

**Webster Planning Board
Meeting Minutes
March 29, 2021**

A meeting of the Webster Planning Board was held on Monday, March 29, 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, Members Cathy Cody, Christella Gonsorcik and Associate Member Kelly Baldarelli

Absent: Paul LaFramboise, Chairman.

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

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. Anyone wishing to record the meeting for their own use is required to notify the Vice Chairman in advance. Mr. Dostoler asked if anyone would be recording the meeting. No one stated as such. The Vice Chairman took attendance of the Board by roll call vote: Mr. Morin – Present; Ms. Gonsorcik – Present; Ms. Cody – Present; Mr. Dostoler - Present. Ms. Baldarelli joined the meeting at 6:36.

2. Action Items

a. Approval of Meeting Minutes – February 22, 2021 – There were no edits from the Board or Mr. Eaton. Motion to approve the draft minutes made by Mr. Morin, seconded by Ms. Cody. Motion passed unanimously 4-0, by roll call vote: Ms. Cody – AYE; Mr. Morin – AYE; Ms. Gonsorcik – AYE; Mr. Dostoler - AYE.

b. Authorize Director of Planning & Economic Development to sign the Site Plan Endorsement Plan Set, 5 Cudworth Road; Site Plan and Stormwater Permit; Cudworth Road LLC (Owner); Assessor ID 87-B2. – Ms. Morgan stated that this final plan was submitted and needed to be signed. The Board can come into the office to sign or they can authorize her to sign on their behalf. Motion to authorize Ms. Morgan to sign the Plan set for the Board made by Mr. Dostoler, 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.

c. Approval Not Required Plan – 57 Lakeside Avenue – David & Elizabeth Krueger (Owner); Assessor ID 45-C-13, 45-C-13-1, 45-C-13-2 – Ms. Morgan shared the plan on the screen for all to see. This plan has two new lot lines and corrects an error on the previous plan. Ms. Morgan stated that this plan satisfies the subdivision regulations. Motion to approve the ANR Plan and to authorize Ms. Morgan to sign the plan on the Board's behalf 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.

d. Approval Not Required Plan – 70 Worcester Road – Webster Plaza Realty, LLC (Owner); Assessor ID 88-B-40 and 88-B-42-41 – The owner would like to straighten the property line that runs through both lots. Currently the line cuts through the building. Ms. Morgan and the Building Commissioner are working together to draft language for a Town Meeting warrant article to allow self-storage as a use by special permit and site plan approval in the B5 zoning district only. U-Haul is interested in this property. The Planning Board will review the warrant article at the next meeting. Motion for approval and to authorize staff to sign the plan on the Board's behalf made by Ms. Gonsorcik, seconded by Ms. Cody. Motion passed unanimously 4-0, by roll call vote: Ms. Cody – AYE; Mr. Morin – AYE; Ms. Gonsorcik – AYE; Mr. Dostoler - AYE.

e. Action Item 2D: Draft Decision: Stormwater Permit – Site Stabilization: 0 Douglas Road – Assessor ID A-8-3 and A-8-3-4 – This item was tabled to the next meeting.

f. Action Item 2E: Draft Decision - 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 1/25/21 – Ms. Gonsorcik is ineligible to vote because she was absent for the November Planning Board meeting. All of the engineering department requirements have been met. The Board reviewed the decision.

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

Motion to approve Findings F4 through F11 made by Ms. Cody, seconded by Mr. Morin. Motion passed unanimously 3-0 by roll call vote (Morin - AYE; Cody - AYE; Dostoler - AYE)

Motion to approve Findings F12 through F15 made by Mr. Morin, seconded by Ms. Cody. Motion passed unanimously 3-0 by roll call vote (Morin - AYE; Cody - AYE; Dostoler - AYE)

Motion to approve Findings F16 through F17 made by Ms. Cody, seconded by Mr. Morin. Motion passed unanimously 3-0 by roll call vote (Morin - AYE; Cody - AYE; Dostoler - AYE)

The Board reviewed the draft conditions. It was noted that Condition #15 was not applicable and should be removed. All other conditions are to be renumbered.

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

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

g. Action Item 2G: M.G.L. Chapter 91 Waterways BRPWW06 Simplified License Application – 100 Lakeside Ave. - Assessor ID 40-A-2-0 – John Kuchachik (Applicant / Owner) – The dock plan and application was prepared by Stephen Balcewicz from B.C. Engineering and Survey, Inc. This application is for a new residential dock. The plan meets all the requirements for the Simplified License Application. There were no comments from the other departments. The Conservation Commission reviews all dock applications. This dock will not be rented out. The Planning Board is always concerned about the potential of the rental of slips of residential property owners on the Lake. Motion to direct staff to draft and submit the memo to MassDEP regarding the Board’s proceedings, and to include language prohibiting slip rental, made by Mr. Morin, seconded by Ms. Gonsorcik. Motion passed unanimously 4-0, by roll call vote: Ms. Cody – AYE; Mr. Morin – AYE; Ms. Gonsorcik – AYE; Mr. Dostoler - AYE.

h. Action Item 2H: M.G.L. Chapter 91 Waterways BRPWW06 Simplified License Application – 10 Kenneth Ave. - Assessor ID 39-A-13-5 – William Clougherty (Applicant / Owner) – This application is currently being reviewed by the Conservation Commission. The existing dock will be replaced with this new one. The Harbormaster submitted a comment to the Planning Department noting that the current placement of the dock could interfere with the neighbor’s access to the water. Ms. Gonsorcik would like to add that slip rental is prohibited in the memo to Mass. DEP. Motion to direct staff to submit the memo to MassDEP regarding the Board’s proceedings, and to include language prohibiting slip rental, made by Ms. Gonsorcik, seconded by Ms. Cody. Motion passed unanimously 4-0, by roll call vote: Ms. Cody – AYE; Mr. Morin – AYE; Ms. Gonsorcik – AYE; Mr. Dostoler - AYE.

3. Public Meeting

- 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.**

Vice Chairman Dostoler opened the public meeting. Ms. Morgan shared the plan on the screen for all to see. Mr. Brian Milisci was present to discuss the project as representative for R.P. Masiello, Inc. The warehouse addition will be 129,600 square foot warehouse addition, 360' x 360' square, and also a small 2,960 square foot office area. Most of the addition will be refrigerated to store food products. There will be loading docks in the northeast. Some regrading will be necessary in order to meet ADA access requirements, and floor elevations will match the existing building. Ms. Morgan shared site photos on the screen for all to see. There is a large chunk of ledge that has to be removed. A gravel access driveway ties into the existing paved area. There is an existing stormwater detention basin on the northern side which was built in 2007, and the water was sent out to the existing detention basin southern side. The detention basin will be extended and the water will be treated and sent to the existing stormwater network. Some ledge work must be done to allow truck and emergency vehicle maneuverability. A waiver request for a lighting plan will be submitted.

Ms. Morgan noted that the Planning Department received comments from the other Town departments. The Assessor's office originally listed 9 Goya Drive as 9 Cudworth Road and that error will be corrected. The engineering comments and response to those comments were mainly technical and can be found in the project file and on line at the Planning Board webpage.

Mr. Milisci noted that a waiver has been requested for the landscaping plan as they are planning to use the existing parking lot and restripe it only. This parking lot is not visible from the nearest house or public way. The buildings will be far from the nearest house and public road. The additions will match the building as far as aesthetics.

The Vice Chairman opened the meeting to public for comments. Michelle Smith, 53 Cudworth Road, will submit comments in writing. She has questions related to sequencing and phasing of the construction and mining of the ledge. The lighting can be seen by the abutters and feels a landscaping plan should be required. She notes that plantings provide a cooling effect and cooling areas for employees would be beneficial. Ms. Smith also asked what percent of the land falls in the Lake Watershed Protection (LWP) District and how much of that will be impervious. The cooling effect of plantings would benefit the Lake also. She also noted that the data from TP40 is outdated and Atlas 14 is more current. She is concerned about lighting and the noise from the HVAC in the building and also the traffic that will be generated with the new addition. An existing conditions sheet was not included with the plan set.

Dan Prouty, 134 Partridge Hill Road, Charlton, provided some comment as the original developer of the site, not an abutter. He addressed some of Ms. Smith's concerns. He stated that the lighting will remain the same. He noted that this was not as intensive as when the A. Duie Pyle site further up Goya Drive was generating over 100 trucks per day and had 140 employees which had a greater impact on the surrounding neighborhoods. Some of the warehouse space at the old A. Duie Pyle building will be used for storage of IPG Photonics components. Turning back to discussing the Goya Foods warehouse expansion, Mr. Prouty noted that the new freezers to be housed in the new addition make less noise than the older ones. They will be adding approximately 8-12 more trucks per day and 30 employees for 2 shifts.

Mr. Dostoler asked if there were any new comments. There were none. He suggested that the meeting be continued to allow the project engineer to review and address comments to be submitted by Ms. Smith.

Motion to continue the public meeting to Monday April 26, 2021 at 6:30 p.m. made by Ms. Gonsorcik, 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. Odor Control Update – 30 Worcester Road – Marijuana Cultivation Facility – Curaleaf (Owner)

Ms. Morgan received a letter from Gary Stein at Curaleaf with an update regarding the odor control issue at 30 Worcester Road. The odor control and air purification units designed for the new addition (Unit B) are not working for the original building (Unit A). They are working to find a solution. The annual report required by the Zoning By-law was submitted and reviewed. It was noted that the 2020 totals were affected by the COVID-19 pandemic.

Ms. Cody advised that she will not be available for the next Planning Board meeting and asked about the Mullin Rule. Ms. Morgan stated that the meeting will be recorded and that Ms. Cody is required to review the meeting by video or audio recording. There is a certification form that she can fill out and return to the Planning Department before the next meeting in May.

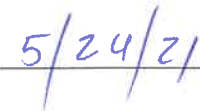
5. Adjournment.

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: _____


Daniel Morin, Clerk

Date: _____



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 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;

- Application Submission Packet submitted on March 9, 2021 including the following:
 - Site Plan Approval Application Form, 4 pages.
 - Site Plan, prepared by Whitman & Bingham Associates, LLC; dated March 2021; 11 sheets.
 - Floor Plans, prepared by AHP Architects; dated February 24, 2021; 3 sheets.
 - Stormwater Permit Application Form, 3 pages.
 - Certified Abutters List, 5 pages
 - Stormwater Analysis Report, Prepared by Whitman & Bingham Associates; dated March 2021; 315 pages.
 - Stormwater Report & Checklist, Prepared by Whitman & Bingham Associates; dated March 2021; 19 pages.
- Public Meeting Notice, filed with the Town Clerk on March 9, 2021; 1 page.
- Aerial Photograph of Site Submitted by Staff; from the Town of Webster GIS; color; 8 ½ x 11”; dated 2019.
- Department Comment Form - Fire Department; submitted on March 10, 2021; 1 page.
- Department Comment Form - Board of Health; submitted on March 10, 2021; 1 page.
- Department Comment Form - Police Department; submitted on March 9, 2021; 1 page.
- Department Comment Form - Building Department; submitted on March 10, 2021; 1 page.
- Department Comment Form - Highway Department; submitted on March 10, 2021; 1 page.
- Correspondence, Peer Review Comments; 5 Goya Drive, Warehouse Expansion, Engineering Review; submitted by CHA Engineering; dated March 19, 2021; 3 pages.
- Site photos taken and submitted by staff for site visit conducted on March 18, 2021; color; 8 ½ x 11”; 5 pages.
- Email and Property Card from the Webster Assessor; dated March 24, 2021; 2 pages.
- Correspondence, Response to Peer Review Comments; submitted by Whitman & Bingham Associates; dated March 29, 2021; 3 pages.
- Comments submitted by Michelle Smith, 53 Cudworth Road re 5-9 Goya Drive Site Plan Application; not dated; received March 23, 2021; 5 pages.
- Revised Stormwater Report & Checklist, Prepared by Whitman & Bingham Associates; dated March 2021, Revised April 21, 2021; 20 pages.

- Revised Site Plan, prepared by Whitman & Bingham Associates, LLC; dated March 2021, revised April 11, 2021; 17 sheets.
- Wall Mounted Light Fixture Specification Sheet; submitted by Whitman & Bingham Associates, LLC; 3 pages.