

TOWN OF DUDLEY

MASSACHUSETTS

PLANNING BOARD

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

DUDLEY PLANNING BOARD
Daniel Edmiston, Chairman
Richard Clark, Vice Chairman
Steve Watroba, Clerk of the Board
Guy Horne, Member
William LePage, Member
Russell Giglio, Associate Member



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

Dudley Planning Board

May 12, 2021 @ 7:00pm

Meeting Minutes

A Public Meeting of the Planning Board was called to order at 7:04 PM on Wednesday, May 12, 2021 by Vice- Chairman Richard Clark. Members present were Steve Watroba-Clerk to the Board, Bill LePage-member Guy Horne, member, William Scanlan-Acting Town Planner and Michelle Jervis, Acting Planning Clerk. Chairman Daniel Edmiston was absent.

A. New Business:

1. Acceptance of Minutes:

Steven Watroba motioned to approve the minutes of April 14, 2021. Guy Horne seconded.
Unanimous Vote.

William Lepage motioned to approve the minutes of April 28, 2021. Steven Watroba seconded.
Unanimous Vote.

Guy Horne motioned to approve the minutes of May 5, 2021. William Lepage seconded.
Unanimous Vote.

2. ANR Plans – n/a

7:15pm. Continuation of Public Hearing: Butler’s Way Definitive Subdivision Plan – Request to Withdraw without Prejudice – William Scanlan stated that the Board received a letter from Peter Lavoie, Project Engineer for Summit Engineering asking to withdraw the Definitive Plan of Butler’s Way without Prejudice. The property owner sold the land, and the current plan would be defunct. The contractor is asking for return of the escrow funds and will do so after all invoices are cleared. The Public Hearing closed at 7:20pm. **Guy Horne motioned to accept the withdrawal of the plans for Butler’s Way off of Jaybee Ave with out prejudice as presented by the project engineer Peter Lavoie. Steven Watroba seconded. Unanimous Vote.**

7:20pm. Continuation of Public Hearing on Zoning Amendments - Discussion regarding amending the zoning Bylaws and Zoning Map to create a new “Marijuana Cultivation Overlay

District” where outdoor cultivation of marijuana would be permitted by Special Permit and Site Plan Review on parcels containing a minimum of 15 acres. Steven Watroba suggested that the Board leave the article as close to drafted as possible. Sometime amendments kill articles. Gian Randucci and Brianna Joseph of 52 Center Rd. came before the Board. They wished to have the acreage change to a minimum of 10 acres so that they can grow cannabis; as well as other small farmers. Lynne and Robert Doherty of Corbin Rd. came before the Board. She does not want to cause an issue with the Selectmen having their property be included within the article. Mr. Scanlan stated that it needs to make clear that the property will be included and is not considered spot zoning. If defeated at Town Meeting they could come back in a different form but if the Planning Board did not recommend approval of the amendment tonight, they could not come back for two years. The Public Hearing closed at 8:00pm. **Steven Watroba motioned to amend the Dudley Zoning Bylaw Section 2.03.02. Use pf District Chart by adding a new line under the heading “Overlay Districts” to read: Marijuana Cultivation Overlay District (See Footnote 20 in Section 2.03.03), footnotes, to read as follows: 20. Outdoor cultivation of marijuana is allowed by Special Permit and Site Plan Approval of the Planning Board in the “Marijuana Cultivation Overlay District” in accordance with the terms of Section 3.15, Medical and Adult Use Marijuana Establishments, of this Zoning Bylaw to be eligible for inclusion in the district by Town Meeting, parcels must contain a minimum of 15 acres. William Lepage seconded. Unanimous Vote.**

Steven Watroba motioned that the Planning Board recommend this article as amended for adoption at Town Meeting. William Lepage seconded. Unanimous Vote.

7:40pm Minor Site Plan Review: Application of Jessica Valby for Outdoor Dining at Dudley Plaza – tabled for a future meeting.

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 Road: n/a
- d. Country View Estates (Eisenhower Drive) – Guy Horne spoke with the developer, Dan Heney, who gave him additional background information. He stated that Mr. Heney mentioned a town bylaw, which stated that any road, if older than two years, the developer needed to seal coat the roadway and he refused to do it. He was contacted a few months ago by the Water/Sewer Department that the pump station needed to be raised up and a new pump installed. He paid for half of the pump replacement and the money was taken out of his escrow account. As far as the road acceptance, his engineer was sent out to do the metes and bounds for the as-built plan; he completed it but has not submitted the information. Steven Watroba stated that the Planning Board was informed awhile ago about the pump and that its failure was imminent.

e. Tobin Farms – Richard Clark stated that there is a lot of information the Board is looking for such as the opinion from Town Counsel granting waivers and a list of what work was left to do for the roads at the development.

f. Lyons Estates – Mr. Scanlan mentioned that he received a report regarding paving from Graves Engineering. The base coat is complete and satisfactory, and the developer will be coming in for lot releases. Graves also prepared a completion estimate of \$379,000. Mr. Revane, the developer, will contact Graves since more of the infrastructure has already been completed and it was included in the estimate.

2. **Inspections and Actions Associated with Site Plan** – Mr. Scanlan stated that AMP solar has been working with the resident on West Dudley Rd. who is happy, and the issue is resolved. The Board asked Mr. Scanlan to touch base with the resident to make sure all is good.

C. Adjournment:

Guy Horne motioned to adjourn at 8:40pm. William Lepage seconded. Unanimous Vote.

Respectfully submitted,

Michelle Jervis, Acting Clerk

Daniel Edmiston

Richard Clark

Steven Watroba

William Lepage

Guy Horne