

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, Acting Town Planner
Thu Vo, Planning Clerk
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Dudley Planning Board

November 10, 2021 @ 7:00pm
Meeting Minutes

A Public Meeting of the Planning Board was called to order at 7:02 PM on Wednesday, November 10, 2021 by Guy Horne, Chairman, Members present were Richard Clark, Vice- Chairman, Steve Watroba, Clerk to the Board, Thomas Chojnacki, member, Daniel Edmiston, member, and William Scanlan-Acting Town Planner.

A. New Business:

1. Acceptance of Minutes:

Richard Clark moved to approve the minutes of the joint meeting of 10/25/21 as presented. Steve Watroba seconded, Daniel Edmiston abstaining. Voted 4-0-1 in favor.

2. ANR Plans – None

3. Special Permit Public Hearing for the Stevens Mill Redevelopment

Guy Horne opened Public Hearing at 7:15 pm. Chairman Horne read the Public Hearing Legal Notice.

Steven Madaus, attorney for the applicant, gave an overview of the project. He stated that the number of the units and parking spaces might change as the Architect is still working on the layout of the buildings. He noted the applicant had previously submitted a traffic report for the Planning Board to review prior to the meeting. He then introduced Matt Mrva from Bohler Engineering to give an overview of the site plan.

Mr. Mrva is a principal at Bohler Engineering and runs the planning and landscape architecture group. Also attending was Brandon Barry, the civil engineer who worked on the site plan. Mr. Mrva stated that the project presents a unique opportunity for the people of town as well as the developer. It is a pedestrian friendly plan, with sidewalks interconnecting through the site and a future plan for a river walk out to and along the French River.

Mr. Barry presented the Board with some of the other highlights of the plans including access, utilities, and stormwater improvements. He mentioned that the Dunkin parcel currently is using the Steven Mills site as an exit, and the site plans reflects that it will be beneficial to keep the lot's access to Ardlock Place to decrease traffic conflicts on West Main Street. To the north of the site the Tri-Valley building owner had requested that the two-parking areas remain unconnected. The parties are working to put in a landscape buffer to keep the two uses separated. There are existing utilities on the site, but they are dated. The plans include new gas electric, water & sewer services. All the utilities will be bought into the building underground as required by the mill bylaw's redevelopment standards. There will also be new storm water management on site. For the southern portion of the site there will be an underground infiltration system underneath both of the parking lots. Those will attenuate and infiltrate the storm water as well as provide water quality treatment.

Richard Clark asked the presenter if there will be access to the site from Mill Street. Mr. Barry confirmed that there will not - only two access points from Ardlock Place.

Thomas Chojnacki asked about access for fire vehicles. Mr. Barry answered that the fire trucks have good access around they property from parking aisles on the site. Mr. Chojnacki questioned if that would a violation of the fire code. Mr. Barry Brandon replied that he did not believe so but will confirm with the Fire Department.

Steve Watroba mentioned that he counted the parking spaces in the site plan to a total of 262 spaces. Since that meets the bylaw requirement he asked why the plan is requesting a reduction of parking spaces. Steven Madaus replied that the plans are still in flux. They will come back to the Board with the exact number of parking spaces and then see if any reduction is necessary. Steve Watroba then asked if there will be assigned parking for the tenants. Mr. Madaus replied that there will not be assigned parking.

Mr. Watroba mentioned that the submitted plans use the parking calculations of 1.5 spaces per unit. With the lack of public transit in Dudley, he felt that 1.5 spaces would not be sufficient for a two-bedroom unit. John Gumpert, a principal with Camden Management, answered that the industry standard is 1.5 per unit. However, based on his experience in other communities, he believes that the plan does have the correct number of spaces considering the project mostly consist of 1-bedroom apartments. They over calculate the number of parking spaces to accommodate visitors and guests.

Thomas Chojnacki asked if the location and number of fire hydrants is sufficient for the project. Mr. Barry believes so but they will work with the Fire Department to get a definite answer. Mr. Chojnacki then asked if the engineers know how much water will be needed to maintain the pressure in the sprinkler system. Paul Konieczny, Assistant Fire Chief, first stated he believes the fire lanes as shown on the current plans meet the Massachusetts fire prevention codes but will verify when the Department receives the construction plans. The State Fire Marshal does provide engineering services for projects like this, and they are a good resource, but are not required all the time. Regarding the question on the sprinkler system. Mr. Konieczny believes, but can't confirm without specific data, that the amount of water used in the sprinkler system will be close to that

of the former mill use, but the change to enclosed apartments from the open floor plan of the mill may warrant additional sprinkler capacity.

Vinod Kalikiri, the engineer from VHB and author of Traffic Impact Assessment, summarized the traffic study and explained how he used the state required procedures to prepare the plan. He analyzed the future conditions with and without the project out to 7 years. He compared the two, with and without the project, to come up with the traffic generation for when the project is occupied. The report proposes mitigation measures to offset the traffic impacts that the project will generate, such as adding a flashing light at the Mill and West Main intersection, re-timing the signal at Routes 12 and 197, and widening Ardlock Place to accommodate two lanes and a sidewalk.

Jeffrey Dirk from Vanasse & Associates, Inc. was retained by the Town to conduct a peer review of the traffic study. Mr. Dirk mentioned that the goal of the peer review is to make sure the data and the methodology of the study were done in accordance with the MassDOT and industry standards. He noted the VHB study was professionally prepared and met industry standards. He went through his report and identified areas where he would like additional analysis and other mitigation measures. His report is available for review on the Town web site.

Richard Clark commented that the new apartments will bring more pedestrians to West Main Street. Greater frequency of the crosswalk button at the signal will lower the amount of green time for traffic flow. M. Dirk answered that the applicant can look at the calculations to how often the button will be pressed and analyze this probability. Richard also questioned the responsible party to enforce the “do not block signs” at the Mill and Ardlock intersections on West Main. Mr. Dirk said it would be up to the Police Department to enforce.

Steve Watroba mentioned that the traffic report did not analyze the traffic heading north via Mill Street to Pine Street to Oxford Ave. to get to I-395. He noted that the intersection at Pine and Oxford is not great and perhaps a traffic light should be added.

David Sullivan of 4 Ardlock Place questioned why the only exits for the project are on Ardlock Place. He thought the amount of increased traffic on Ardlock will affect the residents who live on Ardlock and worsen the Ardlock/West Main intersection. He was also concerned that there are no assigned parking spaces for the residents, who may have a problem finding a space when the tap room is open.

Daniel Edmiston asked the engineer for clarification on the allowable 25% reduction in parking. Mr. Barry stated that under the Zoning Bylaw there is a provision to request a reduction in the number of spaces, up to 25%, if mixed uses have different hours of parking demand; however, the request at this point is only for an 8% reduction.

Lisa Prince, CEO of Tri-Valley at 10 Mill Street, is a direct abutter of the mill property to the north. She stated that she is in full support of the project and believes it will be a wonderful thing for the Town. She asked about the falling down roof of the building next door and if and when it will be repaired. Mr. Barry answered that it would be repaired but they cannot start the improvements until they have all their permits.

Richard Clark asked Ms. Prince if there was any consideration made for the use of a pass through of Tri Valley's parking lot. She stated she has had multiple conversation with John Gumpert in that regard and would prefer to keep the two lots separate for multiple reasons, including concerns for her 170 employees.

Sean Bowes of 18 Mill Street noted the speed limit is 25 mph. He is concerned about cars speeding through the neighborhood. He also mentioned that the traffic study used data from a weekday. He wanted to know if they studied data on a Saturday or Sunday when the proposed pub or wedding venue would be open. Other concerns he mentioned are potential light spillage onto abutting properties, location and noise from roof top equipment, the traffic pattern during construction, the plans for street cleaning, and how long the project will take to construct.

Matt Mrva answered that the lighting patterns for the parking areas will be dark sky compliant with downward facing light fixtures. The illumination plan shows there will not be any light spilling onto abutting properties. Project duration is not definitely known but he will try to come up with an estimate for the following meeting.

The Board ended discussion for the evening and voted to continue the hearing to December 8th at 7:15 PM. Attorney Madaus agreed to the continuation.

4. Discussion of Re-Zoning of a Portion of Southbridge Road (Route 131) from Residential to Industrial with Michal Wierzchowiec and Jamie Camosse.

Jamie Camosse from 70 Southbridge Road and Michal Wierzchowiec from 86 Southbridge Road came forward to discuss re-zoning 70 – 86 Southbridge Road from residential to industrial. Mr. Camosse has a business and business certificate at 70 Southbridge Road but had to cease operations when the Building Commissioner informed him that the business is not allowed in the district. Mr. Wierzchowiec is looking to start a business at 86 Southbridge Road but was also informed the zoning does not permit the use. Steve Watroba asked if the residents on Southbridge Road were aware that if they agree to re-zone their properties to industrial that their homes would become non-confirming. They would then need a special permit from the ZBA for additions to their houses. Guy Horne suggested instead that re-zoning to Business 15 would be a better option since homes and businesses are allowed uses. The Board agreed to work with the parties on a re-zoning article for the spring Town Meeting if they could demonstrate that the neighborhood was in support of the idea.

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 – Mr. Scanlan informed the Board that the owner has applied to get the last portion of the road accepted. He will coordinate a site visit with Jeff Wash and Jeff Murray to view the conditions of the road. He will invite the Board to join the site visit.
- d. Country View Estates – n/a
- e. Tobin Farm Estates – n/a
- f. Lyons Estates – n/a

2. Inspections and Actions Associational with Site Plans:

- Legacy Landing/Country Club Acres: Form of Construction Surety – Richard Clark recused himself from discussion. Mr. Scanlan presented the Board with the Graves estimated cost to complete the construction at Country Club Acres at \$494,000.00. Mr. Haynes, the developer, agreed to provide a bond for that amount since he is anxious to begin constructing the homes, but that it would take a few weeks to get the bond from his insurance company. Mr. Scanlan asked how the Board would like to handle the bond, either administratively or by approval of the Board at a future meeting. Daniel Edmiston commented that the report included the 20% contingency, and all the unit prices seemed fair. Mr. Edmiston motioned to approve the Town Planner to handle the bond at Legacy Landing/Country Club Acres administratively. Steve Watroba seconded. Richard Clark abstained. Voted in favor 4-0-1.
- SEP Solar, Oxford Avenue: The Board reviewed a request for a 1-year extension of completion, for a change of ownership, and for approval of a decommissioning estimate. Weston & Sampson provided a cost estimate of \$137,425 for the Town to remove the solar project if the owner is unable to do so. Richard Clark motioned to grant a 1-year extension to the special permit for 189 Oxford Ave and acknowledge the change of ownership from Stephen Christy to Navisun LLC. Daniel Edmiston Second. Voted in favor 5-0. Mr. Scanlan will forward the estimate to Graves Engineering for review before authorizing the start of construction.

3. Planner's Plate:

Mr. Scanlan stated that Zoning Board of Appeals approved a variance for the slope of the 19 Progress Ave. driveway. Richard Clark asked if the ZBA had received the Highway Superintendent's letter regarding the steep grade as a concern. Mr. Scanlan confirmed that the ZBA was aware of it but the ZBA felt the situation satisfied the criteria for a variance.

The owner of a vacant lot on Fish Road in an Industrial Zone was denied a variance to build a home since the Zoning Bylaw does not permit use variances. A resident of Fish Road indicated that the neighbors would like the Board to consider re-zoning the homes to a Residential district in order to make their properties conforming. The Board will schedule a time at a future meeting to discuss the situation with the residents.

Mr. Scanlan reminded the Board that there was an approved open space special permit for a site on Jesse Road. The project has not gone forward, and the property is up for sale. The potential buyer is Jim Haynes who is developing Country Club Acres. Mr. Haynes wanted the Board's opinion of a scheme to add some additional units in order to

make the project more attractive from the developer's perspective. Guy Horne's input was that if Mr. Haynes wanted to add density to the project he will need to resubmit a revised plan to the Planning Board for approval; however, it will be hard to contend with the high water in the area. Daniel Edmiston's initial input was that it would not work considering the dead ends do not have the required fire department turn-arounds.

4. Comments by Planning Board:

Steven Watroba asked if the Board had been up to Lyons Estates recently. He mentioned 4-5 house were being framed and foundations poured. He asked if the Selectmen have indicated if they feel the development should provide the open space as discussed, if the Board should grant a waiver, or if the original 2007 plan that showed an open space lot met the criteria since three years expired without the Town exercising its option to buy the open space. Mr. Scanlan said he will check on the status of that waiver.

Daniel Edmiston extended a welcome to the new Planning Board Clerk. Mr. Scanlan introduced the new clerk, Thu Vo. She will also be assisting the Highway Department and Conservation Commission.

5. Comments by Audience: N/A

6. Other Business

1. Set Next meetings on December 8th at 6:30 pm at the Dudley Municipal Complex Room 321A. Cancel the November 24th and December 22nd meeting.
2. Approval of consultant vouchers/ payment of bills.
 - a. Graves Engineering – Witness Soil Test for Water Treatment Plant
 - b. Gatehouse New England, Legal Ad for the Zoning Amendments Public Hearing
 - Richard Clark moved to approve the payment vouchers for Graves Engineering and Gatehouse. Daniel Edmiston seconded. Voted 5-0 in favor.
 - c. Release Escrow held for Dudley Estates, Jesse Road
 - Richard Clark moved to approve the release escrow held for Dudley Estates for the amount of \$220.52. Daniel Edmiston seconded. Voted 5-0 in favor.
3. Other Town Notices: N/A
4. Other Correspondence: N/A

7. **Adjournment**

Richard Clark motioned to adjourn at 9:44 PM. Thomas Chojnacki seconded. Vote 5-0 in favor.

Respectfully submitted,
Thu Vo, Acting Clerk

Guy Horne

Richard Clark

Steven Watroba

Thomas Chojnacki

Daniel Edmiston