

**Webster Planning Board
Meeting Minutes
August 30, 2021**

A meeting of the Webster Planning Board was held on Monday, August 30, 2021 in the Board of Selectmen Meeting Room, Webster Town Hall.

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

Absent: Member Christella Gonsorcik

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

1. **Call to Order:** Chairman LaFramboise called the meeting to order at 6:31 p.m.

2. **Action Items**

a. **Reorganization**

Motion to nominate Paul LaFramboise Chairman, Mike Dostoler Vice Chairman and Dan Morin Clerk made by Ms. Cody, seconded by Mr. Morin. There was no further nominations or discussion. Motion passed unanimously 4-0 by roll call vote: (Ms. Cody – AYE; Mr. Morin – AYE; Mr. Dostoler – AYE; Mr. LaFramboise – AYE)

b. **Approval of Meeting Minutes – July 26, 2021**

Mr. Eaton provided some minor edits. There were no other edits from the Board. Motion to approve the meeting minutes from July 26, 2021 as drafted and edited made by Mr. Dostoler, seconded by Mr. Morin. Motion passed unanimously 4-0.

c. **2022 Draft Meeting Schedule and Application Submission Deadline Dates – Ms. Morgan will send out the schedule before the next meeting. The approved schedule will be published in the fall.**

The Chairman announced that items will be taken out of order.

3. **Discussion Items**

- a. **Pinewood Estates/Oakwood Drive – Joyce Szeredy – Kevin Szeredy** was present for the discussion and stated that the Szeredy family would like to finalize the subdivision project started by his late father, John Szeredy. They would like the road, Oakwood Drive, completed and are also seeking a Determination of Completeness. Ms. Morgan noted that she has provided the family with the necessary documents. The Szeredy family would like clarification on how to proceed with the project. The plan recorded at the Worcester District Registry of Deeds shows the road continuing through, and not as the current cul-de-sac, which was to be used only as a temporary measure. This project dates back to the 1970s and Ms. Morgan reviewed many sets of meeting minutes to determine what has been agreed upon between the Board. She confirmed that the roads, Camile Road (Sutton Road Estates) and Oakwood Drive (Pinewood Estates), were intended to connect. Mr. Eaton would like the width of Oakwood Drive reduced because of stormwater issues. The Szeredys have a company contracted to start work on completing the road as soon as September and they are hoping to finish this year. Ms. Morgan suggested sending a certified letter to Mr. Cepetelli owner of Sutton Road Estates to encourage him to reach out to the Szeredy family regarding two options: connecting the roads or selling some of the Szeredy land to him so that he can complete the cul de sac at the end of Camile Road. Mr. LaFramboise asked if the Szeredys own the land where Oakwood Drive and abuts

Sutton Road Estates at the end of Camile Road. Mr. Szeredy stated that they did. Ms. Morgan noted that in 2016 the Board had approved a temporary cul de sac at the end of Oakwood Drive by that is only considered temporary. If the Szeredy's plan to keep the cul de sac they will need to modify the original plan, submit it to the Board for approval and then file it with the Registry of Deeds. In addition, they will also need to submit a waiver request for the length of a dead end roadway as the current length is not permitted by the Subdivision Rules and Regulations. Inspections are needed before a determination of completeness can be granted. Ms. Morgan can help them as they prepare the submission to the Board. The Board had no objection to road work beginning in September. There will be more engineering reviews and inspections. It was noted that the Form G – Inspections form was incomplete and that the originals, kept by the developer, have not been found. Mr. Eaton suggested a site visit with him, Highway Superintendent Kenny Pizzetti, the Szeredy's, and their engineer to determine the best way forward regarding outstanding work items and future inspections. Ms. Morgan noted that the Szeredys should continue to coordinate with Mr. Eaton.

- b. **M.G.L. Chapter 91 Waterways WW06 Simplified License Application – 84 Lakeside Ave. – Assessor ID 45_A_24_0 – Arthur and Donna Redding (Applicant/Owner) – Residential Dock.** – Ms. Morgan will submit a memo to Mass. DEP outlining the Board's proceedings. Mr. Piader asked if the dock impedes access or navigation on the Lake. It does not. There were no public comments and no further questions from the board. Motion to direct staff to submit a memo outlining information received at this meeting to Mass. DEP made by Mr. Dostoler, seconded by Ms. Cody. Motion passed unanimously 4-0.

- c. **M.G.L. Chapter 91 Waterways WW06 Simplified License Application – 18 Bates Crossing – Assessor ID 38_A_4_0 – Angelos Spetseris (Applicant/Owner) – Residential Dock** – Mr. LaFramboise is an abutter to this property and recused himself. This application has been approved by the Conservation Commission. Ms. Cody asked about adding wording of the memo to MassDEP regarding not allowing slip rentals which the Board opposes. Ms. Morgan stated that wording will be included. There were no public comments and no further questions from the Board. . Motion to direct staff to submit a memo outlining information received at this meeting to Mass. DEP made by Mr. Dostoler, seconded by Ms. Cody. Motion passed unanimously 3-0 with Mr. LaFramboise abstaining.

4. Staff Report

- a. Eligible Facilities Request – Wireless Communications Facility – Removal of existing equipment to be replaced by new equipment – 84 Old Douglas Road – Verizon Wireless – Ms. Morgan stated that this project met the requirements for administrative approval and said approval has been filed with the Town Clerk.

- b. Odor Control – Marijuana Grow Facility – 30 Worcester Road – Curaleaf (Owner) – Ms. Morgan will follow up with them. This item will remain on the agenda until a solution is reached.

Ms. Morgan informed the board that there will be three zoning articles presented to Town Meeting on the agenda for the next Board meeting. She has been working with Mr. LaFramboise, Mr. Piader and Building Commissioner / Zoning Enforcement Officer Ted Tetreault on the language for the Zoning By-law. The articles are designed to clarify the intent of the By-law.

Ms. Morgan also advised the Board that, starting on Wednesday, the Town of Webster will have a new interim Town Administrator, Greg Balukonis. A screening committee has been formed and the hiring process has begun for the new Town Administrator.

5. Public Hearing

- 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 I located within an Industrial (I) and Lake Watershed Protection (LWP) zoning districts. Continued from 6/28/21.**

Brian Milisci, Whitman & Bingham Associates, Dan Prouty, Tony Diaz, Director of Development for Goya Foods Inc., Anthony Barroso, Goya Foods Inc., and Peter Unenue, Goya Foods Inc. were present to discuss this project.

Mr. Diaz explained that they procured a noise reader to monitor the noise level at the site to see if the levels are within Mass. DEP's guidelines. They tested the noise level last night and the noise is within the guidelines. The readings were taken at the property line approximately 200 – 300 feet from the residential area. Mr. LaFramboise stated that when he was on site, the noise was low enough to hold a conversation with no issues. This is a warehouse expansion, located in back of the facility, and there is no additional equipment going in. Interstate I-395 is very close, and there are spikes in the noise levels caused by tractor trailers and motorcycles on the highway. It was further noted that there has been an increase in traffic since the Frito Lay distribution center at 5 Cudworth Road began operations this past year.

Mr. Unenue noted that Goya currently employs approximately 100 people and wants to continue to be a good neighbor to the Town. Ms. Morgan stated that all the engineering issues have been addressed. Catherine Brezniak and Ellie Brezniak of 51 Cudworth Road, and Michelle Smith, 53 Cudworth Road, asked to speak. Ellie Brezniak stated that sound comes across the road. There used to be a farm house directly across the street between her house and Goyer which is gone now which they believe may have been buffering noise and vibration from reaching her property in the past. She and her daughter Catherine added that this hasn't been an issue in 30 years but now they believe that the refrigeration units run all night long. It is a low frequency noise that they can feel. Mr. Unenue assured them that they will continue to research the issue and suggested meeting with the Brezniaks and Ms. Smith at the site and that they should continue to keep in touch regarding a resolution.

Motion to close the public hearing made by Mr. LaFramboise, seconded by Mr. Morin. There was no further discussion from the public or the Board. Motion passed 4-0.

Ms. Morgan then reviewed the draft decision with the Board.

Motion to approve Findings F1 through F15 as drafted made by Mr. Dostoler, seconded by Mr. Morin. There was no discussion on the motion. Motion passed unanimously, 4-0.

Motion to approve Finding F16 as drafted made by Mr. Dostoler, seconded by Ms. Cody. There was no discussion on the motion. Motion passed unanimously 4-0 by roll call vote ((Dostoler - AYE; Cody - AYE; Morin - AYE; LaFramboise - AYE).

Motion to approve Finding F17 as drafted made by Mr. Morin, seconded by Ms. Dostoler. There was no discussion on the motion. Motion passed unanimously 4-0 by roll call vote ((Dostoler - AYE; Cody - AYE; Morin - AYE; LaFramboise - AYE).

Motion to approve Finding F18 as drafted made by Mr. Dostoler, seconded by Mr. Morin. There was no discussion on the motion. Motion passed unanimously 4-0 by roll call vote ((Dostoler - AYE; Cody - AYE; Morin - AYE; LaFramboise - AYE).

Motion to approve Finding F19 as drafted made by Ms. Cody, seconded by Mr. Morin. There was no discussion on the motion. Motion passed unanimously 4-0 by roll call vote ((Dostoler - AYE; Cody - AYE; Morin - AYE; LaFramboise - AYE).

Motion to approve Finding F20 as drafted made by Mr. Dostoler, seconded by Ms. Cody. There was no discussion on the motion. Motion passed unanimously 4-0 by roll call vote ((Dostoler - AYE; Cody - AYE; Morin - AYE; LaFramboise - AYE).

Motion to approve Finding F21 as drafted made by Mr. Dostoler, seconded by Mr. Morin. There was no discussion on the motion. Motion passed unanimously 4-0 by roll call vote ((Dostoler - AYE; Cody - AYE; Morin - AYE; LaFramboise - AYE).

Motion Waiver W1 as drafted made by Ms. Cody, seconded by Mr. Morin. There was no discussion on the motion. Motion passed unanimously 4-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE; LaFramboise - AYE).

Conditions of Approval – the Board discussed the draft conditions. Condition C19 addressed the issues of sound testing prior to the start of construction and six months after the warehouse facility is in full operation to assess if the existing conditions against future noise generated from the Goya site. Mr. Piader noted that he would like the language of the condition changed to ensure that an independent third party consultant perform both tests and they be conducted in a similar fashion such as time of year, time of day and number of readings. Member of the Board agreed. Ms. Morgan stated that the language of the condition would be edited to reflect those changes.

Motion to APPROVE the Site Plan and Stormwater Permit with CONDITIONS and the revision of Condition #19 made by Mr. Dostoler, seconded by Mr. Morin. There was no further discussion by the Board. Motion passed unanimously 4-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE; LaFramboise - AYE).

Motion to authorize Ann Morgan, Director of Planning & Economic Development, to sign the Decision on behalf of the Board made by Mr. Morin, seconded by Mr. Dostoler. There was no further discussion by the Board. Motion passed unanimously 4-0 by roll call vote (Dostoler - AYE; Cody - AYE; Morin - AYE; LaFramboise - AYE).

5. Next Meeting - Monday September 27, 2021 at 6:30 p.m., Webster Town Hall, Board of Selectmen Meeting Room.

6. Adjournment

Motion to adjourn the meeting made by Ms. Cody, seconded by Mr. Morin. Motion passed unanimously 4-0. The meeting was adjourned at 8:17 p.m.

Minutes Approved:


Daniel Morin, Clerk

Date:

9-27-21

EXHIBITS

Discussion Item 3B. M.G.L. Chapter 91 Waterways WW06 Simplified License Application – 84 Lakeside Ave

- WW06 Simplified License Application; submitted to Mass DEP June 21, 2021; 3 pages.
- Dock Plan and Profile; submitted with application to Mass DEP June 21, 2021; 1 page.
- Department Comment Form submitted by the Town Assessor on August 24, 2021, 1 page.
- Department Comment Form submitted by the Conservation Department on August 26, 2021, 1 page.
- Department Comment Form submitted by the Fire Department on August 25, 2021, 1 page.
- Department Comment Form submitted by the Police Department on August 25, 2021, 1 page.

Discussion Item 3C. M.G.L. Chapter 91 Waterways WW06 Simplified License Application – 18 Bates Crossing

- WW06 Simplified License Application and associated plan; submitted to Mass DEP June 21, 2021; 7 pages.
- Legal Notice, published in the Worcester Telegram and Gazette on August 6, 2021.
- Department Comment Form submitted by the Town Assessor on August 24, 2021, 1 page.
- Department Comment Form submitted by the Conservation Department on August 26, 2021, 1 page.
- Department Comment Form submitted by the Fire Department on August 25, 2021, 1 page.
- Department Comment Form submitted by the Building Department on August 25, 2021, 1 page.