

# 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](mailto:planner@dudleyma.gov)

Phone: 508-949-8014

## Dudley Planning Board

April 27, 2022 @ 7:00 pm

### Meeting Minutes

A Public Meeting of the Planning Board was called to order at 7:00 PM on Wednesday, April 27, 2022 by Guy Horne, Chairman, Members present were Richard Clark, Vice-Chairman, Steve Watroba, Clerk, Thomas Chojnacki, Member, and Daniel Edmiston, Member. William Scanlan, Town Planner was absent.

### A. New Business:

#### 1. **7:00 PM: Public Hearing on Proposed Zoning Amendments**

##### a. Re-zoning a portion of the Conservation District to RES 87

Karen-Beth Gillon read Christopher Marsh's letter. Christopher Marsh of 239 Dudley Oxford Road is against the rezoning of the Conservation District and fears the development of the parcel will do irreparable harm to the ecosystem supporting the pond and wildlife in this area.

Janice Williams, one of the property owners, recounted that her father was not aware that the property was placed in Conservation District and requested that the Planning Board support the article in the Town Warrant to re-zone the parcel to RES 87 so the family can subdivide the parcel. The plan is to keep a few parcels for family members to build homes and sell the rest of the property.

Jean Davis, Janice William's sister, presented a letter from Jo-Ann Szymczak. Ms. Szymczak summarized that in the early 1990's Mr. Williams asked Connie Nedorosik and herself to list and sell the 16-acre parcel. When they discovered the parcel was zoned Conservation, the land had no value for development. She believes that Mr. Williams had no prior knowledge of this change happening to his property.

Paul Wieloch, President of the Dudley Conservation Land Trust, questioned the Williams sisters' intention for re-zoning the area. He stated that MassAudubon has been in talks with the owners about buying the parcel. Paul wondered if the intent of the re-zoning was part of a plan to get more money from MassAudubon.

Megan Kelly at 15 Marsh Rd thought that if the parcel is all wetlands, then the land is not buildable. The Planning Board informed her that if the lot is flagged as wetlands and cannot pass percolation tests for septic systems, then the land is not buildable no matter what zone it is in.

- b. Southbridge Road Business 15 Overlay District  
No one was in attendance to comment on this article
- c. Revision of the Aquifer Protection District  
No one was in attendance to comment on this article

The Chair closed the Public Hearing at 7:50 PM.

Daniel Edmiston moved to not recommend to Town Meeting the article to re-zone the portion of the Conservation District to RES 87. Richard Clark seconded. 5-0-0, Unanimous.

Richard Clark moved to recommend to Town Meeting the article to re-zone the subject lots on Southbridge Road into the Business 15 Overlay District. Thomas Chojnacki seconded. 5-0-0, Unanimous.

Thomas Chojnacki moved to recommend to Town Meeting the article to revise the Aquifer Protection Overlay District. Richard Clark seconded. 5-0-0, Unanimous.

## **2. 7:15 PM: Continuation of the Public Hearing on the Redevelopment of the Stevens Mill**

Steven Madaus from Mirick O'Connell and Matt Mrva from Bohler Engineering came to present the revised plans for the Stevens Mill project. There are 10 fewer spaces due to issues with the stormwater design, but the plan as a whole still meets the Bylaw requirement for parking spaces. Bohler will work to address the issues in the peer review letter by the next Planning Board meeting.

Daniel Edmiston questioned the amount of sheet drainage and if there were enough manholes and catch basins. Mr. Mrva will work to clarify the drainage and storm water management plan.

Steven Madaus asked the Planning Board to consider the quantum of vote requirement. Under a recent amendment to MGL c. 40A §9, a special permit approval is eligible for a simple majority vote rather than a supermajority vote if it is a mixed use development within a center of commercial activity and the project includes at least 10% affordable units at 80% of the area median income. Steve Watroba read the Town Counsel's email regarding this issue. She noted the project is a mixed use development and 10% of the units will meet the affordability requirement. It is up to the Board to determine if the project is in a center of commercial activity. After discussion, a majority of the Board agreed that the Stevens Mill is in such an area. Steve Watroba moved that the Planning Board vote to designate the Stevens Mills complex as area of commercial activity in the Town of Dudley in order for the project to be approved by a simple majority vote. Richard Clark seconded. 3-1-1. Motion passed.

The Board and applicant agreed to continue the hearing to May 11<sup>th</sup>, 2022, at 7:00 PM.

## **3. Approval of Minutes: April 13, 2022.**

Richard Clark moved to approve the minutes of April 13, 2022. Steve Watroba seconded. 4-0-1, motion passed.

## **4. ANR Plans: None**

## **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 – Recommend Transfer to the Town of Parcel Containing the Dam  
Daniel Edmiston moved to recommend to the Board of Selectmen the transfer to the Town of the parcel containing the New Pond Dam as noted in the Tobin Farms Estate approved plan. Richard Clark seconded. 5-0-0, Unanimous.
- f. Lyons Estates – n/a
- g. Dudley Estates – n/a

**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: n/a**

**4. Comments by Planning Board:**

- Richard Clark reviewed the previous Board of Selectmen's meeting and wanted to make the Planning Board aware that a presentation was made regarding the Town's Open Space percentage and acreage. The presentation said that 26% of the Town was in chapter 61A; Richard noted this is not a form of permanent protection and the land in 61A can be developed.
- Richard Clark wanted to voice his concern for the age of the Master Plan and would like the Planning Board to consider addressing the Master Plan sometime in the near future.

**5. Comments by Audience:**

- Paul Wielock clarified that farmland in an Agricultural Preservation Restriction (APR) is permanently protected and land in 61A is not. Dudley has some large farms with an APR.

**6. Other Business:**

1. Set next meeting to May 11, 2022, at 7:00 pm at the Dudley Municipal Complex Room 321A.
2. Approval of consultant vouchers/payment of bills  
Richard Clark moved to approve payment for VAI for the review of Stevens Mill Traffic Plans for \$2,885.43. Daniel Edmiston seconded. 5-0-0, Unanimous.
3. Other Town Notices: N/A
4. Other Correspondence: N/A

**7. Adjournment**

Richard Clark moved to adjourn at 8:45 PM. Daniel Edmiston seconded.  
Vote 5-0-0, Unanimous.

Respectfully submitted,  
Thu Vo, Clerk

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Guy Horne

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Richard Clark

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Steven Watroba

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Thomas Chojnacki

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Daniel Edmiston