

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
planner@dudleyma.gov
Phone: 508-949-8014

Dudley Planning Board

December 8, 2021 @ 6:30 pm
Meeting Minutes

A Public Meeting of the Planning Board was called to order at 6:37 PM on Wednesday, December 8, 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 motioned to approve the minutes of October 13th, 2021 as presented. Daniel Edmiston seconded. 5-0-0 Unanimous.

Richard Clark motioned to approve the minutes of November 10th, 2021 as presented. Daniel Edmiston seconded. 5-0-0 Unanimous.

2. ANR Plans – None

3. Minor Site Plan Review: Discussion of Water Treatment Plant, Dudley Water Department, Schofield Ave.

Timothy Grace of Tighe & Bond gave an overview of the Minor Site Plan application for the PFAS Water Treatment Plant at 12 New Boston Road. He explained that the site selection was determined by the location of the wells that tested high with PFAS and the need to minimize the amount of new water main that would have to be run to the plant. The proposed project consists of a 4,400 sq. ft building adjacent to pump station No. 6, new impervious surfaces, stormwater management facilities, and associated water system appurtenances. The property is in Residential 10 and Business 15 zoning districts, contains 18.5 acres, and is identified as Assessors' Map 124 Lot 30. They will improve the driveway and set a concrete pad for proposed frac tanks. The plan also includes a backup generator, propane tanks, and retention areas to handle stormwater. Site work entails roughly 2 acres of ground disturbance. Tighe & Bond presented the project to the Conservation Commission earlier in the night and requested a continuance.

Guy Horne asked if the site has any type of fencing or will there be one in the future. Mr. Grace answered there is fencing there, and it will remain during and after construction as well.

Mr. Horne asked how often deliveries will occur and what kind of chemicals would be delivered. Mr. Grace answered there will be monthly deliveries but it also depends on how quickly the chemicals are used at the facilities. The two common chemicals are potassium hydroxide and sodium hypochlorite. The trucks will pull up to the facility and hoses will connect into the building; there will be no off-loading drums at this facility.

Mr. Horne asked if chemicals were to spill, what mechanisms are in place to capture the release. Mr. Grace replied that the areas where spills could occur will contain the chemicals before they are released into the surrounding area.

William Scanlan asked Mr. Grace to discuss the maintenance of vegetation in the stormwater basins over time. He explained they are proposing to use native species which are adapted to the area and require low maintenance. It is suggested that once a year the Water Department clean the basins if necessary.

Mr. Horne asked if there will be any additional lighting added to building. Mr. Grace explained that they have proposed wall packs. Motion sensor lights will activate when personnel have to go there in the middle of the night in an emergency. No lights are proposed in the driveway.

Richard Clark moved to approve the minor site plan review as presented by the Dudley Water Department. Thomas Chojnacki seconded. 5-0-0 Unanimous.

4. 7:16 PM: Continuation of Public Hearing on the Stevens Mill Redevelopment

Mary Palazzo's handout was presented to the Board.

Mr. Scanlan mentioned that the Traffic Report author from VHB was not able to attend this meeting so the traffic impact discussion would be saved for another time.

John Gumbert from Camden Management said that the team has made improvements from the last submission in response to the feedback from the Planning Board and the community. The revised plan shows a new exit onto Mill Street, and they added more parking by this exit that can be shared by Tri-Valley and the Mill residents. They have also addressed the location of trash receptacles and trash pickup. Mr. Gumpert noted that Tri-Valley has been great to work with and helped make these changes possible.

Steve Watroba asked if there will be a long-term lease on use on the overflow parking area. Mr. Gumpert answered that his team will work with Lisa Prince, Tri-Valley's Director, on such an arrangement.

Mr. Gumpert summarized the National Park Service approval. Initially the team assumed that they could add floors to some buildings, but the Park Service objected on grounds

of the impact on historical character of the Mill. The architect then submitted a second request to add an additional residential building, which the Park Service approved.

Chief Dean Kochanowski of the Dudley Fire Department confirmed with the Board that the plans will be thoroughly reviewed by his Department, and they will also be sent to the Fire Protection Engineer at the Department of Fire Services (DFS) for review. The Chief assured the Board the Department will not sign off until plans meet all applicable codes. He believes the building will have a -new sprinkler system.

Mr. Scanlan read Mary Palazzo's letter into the record. Regarding Mary's tax question, he noted that the Town approved a 20-year tax agreement to help make the project feasible. Mr. Gumpert confirmed that 16 units will be affordable in conformance with the Mill Overlay District bylaw. Daniel Edmiston noted Mary's concern for the school capacity was addressed by the School Superintendent, who had previously indicated that the schools are under capacity at the moment due to declining enrollment.

The Water and Sewer Superintendent submitted a comment letter on the water and sewer infrastructure. The letter noted that there will be a need for some minor improvements to accommodate the increased use of water and sewer at this project. However, the Towns' systems are able to accept the increased demand from this project.

Steve Watroba asked if the improved green space will be a deeded public way for the Town. Mr. Gumpert did not have a specific agreement yet but stated he intends the walk along the French River will be permanently open to public use.

Daniel Edmiston asked if there are any grants or state programs to mitigate some of the traffic problems in the future. Mr. Scanlan informed the Board that MassDOT has a program to address the congestion at the Dippin Donuts intersection. The Highway Superintendent has already submitted a letter of interest for that program.. [Ed. Note: It was later learned the application was not successful in this round.] Dudley also received a grant from the MassWorks Program to design sewer and sidewalk improvements, which will be enhance conditions in the neighborhood.

At the request of the applicant, the Board voted to continue the hearing to January 26th, 2022 at 7:15 PM.

5. 8:30 PM: Discussion with Residents of Tobin Farms Estates

Guy Horne thanked the residents of Tobin Farms for coming to the meeting and wanted to clarify that the meeting is informational and to recognize the issues of the subdivision for which there is no simple solution.

Steve Watroba summarized his findings in regard to Tobin Farm Estate. The roads are currently uncompleted and therefore cannot be accepted as town roads. He was able to put a list together of what items need to be addressed. Phase 2 has no sidewalks. Original plans called for 3 stormwater retention basins. Currently there is 1 completed, 1 half completed and 1 missing. No stop signs and street signs have been installed. He stated

that wood guard rails are about 90% complete on Stebbins Road but Tobin Drive has no guard rails at all. The Town will need to verify if the monuments were installed.

The Board explained the Town's road betterment program that the residents can follow to complete the subdivision. Owners with lots comprising 50% of the frontage can submit a petition to the Board of Selectmen to initiate the process. The Town will then hire an engineer to identify remaining work and estimate the cost to complete the subdivision. Residents can determine whether to continue on with the program or not.

Highway Superintendent Jeffery Murray explained that he visited the road with the Town Planner and there doesn't seem like much work is needed to complete the road itself. There is a need for slope treatment, signage, sidewalks, and guard rails. The berms that were installed were never backfilled with loam to stabilize the curbs. Sidewalks and stormwater facilities are the items that would be most expensive.

Several residents offered comments.

Dave Puzo of Nellies Way asked what the estimate of some of the larger projects will be. Steve Watroba said the estimates for the work back in 2015 were \$30,000 for the unfinished retention basin, \$60,000 for the missing retention basin, and completing sidewalks would be \$77,000. Mr. Watroba mentioned the Board has the authority to grant waivers of some items to reduce the cost.

James Audet asked if the residents can petition to have the Town pay for the expenses of the road. No, the Town cannot spend money to benefit private parties; the street betterment program is the only way to pay for the work.

Charles Cormier mentioned that he has a catch basin in the back of his yard in lieu of the retention basin and he doesn't believe the 3rd basin is necessary.

Allen Fournier of Nellies Way ran some quick numbers of the above estimates on individual owners. When shared by all parties, the cost sounds manageable. His math came to \$180 a year for each lot owner, or \$15 a month.

Board member Daniel Edmiston mentioned that he also lives on a private road that hasn't been accepted. He understands that this is about money but also about principle. There is a price point where people say let's get this taken care even if they object in principle. He assured the residents that the betterment program is the only way for the Town to complete the work, but the residents are free to pursue other avenues.

Guy Horne thanked all the residents for coming tonight and suggested they talk with the neighbors to decide if they want to follow through.

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 noted that Piasta Road has gone through the final site inspection with Jeff Walsh from Graves Engineering and some of the members participated. Mr. Walsh submitted a report on the completeness of the road. He identified 6 issues that need to be addressed. Jonathan Androlevicz in an email stated he is working on addressing those issues. The road should be ready to present to the May Town Meeting for acceptance. Richard Clark asked if the catch basin/sump pump clean out and the brush issues have been addressed. Mr. Scanlan confirmed that it was in Jonathan’s email. He will also confirm with Graves Engineering that everything in the report is addressed before the Town Meeting.
- d. Country View Estates – n/a
- e. Tobin Farm Estates – previously discussed
- f. Lyons Estates – n/a

2. Recap of the Board of Selectmen Meeting on Private Roads:

Guy Home mentioned his takeaway from the meeting was that the betterment program is a good resource, but the homeowners should see if hiring a private contractor might be cheaper since the Town would have to pay prevailing wages for the work.

William Scanlan said that through the betterment program homeowners can finance the cost for a long period of time. Private contractors would want to be paid up front.

Richard Clark mentioned that if the residents do not act on the betterment program or private contractor route, they may find themselves in the same situation as the roads in Misty Meadows, which are deteriorating.

Mr. Scanlan also mentioned that a participant at the meeting suggested the Town form a committee to address the private road issues case by case. He asked for the Board’s thoughts on such a committee and if anyone would be interested in participating. Several members voiced agreement to form such a committee and volunteered to be on it.

Gerry Frank of Causeway Street asked if the Town can just accept private roads and incur the cost for getting the roads up to code. Mr. Scanlan answered that there is a state law that governs street acceptance procedures that would prohibit that sort of action.

3. Inspection and Actions Associated with Site Plans:

- Legacy Landing/Country Club Acres: A Site Visit Report noted it is moving along well. The Engineers visited the site when paving was taking place and noted only minor issues.
- SEP Solar, Oxford Avenue: Engineer has prepared a decommissioning cost, which includes removing the facility if the developer walks away. Graves will review the estimate, then the applicant will supply a bond or other security.
- JD&D, 24 Oxford Ave: Site visit report is satisfactory.

4. Acceptance of Fish Road Definitive Subdivision Plan and Schedule Date for the Public Hearing:

Mr. Scanlan presented the submission of the Fish Road Definitive Plan. He said the Board's acceptance will start the clock on the approval and he asked the Board to set a date for the public hearing. Richard Clark motioned to accept the Definitive Plan for Fish Road as presented. Daniel Edmiston seconded. 5-0-0 Unanimous. The Board set the hearing for the 12th of January, 2022.

5. Planner's Plate: N/A

6. Comments by Planning Board:

Daniel Edmiston asked the Board what the timeline and procedure for reviewing and approving the Steven Mill Project will be. He asked how the Board can approve the project when the plans are incomplete. Mr. Scanlan stated that we are in the review stage and plans are changing in response to comments from residents and the Board. He agreed the Board should not approve plans until they are finalized.

7. Comments by Audience: N/A

8. Other Business

1. Set next meetings for January 12th at 7:00 pm at the Dudley Municipal Complex Room 321A. Cancel the December 22th meeting.
2. Approval of consultant vouchers/payment of bills.
 - a. Graves Engineering – Piasta Road Review
 - Richard Clark moved to approve the payment voucher for Graves Engineering. Thomas Chojnacki Second. 4-0-1 Daniel Edmiston abstained.
 - b. VAI – Peer Review of Stevens Mill Traffic Study
 - Richard Clark moved to approve the payment vouchers for VAI. Daniel Edmiston Second. 5-0-0 Unanimous.
 - c. Close Out Escrow Account for Peter Bannister Site Plan Review - \$2.16 plus interest
 - Richard Clark moved to close out the escrow account for Peter Bannister site plan review at the amount of \$2.16 plus interests. Daniel Edmiston Second. 5-0-0 Unanimous.
3. Other Town Notices: N/A
4. Other Correspondence: N/A

9. Adjournment

Richard Clark moved to adjourn at 10:09 PM. Thomas Chojnacki seconded. Vote 5-0-0

Guy Horne

Richard Clark

Steven Watroba

Thomas Chojnacki

Daniel Edmiston