

**Webster Planning Board
Meeting Minutes
February 22, 2021**

A meeting of the Webster Planning Board was held on Monday, February 22, 2021 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, Clerk Dan Morin, and Members Cathy Cody and Christella Gonsorcik. Also present: Ann Morgan, Director of Planning & Economic Development; Kelly Lyman, Clerk; Chuck Eaton, CHA Consulting Inc.

Absent: Chairman Paul LaFramboise

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: Mr. Morin – Present; Ms. Gonsorcik – Present; Ms. Cody – Present; Mr. Dostoler - Present.

2. Action Items

- a. **Approval of Meeting Minutes – January 25, 2021** – Mr. Morin noted that his name was missing from the roll call vote on item 2a. There were no further edits. Motion to approve the draft minutes, to include the voting correction, made by Ms. Cody, seconded by Mr. Morin. Motion passed unanimously 4-0, by roll call vote: Ms. Cody – AYE; Mr. Morin – AYE; Ms. Gonsorcik – AYE; Mr. Dostoler - AYE.
- b. **Upper Gore Road Definitive Subdivision Plan - Victor J. Stefaniak Jr. and Janet S. Konkel Revocable Living Trust (Owners) - Sign Plan Set and Approve Covenant** – This item was tabled to the next meeting.
- c. **Draft Decision: Stormwater Permit - 0 Douglas Road; Guaranteed Builders and Developers, Inc. (Applicant / Owner).** – This item was tabled to the next meeting.
- d. **Action Item 2D: M.G.L. Chapter 91 Waterways WW24 General License Certification Application - 76 Union Point Road - Assessor ID 56-B-42-43-0 - Linda Candela (Applicant / Owner)** – Linda Candela was present to discuss her application with the Board. Ms. Morgan explained that MA DEP requires a number of Boards to provide input on all Chapter 91 dock permit applications. This permit application is for an existing residential dock. Abutter, Joan Geotis, sent in a letter, which Ms. Morgan shared on the screen for all to see. Ms. Geotis is concerned about the dock being rented out to others, which could cause parking and waterway traffic issues. Ms. Candela stated she does not rent the dock to others and has no intention to do so in the future. She may allow friends to use the dock from time to time. Stephen Balcewicz from B.C. Engineering, Inc. provided some advice to Ms. Candela regarding filing her plan with MA DEP. Ms. Morgan recommended to the Board that any guests should not park their cars on the street and that condition should be included in the memo that the Board provides to MassDEP. If there are changes to the dock configuration, the Board may need to provide updated recommendation to MassDEP.

Motion to direct staff to submit the memo to MassDEP regarding the Board's proceedings, including the comment that additional cars must be parked off of the street, made by Mr. Morin, seconded by Ms. Cody. Motion passed unanimously 4-0, by roll call vote: (Ms. Gonsorcik – AYE; Ms. Cody – AYE; Mr. Morin – AYE; Mr. Dostoler – AYE.)

- e. **Action Item 2E: M.G.L. Chapter 91 Waterways BRPWW06 Simplified License Application - 32 Jackson Road - Assessor ID 40-D-14-0 - Cedar Cove, LLC (Applicant / Owner)** – Stephen Balcewicz from B.C. Engineering, Inc. was present to discuss this application with the Board. Ms. Morgan shared the dock plan and GIS location on the screen for all to see. There is an existing dwelling and garage on the site. Various distance points and the wetland flags are on the plan. The distance from the peninsula to the island is also shown. This will be a new residential dock for personal use only. Ms. Morgan noted that this dock is only for this property, not for any future subdivisions or developments. Mr. Balcewicz confirmed that this application is only for use at 32 Jackson Road. Ms. Cody asked about the location; there appears to be vegetation on the GIS photo. Mr. Balcewicz stated that there is open water in the area and that they have also obtained approval from the Conservation Commission. Carolyn Sedor, owner of the island, had concerns about the lily pads and natural vegetation in the area. MA DEP will take that into consideration during their approval process. She is also concerned that this dock will be used by future developments. Mr. Balcewicz stated that this dock is only for 32 Jackson Road and that Chapter 91 licenses run with the property and it will not be rented out. Staff will catalog these comments in the Board's recommendation. MA DEP will also hold a hearing, which will be advertised. Public comments can also be sent directly to MA DEP.

Motion to direct staff to submit the memo to MA DEP regarding the Board's proceedings and including the summary of public comment made by Ms. Cody, seconded by Mr. Morin. Motion passed unanimously 4-0, by roll call vote: (Ms. Gonsorcik – AYE; Ms. Cody – AYE; Mr. Morin – AYE; Mr. Dostoler – 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 11/30/20.** The site plan engineering review was received from CHA today. Mr. Eaton stated that the comments have been addressed and the drainage calculations were received. If the Board approves, the holding tanks must be properly approved through MA DEP. Ms. Morgan added that the language for the easement has been submitted and reviewed by Town Counsel. There were no further engineering comments and no further comments from the Board.

Motion to close the public meeting and to direct staff to draft the decision based on the information received during the course of the public hearing for the Board to review made by Mr. Morin, seconded by Ms. Cody. Motion passed unanimously 4-0, by roll call vote: Mr. Dostoler – AYE; Ms. Cody – AYE; Mr. Morin – AYE; Gonsorcik - AYE.

4. Staff Update

- a. 137 East Main Street - Change in Property Ownership - Status of Site Plan / Stormwater Permit / Sign Permit
- Ms. Morgan received a call from the new owners of this property regarding the approved site plan. They may want to make changes. This would require a full site plan review, which could take 3-6 months. There is currently illegal signage on the site that must be removed, including flag signs. Mr. Dostoler suggested adding electrical charging stations. Ms. Morgan will continue to provide updates to the Board.
- b. Brookside Avenue Extension (Westview Estates) - Status Report – Brookside Avenue Extension was approved as part of Westview Estates. The signed inspection Form G was signed and submitted. They

have to submit an as built plan and legal descriptions. There is no plan set with the Board signatures on file with the Planning Department. This item will be coming before the Planning Board.

Mr. Dostoler asked about the Kmart Plaza and U-Haul. Staff will draft language for the B-5 zone use and the Planning Board will hold a public meeting regarding the change in that zone. An ANR will be done to straighten the property line through the site. Ms. Morgan showed the GIS map and the Assessor's card on the screen for all to see. There were no further questions from the Board.

5. Adjournment.

Motion to adjourn the meeting made by Mr. Dostoler, seconded by Ms. Gonsorcik. Motion passed unanimously 4-0, by roll call vote: Mr. Morin – AYE; Ms. Gonsorcik – AYE; Mr. Dostoler – AYE; Ms. Cody - AYE. The meeting was adjourned at 7:41 p.m.

Minutes Approved:  Date: 3/30/21
Daniel Morin, Clerk

EXHIBITS:

Action Item 2D – Action Item 2D: M.G.L. Chapter 91 Waterways WW24 General License Certification Application - 76 Union Point Road - Assessor ID 56-B-42-43-0 - Linda Candela (Applicant / Owner)

- Commonwealth of Massachusetts General License Certification Application WW24, submitted by Linda Candela, dated January 29, 2021; 11 pages.
- Department Review Comments – Assessor; submitted February 4, 2021; 1 page.
- Department Review Comments – Fire Department; submitted February 4, 2021; 1 page.
- Department Review Comments – Harbormaster; submitted February 10; 2021.
- Comments – Joan Geotis, Abutter; received February 8, 2021; 1 page.
- Department Review Comments – Planning, Zoning; submitted February 10, 2021; 1 page.
- Department Review Comments – Police Department; submitted February 10, 2021; 1 page.

Action Item 2E - M.G.L. Chapter 91 Waterways BRPWW06 Simplified License Application - 32 Jackson Road - Assessor ID 40-D-14-0 - Cedar Cove, LLC (Applicant / Owner)

- Commonwealth of Massachusetts Simplified License Application BRP WW06, submitted by Cedar Cove, LLC, received February 11, 2021; 7 pages.
- Correspondence; email to B.C. Engineering from Ann Morgan; sent on February 4, 2021; 1 page.
- Request for Determination of Applicability, WPA Form 1; submitted on April 23, 2020 and received in the Planning Department on February 4, 2021; 9 pages.
- Department Review Comments - Assessor; submitted February 11, 2021; 1 page.
- Department Review Comments – Building Department; submitted February 10, 2021; 1 page.
- Department Review Comments – Conservation Agent; submitted February 11; 1 page.
- Department Review Comments - Harbormaster; submitted February 10, 2021; 1 page.
- Department Review Comments – Police Department: submitted February 10, 2021; 1 page.
- Dock Plan and Profile Accompanying Petition of Cedar Cove, LLC; prepared by B.C. Engineering & Survey Inc.; dated April 11, 2020 and submitted February 11, 2021; 8 ½ x 11”; 3 pages.

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 re: 13 – 15 Old Worcester Road – Peer Review Comments; dated and received February 22, 2021; 2 pages.
- Declaration of Reciprocal Easements and Maintenance Agreement; received February 8, 2021; 5 pages.