

**Webster Planning Board
Meeting Minutes
August 24, 2020**

A meeting of the Webster Planning Board was held on Monday, August 24, 2020 in the Selectmen's Meeting Room of the Webster Town Hall, 2nd Floor, 350 Main Street, Webster, MA.

Present: Chairman Paul LaFramboise, Vice Chairman Michael Dostoler, and Members Cathy Cody, and Dan Morin, and Christella Gonsorcik (joining the meeting at 6:50 p.m.) 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 6:31 p.m. and stated that items will be taken out of order.

2. **Action Items**

- e. **41 East Main Street – Webster First Federal Credit Union – Request to Release Surety** – The applicant has received their Certificate of Occupancy and the only item that remains is the landscaping surety. Ms. Morgan reviewed the recent inspection reports and photos. Mr. Eaton stated that the issues have been addressed. Attorney Kevin David, the Bank's representative, explained that one small area of the landscaping was converted to pavement to accommodate handicap parking. Additional landscaping was added to compensate for that paved area. Some trees in the back were not planted due to slope and site constraints. Mr. LaFramboise noted that the landscaping was mostly completed in accordance with the plan and that the minor changes were not significant. He asked if the Board had any questions or comments. There were none.

Motion to release the landscaping surety made by Ms. Cody and seconded by Mr. Dostoler. Motion passed unanimously 4-0.

4. **Discussion Items**

- a. **108 Thompson Road – Summit Eldercare – As Built Plan Progress – Drainage** – Mike O'Brien of Galaxy Tower LLC was present to discuss the status of the project. The final occupancy permit requires sign off from the Planning Board and Conservation Commission. There has been an ongoing problem with the drainage at the rear of the building. The rear yard drainage issue was brought to their attention due to neighbor complaints Ms. Morgan presented photos taken throughout July. Mr. Eaton has reviewed the as built plans. Mr. O'Brien noted that the drains that were installed too high have since been lowered. There was an issue with the sprinkler system cycle, which has been corrected, and now the swale is functioning as it should. Ms. Morgan noted there is a dead tree that should be taken care of. There were no other issues identified by staff as being problematic towards accepting the as built plan. Mr. LaFramboise asked if the Board had any questions. There were none.

Motion to accept the final as-built plan for 108 Thompson Road made by Michael Dostoler, seconded by Cathy Cody. Motion passed unanimously, 4-0.

2. **Action Items**

- g. **Draft Decision: Special Permit / Site Plan / Stormwater Permit – 137 East Main Street – Convenience Store and Gas Station – PMG Northeast LLC (Applicant/Owner)** – Ms. Morgan advised that this draft decision was not ready for review. She noted that the Board could consider a special meeting before September 28th to review and act on the draft decision. There was not interest in this option. The draft decision was tabled to the next meeting on September 28, 2020.

3. Public Meeting

- c. **Site Plan - 17 Loveland Road – Reconstruct existing garage and add a second residential unit on the new second floor – Joseph Seraphin (Applicant / Owner)** – Ms. Morgan explained that variances are required in advance of site plan approval or disapproval by the Planning Board. The Zoning Board of Appeals is meeting on Wednesday to review the draft decision on their Special Permit application. The lot coverage table on the current plan needs to be revised and submitted to the Planning Board. The pervious area has been reduced but it is currently over 40%. A Special Permit from the Planning Board is required if lot coverage is exceeds 40%. The plan should be updated to show the existing building footprint vs. what is proposed. Ms. Morgan noted that it was difficult to determine if the new footprint was going to be inside the existing footprint or if the new footprint was moving and expanding beyond the current one. Mr. Seraphin explained that the footprint of the proposed garage is smaller and will be located within the existing footprint. Mr. LaFramboise asked if there were any questions from the Board or audience. There were none.

Motion to continue the matter to the next meeting on Monday September 28, 2020 made by Mr. Morin and seconded by Ms. Cody. Motion passed unanimously 4-0.

- b. **Stormwater Permit – Site Stabilization - 0 Douglas Road – Assessor ID A-8-3 and A-8-3-4; Guaranteed Builders and Developers, Inc. (Applicant / Owner)** – Peer review funds were received for this application on Friday. Mr. Eaton received the file for review today. Mr. LaFramboise asked if there were any comments from the Board. There were none.

Motion to continue this item to the next meeting on Monday September 28, 2020 made by Mr. Dostoler and seconded by Mr. Morin. Motion passed unanimously 4-0.

- a. **Site Plan / Stormwater Permit – Commercial Site Development – 13-15 Old Worcester Road – Assessor ID A-6-0; Jeff Dowgiewicz d/b/a Reid Smith Realty, LLC (Applicant / Owner)** – The application was missing the traffic study and lumens plan. Stephen Balcewicz from B.C. Engineering & Survey, Inc. presented the latest plan, dated July 31, 2020, to the Board. He brought paper copies to submit to the Board and will submit them to Ms. Morgan. Four buildings are proposed. Three of the buildings are the same size, 60'x125' at 7,500 square feet. One building is 60'x30' at 3,600 square feet. A septic system plan was submitted to the Board of Health which includes a network of septic tanks. For drainage, a series of underground Cultec or infiltrator systems is proposed. Percolation tests were performed. They are proposing four tight tanks which require DEP review and approval. A traffic study was done during the hours of 7:00 a.m. – 9:00 a.m. and 4:00 p.m. – 6:00 p.m. on during the week. A total of 84 cars were counted. The speed limit in this area is 30 m.p.h. but the speeds often exceed that limit. The required number of parking spaces for this site is 28. The plan, which includes handicap spaces, exceeds that requirement. He reviewed the sight line distances in both directions noting that they were adequate for road geometry and rate of speed. The buildings will be used for contractor storage and office space.

Ms. Gonsorcik joined the meeting at 6:50 p.m.

Mr. LaFramboise asked about the fire department access to the rear of the buildings. There must be enough room to accommodate emergency vehicles and access to the rear of the building should be provided in case of fire. Ms. Morgan spoke with the Fire Chief and he stated that if vehicles with fuel will be stored in the buildings a sprinkler system is also required based on the Building Code requirements. She noted that there is space at the rear of those buildings on the south side of the site but wasn't sure if it were designed to accommodate large emergency vehicles. Mr. Balcewicz noted

that it was not designed as such but that the Fire Department has access on 3 side which should be adequate. He also stated that if a building is under 7,500 square feet, sprinklers are not required to which Ms. Morgan disagreed suggesting that he review that issue with the Fire Chief. Mr. Balcewicz noted that each unit has an overhead door and vehicles will not be stored inside the building. The lighting plan is almost complete. There are 2 wall mounted lights on each building with little light spillage onto the abutting property. There will be lighting at the entrance as well. Signage is proposed. Retention areas are proposed at the construction entrance to catch runoff. Erosion controls are provided on the updated plan. The material stockpile with remain and stumps will be removed. The buildings are on 15 Old Worcester Road and there is only a catch basin currently proposed at 13 Old Worcester Road.

Ms. Morgan asked a series of questions of items identified on the plan that had not been discussed. In particular there is a notation for a Future Building and an area marked (P) Gravel construction equipment area. She asked about access to those two items that on the lot known as 15 Old Worcester Road and immediately adjacent to the site development at 13 Old Worcester Road. Mr. Balcewicz noted that those would be considered for future development. Ms. Morgan suggested that they be removed from the plan as it was confusing. Any future changes to an approve site plan will require Board action.

Mr. LaFramboise asked if there were any additional questions from the Board or audience. There were none.

Motion to continue this matter to the next meeting on September 28, 2020 made by Mr. Dostoler and seconded by Ms. Cody. Motion passed unanimously 5-0.

2. Action Items

- a. **Reorganization – Officers, Central MA Regional Planning Commission Delegates (2)** – Ms. Morgan explained that Boards must reorganize each year in August, per the Board of Selectmen policies. Reorganization includes the officers - Chairman, Vice Chairman and Clerk. Delegates to the Central Massachusetts Regional Planning Commission (CMRPC) must also be appointed. The Board chose to keep the officers as Paul LaFramboise, Chairman, Michael Dostoler, Vice Chairman, and Daniel Morin, Clerk.

Motion to nominate Paul LaFramboise as Chairman, Michael Dostoler as Vice Chairman and Dan Morin as Clerk made by Ms, Cody and seconded by Ms. Gonsorcik. Motion passed unanimously 5-0.

Cathy Cody volunteered to remain as a CMRPC delegate and Christella Gonsorcik volunteered for the second delegate post.

Motion appoint Cathy Cody and Christella Gonsorcik as the Planning Board delegates to CMRPC made by Mr. LaFramboise and seconded by Mr. Dostoler. Motion passed unanimously 5-0.

- b. **Worcester District Registry of Deeds (WDRD) Signature Form** – The Board members signed the form at the previous meeting on July 27, 2020. Since then, Christella Gonsorcik was sworn in as a full member of the Planning Board and her signature must be filed with the WDRD. The Board re-signed the new authorization form.

c. Vote to Authorize Director of Planning & Economic Development to Sign For, as and on Behalf of Planning Board Members and to Use Electronic Signature Where Applicable.

Ms. Morgan reviewed the parameters of the Board acting to allow her to sign specific documents on their behalf upon majority vote of the Board. This is something that many towns use to expedite the process of signing mylars relating to subdivision and approval not required plans. Nothing would be signed without the Board first voting to authorize her to sign. It is at the discretion of the Board if they wish to sign these documents themselves or authorize her to do so. In order to complete that authorization the Board needs to take a vote and complete a document that gets filed with the Worcester District Registry of Deeds. Motions and the form were developed from a template provided by Town Counsel. The Board agreed that this would provide options and flexibility in the future.

Motion: I move to authorize the Town of Webster Director of Planning and Economic Development, presently Ann V. Morgan, and her successor(s), whomever they may be, to physically sign Approval Not Required and Subdivision Plans, or to make any other certification under the subdivision control law, pursuant to G.L. c. 41, § 81P, and/or G.L. c. 41, § 81X, *et seq.*, for, as and on behalf of individual Board members when so authorized by a majority vote of the Board at a duly posted meeting.

Motion made by Ms. Cody and seconded by Mr. Dostoler. Motion passed unanimously, 5-0 by roll call vote (Ms. Gonsorcik – AYE; Ms. Cody – AYE; Mr. Dostoler – AYE; Mr. LaFramboise – AYE; Mr. Morin – AYE.)

Ms. Morgan reviewed the second action item presented on the WDRD form which would give the Board flexibility to utilize digital signatures in the future. This would provide flexibility in filing important documents in a timely manner. The Board will have the option to use wet signatures or digital signatures. In order to complete that authorization the Board needs to take a vote and complete a document that gets filed with the Worcester District Registry of Deeds. The Board noted that this would provide greater flexibility in the future.

Motion: I move that the Planning Board hereby recognizes and accepts the provisions of M.G.L. c. 110G regarding electronic signatures and that its members will henceforth execute documents either with electronic signatures or with wet ink signatures and that both will carry the same legal weight and effect.

Motion made by Ms. Cody and seconded by Mr. Dostoler. Motion passed unanimously, 5-0 by roll call vote (Ms. Gonsorcik – AYE; Ms. Cody – AYE; Mr. Dostoler – AYE; Mr. LaFramboise – AYE; Mr. Morin – AYE.)

The Board signed the form to be filed with the Worcester District Registry of Deeds.

d. Approval of Meeting Minutes – July 27, 2020 – Mr. Eaton and Ms. Cody contributed minor edits to the meeting minutes. Motion to accept the minutes as drafted and edited made by Mr. Dostoler and seconded by Ms. Cody. Motion passed unanimously 5-0.

f. Draft Decision: Modification of a Special Permit & Site Plan Approval – 30 Worcester Road – Expansion of a Parking Lot – Curaleaf Massachusetts, Inc. (Applicant) – This application was advertised as a Modification of the Site Plan and Special Permit, however the Special Permit is not relevant to this Decision since the Board is only addressing the Site Plan. A supermajority vote is not required. Ms. Morgan explained the process for reviewing the decision and the findings with the

Board. She reviewed the different categories of finding. There are 3 waivers, 2 regarding landscaping and 1 relating to the paving requirement. Draft conditions were prepared. The Board opted to review this decision and to take action on it at a later meeting as it had only been distributed that night and the Board needed time to review. This agenda items was tabled to the next meeting on September 28, 2020.

- h. Draft Decision: Site Plan – 5 Cudworth Road – Expansion of existing loading dock area and parking lot – 5 Cudworth Road, LLC.** – Ms. Morgan reviewed the structure of the draft decision which had been distributed to the Board earlier in the meeting. The Board opted to review this decision and to take action on it at a later meeting as it had only been distributed that night and the Board needed time to review. This agenda item was tabled to the next meeting on September 28, 2020.

Motion to adjourn made by Mr. Dostoler, seconded by Ms. Cody Motion passed unanimously, 5 - 0. The meeting was adjourned at 7:38 p.m.

Minutes Approved: Daniel Morin Date: 12/2/2020
Daniel Morin, Clerk

EXHIBITS:

Action Item 2E – 41 East Main Street – Webster First Federal Credit Union - Request to Release Surety - All materials pertaining to this application can be found in the office of the Town Clerk and in the Planning Department.

Discussion Item 4A - 108 Thompson Road – Summit Eldercare – As Built Plan Progress – Drainage - All materials pertaining to this application can be found in the office of the Town Clerk and in the Planning Department.

Action Item 2G - Draft Decision: Special Permit / Site Plan / Stormwater Permit – 137 East Main Street – Convenience Store and Gas Station – PMG Northeast LLC (Applicant/Owner) - All materials associated with this application are on file in the office of the Town Clerk and the Planning Department.

Public Meeting 3C - Site Plan - 17 Loveland Road – Reconstruct existing garage and add a second residential unit on the new second floor – Joseph Seraphin (Applicant / Owner) - All materials pertaining to this application can be found in the office of the Town Clerk and the Planning Department.

Public Meeting 3B - Stormwater Permit – Site Stabilization - 0 Douglas Road – Assessor ID A-8-3 and A-8-3-4; Guaranteed Builders and Developers, Inc. (Applicant / Owner) - All materials pertaining to this application can be found in the office of the Town Clerk and the Planning Department.

Public Meeting 3A - Site Plan / Stormwater Permit – Commercial Site Development – 13-15 Old Worcester Road – Assessor ID A-6-0; Jeff Dowgiewicz d/b/a Reid Smith Realty, LLC (Applicant / Owner) - All materials pertaining to this application can be found in the office of the Town Clerk and the Planning Department.

Action Item 2F - Draft Decision: Modification of a Special Permit & Site Plan Approval – 30 Worcester Road – Expansion of a Parking Lot – Curaleaf Massachusetts, Inc. (Applicant) - All materials pertaining to this application can be found in the office of the Town Clerk and the Planning Department.

Action Item 2H - Draft Decision: Site Plan – 5 Cudworth Road – Expansion of existing loading dock area and parking lot – 5 Cudworth Road, LLC. - All materials pertaining to this application can be found in the office of the Town Clerk and the Planning Department.