

**Town of Greenville
Planning Board**

Minutes – November 18, 2021

Call to order at 7:00 p.m. Present: Chairman Michael Sadowski, Vice-Chair Miles Horsley, and BOS Ex-officio Tara Sousa, Administrative Assistant Melissa Horsley

Marie Bradley of 727 Fitchburg Rd. had some questions regarding Greenville Recycling. She asked what the time frame was for Greenville Recycling to make repairs to their silt fences that had failed. Due to the failure of the fences, large amounts of water come through her property. The culvert on her property cannot handle the amount of water that is coming down from the hill. Chairman Sadowski told her that it would be a civil matter. Mrs. Sousa said that the code enforcement officer could enforce the site plan, and could possibly force them to come into compliance with their site plan. Mrs. Sousa suggested that Chairman Sadowski could contact Chad from Fieldstone to address the issues regarding site plan compliance.

Mrs. Bradley also asked about the piles of crushed concrete which is creating a dust issue on her property. Looking at the site plan, the crushed concrete is to be stored on the west side of the property and in piles not more than 50ft high. Chairman Sadowski said that they had been approved for doing that work, and storing the materials. Mrs. Bradley said that if Greenville Recycling had not removed the trees in the back of her property, less dust would be getting onto her property. Vice-Chair Horsley asked when the trees had been cleared, Mrs. Bradley said they had been removed starting in 2019 and finished in 2020. Vice-Chair Horsley asked if there was any stipulation regarding nuisance materials. Mrs. Sousa said that the code enforcement officer would have to inspect the area to check for and enforce compliance. Mrs. Bradley said that there was no problem with dust until the crushed concrete started to be piled up in the field. Chairman Sadowski said he would reach out to Chad on that issue as well. Mrs. Sousa said that code enforcement was waiting for his recommendations regarding water problems and silt fence failures on the site.

Mrs. Bradley mentioned the amount of water coming onto her land and washing out her garden. Greenville Recycling had brought in material to replace what had been washed away. She said that there are two main areas being washed out, and that there is a split along one of the banks that the water is coming down from, and she said that it looks as though it is about to give way.

Chairman Sadowski read out the anticipated hours of operation from the site plan. Besides weekday hours, they reserved the right to be open a maximum of 12 Saturdays per year from 7am-1pm. Chairman Sadowski said that just from walking through the woods, he has heard them operating on Sundays. He asked if he should talk to the code enforcement officer about enforcing the hours of operation. Mrs. Sousa replied that it would be a challenge not only to document the instances they were open, and distinguishing whether they were open and receiving materials, or just operating.

Mrs. Bradley asked if Greenville Recycling was allowed to use the emergency access road for receiving loads of materials. Mrs. Bradley said she probably has some pictures of that road being used by non-emergency vehicles.

Mrs. Sousa asked if there is a compliance review at the end of each phase of the project. Chairman Sadowski stated that they only started that with the Barton's Ridge project. Chairman Sadowski said that they would not be able to do a compliance hearing without having stipulated it at the beginning of the project. He said that the Building Inspector could refuse to issue a building permit until the rest of the site was in compliance with the site plan. Chairman Sadowski told Mrs. Bradley that she should document any violation of their site plan going forward.

Chairman Sadowski asked Mrs. Sousa if the Select Board had made any decision regarding the ordinances. Mrs. Sousa said that the Select Board was not able to give an answer on such short notice. She said that they had had some reservations about increasing the lot size with regard to water and sewer, and that it would be further discussed at their next meeting.

Chairman Sadowski said, regarding ADU's, he took portions of regulations from other towns. Vice-Chair Horsley suggested that the 600sq.ft. minimum should be removed with no minimum, allowing the size of the ADU to be at the discretion of the owner. Chairman Sadowski said that he would like to have some minimum in order to make sure of a decent living standard. Mrs. Sousa suggested having no minimum, but setting the maximum square footage to 750sq.ft. The proposal was amended to state that the ADU shall not have an area greater than 750sq.ft, with no minimum, and having no more than two bedrooms.

Vice-Chair Horsley suggested removing number 5, which stated that the ADU could not reduce the area of the principal dwelling. Chairman Sadowski stated that it should remain since it meant that the ADU could not be larger than the principal dwelling area. Vice-Chair Horsley suggested clarifying section 9, to make it clear that the septic must already have been certified for the amount of bedrooms that the ADU would add, instead of needing to be re-certified.

Mrs. Sousa asked about the section about the address of the ADU being assigned by the fire chief. Chairman Sadowski stated that an ADU should have its own address since mail would need to be received there, and emergency services would need to know which unit to respond to. Vice-Chair Horsley said that under the new law, an ADU cannot be a separate residence, since it would have to have access to the main dwelling, and should not have its own exterior entrance. Mrs. Sousa stated that the law did not prohibit a separate exterior entrance, and it only required a common wall door. Vice-Chair Horsley suggested that prohibiting an exterior door in order to reduce the possibility of ADU's being used in ways not intended by the law. Chairman Sadowski said that the way the law was changed, meant that the purpose of the ADU was changed and such restrictions may not stand a legal test. Mrs. Sousa suggested asking about prohibiting an exterior door on NHMA, as well as to Byron Bedard.

Motion by Mrs. Sousa, 2nd by Vice-Chair Horsley, to accept the minutes of the October 21, 2021 meeting as presented.

Motion carried with 3 in favor, none opposed.

Motion by Vice-Chair Horsley, 2nd by Mrs. Sousa to accept the minutes of the November 4, 2021 meeting as presented.

Motion by Mrs. Sousa, 2nd by Mr. Horsley, to adjourn at 8:19 p.m.

Motion carried with 3 in favor, none opposed.

Respectfully submitted,
Melissa Horsley
Planning Board Administrative Assistant

Approved by:
Greenville Planning Board



Michael Sadowski, Chairman

Miles Horsley, Vice Chairman

Tara Sousa, BOS Ex-officio