meetings: December 8, 2022 & January 12, 2023

(7:36 PM) (36:00) Motion to adjourn the meeting made by Ernie Marks, seconded by Mike Zwicker. Roll call vote – Ernie Marks, Aaron Socrat, Meg Schlesman, Richard Preston, Mike Greco, Mike Zwicker all in favor.

Respectfully submitted,

Stephenie Gosselin, recording secretary