

TOWN OF DUDLEY MASSACHUSETTS PLANNING BOARD

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

DUDLEY PLANNING BOARD

Guy E. Horne, Jr., Chair
Pamela Humphrey, Vice Chair
Daniel Edmiston, Clerk of the Board
Gregory P. Benoit, Member
Russell Giglio, Member



DUDLEY PLANNING STAFF

Donald T. Johnson, AICP, Town Planner
Caryl Savard, Clerk
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PLANNING BOARD MEETING MINUTES

Wednesday, March 13, 2019

Dudley Municipal Complex, Room 321-A

Call to Order

The Planning Board Meeting was called to order at 7:00 PM on Wednesday, March 13, 2019 in Room 321A of the Dudley Municipal Complex by Chairman Guy Horne. Planning Board members present were: Dan Edmiston-Clerk of the Board, Greg Benoit-Member, Russell Giglio-Member, Don Johnson, Town Planner and Caryl Savard, Planning Board Clerk.

A. Meeting Minutes

- a. February 27, 2019 – Mr. Giglio moved to accept the minutes of February 27, 2019. Seconded by Mr. Edmiston. Unanimous.

B. Discussion on finishing construction of, and acceptance of, uncompleted/unaccepted subdivision streets

- a. Pierpont Estates – Mr. Giglio stated he is a resident of Pierpont Estates and will vote in the best interest of the Town. A check for \$46,000 has been paid, as a performance guarantee for Section IIc, to the Treasurer. For the lot that Mr. Cerqueira would like to divide into 2 lots, Mr. Horne suggested a named, paved private way for the future owners and for emergency services. Mr. Cerqueira will consult with his attorney, in particular with reference to any construction within the ancient way known as Old Mason Road, and follow whatever the Planning Board requires. Mr. Horne stated that the Planning Board would like to do the change as an amendment to the Subdivision, not an ANR. The Planning Board would like modified plans, a cross-section of the proposed driveway, elevations, etc.
- b. Rocky Hill Estates – nothing new
- c. Piasta Road – scheduled to be done in 2019
- d. Country View Estates (Eisenhower Drive) – working with the Board of Selectmen and the Treasurer
- e. Tobin Farm Estates – working with the Board of Selectmen and the Treasurer

C. Final inspections associated with site plans, including:

- a. AMP Solar – nothing new

D. Potential zoning bylaws amendments for May, 2019 Annual Town Meeting, including:

- a. “Housekeeping” article – in process. The Public Hearing may be April 24th.
- b. Article to amend the Zoning Map for properties along Marshall Terrace
- c. Definitions of Kennel
 - i. Kim Clinton, 44 New Boston Road, is a local breeder of Bernadoodles. She breeds her own dogs and does not sell to or buy from pet shops or puppy mills. Ms. Clinton discussed the current definitions of kennels and requested adding wording for a personal kennel that would mirror the State definitions in Chapter 140 Section 136A: *“A pack or collection of more than 4 dogs three months or older owned or kept under single ownership for private personal use, provided however, the breeding of personally owned dogs may take place for the purpose of improving exhibiting or showing the breed or for use in legal sporting activity or for other person reasons provided further that selling trading, bartering or distributing such breeding from a personal kennel shall be to other breeders or individuals by private sale only and not to wholesalers, brokers or pet shops.”* Ms. Clinton also stated that dogs are considered an agricultural pursuit by state

constitution. A judge ruled in a previous case, similar to the situation that Ms. Clinton is in, that it is not distinguishable between raising and training dogs and other animals like ponies and horses. Ms. Clinton will meet with the Building Inspector, Nelson Burlingame and Mr. Johnson on drafting the proposed change, and would like the Planning Board to sponsor the article. They will have to meet with the Town Administrator, Greg Balukonis, to review the Town bylaw wording as well.

- ii. Mr. Benoit suggested the Planning Board add a minimum land size requirement to the bylaw.
- iii. Mr. Edmiston asked if it would be practical to add a maximum number of dogs to the proposed bylaw.
- iv. Ms. Clinton suggested adding something like “10 dogs per acres over three months unsold”.
- v. Mr. Johnson will hopefully have a proposal for the next meeting.

d. In-Law/Accessory Apartments

E. Discussion on the status of Economic Development Planning, including:

- a. Mr. Johnson stated there is interest in the mills as growing facilities
- b. The Block Grant has been submitted
- c. The Agricultural Commission will have their first meeting next Thursday, March 21, 2019.
- d. Mountain Bike Trail – a high school student is proposing a mountain bike trail at Ardlock Acres and has met with Conservation to review further

F. Planner’s Plate

- a. Dudley Estates/Jesse Road
 - i. Mr. Johnson has been talking with Town Counsel and attorneys for Dudley Estates/Jesse Road, they don’t seem to be cooperating with what the Town wants for agreements. It’s the applicant’s attorney’s responsibility to draft and the Town to review.
- b. Causeway Shores Road
 - i. Residents are having problems with the name of the road and would like to change the name of the extension. They have tried to put up signs, but it hasn’t helped. It is the responsibility of the Planning Board to facilitate any name changes on private roads that are used publicly. A Public Hearing will be scheduled after the residents get their petition completed.
- c. The Zoning Bylaws have been updated by Mr. Johnson to incorporate all amendments made through October 29, 2018, and this update is on the Town website. Bay Path might be able to print bound Zoning books.
- d. Mr. Johnson has finished the proposed budget with a 2.0% increase across the board and an additional 2 hours for the Clerk’s position. Mr. Horne will send an email to the Town Administrator asking for an additional 2 hours for Ms. Savard.

G. Comments from the Planning Board – None

H. Comments from the Audience – None

I. Other Business – None

J. Adjournment

- a. Mr. Edmiston **moved to adjourn at 8:03 PM.** Seconded by Mr. Benoit. Unanimous.

Caryl Savard
Planning Board Clerk

Minutes of March 13, 2019

Guy E. Horne, Jr., Chair

Pamela Humphrey, Vice-Chair

Daniel Edmiston, Clerk to the Board

Gregory Benoit, Member

Russell Giglio, Member