

TOWN OF DUDLEY

MASSACHUSETTS

PLANNING BOARD

DUDLEY MUNICIPAL COMPLEX, ROOM 308
71 WEST MAIN STREET, DUDLEY, MA 01571

DUDLEY PLANNING BOARD
Guy Horne, Chairman
Richard Clark, Vice Chairman
Steve Watroba, Clerk of the Board
Thomas Chojnacki, Member
Daniel Edmiston, Member



DUDLEY PLANNING STAFF
William Scanlan, Town Planner
Thu Vo, Planning Clerk
planner@dudleyma.gov
Phone: 508-949-8014

Dudley Planning Board

March 9, 2022 @ 7:00 pm
Meeting Minutes

A Public Meeting of the Planning Board was called to order at 7:00 PM on Wednesday, March 9, 2022 by Guy Horne. Chairman, Members present were Richard Clark, Vice-Chairman, Steve Watroba, Clerk, Thomas Chojnacki, Member, Daniel Edmiston, Member, and William Scanlan, Town Planner.

A. New Business:

1. Approval of Minutes: February 9th, 2022 & February 23rd, 2022.

Daniel Edmiston moved to approve the minutes of February 9, 2022. Richard Clark seconded. 5-0-0, Unanimous

Daniel Edmiston moved to approve the minutes of February 23, 2022. Richard Clark seconded. 4-0-1, Steve Watroba abstained.

2. **7:05 PM: Review Draft Decision and Possible Vote on the Fish Road Definitive Plan**

The applicant requested 7 waivers for the Fish Road Definitive Plan:

1. To allow the proposed cross section instead of the Town of Dudley's standard cross section because of the limited area at the beginning of the proposed roadway.
2. To allow a 40-foot right-of-way instead of a 50-foot wide right-of-way due to the existing property lines.
3. To allow a 20-foot wide pavement instead of a 30-foot wide pavement due to existing paved width of Fish Road and existing property lines.
4. To allow no Open Space for the proposed project due to the minimum area of the existing parcel and the location of the development in an industrial zone.
5. To allow no sidewalks instead of sidewalks on both sides because of minimal area of the road layout and no sidewalks in the area.
6. To allow a 100-foot centerline radius instead of the minimum of 200 feet.
7. To allow no street lights to be installed along the new roadway.

Richard Clark moved to approve the Fish Road Definitive plan and the waivers. Thomas Chojnacki seconded. 4-0-1 Daniel Edmiston abstained.

3. 7:10 PM: Review Draft Decision and Possible Vote on a Marijuana Cultivation Special Permit, Fish Road, LLC, 40 Fish Road

The applicant requested 2 waivers.

1. The Applicant need not provide the decommissioning estimate to dismantle operations, dispose of equipment, and including all other anticipated costs as required by §3.15.06.9 of the Zoning Bylaw. The Planning Board accepts the Applicant's alternative, as stated in the Project Narrative, that the requirement of the CCC to obtain surety bonds fulfills a similar purpose. The Applicant provided evidence of bonds issued by the Hudson Insurance Company in the amount of \$10,000 to satisfy the CCC requirement.
2. In lieu of meeting the parking lot landscaping requirements of §3.10.07(D), the applicant shall provide evergreen plantings along the northern portion of the site to buffer the building from the neighborhood.

Mr. Edmiston requested minor changes to the decision and the Town Planner agreed to make the corrections. Richard Clark moved to approve the Marijuana Cultivation Special Permit at 40 Fish Road. Thomas Chojnacki seconded. Approved 4-1-0 with Daniel Edmiston opposed.

4. 7:15 PM: Re-Open the Public Hearing on the Redevelopment of the Stevens Mill

Steven Madaus representing the applicant, and Vinod Kalikiri from VHB gave an overview of changes made to the traffic study in response to the comments from VAI, the Town's third-party traffic study reviewer. The revised study satisfactorily addressed the 8 traffic comments; 7 comments related to the site plan will be addressed in the revised site plan submittal. Mr. Madaus mentioned that the easement for the access to Mill Street has been agreed upon but not yet officially signed. He is anticipating the easement plan will be prepared by Bohler Engineering shortly. Widening of Ardlock Place will now be timed in conjunction with the project's construction. The applicant has also agreed to fund a flashing, pedestrian, push button beacon with LED lighting and a crosswalk at the Ardlock Place / West Main Street intersection to enhance pedestrian safety.

Jeffery Dirk from VAI addressed the comments made by the Planning Board regarding a raised pedestrian crosswalk on West Main Street. He explained that a raised crosswalk is not allowed on certain roads. The Town receives Chapter 90 funds to maintain West Main Street and wouldn't be allowed to install a raised crosswalk. He also proposed a recommendation for a monitoring program for the parking and traffic impacts after the project achieves 80% occupancy. If parking spills over onto the adjacent streets, the Selectmen can post no parking signs to prevent the Steven Mills visitors from parking on the streets.

Mr. Madaus requested a continuance to April 13th, 2022. Bohler will attempt to submit the revised site plan to Graves Engineering for peer review in order to discuss plan at this meeting.

5. Discussion with the Highway Superintendent on Maintenance of Stormwater Basins in Subdivisions that become Town facilities when the Town Accepts the Streets

Jeffery Murray, Highway Superintendent, presented to the Planning Board a draft of a proposed Town Meeting Article to establish a fee for maintaining stormwater basins intended to become Town facilities. A maintenance fee could be required with money placed

in an escrow account to cover future maintenance costs. The Board supported the measure, and Mr. Murray will seek the advice of Town Counsel in drafting an article.

6. ANR Plans: Country Club Acres, LLC: Lot Merger Plan:

Mr. Scanlan noted that the revised plan showed the interior lot line separating the two lots as requested by the Board. The Town Assessor requested that the two lots be merged into one for assigning consistent lot number to the individual units. Daniel Edmiston moved to accept the Country Club Acres, LLC ANR plan to combine two lots into one. Steve Watroba Seconded. 4-0-1. Richard Clark abstained.

7. Review Completeness Status of the Final Phase of the Piasta Road Subdivision and Possible Vote to Issue Certificate of Completion and Release Performance Security

The Planning Board decided to wait until after the Town Meeting to release the security amount.

B. Standard Business:

1. Discussion/Status Report on finishing construction of, and acceptance of, uncompleted/unaccepted subdivision streets, including:

- a. Pierpont Estates – n/a
- b. Rocky Hill Estates – n/a
- c. Piasta Rd – n/a
- d. Country View Estates (Eisenhower Drive) – n/a
- e. Tobin Farm Estates – Jeffrey Walsh of Graves Engineering submitted a cost estimate for engineering services under the betterment program of \$6,400. The Selectmen agree to cover the engineering costs of the three subdivisions.
- f. Lyons Estates – n/a
- g. Misty Meadow – Mr. Walsh submitted an engineering cost estimate of \$3,600.
- h. Partridge Hill Rd – Mr. Walsh submitted an engineering cost estimate of \$3,600.

Mr. Scanlan noted that the Dudley Planning Board had originally approved the Tobin Farm subdivision with a waiver to allow sidewalks on one side of the streets, specifically on the interior side of the loop roads. Mr. Watroba expressed surprise since this had never been mentioned in previous discussions. Mr. Scanlan stated he only learned of this waiver when he researched actions of the Planning Board to provide to Mr. Walsh. He agreed to provide the supporting material to Mr. Watroba.

2. Inspections and Actions Associated with Site Plans:

- Legacy Landing/Country Club Acres: n/a
- SEP Solar, Oxford Avenue: n/a
- JD&D, 24 Oxford Ave: n/a

3. Planner's Plate:

- The Open Space & Recreation is underway. CMRPC is asking for volunteers to sit on the committee. Richard Clark volunteered to participate.

- CMRPC is embarking on an aging study in order to achieve a regional Age and Dementia Friendly Designation. The Region will be eligible for AARP grants and other similar grants. CMRPC is seeking volunteers to sit on the committee.
4. **Comments by Planning Board:**
- Richard Clark mentioned there is a CMRPC meeting the following night. He also noted that the Town Election is coming soon and three seats will be on the ballot.
5. **Comments by Audience:**
- Mary Sansoucy asked the Planning Board to sponsor an article to ban Marijuana Cultivation Overlay Districts in Residential districts in Dudley. She believes that Marijuana Cultivation should only be allowed in Industrial zones with proper security and odor mitigation. She provided a list of signatures of residents who support this article. She also asked that agendas be more specific about forthcoming zoning articles, and that the Planning Board's legal notices run in the Webster Times since it is available at no cost to residents, while most residents do not subscribe to the Worcester Telegram.

The Planning Board addressed the concerns of the notification and will work to clarify and be more detailed at informing residents of Planning Board agendas and zoning articles. The Planning Board informed Mary that currently marijuana cultivation is already restricted to Industrial 130 zones so there is no need to change the Zoning Bylaw.

6. **Other Business**

1. Set Next meetings on March 23rd, 2022, at 7:00 pm at the Dudley Municipal Complex Room 321A.
2. Approval of consultant vouchers/payment of bills
 - Gatehouse – Legal Ads for Fish Road Definitive Plan and Special Permit, \$311.15
 - Graves – review of Fish Rd Definitive Plan, \$2,922.00
 - Graves – review of Fish Rd Marijuana Cultivation, \$5,628.75
 - Graves – Solar Array Pre-construction Conference, \$500.25

Richard Clark moved to approve payment as presented, Daniel Edmiston seconded. Voted 5-0-0 Unanimous.

3. Other Town Notices:
 - Notice of CMRPC Assessment for FY 2023 - Invoice will come in later this year.
 - CMRPC's MuniGIS Program - Information of a GIS program offered by the CMRPC.
4. Other Correspondence: N/A

7. **Adjournment**

Richard Clark moved to adjourn at 9:43 PM. Daniel Edmiston seconded. Voted 5-0-0.
Unanimous.

Respectfully submitted,
Thu Vo, Clerk

Guy Horne

Richard Clark

Steven Watroba

Thomas Chojnacki

Daniel Edmiston