

**Webster Planning Board  
Meeting Minutes  
July 27, 2020**

A meeting of the Webster Planning Board was held on Monday, July 27, 2020 in the Selectmen's Meeting Room of the Webster Town Hall, 2<sup>nd</sup> Floor, 350 Main Street, Webster, MA.

**Present:** Chairman Paul LaFramboise, Vice Chairman Michael Dostoler, and Members Cathy Cody, and Dan Morin, and Associate Member Christella Gonsorcik. Also present: Ann Morgan, Director of Planning & Economic Development; Kelly Gorham, Clerk; Chuck Eaton, CHA Consulting Inc.

1. **Call to Order:** Chairman LaFramboise called the meeting to order at 6:36 p.m.

2. **Action Items**

a. **Reorganization** – Associate Member Christella Gonsorcik has applied to become a full member of the Board. Reorganization is tabled to the next meeting.

b. **Worcester Registry of Deeds Signature Form** – This item was tabled until the next meeting when the Board will reorganize. Ms. Morgan noted that Board members could consider authorizing the Town Planner, Ann Morgan, to sign certain documents such as ANR plans and Definitive Plan sets upon approval and vote by the Board. This could be beneficial to all as it would expedite the process. This authorization would require a vote of the Board which gets recorded at the Worcester District Registry of Deeds.

c. **Approval of Meeting Minutes – February 24, 2020; March 30, 2020; June 30, 2020** – Mr. Eaton, Ms. Cody and Mr. Morin provided corrections and there were scrivener's errors. Also, Mr. Morin was marked on a voting roll and should not have been, as he recused himself for that hearing.

Motion to accept the minutes with edits made by Mr. Morin and seconded by Ms. Cody. Motion passed unanimously 4-0.

d. **Approval Not Required Plan – 16 Pattison Road – Caroline & Ray Fritz (Applicant / Owner)** – Ms. Morgan has verified that the plan meets the requirements for submission and state law. No comments were made by the Board.

Motion to endorse the ANR plan for 16 Pattison Road made by Mr. Dostoler, seconded by Mr. Morin. Motion passed unanimously 4-0.

e. **As Built Plan Submission – Water Treatment Plant – Memorial Drive – Town of Webster (Owner)** - Jeff Faulkner from Tighe and Bond presented as-built plans to the Board. The plans were submitted electronically last week and were reviewed by Chuck Eaton. Mr. Eaton's review addressed the stabilization of the site. Some of the grass is sparse in the area of irrigation and backflush discharge area. Mr. Faulkner stated that discharge only happens once or twice per year. Ms. Morgan advised that there was a warranty on the landscaping work to ensure that the grass is grown in by the fall.

Motion to accept the As Built plan as presented made by Ms. Cody, seconded by Mr. Morin. Motion passed unanimously 4-0.

3. **Public Hearing**

a. **Modification of a Special Permit and Site Plan Approval – 30 Worcester Road – Curaleaf Massachusetts Inc. (Applicant), FHP of Webster MA-CP, LLC (Owner); expansion of parking area.** The site is located in an Industrial (I) zoning district. Assessor ID 78-A-11-0. *Continued from 2/24/2020.*

Stephen Balcewicz from B.C. Engineering presented the revised plans to the Board. The revisions were done per comments from CHA Associates. All of the conditions have been revised. Mr. Eaton states that there are 2 issues, the Stormwater Checklist revision and the signed Illicit Discharge Certification. Mr. Balcewicz had the revised documents for the Board. CHA's questions regarding the catch basins and sediments were addressed. The sediment will be removed and the pavement will be restored in the paved area adjacent to the brook. This will cut down on sand in the winter and reduce ponding areas. The pavement is not being replaced, it will be cleaned. Mr. Balcewicz recommends rip rap around the catch basins. Mr. LaFramboise asked about the gray water flowing into Mill Brook. Mr. Eaton stated that it is from the gravel area entrance adjacent to Worcester Road. The proposed plan calls for loaming and seeding of the gravel area to prevent future erosion of the gravel. Ms. Morgan will review the minutes from items discussed at the previous meeting in February to prepare a draft decision and any conditions required. Motion to close the public hearing made by Mr. Morin and seconded by Ms. Cody. Motion passed unanimously 4-0.

Motion to direct staff to draft a decision based on all information received during the course of the public hearing made by Mr. Morin and seconded by Ms. Cody. Motion passed unanimously 4-0.

- b. Special Permit / Site Plan Approval /Stormwater Permit – 137 East Main Street – PMG Northeast LLC, 2359 Research Court, Woodbridge, VA 22192 (Applicant / Owner); 6 pump gasoline service station with a 3,825 square foot convenience store. (Assessor ID 24\_F\_11-12\_0). The site is located in a Business with Sewer (B4) zoning district. Continued from 2/24/20.**

Gary Killfeather, PMG Northeast LLC, provided an overview to the Board. This building will be razed and rebuilt. The convenience store will be 3,800 square feet with a drive through. The canopy will also be replaced. The sight line across the property will be improved. Signage and driveways were discussed. There will be entrances on each street, East Main Street and Worcester Road. There are two freestanding signs proposed on the property, one on the intersection and a smaller car wash sign. The two freestanding signs will be 20 feet high and 8 feet wide. Both these signs already exist and they plan to change just the signage - no changes to the height, location and size of the signs are proposed. Parking in the front of the lot will be eliminated. The entrances will remain in the same location. A traffic impact study was performed by Maser Consulting P.A. Car stacking in the proposed queuing lane for the drive through on the main building is adequate.

The graphics portion of plan set was reviewed. The two freestanding signs will remain the same square footage. The existing canopy is 1,350 square feet and the proposed canopy is 1,000 square feet. The canopy will be fully wrapped. Signage will be illuminated with gooseneck lighting. The proposed roof is peaked with clapboard siding and will have gutters. Mr. Dostoler asked about snow falling off the roof. A snow and ice dam system would prevent that. Mr. Eaton stated that even with a reduction in the square footage of the sign, what is being proposed is still outside of the regulations. They have submitted a waiver request.

There is a 5 foot landscape strip with encroachment of approximately 3 feet on the abutting property near the restaurant in back which will require a waiver. The entrances to the property are wider than 24 feet, but are proposed with a raised island for control traffic. Mr. Eaton stated they do not need to request a waiver for this width; it will be reviewed as part of the permit from the highway department. Ms. Morgan presented the waiver request sheet on the screen for review. She stated that the two freestanding signs are pre-existing, non-conforming. They are not proposing and changes to the existing structures beyond new sign inserts so they don't need a waiver. The proposed signage (which includes images and branding schemes) on the canopy exceeds the allowable amount and does require a waiver. Signage on the building exceeds the allowable amount. The waivers will be included in the

decision for the Board's review. Ms. Cody asked about cars turning in and out of Worcester Road. The engineer provided a "porkchop" (a raised concrete island with sloped sides) that will direct lanes to exit or enter the site. "No Left Turn" and "Do Not Enter" signage will be used to prevent accidents and they have also implemented the requests from the Police Chief.

Mr. LaFramboise asked if there were any further comments from the Board or comments from the audience. There were none.

Motion to close the public hearing made by Mr. Morin and seconded by Mr. Dostoler. Motion passed unanimously.

Motion to direct staff to draft a decision based on all materials and input received during the public hearing made by Mr. Morin and seconded by Mr. Dostoler. Motion passed unanimously 4-0.

#### 4. Public Meeting

- a. **Site Plan Approval Application – 17 Loveland Road – Joseph Seraphin, 17 Loveland Road, Webster, MA (Applicant/Owner); Rebuild existing garage and add a new living unit above. (Assessor ID 46A-53-0). The site is located in both Lake Residential (LR) and Lake Watershed Protection (LWP) zoning districts. Continued from 2/24/20.**

Mr. Seraphin had a smaller copy of the latest plan from Bertin Engineering for the Board to review and will provide a full size copy to the Planning Department. The project has been approved by the Conservation Commission. The Zoning Board of Appeals also reviewed the project. The ZBA hearing is closed but the record has been left open to accept the Planning Board's recommendation. The site plan is specific to stormwater issues and the Lake Watershed Protection (LWP) zoning district. CHA's comments were addressed. The infiltration calculations provided exceed that required by Massachusetts stormwater standards. The silt fence was adjusted, there is a gravel sand pile to the rear of the site to back fill the foundation and grass will be planted. The building will be pulled an additional 3 feet away from the wetland. The Planning Board's recommendation to the ZBA must reference the specific version of the plan, stamped by the engineer. The ZBA will make their decision next week and there is a 20 day appeal period for the special permit. The decision that the Planning Board makes will not need to be recorded at the Registry of Deeds. This will not slow down the permitting process. Ms. Morgan recommends continuing to August 24, 2020 to give the Board time to review the final plan.

Mr. LaFramboise asked if there were any comments from the audience. Kate Goff, 5 Loveland Road, stated her opposition to the proposed residential apartment. Her letter is on record with the ZBA filing. Mr. LaFramboise advised that this hearing is pertaining to stormwater only.

Motion to continue the meeting to August 24, 2020 made by Mr. Morin and seconded by Ms. Cody. Motion passed unanimously 4-0.

- b. **Site Plan / Stormwater Permit – 5 Cudworth Road – 5 Cudworth Road LLC, 133 Pearl Street, Boston, MA 02110 (Applicant/Owner); Expansion of existing loading dock area and parking areas. (Assessor ID 87-B-2). The site is located in an Industrial (I) and Lake Watershed Protection (LWP) zoning districts.**

Gene Sullivan, Steve Goodman and Leif Ronaldson were present to discuss the application. The applicant has proposed an expansion to the loading dock and storage areas. The plan was presented on the screen for the Board members and audience to view. There are additional loading docks proposed for tractor trailers, new parking areas and driveways. Stormwater management was discussed. Mr. Eaton has reviewed the project and the engineering comments have been addressed. The roof runoff is currently running into the wetland along I-395. Catch gutters and interior roof drains

will be installed. There is piping on the north side, new trench drains, and an underground infiltration system for drainage. An island strip will be installed to control traffic. There will be regrading along Cudworth Road and a traffic consultant is reviewing it. A permit has been filed with the Conservation Commission for the drainage pipes. The property is in non-jurisdictional wetlands and most of the work will remain outside of the buffer zone. Steve Goodman, 5 Cudworth Road, LLC, stated that the site will be a packaging company for food products. The Board recommended that infiltration testing needs to occur on site prior to construction. Test pits were dug and groundwater was located. The Board would prefer to see testing as part of the application, rather than conditioned. The infiltration system size could change as a result of the testing, which would require another meeting.

The site clearing had already begun but was stopped when Ms. Morgan advised them a permit was required. The COVID-19 emergency has delayed this project and they would like to continue work as soon as possible. Ms. Morgan noted that the applicant has been responsive to the Building Commissioner and to Town Staff. She also stated that the Board can consider providing a recommendation to the Building Commissioner so work can begin at the applicant's own risk. This is typically not done but the circumstances in this case are unique. The Board would like them to continue working. The applicant can provide the testing results and information required by the August 24<sup>th</sup> meeting and the Board will make their decision at that time.

Motion to close the meeting made by Mr. Dostoler and seconded by Ms. Cody. Motion passed unanimously, 4-0.

Motion to allow the applicant to proceed at risk according to the July 8<sup>th</sup> plan, pending infiltration testing and review of the results from CHA Consulting Inc. made by Mr. Morin and seconded by Mr. Dostoler. Motion passed unanimously 4-0.

## 5. Discussion Items

- a. Waiver Request from Peer Review Fees, 0 Douglas Road Stormwater Permit Application, Tracy Sharkey (Applicant), Louis Tusino, Guaranteed Builder and Developers, LLC (Owner). This site was cleared to prepare for a solar farm, which was never constructed. No project is planned at this time. The Applicant filed for a stormwater permit after the fact. Ms. Sharkey states that there is no work proposed at this time. A stormwater permit is required if there is over 10,000 square feet of disturbance. Ms. Morgan noted that the Applicant could choose to proceed without peer review. However, without it the Board will have to make a decision on the submitted plan without staff review as she is not an engineer. Peer review funds are for payment of services rendered by the peer consultant only. Any unused funds are returned to the applicant. Ms. Cody asked if this area is in the Lake Watershed Protection District (LWPD) and it is. The Chairman is familiar with the area. It is upstream from the LKQ facility and there have been stormwater issues there. Ms. Morgan shared the plan that was submitted with the application. Ms. Cody recommended an engineer review.

## 6. Staff Update

- a. 108 Thompson Road – As Built Plan progress – Drainage – Mr. Eaton took photos of the site, which were presented to the Board. It was raining and wet at the time the photos were taken. There is still a considerable amount of standing water on the site. The filter fabric in the underdrain was clogged. The developer installed yard drains, but they were installed too high. There have been several attempts to correct the situation. Standing water is a problem because EEE season is coming. Neighbors have complained. Ms. Morgan noted that there is also a dead tree that needs replacing. The owners are still

working with Conservation. Ms. Morgan will contact them. This will be on the agenda for August 24<sup>th</sup>, 2020.

- b. 41 East Main Street – Webster First Federal Credit Union – Landscaping – The applicant inquired about the surety. The landscaping is not built according to the approved as-built plan. They should come before the Board on the August 24<sup>th</sup> meeting to discuss the unstable area.
- c. Board Vacancies – Christella Gonsocik applied for the full member position. There are still 2 vacancies for associate member positions. The Mullin Rule adopted at Town Meeting is currently being reviewed by the Attorney General’s office. Once approved the Board can vote to exercise their right to use it which will be helpful in the future. This will allow members to miss one meeting and review the minutes or video and certify such.
- d. Future Meetings – Zoom and in Person Hybrid – Staff is working on a hybrid meeting style, so meetings can be accessible to all of the public. Votes will have to all be by roll call.

Motion to adjourn made by Mr. Dostoler, seconded by Ms. Cody Motion passed unanimously, 4 - 0. The meeting was adjourned at 8:12 p.m.

Minutes Approved:         Daniel Morin         Date:         8-24-2020          
Daniel Morin, Clerk

**EXHIBITS:**

Action Item 2D – Approval Not Required Plan – 16 Pattison Road – Approval Under Subdivision Control Not Required Plan of Land. All materials pertaining to this application can be found in the office of the Town Clerk.

Action Item 2E - As Built Plan Submission – Water Treatment Plant – Memorial Drive – Site Layout Plan, Pumping Station Road, All materials pertaining to this application can be found in the Planning Department.

Public Hearing 3A - Modification of a Special Permit and Site Plan Approval – 30 Worcester Road – Curaleaf Massachusetts Inc. All materials associated with this application are on file in the office of the Town Clerk and the Planning Department.

Public Hearing 3B - Special Permit / Site Plan Approval /Stormwater Permit – 137 East Main Street – PMG Northeast LLC, (Applicant / Owner). All materials pertaining to this application can be found in the office of the Town Clerk and the Planning Department.

Public Meeting 4A. - Site Plan Approval Application – 17 Loveland Road – Joseph Seraphin, 17 Loveland Road, Webster, MA (Applicant/Owner). All materials pertaining to this application can be found in the office of the Town Clerk and the Planning Department.

Public Meeting 4B. - Site Plan / Stormwater Permit – 5 Cudworth Road – 5 Cudworth Road LLC, 133 Pearl Street, Boston, MA 02110 (Applicant/Owner). All materials pertaining to this application can be found in the office of the Town Clerk and the Planning Department.