

**Webster Planning Board
Meeting Minutes
April 25, 2022**

A meeting of the Webster Planning Board was held on Monday, April 25, 2022 in the Board of Selectmen Meeting Room, 2nd Floor, Webster Town Hall, 350 Main Street, Webster, MA.

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

Absent: Cathy Cody, Member

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 6:33 p.m.

2. Action Items

- a. Approval of Meeting Minutes – January 31, 2022; February 28, 2022; March 28, 2022. Ms. Morgan noted that she had received some minor edits from Mr. Eaton. Mr. LaFramboise asked that the draft minutes be redistributed to the Board. Approval of the meeting minutes were tabled to the next meeting.
- b. Site Plan Endorsement - 64 Worcester Road - Medical Waste Transfer Facility - United Medical Waste Management, Inc. (Applicant); Kunkel Bus Company (Owner)

Ms. Morgan noted that there were still a few outstanding items that the Applicant's engineer needed to complete. Mr. Eaton confirmed this noting that they were still working on making the plan compliant with MassDOT requirements. The Board tabled this item to the May 23, 2022 meeting.

- c. M.G.L. Chapter 91 Waterways WW24 General License Certification Application - 32 Point Pleasant Road - Assessor ID 48-A-46-0 - Debra Coonan (Applicant / Owner) - Residential Dock

The Planning Board reviewed the application and asked for public comment. Ms. Morgan reviewed the process noting that the Board's role in this matter is to allow for public comment. All documentation and comments received would be sent to MassDEP.

Karen Bartholmew, 30 Point Pleasant Road, was present and provided comment. She reviewed the history of site and the cove. Waterfront access has been an ongoing problem for many years given the number of lots in the area and the size of the cove. She reviewed the history of fill in the area noting that her deed shows that her property point once intersected with the shoreline. Over time the cove was filled on both sides of her property (32 and 24 Point Pleasant Road) and now her property is back 14 feet from the waterfront. This land has been filled for a long time and she has information from the Assessor which shows it is filled land and that neither property owner is taxed on that land nor do they own it. The plan submitted with the application misrepresents the property lines. Ms. Coonan at 32 Point Pleasant Road has fenced in the filled area which she does not own. It is either owned by Town of Webster or the Commonwealth of Massachusetts. Her access across her easement to the waterfront is limited given the shape of the cove and the abutting properties. She had asked the neighbors move their boats and they will not.

The Board asked about the history of the fill and if it could be removed. Ms. Bartholmew noted that the fill has been there a very long time and long before she bought her property. Removing the fill would cause more environmental damage and it's unlikely that MassDEP would take that course of action. She's not looking to have the fill removed. She's objecting to the installation of the proposed seasonal dock on land that is not owned by the Applicant stated on the Chapter 91 License Application.

No additional comments were received. The Board instructed staff to submit a memo to MassDEP regarding the proceedings. All materials associated with this application are available in the Webster Planning Department.

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 3/28/22.

Jesse Cokeley from Colliers Engineering & Design and Tom Healey from Nouria Energy Corp. were present. Mr. Eaton stated that the engineering comments for the site plan were all addressed and the only item remaining is the traffic report which needed to be revised to include additional information. Mr. Cokeley stated that they met with the Webster Highway and Police departments to review the traffic issues and it was decided that the turn in and turn out of the driveway would remain as right-in, right-out. They have obtained accident reports from the police and will complete an accident analysis. These outstanding traffic items do not affect the site plan. Ms. Morgan stated that she would begin drafting two decisions, one for the site plan and one for the signage. Ms. Cody (absent) will have the opportunity to view the recording of this meeting and complete a Mullin certification in order to be eligible to vote on the decisions at the next meeting. Ms. Morgan noted that the Board should leave the record open to receive the final traffic report but that once the hearing closed no further information could be received. She added that if the report was not received at the time of decision that the Board could hold off taking action on the site plan decision. There were no further questions or comments from the public or the Board.

Motion to close the public hearing made by Mr. Dostoler, seconded by Mr. Morin. Motion passed unanimously 4-0.

Motion to direct staff to draft the two decisions made by Mr. Morin, seconded by Mr. Dostoler. Motion passed unanimously 4-0.

- b. Special Permit Application for Lot Coverage exceeding 40% - 70 Bates Point Road - Hadeer Shaikhly (Applicant / Owner); Assessor ID 50-A-37-0; site is located in both Lake Residential (LR) and Lake Watershed Protection (LWP) zoning districts.

Ms. Morgan stated that the Applicant has requested that the Board postpone opening the public hearing as he was not ready to present. This item was tabled to the next meeting.

4. Discussion Items

- a. Odor Mitigation - Marijuana Grow Facility - Curaleaf - 30 Worcester Road - Weekly Reports - Request to reduce submission of reports from weekly to monthly.

Nick Adamopoulos updated the Board and noted that the Town Administrator recently did a walk-through of the facility. He explained that there are currently 30 odor control units on the site. Fans and UV systems are on order and there is an approximate wait time of six weeks. Richard Young has been providing weekly updates and since they cannot move forward at this time, they are requesting to submit the reports monthly.

Ms. Morgan stated that they have been very responsive and monthly reports should be fine. She recommend that monthly reports be submitted 1 week in advance of Planning Board meetings. Mr. Piader toured the facility recently and suggested fixing the slight gap under the doors. The Board agreed that monthly reports would be sufficient.

- b. Municipal Vulnerability Preparedness Plan Presentation and Public Listening Session - Town of Webster - request to present at the May Planning Board Meeting.

The Town of Webster is working with Tighe and Bond to develop the MVP plan. The Town is required to hold a public listening session in a public forum, one that would be broadcast on the Town's YouTube channel. Tighe and Bond are requesting that there be a brief presentation at the next Planning Board meeting. The part of the process had been to identify vulnerable resources. Some examples of topics are solar facilities, wireless communication towers, and that the police station is located in the floodplain. Completing this study will enable the Town to be eligible for funding from the State to address various issues identified in the plan. Chairman LaFramboise agreed that item should be on the next agenda. Ms. Morgan will request a copy of the presentation in advance so that Board members can prepare questions.

5. Staff Update

- a. Engineering Update - CHA Companies - The Goya building addition is progressing. They are currently working on the stormwater basin. The Town issued a cease and desist to the property owner of 56 Worcester Road for clearing and coming within close proximity to the wetlands. Mr. Morin commented that there was a lot of fill in the front of the site and that the rear was leveled. Mr. Eaton had site photos and displayed them on the screen for all to see. Some grading was done. Ms. Morgan stated that the Conservation Commission fined them for the clearing and they are in violation of the stormwater bylaw. Mr. Eaton noted that he had also visited 64 Worcester Road. United Medical Waste has begun clearing the site. It was noted that they do not have an endorsed site plan. They were told to stop work.
- b. Staff Update – Minor Modification to an Existing Wireless Facility – Crown Castle USA Inc. / Dish Wireless LLC – 6 Goya Drive – This project met all the requirements and was granted administrative approval by Ms. Morgan. She noted that the address is actually 0 Goya Drive, not 6.

6. **Next Meeting Date** - Monday, May 23, 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 4-0. The meeting was adjourned at 7:03 p.m.

Minutes Approved:



Daniel Morin, Clerk

Date:

6/28/22

EXHIBITS

- Action Item 2C: M.G.L. Chapter 91 Waterways WW24 General License Certification Application - 32 Point Pleasant Road - Assessor ID 48-A-46-0 - Debra Coonan (Applicant / Owner) - Residential Dock
 - Department Comment Form, Conservation Agent; received April 14, 2022; 1 page.
 - Department Comment Form, Fire Department; received April 14, 2022; 1 page.
 - Email Correspondence, Comments, Karen Bartholomew; received April 21, 2022; 8 pages.
 - Email Correspondence, Comments, second submission, Karen Bartholomew; received April 22, 2022; 2 pages.
 - Email Correspondence, Comments, third submission, Karen Bartholomew; received April 24, 2022; 12 pages.
- 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; CHA Consulting Inc.; Engineering Review, re: Proposed Gas Station & Convenience Store 137 East Main Street; dated and received on April 4, 2022; 6 pages.
 - Correspondence; CHA Consulting Inc.; Engineering Review, re: Proposed Gas Station & Convenience Store 137 East Main Street; dated and received on April 18, 2022; 5 pages.
 - Operations and Maintenance Plan, Proposed Gas Station and Convenience Store, 137 East Main Street; prepared by Colliers Engineering & Design; dated April 18, 2022; received April 19, 2022; 27 pages.
 - Draft Declaration of Covenant for the Annual Inspection and Maintenance of Storm Water Control Facilities; submitted by Colliers Engineering & Design; received April 19, 2022; 3 pages.
 - Site Plans; prepared by Colliers Engineering & Design; 137 East Main Street Lot 11-12; dated January 10, 2022 and revised through April 18, 2022; received April 19, 2022; 24" x 36"; 12 sheets.
 - Truck Turn Exhibit; prepared by Colliers Engineering & Design; dated January 10, 2022, revised through April 18, 2022; received April 18, 2022; 24" x 36"; 1 sheet.
 - Traffic Impact Study; prepared by Colliers Engineering & Design; revised through April 18, 2022; received April 18, 2022; 118 pages.
 - Revised Plan Sheet; Layout Plan; prepared by Colliers Engineering & Design; revised through April 18, 2022; received April 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 April 22, 2022; 7 pages.
- Public Hearing 2B: Special Permit Application for Lot Coverage exceeding 40% - 70 Bates Point Road - Hadeer Shaikhly (Applicant / Owner); Assessor ID 50-A-37-0; site is located in both Lake Residential (LR) and Lake Watershed Protection (LWP) zoning districts.
 - Application packet submitted and stamped by the Town Clerk on March 2, 2022; includes the following documents:
 - Certified Abutters List; dated February 23, 2022; 3 pages.

- Form; Application for Special Permit; dated February 21, 2022 and received on March 2, 2022; 3 pages.
- Special Permit Site Plan 70 Bates Point Road, Webster MA; prepared by H.S. & T. Group, Inc.; dated February 21, 2022; 24"x36"; 2 sheets.
- Concept Photos; submitted March 2, 2022; color; 7 pages.
- Town of Webster Planning Board Public Hearing Notice; stamped by Town Clerk on March 10, 2022; 1 page.
- Correspondence; Comments submitted by the Town of Webster Police Department; dated and received March 15, 2022; 1 page.
- Correspondence; Comments submitted by the Town of Webster Health Department; dated and received March 15, 2022; 1 page.
- Correspondence; Comments submitted by the Town of Webster Fire Department; dated and received March 15, 2022; 1 page.
- Correspondence; Comments submitted by the Town of Webster Building Department; dated and received March 16, 2022; 1 page.
- Correspondence; Comments submitted by the Town of Webster Conservation Department, dated and received March 17, 2022 1 page.
- Correspondence from CHA Consulting, Inc., 70 Bates Point Road Engineering Review; dated March 18, 2022 and received on March 21, 2022; 1 page.
- Email Correspondence from Hadeer Shaikhly, Applicant; Request to Postpone Opening of Public Hearing; received April 25, 2022; 1 page.

