

TOWN OF CHESHIRE

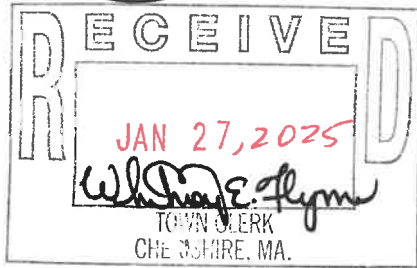
191 CHURCH STREET | CHESHIRE, MASSACHUSETTS 01225
PHONE (413) 743-1690

WWW.CHESHIRE-MA.GOV

PLANNING BOARD

FOR ADMINISTRATIVE USE ONLY

PETITION #: PB002



Record of Proceedings for #PB002 January 22, 2025

Pursuant to a notice duly filed with the Town Clerk, a public hearing of the Planning Board was held in person at 191 Church Street (Meeting Room) on Wednesday January 22, 2025, at 6:00PM.

Members Present: Aaron Singer, Chairman; Amy McCarthy, Member; Peter Traub, Member; Francis Griswold, Member; Dan Skorcz, Member; Art Kaufman, Alternate.

Others Present: Mia Francesconi, Executive Assistant; Theodore F. Jayko, Applicant for #PB002; Stephen N. Pagnotta, Representative for #PB002; Jamie Meracle, Representative for #PB001; Stephen Marko, Chairman of the Zoning Board of Appeals; John Barnett, Adams Fire District; Christopher Flynn.

A. Singer opened the public hearing for #PB002 ("A Special Permit Application and/or extension and modification of conditions listed in a 1995 Notice of Decision, for the removal of sand, gravel, and other earth materials at Parcel ID No. 228-009 off Harbor Road submitted by Theodore Jayko, represented by Stephen N. Pagnotta, Esq.") at 6:02PM.

T. Jayko explained that he'd like the condition requiring review of the special permit every six months to be changed, and, if possible, the hours of hauling to be extended. S. Pagnotta stated that the monitoring wells that were conditioned in the 1999 Notice of Decision were capped in the early 2000s, and his client is already required to keep a specific distance away from them, so it may be beneficial to remove that condition as well. J. Barnett explained that for the Adams Fire District wells, the water supply is not under the "direct influence" of groundwater. They have active 24/7 monitoring on their wells, so if there were any issues, they'd know about it right away. He stated that T. Jayko's work isn't bothering their wells one bit.

Discussion ensued amongst Planning Board members.

A. Singer opened the hearing for public comment at 6:45PM. No public comment. A. Singer closed the hearing for public comment at 6:45PM.

A motion was made by D. Skorcz and seconded by P. Traub to grant Theodore F Jayko a Special Permit and/or extension of a special permit granted in 1995 for the removal of sand, gravel, and other earth materials, encompassing the modifications to the 1995 (Original) conditions made in both 1999 and 2003, with the following modifications to those conditions:



TOWN OF CHESHIRE

191 CHURCH STREET | CHESHIRE, MASSACHUSETTS 01225
PHONE (413) 743-1690

WWW.CHESHIRE-MA.GOV

PLANNING BOARD

FOR ADMINISTRATIVE USE ONLY

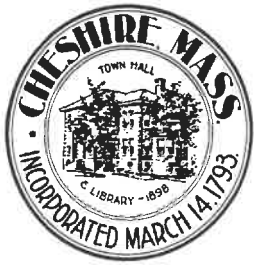
PETITION #: PB002

- 1995 (Original) Granting Condition #1 shall be removed. (See attachment #1 on Notice of Decision, Notice of Decision dated May 1, 1995)
- 1995 (Original) Granting Condition #6 and 2003 Granting/Modification Condition #2 shall be modified to read; "Hours of hauling material from the permitted site shall be 8:00 a.m. to 4:00 p.m., Monday through Friday. Site work at the permitted site is allowed from 7:00 a.m. to 4:00 p.m., Monday through Friday." (See attachment #1 on Notice of Decision, Notice of Decision dated May 1, 1995 and attachment #3 on Notice of Decision, Notice of Decision dated May 12, 2003)
- 1995 (Original) Granting Condition #7 shall be modified to read; "Up to seventeen (17) truckloads of earth materials may be removed during each day of operation, subject to the conditions of condition #6." (See attachment #1 on Notice of Decision, Notice of Decision dated May 1, 1995)
- 1999 Granting/Modification Condition #3 shall be removed. (See attachment #2 on Notice of Decision, Notice of Decision dated August 3, 1999)
- 1999 Granting/Modification Condition #4 shall be modified to read; "Any citations of violation issued by the Town of Cheshire Zoning Enforcement Officer, the Commonwealth of Massachusetts, or any other authorized agency will revoke this special permit until proof is shown that the violation has been corrected." (See attachment #2 on Notice of Decision, Notice of Decision dated August 3, 1999)
- 1999 Granting/Modification Condition #5 shall be removed. (See attachment #2 on Notice of Decision, Notice of Decision dated August 3, 1999)

Vote: Unanimous

Motion Carries: 5-0

A. Singer closed the public hearing for #PB002 at 6:57PM.



TOWN OF CHESHIRE

191 CHURCH STREET | CHESHIRE, MASSACHUSETTS 01225

PHONE (413) 743-1690

WWW.CHESHIRE-MA.GOV

PLANNING BOARD

FOR ADMINISTRATIVE USE ONLY

PETITION #: PB0002

Respectfully Submitted,

Mia Francesconi - Executive Assistant

Aaron Singer – Chairman
Planning Board