

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
Michelle Jervis, Acting Clerk
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Dudley Planning Board

September 13, 2021 @ 6:30pm
Meeting Minutes

Joint Meeting with the Board of Selectmen

The meeting was called to order at 6:35 pm by Chairman Guy Horne.

Present: Guy Horne, Chairman, Richard Clark, Vice Chairman, Steven Watroba, Clerk of the Board, Daniel Edmiston, Associate Member, and William Scanlan, Acting Town Planner.

Appointment to the Planning Board

Daniel Edmiston, an Associate Member of the Planning Board, was nominated by the Planning Board at its previous meeting to become a full member of the Board to fill the seat vacated by William LePage. The appointment requires joint approval of the Board of Selectmen and the Planning Board and is to run until the next Town election. Steven Sullivan (Selectman) motioned to appoint Daniel Edmiston as a member of the Planning Board with a term to expire June 13, 2022. Jason Johnson (Selectman) seconded. Unanimous Vote consisting of John Marsi, Paul Joseph, Jason Johnson, Steven Sullivan, Kerry Cyganiewicz, Board of Selectmen, and Guy Horne, Steven Watroba and Richard Clark for the Planning Board.

Public Hearings:

- a. **Joint Public Hearing with Board of Selectmen: Proposed UCH-TIF Zone, UCH-TIF Plan and UCH-TIF Agreement for the Stevens Mill** – A legal notice was published in the Webster Times on 8/27/2021 and 9/3/2021 – Along with the Board of Selectmen in attendance for the Planning Board were Richard Clark, Steven Watroba, Guy Horne and Daniel Edmiston (non-voting member) Thomas Chojnacki was absent. Also in attendance was William Scanlan, Town Planner, Carolyn Murray, Esq., KP Law, Luke Mitchell, Senior Project Manager for VHB, John Gumpert, owner of Stevens Mill and Stephen Madaus, Esq., attorney for Stevens Mill. John Marsi opened the Public Hearing for the Board of Selectmen at 6:37pm. Guy Horne opened the Public Hearing for the Planning Board at 6:37pm. Luke Mitchell opened the discussion on the project. There are 61 properties located in both Dudley and Webster that are included in the Tax Increment Financing (TIF) Plan. These properties,

including Stevens Mill, are located on both sides of the French River. The effort behind the TIF, along with the owners of the mill, is to revitalize this historic neighborhood. He explained that the TIF district is a city building tool that allows towns to develop blighted areas and promote economic development. In the general vicinity there are many properties that are vacant and underutilized. They could remain vacant and worsen in time. The TIF district creates a value and investments can be made in anything that rests within that district. John Gumpert came before the Boards. He stated that he is the developer of Stevens Mill and truly loves the old building. It is a beautiful granite and brick building and the project cost is \$40 million dollars. With the purchase the land abutting the river is included and his intention is to clean up the river and river bank within that section. His goal is to encourage further development across and down the river. Paul Joseph asked if there will be green area on the west side of the river. Mr. Gumpert stated that the area he owns will be cleaned for public use and act as a catalyst for others. Richard Clark questioned how many extra residents would be living in the mill. Mr. Gumpert stated about 225 people, with 29 studio apartments, 74 one bedroom, 45 two bedroom and 8 townhouses. The townhouses are unique for they are designed to fit into unusual spaces. Luke Mitchell explained the Webster Dudley French River TIF District includes residential properties, commercial properties, and vacant properties. This proposed district is a Regional TIF District which means it encompasses properties in more than one town. There are four (4) drivers of the TIF Plan objectives: 1). Ten percent (10%) of the proposed apartments must accommodate low/moderate income households, 2) The plan will help support the businesses in Webster. 3). The Plan will encourage infill development of vacant parcels. and 4). The plan will introduce a new pedestrian path network to restore community access to the French River, a trail that would ultimately connect to other trails in the north and south. The project will act to create future development and will include multi use space such as a community event space and a potential brew pub. Regarding the traffic study, it has not been finalized. Paul Joseph stated that he is philosophically in support of the TIF, but the traffic study should have been available to discuss tonight. Steven Sullivan stated that the school's enrollment is down; the staff has not decreased but students just redistributed. Also, when Toltec was located in the mill, they had a TIF so there has been one associated with that property. Regarding the school age children, Luke Mitchell will be providing school age children data as part of the permit process. Also regarding traffic, they are looking at key intersections around the mill. Dippin' Donuts is a very dangerous intersection already and what the project will do is invest on widening roads in the area and other traffic calming controls. Wesley Mroczek of Flaxfield Rd. came before the Board. He is concerned about parking for these residents in the mill. Per Dudley bylaw he calculated that there will be approximately 234 parking spaces and 8 handicap parking spaces. He does not feel the area will support all the vehicles. Luke Mitchell will defer to a study for these findings. Steve Watroba from the Planning Board asked Town Counsel, Carolyn Murray, KP Law, whether or not it would be possible to restrict occupancy of the affordable units to residents 55 and over. Ms. Murray stated that the proposed Stevens Mill project is not an age restricted project, and she did not believe it would be possible to have an age-restriction requirement just for the affordable units. Mr. Gumpert stated that, if that is the case, over 55 residents will still be encouraged to apply. Ricard Clark from the Planning Board asked whether it would be possible to give preferential treatment to Dudley residents for the affordable units. Ms. Murray replied that it would be possible to do so. The concept known as "local preference" has been done many times in similar projects. Ms. Murray explained that the definition of low/moderate income is gathered by the federal government with the median income in Dudley for a single person is

\$55,000 up to \$90,000 to qualify. There will be 16 of these units. It is not subsidized housing, no vouchers. Everyone needs to be income qualified for these units.

John Gumpert and Luke Mitchell left the Public Hearing at 7:28pm. Representative Peter Durant wanted all to know he is available for help on this project. The affordable housing for this project is not Section 8 and this is very important for voters to understand. From his standpoint he will try to get funds from the State and will help in any way to make this project happen.

Stephen Madaus, attorney for Mr. Gumpert, stated that he has been working with Town Counsel, department heads and Town Administrator on the UCH/TIF for months. The Board of Selectmen will enter into the TIF for Stevens Mill, and the 61 other properties in the proposed district would also be eligible for a TIF in the future, which will enhance their prospects for redevelopment. Carolyn Murray stated that at this time the building is assessed for \$1.2 million, and we collect \$16,000 in taxes. That will not go away with the TIF. As the developer begins to build, he will be getting a tax break, inflation factor is built in with a formula that the Department of Revenue checks. Jonathan Ruda stated that residents whose properties are part of the district might want to sell their property and it will benefit them. There is a lot of incorrect information, and we need to answer any questions asked publicly.

John Marsi declared the UCH-TIF District Public Hearing closed at 8:10pm for the Board of Selectmen. Guy Horne declared the UCH-TIF District Public Hearing closed at 8:10pm for the Planning Board.

- b. **Joint Public Hearing on Complete Streets** – All members remained from previous Public Hearing. John Marsi opened the Public Hearing for the Board of Selectmen at 8:11pm. Guy Horne opened the Public Hearing for the Planning Board at 8:11pm. William Scanlan, Town Planner, stated that the Complete Streets Policy has been completed and it was approved by the Board of Selectmen. MassDOT and CMRPC have been working with the Planning Board on the Prioritization Plan. He stated that he recently spoke with Jeff Murray and thought we could add sidewalks to the Mason Rd. project, which is listed high on Prioritization Plan. Engineers, Tighe & Bond would be willing to modify their plan to include a sidewalk on Mason Road for pedestrian access from the Fire Station up to Jesse Road. We could jump right into an application for funding with the engineering already handled. Jonathan Ruda agreed that this is a great opportunity since Mason Road is currently going through the water project. Scott Zajkowski, Chairman of the Water and Sewer Commission, stated that this was the first time he had heard of the project and wanted assurance that adding the sidewalk would not delay the final paving of Mason Road. Jeff Murray said that it could delay the final paving for a month or two but that the state likes to see their funds spent as quickly as possible. John Marsi closed the Public Hearing at 8:20pm for the Board of Selectmen. Guy Horne closed the Public Hearing at 8:20pm for the Planning Board. Paul Joseph motioned to acknowledge receipt of the Complete Street Funding Program – Project Prioritization Plan. Jason Johnson seconded. Unanimous 5-0. Steven Sullivan motioned based on the Town Planner's recommendation proceed to rank #2 (Mason Rd. Sidewalk Construction Part 1) and #3 (Mason Rd. Sidewalk Construction Part 2) and rank them #1 and #2. Kerry Cyganiewicz seconded. Unanimous 5-0.

The Planning Board recessed at 8:25pm to hold its regular meeting in Room 315.

Regular Planning Board Meeting

The Chair reconvened the Regular Meeting at 8:40pm.

New Business

Approval of Minutes: August 11, 2021: Steve Watroba moved to accept the meeting minutes, seconded by Richard Clark. Voted 3-0 in favor, Daniel Edmiston abstaining.

ANR Plans – None

Standard Business

1. Discussion/Status Report on Uncompleted/Unaccepted Subdivision Streets:

Pierpont Estates: Proposed Minor Modification for Revised Retaining Wall

The Board postponed action on this item until the members have a chance to review the changes. The Planner will forward the information prior to the next meeting.

Piasta Road

The Planner reported that draft as-built and acceptance plans for the final one-third of the road have been submitted to Graves Engineering for review. It is the owner's intent to bring this (final) portion to Town Meeting for acceptance in the spring.

Tobin Farm Estates

Steve Watroba presented the results of his research on Tobin Farms to help understand the reasons why various items were not completed. There were 21 unfinished items in an inspection report from Graves Engineering in 2015. Mr. Watroba went through most of the items on the list and discussed which items were completed and the status of items that have not yet been completed. The most significant items remaining include: no guard rail at the stream crossing on Summer Lane; one unfinished and one un-started detention basin; and no sidewalks in Phase 2, while the approved plan called for a sidewalk on one side. The Planning Board never granted waivers for these items. The other members thanked Mr. Watroba for his thorough research. The Board discussed inviting residents of the neighborhood to a meeting after the Fall Town Meeting to discuss completing the subdivision so the streets could be accepted at the Spring Town Meeting.

2. Inspections and Actions Associated with Site Plans:

Legacy Landing - Proposed Minor Modification to Change the Name of the Development

The Board was unable to act on this item. Mr. Clark is an abutter who cannot vote on matters pertaining to this development, and Mr. Edmiston had not yet been sworn in as a full member. The item will be taken up at the next meeting.

3. Discussion of Zoning Amendments (This item was moved for discussion at the beginning of the regular meeting)

Marijuana Cultivation Overlay District

Robert and Lynn Doherty were present. They are owners of a farm on Corbin Road and would like their farm to be included in the overlay district. They have grown hemp but have not been able to make it to the point of earning revenue from a successful harvest. At the Annual Town Meeting in the spring, their farm was included with the article to create the district, but the article failed to gain the required two-thirds majority. This year the Board intends to submit an article to just create the overlay district concept without including specific parcels. The Board suggested that the Doherty's could present a landowner petition to have their property included in the district if the article creating the district passes on its own.

The Board had no further comment on self-service storage facility article or the boundary revision to the Town Refuse Disposal District. The Planner will forward all three articles to Town Counsel for a legal review.

4. Planner's Plate

The Planner noted that residents of several uncompleted subdivisions have expressed concerns about the deteriorated condition of their streets. The Town Administrator intends to have a meeting with neighborhood representatives after the Town Meeting to discuss the street betterment program and encourage its use to have the streets repaired and accepted.

5. Overview of Assessors' GIS Data and the State's "Oliver" Mapping Program

This item was postponed due to the lateness of the hour.

6. Comments from the Planning Board

Richard Clark reported on a meeting he attended virtually hosted by the Central Mass. Regional Planning Commission. The Commission is embarking on a new regional plan, which will have an emphasis on affordable housing and social equity.

7. Comments from the Audience: None

Other Business

1. The Board set the next meeting date as Sept. 22nd.

2. The Board approved the following vouchers:
 - a. Graves Engineering Invoice for AMP Solar on West Dudley Road, \$229.50
 - b. Graves Engineering Invoice for Legacy Landing \$1,330.75

3. Other Town Notices:

The Planner reported that with the appointment of Mr. Edmiston as a full member of the Planning Board, there is now an opening for the Associate Member. The Board requested the Town Planner to contact the previous Associate Member, Russell Giglio, to see if he would be willing to come back in that capacity.

4. Other Correspondence: None

Adjournment

Richard Clark moved to adjourn, Steve Watroba seconded. Voted 4-0 in favor.

Respectfully Submitted,

Michelle Jervis, Administrative Assistance (Joint Meeting Public Hearings)

William Scanlan, Acting Town Planner (Regular Meeting)

Guy Horne

Richard Clark

Steven Watroba

Daniel Edmiston