

**Webster Planning Board  
Meeting Minutes  
March 28, 2022**

A meeting of the Webster Planning Board was held on Monday, March 28, 2022 in the Selectmen Meeting Room, 2<sup>nd</sup> Floor, Webster Town Hall, 350 Main Street, Webster, MA.

**Present:** Chairman Paul LaFramboise, Vice Chairman Michael Dostoler, Clerk Dan Morin, and Cathy Cody, Christella Gonsorcik, Associate Member Jason Piader, Associate Member Caroline Fritz.

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

**1. Call to Order:** The Chairman called the meeting to order at 6:34 p.m.

**2. Action Items**

- a. Approval of Meeting Minutes – January 31, 2022 and February 28, 2022. Approval of the meeting minutes were tabled to the next meeting.
- b. Approval Not Required Plan — Lakeview Road 4 lots – Webster Ventures, LLC (Applicant/Owner); Assessor ID Map 60-D-42, 43, 44, 45.

Mr. LaFramboise recused himself from this action item. Mr. Dostoler assumed the role of Chairman. Stephen Balcewicz, B. C. Engineering and Survey, Inc. presented the plan to the Board and Ms. Morgan displayed the plan on the screen for all to see. Mr. LaFramboise recused himself because his company worked on that site. Ms. Morgan reviewed the ANR plan, noting that it met all the requirements. There were no comments from Mr. Eaton. Ms. Morgan explained that the zoning of the lots are not changing. There were no further questions or comments from the Board.

Motion to endorse the ANR Plan and direct Ms. Morgan to sign the plan on the Board's behalf made by Mr. Morin, seconded by Ms. Cody. Motion passed 4-0-1 with Mr. LaFramboise abstaining.

- c. Approval Not Required Plan – Goddard Street Lot 14E-0; Elijah Ketola (Applicant); Assessor ID Map 14-E-11-0.

Ms. Morgan displayed the plan on the screen for all to see and noted that it meets all the requirements for frontage and lot size. There were no questions or comments from the public or from the Board.

Motion to endorse the ANR Plan and direct Ms. Morgan to sign the plan on the Board's behalf made by Ms. Cody, seconded by Mr. Morin. Motion passed unanimously 5-0.

- d. Request for Determination of Minor Modification – Site Plan Approval & Stormwater Permit – Driveway Modification – Goya Warehouse Addition – 5-9 Goya Drive.

The site plan for the warehouse addition was approved by the Board on August 30, 2021. Brian Milisci from Whitman & Bingham, presented the proposed modification to the Board. Ms. Morgan displayed the site plan on the screen for all to see. Mr. Milisci explained that the warehouse addition is currently under construction, but a driveway at the rear of the site needs to be to allow for better truck access and traffic flow. This will result in a reduction of impervious area. Drainage will not be affected and the abutters will not be affected. The modification of the driveway location will be shown on the as-built plan. The size of the addition and of the loading docks remain the same. Mr. Eaton stated that

the proposed change did not impact the stormwater calculations for the site and that the stormwater basin would not be impacted. He noted that the proposed relocation of the driveway does not impact the overall design of the site. Mr. LaFramboise asked if the area was already paved. Mr. Milisci stated yes but noted that, once complete, the change would actually reduce the total square footage of impervious material. Ms. Cody asked if there were any other changes being proposed to which the answer was no. There were no further questions from the Board or from the public.

Motion to determine that the modification is minor and to approve the minor modification made by Mr. Dostoler, seconded by Ms. Cody. Motion passed unanimously 5-0.

### 3. Public Hearing

- a. Site Plan Application for Convenience Store, Gas Station and Car Wash and Special Permit for Signage – 137 East Main Street – Nouria Energy Corporation (Applicant); PMG Northeast LLC (Owner); Assessor ID 24-F-11, 24-F-12; site is located in a Business 4 (B4) zoning district. – Continued from 2/28/22.

Jesse Cokeley from Colliers Engineering & Design, Tom Healey from Nouria Energy Corp., and Patrick Doherty from MidPoint Engineering were present to discuss the updated plan. The area of the convenience store has been reduced by 500 sq. ft. The car wash remains. A new truck turning diagram was presented to the Board as requested at the prior hearing. Mr. Eaton reviewed his recently submitted peer review comments.

Mr. Cokeley noted that they have reduced the number of pumps by two (four fueling stations). These changes reduced the amount of parking spaces that are required. Mr. Eaton noted that 21 spaces are required and 19 are provided. The Board decided that the spaces at the pumps serve a dual purpose and can be considered parking spaces, therefore a waiver from required parking spaces is not necessary. The width of the bypass lane in the back was increased. The changes are more in line with the plan that was approved by the Planning Board in 2020.

Ms. Cody asked about vehicles exiting the car wash turning right. Mr. Eaton reviewed the plan and updated traffic study and had some technical comments. Fuel trucks will enter the parking lot from East Main Street, not from Worcester Road. The proposed entrance / exit for Worcester Road was discussed. A rumble strip and concrete island are to be installed. Accidents are common in that intersection. Ms. Morgan suggested asking for further review of the proposed design from the Police Chief and Highway Superintendent. The Board agreed that would be beneficial.

Ms. Morgan displayed the proposed signage plan on the screen for all to see. The proposed signage will be less than what is currently on site. Ms. Cody asked if the freestanding signs will cause visual obstruction. They will not. Ms. Morgan will do a sign analysis and Mr. Eaton will continue to coordinate with the project engineer.

Motion to continue the public hearing to the next meeting on April 25, 2022 made by Mr. Dostoler, seconded by Ms. Cody. Motion passed unanimously 5-0.

### 4. Discussion Items

- a. Reuse of St. Anne School / Share Parking Agreement, 12 Day Street - Attorney Nick Adamopoulos and Xaley Yousey of Cunningham Equities were present to provide and informal overview of the

project. Cunningham Equities have purchased the now vacant St. Anne School from the Church. Ms. Yousey noted that the company has experience in renovating historic properties for social and community services. They are proposing a 30,000 square foot professional center for community services. The Department of Children and Families have requested 22,000 square feet for offices and services. Ms. Yousey distributed a packet of information the Board which included aerial photos of the site, floor plan concepts, a proposed parking layout plan and a shared parking agreement signed by the Church who still owns the activity center across the street. There is an excess of 70 parking spaces for the facility.

Mr. Dostoler asked what would happen if DCF did not want the space. Ms. Yousey noted that DCF is one option and that the project wasn't dependent on DCF. They are expecting to hear from DCF in a couple weeks. Mr. Dostoler noted that he would have to recuse himself from any future Planning Board decisions regarding this project due to his involvement on the Church board. Ms. Morgan noted that he would only have to do so if he had the potential for financial gain and the Mr. Dostoler should check the requirements.

Ms. Morgan reviewed the site noting that the building comprises the vast majority of the square footage. The new owners have a shared parking agreement with the Church who still owns the activity center across the street which would address the parking issue since there is no room for new parking on the old school site. The proposed uses are allowed in that zoning district and the Board would have to determine if the project meets the threshold for site plan review. Site plan review might be triggered as the site has very limited parking. She noted that the Board should decide if site plan application is needed. An emergency access and traffic circulation plan has been prepared by Ms. Yousey. Ms. Morgan noted that she, the Historical Commission and the Building Commissioner, Ted Tetreault, recently toured the site. The building will need to be ADA compliant and the new owner is intent on retaining the historic character of the building.

Mr. Dostoler asked if they had investigated removing a portion of the sidewalk to widen the road for better emergency access. Mr. Adamopoulos stated that they haven't looked into that idea and they may not need to do so. No cars are allowed to park on that side of the road. Mr. LaFramboise noted that he is looking forward to seeing a site plan. Parking on south side of school would need to be reviewed. Mr. Eaton asked about the location of the dumpster and snow storage. Ms. Yousey stated that the dumpster would be located in the southeast corner. They are still working on the location for the new elevator which would likely be at the back of the building. All ADA requirements must be met. Ms. Morgan noted that a site plan submission should be required given the various questions raised.

- b. Lakeview Marine Boat Storage Facility - Site Plan - 0 Thompson Road - Neighbor Complaints. Ms. Morgan provided an overview of how this item came to be on the agenda. Several complaints about noise and dust coming from the existing boat storage facility had come into the office. The neighbors asked to be on agenda. The Planning Board approved a site plan in 2014 to allow for boat storage. The area is zoned Business 5 (B5). Ms. Morgan displayed the 2021 aerial photo from the Town's GIS. The original approval has very few conditions. At the time the Town Engineer made a determination to allow the use as boat storage which is not a use listed in the District Regulations. After review, the current Building Commissioner has determined that the use is should be classified as commercial parking which is an allowed use. Income from the commercial

parking use is derived from the site. Ms. Morgan noted that the use is not in question but rather if the Owner is using the site in accordance with the approved site plan.

Doug and Kristin Valeri, 298 Thompson Road, were present and are abutters to the site. Mr. Valeri stated that they have lived next to the site for a number of years including when the original site plan had been approved in 2014. He stated that the Owner appears to have no consideration for abutters and that their home values are being diminished. Dust blows all over due to truck traffic and they can't open windows. Workers on the site play the radio loudly in the summer when they are unwrapping the boats which cause them to keep their windows closed. Deliveries by tractor trailers create noise and dust. The trucks can't make the turn into the site from Thompson Road and they run over their yard and the yard across street. This causes traffic to back up on Thompson Road which is especially problematic given the fact that the hospital is just down the street. They shared pictures of views of trailers, boats and storage out of every window. There is no screening for the abutters and they cannot enjoy their home. Feels this would not have been approved if the issue of the use had gone to zoning first. Ms. Morgan stated that she and the Building Commissioner had recently walked the property with the Owner. She noted that more than vehicles are being store in the site including docks, a garage and a cargo container.

The Valeris asked what can be done to remedy the situation. The roadway is not paved and there is dust. Mr. LaFramboise asked if they would they prefer the driveway to be paved and would they like area behind their house to be cleared and the garage be removed. The Valeris stated that they would prefer that the storage container be removed. They suggested additional screening to cut down dust and noise. It was noted that the site Owner planted 10 arborvitae planted on their property line. Ms. Morgan showed a video submitted by the Valeris which shows a trailer truck trying to get into the site. They noted that the effort took 5 minutes and the truck ran over other people's yards.

Ms. Morgan stated that the property Owner, Rory Duquette of Lakeview Marine, is seeking to expand the use onto the abutting lot which he recently purchased. The expansion of the operation on the abutting lot will require a modification of the 2014 site plan since access to the rear lot must go through the existing lot. Many of the issues raised can be addressed at that time or the Board can opt to require additional mitigating conditions now. She noted that the Conservation Agent has been out to the site. The Conservation Commission had issued an Order of Conditions back in 2014 which was never filed with the Registry of Deeds as required by law. Mr. LaFramboise stated that he was of the opinion that all the issues can be addressed when the modified site plan is submitted. He noted that Mr. Duquette has agreed to pave the driveway to cut down on dust. Originally the Conservation Commission objected to paving the entry driveway. Any expansion of operations will require both Planning Board and Conservation Commission approval.

Mr. Dostoler asked where the dumpster is located. It is located next to the garage on the site which shares the rear property line with the Valeris. Mr. Dostoler stated moving the dumpster to another location would be preferable. Kristin Valeri noted that the Board originally approved boat storage on the site and nothing else including the dumpster. She added that work was being done on site as well which also isn't allowed. Mr. LaFramboise noted that all these issues will be addressed during the modification process. Mrs. Valeri asked what would be done if a modified site plan is

not submitted. How would these issues be resolved? Mr. LaFramboise noted that Mr. Duquette has indicated that he is willing to do something to make things better.

Rory Duquette, owner of Lakeview Marine located at 300 Thompson Road, and the owner of the site in question was present. He noted that he has received a price for paving. The dumpster mentioned earlier was there for one summer a few years ago and is gone now. He stated that when he appeared before the Planning Board in 2014 it was understood that the use for the site was determined to be expansion of sales relating to Lakeview Marine. Ms. Morgan noted that there is no reference to such in the meeting minutes from 2014 and that there is no other information in the file to indicate as such. Unfortunately the approved plan clearly states Recreational Vehicle Storage Plan. Mr. Duquette stated that he is willing to do whatever is needed to make it better as things come up.

Christina Zisk, 302 Thompson Road, was present and noted that she is an abutter to the site as well. She presented the Board with 16 photos of the impacts of the dust to her pool and her ability to enjoy her back yard. She noted that since the site was cleared the area is no longer quiet and that the dust gets into everything requiring her to keep her windows closed in the good weather. The dust affects her pool liner. She purchased an automatic cleaning pool robot which ran continuously and she still could not use pool. The Building Commissioner, Ted Tetreault, and the Health Director, Camille Griffin, have visited the site to view the problems. The mesh cover she purchased to keep the leaves out of her pool does not keep out the dust. Roots of a tree were damaged and it killed her tree. There was a lot of noise when the dumpster was being emptied. There was noise from the music played by the people working on site and from the trucks making deliveries which disturbed the peace and quiet of the neighborhood. She noted that she had lived there 35 years and has right to use pool and yard.

Mrs. Valeri asked if sales was in the conditions or approved by the Board in 2014. Mr. LaFramboise said that he would have to look into it. Ms. Morgan suggested that the Board discuss short term solutions at their next meeting. She will send them the approved site plan for their review and will talk to the Conservation Agent to see if paving can move forward. Other issues can be addressed when a formal application for a modified site plan is presented to the Board. It was noted that the abutters feel paving would help. Mr. Duquette stated that he was ready to pave 200 feet into the site with stone along the sides and a stone apron at the end. The paving would end 100 feet past the existing gate and will be past the pool. Ms. Morgan noted that this would only be a temporary solution as the review of the modified site plan would ensure water doesn't run into the neighbor's yards or into Thompson Road. Any paving now would be considered temporary and potentially at risk if it needs to be redone later. Mr. Duquette stated that he only intended to install a 3" binder coat at this time. Ms. Morgan noted that the abutters will be notified as part of the modification of site plan process.

## 5. Staff Update

### a. Engineering Update - CHA Companies

- i. Goya Warehouse Expansion, Goya Drive: Mr. Eaton noted that the main plumbing lines were being installed.

- ii. 64 Worcester Road - Medical Waste Transfer Facility - United Medical Waste Management, Inc. (Applicant); Kunkel Bus Company (Owner). Mr. Eaton stated that he continues to work with the project engineer regarding the MassDOT requirements for the site entrance. Originally the plan called for a triangular island in the entrance. The design has been changed to now have an island between the two lanes and that the island would be located out of the State's right-of-way. Ms. Morgan noted that this change would require the Board to approve the modification.

b. Staff Update

- i. Pinewood Estates / Oakwood Drive - Release of Lots: Ms. Morgan reported that she has spoken with Town Counsel about release of two lots where there is no covenant or surety posted. Counsel advised against releasing any lots where there is no covenant or surety. State law requires that the Town hold either of those instruments to protect the Town's interests in the event that the developer walks away from the project. She has relayed this information to Mrs. Szeredy who is now working to get some form of surety ready for submission to the Board who will have to approve it as an action item at a future meeting.
- ii. Other: Mr. Dostoler asked about the status of the retail marijuana store that was supposed to open at 4 Town Forest Road. Ms. Morgan noted that the Town had signed a Community Host Agreement with The Boathouse and that said agreement gives them three years to secure their permitting and be operational. That company has not moved forward with local permitting and another company would like to move into that location. The property owner at 4 Town Forest Road is in the process of severing their lease with The Boathouse due to lack of rent payment on their lease. This is a legal matter between the private parties which the Town has no authority. Mr. Dostoler asked if there was any update on Old Dominion opening the facility they purchased on Goya Drive to which the answer was no. Ms. Morgan noted that UHaul was preparing site plan / special permit applications which she expected to be before the Board either in April or May. Ms. Cody asked about the status of the wine bar which was going to be located at 175 Main Street. Ms. Morgan noted that the property was for sale and that there was no information about the status of the business.

6. **Next Meeting Date** - Monday, April 25, 2022 at 6:30 p.m., Webster Town Hall, Board of Selectmen Meeting Room.

7. **Adjournment**

Motion to adjourn the meeting made by Mr. Dostoler, seconded by Ms. Gonsorcik. Motion passed unanimously 5-0. The meeting was adjourned at 8:27 p.m.

Minutes Approved:   
Daniel Morin, Clerk

Date: 5/23/22

**EXHIBITS**

- Action Item 2B: Approval Not Required Plan — Lakeview Road 4 lots – Webster Ventures, LLC (Applicant/Owner); Assessor ID Map 60-D-42, 43, 44, 45.

- Application Form, dated August 6, 2021; received by the Town Clerk and Planning Department on March 7, 2022; 4 pages.
- Plan of Property Surveyed for Webster Ventures, LLC, 20 Lakeview Road; prepared by Jarvis Land Survey, Inc.; dated April 21, 2021; received by the Town Clerk and Planning Department on March 7, 2022; 1 sheet.
- Action Item 2C: Approval Not Required Plan – Goddard Street Lot 14E-0; Elijah Ketola (Applicant); Assessor ID Map 14-E-11-0.
  - Application Form, dated March 9, 2022; received by the Town Clerk and Planning Department on March 23, 2022; 3 pages.
  - A-N-R (MGL Ch. 41, 81P) Plan; Assessor’s Map-14E Lot -11, Goddard Street, Webster, MA; prepared by GRAZ Engineering, LLC; dated March 22, 2022; received by the Town Clerk and Planning Department on March 23, 2022; 1 sheet.
- Action Item 2D: Request for Determination of Minor Modification – Site Plan Approval & Stormwater Permit – Driveway Modification – Goya Warehouse Addition – 5-9 Goya Drive.
  - Proposed Site & Grading Plan for Building Addition - Goya Foods in Webster, Massachusetts; prepared by Whitman & Bingham Associates; dated March 23, 2022; 1 sheet.
  - Proposed Utility Plan for Building Addition - Goya Foods in Webster, Massachusetts; prepared by Whitman & Bingham Associates; dated March 23, 2022; 1 sheet.
- Public Hearing 3A: Site Plan Application for Convenience Store, Gas Station and Car Wash and Special Permit for Signage – 137 East Main Street – Nouria Energy Corporation (Applicant); PMG Northeast LLC (Owner); Assessor ID 24-F-11, 24-F-12.
  - Correspondence; Colliers Engineering & Design; 137 East Main Street Map 24F, Lot 11-12; dated March 18, 2022; 6 pages.
  - Traffic Impact Study; prepared by Colliers Engineering & Design; revised March 18, 2022; 117 pages.
  - Site Plans; prepared by Colliers Engineering & Design; 137 East Main Street Lot 11-12; dated January 10, 2022 and revised through March 18, 2022; 24” x 36”; 11 sheets.
  - Stormwater Pollution Prevention Plan; prepared by Colliers Engineering & Design; dated March 18, 2022; 128 pages.
  - Truck Turn Exhibit; prepared by Colliers Engineering & Design; dated January 10, 2022, revised through March 18, 2022; 24” x 36”; 1 sheet.
  - Correspondence; CHA Consulting Inc.; Engineering Review, re: Proposed Gas Station & Convenience Store 137 East Main Street; dated and received on March 28, 2022; 6 pages.
- Discussion Item 4A: Reuse of St. Anne School / Share Parking Agreement, 12 Day Street
  - Presentation to the Planning Board submitted at the March 28, 2022 Planning Board Meeting; 12 pages.
- Discussion Item 4B: Lakeview Marine Boat Storage Facility - Site Plan - 0 Thompson Road - Neighbor Complaints
  - Correspondence to the Building Commissioner re: Complaints; submitted by Doug & Kristin Valeri, 298 Thompson Road; dated March 14, 2022; received March 15, 2022; 1 page.
  - Photos and Video submitted by Doug & Kristin Valeri, 298 Thompson Road; received March 24, 2022; two color photos, one video.
  - Color Photos (16) submitted by Christina Zisk, 302 Thompson Road; submitted at the March 28, 2022 Planning Board meeting.

