

**Webster Planning Board
Meeting Minutes
November 30, 2020**

A meeting of the Webster Planning Board was held on Monday, November 30, 2020 via conference call 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: Vice Chairman Michael Dostoler, and Members Cathy Cody, and Dan Morin. Also present: Ann Morgan, Director of Planning & Economic Development; Kelly Gorham, Clerk; Chuck Eaton, CHA Consulting Inc.

Absent: Chairman Paul LaFramboise; Christella Gonsorcik

1. Call to Order: Vice Chairman Dostoler called the meeting to order at 6:31 p.m. and read the Governor's Orders regarding Open Meeting Law, G.L. c. 30A § 20. The Vice Chairman took attendance of the Board by roll call vote: Ms. Cody – Present; Mr. Morin – Present; Mr. Dostoler – Present.

2. Action Items

a. Approval of Meeting Minutes – August 24, 2020, September 28, 2020 – Ms. Cody contributed minor edits to the minutes of August 24, 2020 and Mr. Eaton noted a grammatical error. Motion to approve the draft minutes as edited made by Mr. Dostoler, seconded by Mr. Morin. Motion passed unanimously 3-0, by roll call vote: Mr. Dostoler – AYE; Ms. Cody – AYE; Mr. Morin – AYE.

The meeting minutes of September 28, 2020 were tabled to the next meeting.

b. Planning Board Meeting Schedule and Submission Deadlines 2021 – Ms. Morgan noted the Planning Board typically meets on the third Monday of every month and that these dates are posted with the Town Clerk and are subject to change. Motion to approve the 2021 meeting dates and submission deadlines made by Mr. Dostoler, seconded by Ms. Cody. Motion passed unanimously 3-0, by roll call vote: Mr. Dostoler – AYE; Ms. Cody – AYE; Mr. Morin – AYE.

The Vice Chairman states that items will be taken out of order and Action Items 2C and 2D will be taken up at the end of the meeting.

Action Items c. and d. were tabled to later in the meeting.

e. M.G.L Chapter 91 Waterways Simplified License Application – 8 Fairfield Street – Request for Comments from MassDEP – proposed aluminum dock on Webster Lake; Scott Anderson (Owner/Applicant) – Ms. Morgan noted that there were no comments received from the other Boards. The application has also been reviewed by the Conservation Commission. Stephen Balcewicz from B.C Engineering asked why the Chapter 91 applications are reviewed by the Planning Board. Ms. Morgan explained that these State applications go through the Planning Board, Board of Selectmen and the Zoning Board of Appeals to give the public a format to speak. Those Boards then make recommendation to MA DEP.

Motion to direct staff to submit a memo to MassDEP regarding the Board's proceedings made by Mr. Dostoler, seconded by Ms. Cody. Motion passed unanimously 3-0, by roll call vote: Mr. Dostoler – AYE; Ms. Cody – AYE; Mr. Morin – AYE.

f. Approval Not Required Plan – Oakwood Drive – Szeredy Living Trust (Owner), Peter Amorello (Applicant) - Ms. Morgan shared the plan on the screen. The plan shows 2 lots created out of 1 lot at

the end of Oakwood Drive. The plan meets all area and frontage requirements and regulations. She noted that endorsement of the plan from the Planning Board does not indicate buildability.

Motion to approve the ANR plan and to authorize Ms. Morgan to sign on behalf of the Board in accordance with action taken on August 24, 2020 made by Ms. Cody, seconded by Mr. Morin. Motion passed unanimously 3-0, by roll call vote: Mr. Dostoler – AYE; Ms. Cody – AYE; Mr. Morin – AYE.

- g. Approval Not Required Plan – 124 Gore Road – Richard & Erica Weil (Applicant/Owner) – Ms. Morgan** noted that the plan was previously submitted as a draft and is now finalized. One lot was divided into 2 lots and the new lots meet all the requirements of zoning. Both of the new lots have the required frontage on Gore Road.

Motion to approve the ANR plan and authorize Ms. Morgan to sign on behalf of the Board in accordance with action taken on August 24, 2020 made by Mr. Dostoler and seconded by Mr. Morin. Motion passed unanimously 3-0, by roll call vote: Mr. Dostoler – AYE; Ms. Cody – AYE; Mr. Morin – AYE.

3. Public Meeting

- 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) – Continued from 9/28/20.** Stephen Balcewicz from B.C. Engineering and Survey, Inc. and Jeff Dowgiewicz were present. Mr. Balcewicz updated the Board on the engineering comments based on the most recently developed plan set from October. Ms. Morgan noted that the revised plan set had not been submitted to the Board. Mr. Eaton stated that most of those items mentioned have already been addressed on the revised plan set and were reviewed at the previous meeting. There were some outstanding items. The calculations for the rip rap swales must be provided and the swale added to the Operations and Maintenance plan, showing that they will act as sediment traps. There should be legal documentation regarding maintenance of the drainage easement on Lot 2, 15 Old Worcester Road. That language should be reviewed by Town Counsel and the Planning Board prior to any action taken. If Lot 2 is sold, this will provide the new owners with direction for the drainage system. Ms. Morgan will refer to Town Counsel once submitted. The language must be recorded. There were no further questions from the Board.

Motion to continue the public meeting to December 21, 2020 at 6:30 p.m. made by Mr. Morin and seconded by Ms. Cody. Motion passed unanimously 3-0 by roll call vote: Mr. Dostoler – AYE; Ms. Cody – AYE; Mr. Morin – AYE.

4. Public Hearing

- a. Site Plan - 17 Loveland Road – Reconstruct existing garage and add a second residential unit on the new second floor –and Special Permit – 17 Loveland Road – Lot coverage exceeding 40% impervious surface - Joseph Seraphin (Applicant / Owner); Continued from 9/28/20.**

Ms. Morgan noted that the Applicant / Owner had submitted a letter to the Board dated November 12, 2020 requesting that his applications before the Board be withdrawn without prejudice.

Motion to grant the applicant / owner's request to withdraw without prejudice made by Mr. Morin, seconded by Ms. Cody. Motion passed unanimously 3-0 by roll call vote - Morin - AYE; Cody - AYE; Dostoler - AYE.

2. Action Items

- c. **Draft Decision: Modification of a Special Permit & Site Plan Approval – 30 Worcester Road – Expansion of Parking Lot – Curaleaf Massachusetts, Inc. (Applicant)** - This special permit is tied to the site plan and requires a supermajority vote to proceed. There are 3 Board members present at this meeting and 4 votes are required. This item is tabled to the next meeting. Once the formal decision is recorded at the Worcester Registry of Deeds, the as-built plan may be submitted. Mr. Balcewicz stated that this project will also be submitted to the Conservation Commission for review.

Motion to continue the Draft Decision vote to the next meeting on December 21, 2020 made by Mr. Dostoler and seconded by Mr. Morin. Motion passed unanimously 3-0, by roll call vote: Mr. Dostoler – AYE; Ms. Cody – AYE; Mr. Morin – AYE.

- d. **Draft Decision: Site Plan – 5 Cudworth Road – Expansion of existing loading dock area and parking lot – 5 Cudworth Road, LLC (Applicant)**

The Board reviewed the draft decision and took the following action:

Motion to approve Findings F1 through F3 as drafted made by Mr. Dostoler, seconded by Ms. Cody. Motion passed unanimously, 3-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).

Motion to approve Findings F4 through F12 as drafted made by Mr. Dostoler, seconded by Ms. Cody. Motion passed unanimously, 3-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).

Motion to approve Findings F13 through F2 as drafted made by Mr. Morin, seconded by Mr. Dostoler. Motion passed unanimously, 3-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).

Motion to approve Finding F23 as written made by Mr. Dostoler, seconded by Ms. Cody. The motion passed unanimously 3-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).

Finding F24: Mr. Eaton noted that the third bullet item should be removed as it was a requirement that did not apply in this matter. Motion to approve Finding F24 as written and edited made by Mr. Dostoler, seconded by Ms. Cody. The motion passed unanimously 3-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).

Motion to approve Finding F25 as drafted made by Mr. Dostoler, seconded by Ms. Cody. The motion passed unanimously 3-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).

Motion to approve Finding F26 as drafted made by Mr. Dostoler, seconded by Ms. Cody. The motion passed unanimously 3-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).

Motion to approve Finding F27 as drafted made by Mr. Dostoler, seconded by Mr. Morin. The motion passed unanimously 3-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).

Motion to approve Finding F28 as drafted made by Mr. Dostoler, seconded by Ms. Cody. The motion passed unanimously 3-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).

Motion to approve Finding F29 as drafted made by Mr. Dostoler, seconded by Mr. Morin. The motion passed unanimously 3-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).

Motion to approve the Site Plan with Conditions made by Mr. Dostoler, seconded by Ms. Cody. The motion passed unanimously 3-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).

Motion to authorize Ann Morgan, Director of Planning & Economic Development to sign the Decision on behalf of the board mad by Mr. Dostoler, seconded by Ms. Cody. Motion passed unanimously, 3-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).

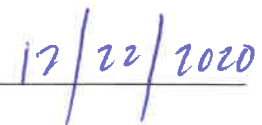
5. **Discussion Items:** Mr. Morin stated that he had a comment regarding the Batten Street solar project. The fence needs attention. It must be at least 6 inches above the ground to allow for small wildlife to navigate through the site and is currently not at that required height. Also, the installed fence is silver and not black vinyl as stated in the conditions. Mr. Eaton also notes that there is a conflict between the Conservation Commission and Planning Board regarding the swale management. Ms. Morgan stated that this item should be listed on a duly posted agenda for future discussion. This item was tabled for discussion for the next meeting on December 21, 2020 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE).
6. **Adjournment.** Vice Chairman Dostoler asked to observe a moment of silence for Mrs. LaFramboise who recently passed away.

Motion to adjourn the meeting made by Ms. Cody, seconded by Mr. Morin. Motion passed unanimously, 3 - 0 by roll call vote: Morin - AYE; Cody - AYE; Dostoler - AYE. The meeting was adjourned at 7:55 p.m.

Minutes Approved: _____


Daniel Morin, Clerk

Date: _____



EXHIBITS:

Action Item 2E - M.G.L Chapter 91 Waterways Simplified License Application Number BRPWW06 – 8 Fairfield Street – Request for Comments from MassDEP

- Commonwealth of Massachusetts Simplified License Application BRP WW06, submitted by Scott Anderson, dated September 21, 2020, 3 pages.

Action Item 2F – Approval Not Required Plan – Oakwood Drive – Szeredy Living Trust

- Form A - Application for Endorsement of Plan Believed Not to Require Approval, submitted by Peter Amorello on November 20, 2020, 3 pages.
- ANR Plan of Land at Oakwood Drive, prepared by Summit Engineering & Survey Inc., dated November 18, 2020, 24"x36", 1 sheet.

Action Item 2G – Approval Not Required Plan – 124 Gore Road – Richard & Erica Weil

- Form A - Application for Endorsement of Plan Believed Not to Require Approval, submitted by Richard and Erica Weil, on November 20, 2020, 3 pages.
- Plan of Land in Webster Mass. Located at 124 Gore Road, prepared by Philip J. Salmon, P.L.S., dated September 25, 2020, 24"x36", 1 sheet.

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

- Correspondence from CHA Consulting re: 13-15 Old Worcester Road Application Review; dated September 28, 2020; 4 pages.
- Revised Plan Set; Site Improvement Plan 13 Old Worcester Road; prepared by BC Engineering & Survey, Inc.; revised through September 14, 2020; 24"x36", 7 sheets.

Public Hearing 4A - Special Permit – 17 Loveland Road – Lot coverage exceeding 40% impervious surface - Joseph Seraphin

- Exhibit 04 – Request to withdraw without prejudice, submitted by Joseph Seraphin, dated November 12, 2020, 1 page.

Draft Decision: Modification of a Special Permit & Site Plan Approval – 30 Worcester Road – Expansion of Parking Lot – Curaleaf Massachusetts, Inc.

- Webster Planning Board Draft Decision Modification of a Site Plan Expansion of Existing Parking Lot, 30 Worcester Road, Webster, MA 01570; September 21, 2020; 12 pages

Action Item 2D - Draft Decision: Site Plan – 5 Cudworth Road – Expansion of existing loading dock area and parking lot – 5 Cudworth Road, LLC

- Webster Planning Board Draft Decision Site Plan Approval & Stormwater Permit Expansion of Existing Loading Dock Area and Parking Lot 5 Cudworth Road, Webster, MA 01570; September 21, 2020; 11 pages.