

**Webster Planning Board  
Meeting Minutes  
May 24, 2021**

A meeting of the Webster Planning Board was held on Monday, May 24, 2021 via remote participation in accordance with Governor Baker's emergency order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §20 due to the public health emergency relating to the Coronavirus pandemic.

**Present:** Chairman Paul LaFramboise (joined the meeting at 6:36 p.m.), Vice Chairman Michael Dostoler (joined the meeting at 6:39 p.m.), Clerk Dan Morin, Members Christella Gonsorcik and Cathy Cody.

**Absent:** Kelly Baldarelli, Associate Member.

**Also present:** Ann Morgan, Director of Planning & Economic Development; Kelly Lyman, Clerk; Chuck Eaton, CHA Consulting, Inc.

1. **Call to Order:** Clerk Dan Morin called the meeting to order at 6:32 p.m. and read the Governor's Orders regarding Open Meeting Law, G.L. c. 30A § 20. Anyone wishing to record the meeting for their own use is required to notify the Vice Chairman in advance. No one stated as such. Mr. Morin directed staff to attendance of the Board by roll call: Mr. Morin — Present; Ms. Gonsorcik — Present; Ms. Cody — Present.

2. **Action Items**

a. **Approval of Meeting Minutes – March 29, 2021, April 26, 2021**

The Board reviewed the meeting minutes of March 29, 2021. No edits were made. Motion to approve the meeting minutes of March 29, 2021 as drafted made by Ms. Cody, seconded by Ms. Gonsorcik. Motion passed unanimously 4-0, by roll call vote: Mr. Morin — AYE; Ms. Gonsorcik — AYE; Ms. Cody - AYE; Mr. Dostoler - AYE.

The Board reviewed the meeting minutes of April 26, 2021. No edits were made. Motion to approve the meeting minutes of April 26, 2021 as drafted made by Ms. Cody, seconded by Ms. Gonsorcik. Motion passed unanimously 4-0, by roll call vote: Mr. Morin — AYE; Ms. Gonsorcik — AYE; Ms. Cody - AYE; Mr. Dostoler - AYE.

b. **Approval Not Required Plan — 21 Morris Street — Robert & Carolyn Hudon (Applicant / Owner); Assessor ID 24-D-2.** Ms. Morgan shared the plan on the screen for all to see. She noted that the change in property line reflects the transfer of 6.6 feet from one lot to another. The plan had been reviewed and met all the requirements.

Chairman LaFramboise joined the meeting at 6:36 p.m.

Ms. Morgan noted that the transfer of land did not create any non-conformities for either of the lots. There were no comments or questions from the Board.

Motion to approve the ANR Plan for 21 Morris Street and to authorize Ms. Morgan to sign the plan on the Board's behalf made by Mr. LaFramboise, seconded by Mr. Dostoler. Motion passed unanimously 5-0, by roll call vote: Mr. Morin — AYE; Ms. Gonsorcik — AYE; Ms. Cody - AYE; Mr. Dostoler - AYE; Mr. LaFramboise - AYE.

- c. **Approval Not Required Plan — 36 Birch Island Road - 36 Birch Island Road LLC (Owner); Assessor ID 57-E-3-0.** Ms. Morgan shared the plan on the screen for all to see. The plan shows Lot 3 not becoming two lots - A & B. The plan has been reviewed by staff and meets all the requirements. There were not comments or questions from the Board.

Motion to approve the ANR Plan for 36 Birch Island Road and to authorize Ms. Morgan to sign the plan on the Board's behalf made by Ms. Gonsorcik, seconded by Ms. Cody. Motion passed unanimously 5-0, by roll call vote: Mr. Morin — AYE; Ms. Gonsorcik — AYE; Ms. Cody - AYE; Mr. Dostoler - AYE; Mr. LaFramboise - AYE.

- d. **Approval Not Required Plan — 28 Mechanic Street - Conner Land Trust LLC (Owner); Assessor ID 1-Q-15-0.** Ms. Morgan shared the plan on the screen for all to see. The Owner wants to take the one lot and make it into two individual lots. A parking easement is provided for one of the lots. Both lots will have frontage on Brookline Street Extension which is recognized as a Town road. There were no additional comments or questions from the Board.

Motion to approve the ANR Plan for 28 Mechanic Street and to authorize Ms. Morgan to sign the plan on the Board's behalf made by Mr. LaFramboise, seconded by Mr. Dostoler. Motion passed unanimously 5-0, by roll call vote: Mr. Morin — AYE; Ms. Gonsorcik — AYE; Ms. Cody - AYE; Mr. Dostoler - AYE; Mr. LaFramboise - AYE.

- e. **Approval Not Required Plan — 0 Lower Gore Road - Charles Meagher (Owner); Assessor ID 63-B-4-0.** Bob Murphy of Continental Land Survey was present to represent the owners. Ms. Morgan displayed the plan on the screen for all to see. Mr. Murphy reviewed the plan noting that the owners are dividing the lot into four separate lots. He knows that they have to go to the Conservation Commission in the future if they want to develop the lots due to the presence of wetlands. Ms. Morgan noted that the plan met all the requirements. There were no additional questions or comments from the Board.

Motion to approve the ANR Plan for 0 Lower Gore Road and to authorize Ms. Morgan to sign the plan on the Board's behalf made by Ms. Cody, seconded by Ms. Gonsorcik. Motion passed unanimously 5-0, by roll call vote: Mr. Morin — AYE; Ms. Gonsorcik — AYE; Ms. Cody - AYE; Mr. Dostoler - AYE; Mr. Laframboise.

### 3. Public Meetings

- a. **Site Plan Approval and Stormwater Permit Applications - 5-7 Goya Drive & 9 Goya Drive; R.P. Masiello, Inc. (Applicant), Goya Foods, Inc. (Owner); Assessor ID 96-A-2-1 and 96-A-2-2; Expansion of existing wholesale warehouse facility including new addition and parking. Site is located within the Industrial (I) and Lake Watershed Protection (LWP) zoning districts. Continued from 4/26/21.** Brian Milisci from Whitman & Bingham Associates, LLC was present to represent the applicant. The outstanding engineering items were discussed. Mr. Milisci stated that the office portion of the addition will be eliminated and the space will be worked into the interior footing of the existing building. The loading docks have been moved on the plan facing west. This was done to allow for additional water quality treatment units. Mr. Eaton had technical comments. Hydrodynamic separators should be used to clean the stormwater before infiltration. Calculations must be provided for the stormwater basin. The Illicit Discharge Statement should be stamped and reworded. A sediment barrier can be used during construction around the top and bottom of the stormwater basin. This site is also in the Lake Watershed protection district, which needs to be added to the submittal. Intensity mapping of the existing lighting must be provided. Proposed grading for

the handicap spaces and hatched areas are needed on the plan between the handicap parking areas. A cross section of the stormwater basin must be provided. Ms. Morgan suggested continuing the hearing to address these engineering comments.

Mr. Milisci responded to comments submitted by Michelle Smith of 59 Cudworth Road. Ms. Smith stated she would like to follow up on some of those comments. The vehicle lights in the lot may be visible from the abutters homes and fencing or screening should be used. The mingling of passenger sized vehicles and large loading trucks is also a concern. She stated that a spill kit should be on the site in case of equipment leaks. She suggested using dark sky compliant lighting and stated that using warmer colored lights, rather than blue lights, lowers the kelvin temperature and is better for the animals in the area. She also stated that the abutters can hear and feel the noise and vibrations from the refrigerator units. Mr. Dostoler asked when the noise is happening. Ms. Smith stated that the neighbors say the noise is constant. Mr. Milisci will obtain a contact for Ms. Smith to speak with about the noise. There were no further questions from the Board or from the public.

Motion to continue the hearing to June 28, 2021 at 6:30 p.m. made by Ms. Gonsorcik, seconded by Ms. Cody. Motion passed unanimously 5-0, by roll call vote: Mr. Morin — AYE; Ms. Gonsorcik — AYE; Ms. Cody - AYE; Mr. Dostoler - AYE; Mr. Laframboise - AYE.

- b. Site Plan Approval and Stormwater Permit Applications - 61,67, 69 Cudworth Road - 590 vehicle storage parking lot to serve the Central Massachusetts Auto Auction facility in Oxford; Assessor ID 97-B-2-0, 97-B-2-1, 97-B-3-0); NU Auto Auction Realty, LLC, 12 Industrial Park Road, East Oxford, MA 01540 (Applicant / Owner). Said site is located in Business without Sewer (B5) zoning district. Continued from 4/26/21.** The applicant submitted a written request to the Planning Board to continue the hearing. Ms. Morgan stated that the applicant's lawyers are preparing a response to staff regarding zoning issues. She advised the Board that due to attorney involvement, there should be no discussion or conversation at this time from the Board or public. No comments or testimony were taken.

Motion to continue the public hearing to June 28, 2021 at 6:30 p.m. made by Mr. Morin and seconded by Ms. Gonsorcik. Motion passed unanimously 5-0, by roll call vote: Mr. Morin — AYE; Ms. Gonsorcik — AYE; Ms. Cody - AYE; Mr. Dostoler - AYE; Mr. Laframboise - AYE.

#### 4. Staff Report

- a. Lifting of the Governor's Emergency Order. Ms. Morgan noted that after June 15<sup>th</sup> all meetings will move back to the in person format.
- b. Other Updates:
- Kmart Plaza Development: The Town Clerk is processing the Town Meeting warrant articles which will be forwarded to the Attorney General's Office for review. It can take a few months for that process to be completed. The development of the Kmart Plaza will have to wait until that process is complete as one of the warrant articles would allow for self-service storage to go into the old Kmart building.
  - 137 East Main Street Gas Station - Ms. Morgan has received conflicting information about the status of the ownership of the site. As of now the owners are the same who received site plan approval and special permit (signage) to redevelop the site. They have completed a number of items required under the condition of approval. However she has received calls from a party representing someone who may buy the site. That party is uncertain if they will move forward

with the approved redevelopment plans. Ms. Morgan noted that the freestanding car wash sign was illegal and that she and the Building Commissioner are working to have it removed.


- Burger King - a new sign package has been submitted and has been reviewed. Some of the proposed signs exceed the allowable square footage. Staff is working with Burger King to determine what can be installed by right and what will require a special permit from the Planning Board.
- Outdoor Seating - the Governor's Emergency Orders allowing outdoor seating to by-pass local zoning will remain in effect through the summer. Once lifted, the Town will need to develop a policy and process to allow it in the future as many agree that they like having that option. Issues to address include reduction of parking and ADA compliance if considering sidewalk seating. Alleyways may be the only option that may not require significant review.
- Main Street - Wine Bar Mural - The Board asked if the mural needed a sign permit. Ms. Morgan noted that the mural was considered public art and as it was painted directly on the wall did not require a permit. Originally the mural included the name of the bar/restaurant. This would have triggered the need for a Special Permit from the Planning Board due to the size of the mural. The Owner opted to take that information out of the mural to avoid that process. The Owner is installing signage on the front and side of the building which meet the requirements of the by-law. The Owner has applied for one building permit for the front and will apply for a second permit for the secondary signage.
- Mike's Munchies and Crunchies is moving into the old Lobster Nook building at the bottom of Main Street.
- Music - Stave & Still plans to have live entertainment and music on site and played in their outdoor seating area. Monte Bianco, across the street from Stave & Still, will have music playing for their outdoor seating customers as well. The police will respond if the noise reaches a certain level.
- Dunkin' Donuts - Main Street - The building is currently empty and staff has heard that a new Lebanese kitchen restaurant may be going in there. The property owners are unwilling to share their parking area with the surrounding businesses and restaurants and have parked large trucks at the entrance of their parking area to prevent others from using it. At one point the trucks were parked on the sidewalk forcing people to walk into the street. The police addressed that situation with the owner.
- Curaleaf Odor - It was noted that the odor problem continues to generate complaints. Ms. Morgan noted that she would contact Gary Stein who is the facilities manager and ask that he provide an update on their efforts to address the situation. She would like to have that update ready for the next meeting.
- Board Reappointments - Mr. LaFramboise noted that he had received an email from the Town Administrator asking about reappointment status. Both Ms. Cody and Mr. Morin have stated that they would like to be reappointed. The Selectmen will be reappointing people at their June meeting. Mr. Dostoler asked about Ms. Baldarelli as she hasn't been present. Ms. Morgan noted that she knew that Ms. Baldarelli had not been well and would reach out to her.

**5. Next Meeting** - Monday, June 28, 2021, 6:30 p.m. in the Board of Selectmen Room, Webster Town Hall, 350 Main Street. Ms. Cody noted that she may not be available for that meeting.

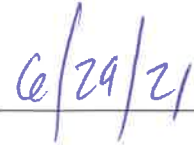
**6. Adjournment**

Motion to adjourn the meeting made by Ms. Cody, seconded by Ms. Gonsorcik. Motion passed unanimously 5-0, by roll call vote: Mr. Morin — AYE; Ms. Gonsorcik — AYE; Mr. Dostoler — AYE; Ms. Cody - AYE; Mr. LaFramboise - AYE. The meeting was adjourned at 7:25 p.m.

Minutes Approved:

  
Daniel Morin, Clerk

Date:



### **EXHIBITS**

#### **Public Meeting 3A: Site Plan Approval and Stormwater Permit Applications - 5-7 Goya Drive & 9 Goya Drive; R.P. Masiello, Inc. (Applicant), Goya Foods, Inc. (Owner); Assessor ID 96-A-2-1 and 96-A-2-2;**

- Site Development Plan for Building Addition in Webster, Massachusetts off Goya Drive; prepared by Whitman & Bingham Associates; dated April 24, 2021 and revised May 17, 2021; 24" x 36"; 17 sheets.
- Correspondence from Whitman & Bingham Associates; Request for Waivers; dated May 18, 2021; 1 page.
- Revised Stormwater Report & Checklist; prepared by Whitman & Bingham Associates; dated March, 2021 and revised May 17, 2021; 21 pages.
- Correspondence from Whitman & Bingham Associates; Response to Abutter Comments; dated May 19, 2021; 9 pages.
- Correspondence from CHA Consultants; 5 Goya Drive Warehouse Expansion, Engineering Review; dated May 24, 2021; 4 pages.

#### **Public Meeting 3B: Site Plan Approval and Stormwater Permit Applications - 61,67, 69 Cudworth Road - 590 vehicle storage parking lot to serve the Central Massachusetts Auto Auction facility in Oxford; Assessor ID 97-B-2-0, 97-B-2-1, 97-B-3-0); NU Auto Auction Realty, LLC, 12 Industrial Park Road, East Oxford, MA 01540 (Applicant / Owner).**

- Town of Oxford Class II Used Car Dealer's License; received May 24, 2021; 1 page.
- Correspondence from Quinn Engineering, Inc.; NU Auto Auction Realty Request for Continuance; dated and received May 24, 2021; 1 page.