

PLANNING BOARD MEETING
THURSDAY, JANUARY 13, 2022
RESOURCE ROOM

Attendance: Chair Tracy Sharkey, Vice-Chair Jacob Schultzberg, Les Stevens, Aaron Socrat, Ernie Marks, Mike Greco, Mike Zwicker, Matt Benoit – Director of Community Development

Chair Tracy Sharkey opens meeting at 7:00 PM.

(7:00 PM) (0:13) ANR: 1 Whitin Heights, NQOW, LLC (2022-01)

Matt Benoit states that the Zoning Board issued a variance for the side setback that abuts the town property, so the final correction was the seven-inch movement of this line on the other side of the property.

(7:01 PM) (1:22) Motion to endorse the ANR made by Ernie Marks, seconded by Les Stevens.
All members in favor.

Public Hearings:

1. **(7:01 PM) (1:39) Public Hearing Continued: Pyne Sand & Stone Company Applications for an Earth Removal Special Permit & a Water Resource Protection Overlay District (WRPOD) Special Permit (ER-200827) (AQ-200827)**
39 West Street – Possible Votes
Request to withdraw without prejudice received on January 3, 2022.
(7:01 PM) (1:57) Motion to accept the withdrawal without prejudice made by Mike Zwicker, seconded by Jake Schultzberg. All members in favor.
(7:02 PM) (2:08) Motion to close the public hearing made by Ernie Marks, seconded by Aaron Socrat. All members in favor.

Additional Business:

1. **(7:02 PM) (2:41) Peter Michael Business Park (DEF – 210818) – Endorse Plans & Sign Covenant.**
(7:04 PM) (4:34) Matt Benoits update is that we have a draft covenant that has been reviewed by Town Counsel and is in the signature packet for the Board to sign. Tom McIntyre is present at meeting for any questions and has the signed mylar plans for the board.
Motion to accept the covenant and endorse the plan made by Jake Schultzberg, seconded by Ernie Marks. All members in favor. Tracy Sharkey will recuse herself for the record.
2. **(7:06 PM) (6:04) Update for Whitin Heights**
Matt Benoit states that the board voted to release the final lots at our previous hearing and is in the boards packet to sign. We also learned that half the lots that were release in 2020 that the lot release form was not recorded and the lot release for in the packet is a corrective form that was reviewed by Town Counsel, and it releases all the lots 1 – 12.
3. **(7:09 PM) (9:36) ASD Wallum Lake Solar, 269 Wallum Lake Road (SPR-181002): Storm water management update**
No Update at this time.
4. **(7:10 PM) (10:06) Deer Crossing (DEF-030612) – Update**
We have an executed lot release document to sign to was voted on at a previous meeting.

5. (7:10 PM) (10:15) Evergreen Estate (DEF-061010) – Update

This is an approved subdivision some time ago known as Thomas Circle off South Street, which was a flexible development that was 23 lots with an 8-lot bonus up to 31 total units. This matter will be coming to before the board soon, so Mr. Benoit placed it on the agenda.

6. (7:11 PM) (11:46) Stone Gate Development (DEF-020319) – Request for public road acceptance

The loop (Cobblestone Drive) has been accepted but there are 2 cul-de-sacs coming off that loop that the applicant would like to get accepted so they can release the bond. Matt Benoit has commissioned engineering to do a review of the as built plans and we will be receiving those for consideration for Spring Town Meeting.

7. (7:12 PM) (12:48) Oak Street Solar (SPR-200203) – Request for Peer Review bond estimates

Oak St Solar sent estimates for decommissioning storm water management and Mr. Benoit sent them off to a peer review consultant.

8. (7:13 PM) (13:38) Recommendation for Land Surveyor (Subdivision Monuments)

Mr. Benoit reached out to a surveyor, Mark Blanchard from McClure Engineering out of Charlton, and with the board's approval Mr. Benoit will be happy to engage him on the project.

(7:14 PM) (14:43) Motion to engage Mark Blanchard for the land surveying for our highway bounds made by Les Stevens, seconded by Aaron Socrat. All members in favor.

Public Hearings:

2. (7:15 PM) (15:01) Public Hearing Continued: Dark Stream, LLC. Application for Site Plan Review (SPR-210923)

116 Davis Street – Possible Votes

Request to Continue to January 27, 2022

(7:15 PM) (15:19) Motion to continue public hearing to January 27, 2022, at 7:00 PM made by Jake Schultzberg, seconded by Mike Greco. All members in favor.

Additional Business:

9. (7:16 PM) (16:39) Director of Community Development Updates

The Board asked Mr. Benoit to get a status update on 93 Davis Street for the paving (Capital Cannabis), Mr. Benoit met with Theresa Matson and gave Mr. Benoit a letter from her paving company, which states that they will plan to reschedule in April when the asphalt plants reopen to install the top course.

(7:20 PM) (20:50) Mr. Benoit has a draft decision that was prepared for an item that we closed at our last meeting for the property at Blackstone that was reviewed by Town Counsel and is available for signature.

10. (7:21 PM) (21:26) Meeting Minutes 11/18/2021 & 12/9/2021 – Possible Votes

(7:28 PM) (28:00) Motion to approve November 18, 2021, minutes as amended made by Jake Schultzberg, seconded by Ernie Marks. All members in favor.

Public Hearings:

3. (7:30 PM) (29:48) Public Hearing Continued: Coopers Town Road Realty Trust

Application for a Special Permit (SP-210701) and a Definitive Subdivision Residential Compound "Hawk Hill Farms" (RC-10701)

768 & 772 Northwest Main Street – Possible Votes

Jude Gauvin joined via zoom to present update for applicant. The applicant has conceded to have the driveway redesigned at the 10% grade per the Fire Department's and Planning Boards requests and will be stamped and sent to Graves Engineering by Tuesday or Wednesday of this coming week. They also put a row of arborvitae along the abutters line that was discussed with the abutter. Mr. Gauvin went out to the site and dug some test holes and will have a full report of the ledge that is there that would make it difficult to move the road over. Mr. Benoit has the update on the easement, and he and Ken Frasier met with Town Counsel to discuss the matter. Town Counsel doesn't think the easement is the purpose of a residential compound. As for the letter between landowners it can be a condition if the parties are both willing to do it. Town council says they can require the 10% grade because it is for public safety. Travis McCallum the owner of the landlocked land present at meeting with questions about the easement. Resident at 774 Northwest Main St, stated his concerns about the compound becoming bigger than what is proposed currently, and would like there to be a limit on the number of homes allowed to go into the compound. Matt Benoit stated that the town by-law says a residential compound is not for future development and if this is approved it cannot be expanded upon. The abutter at 774 Northwest Main is agreeable to the proposed plan now that he has confirmed that there can be no future development of the compound. The board asked if he would be willing to put that in writing, and he agreed to writing the letter for the records.

(7:45 PM) (45:34) Motion to continue the public hearing to January 27, 2022, at 7:15 PM by Mike Zwicker, seconded by Ernie Marks. All members in favor.

4. (7:47 PM) (47:28) Public Hearing: Family Convenience Center

Application for Site Plan Review (SPR-211213) & Aquifer Special Permit (AQ-21221)

74 Main Street – Possible Votes

Applicant and owner Ray Whitehead attended meeting to present plans. Also present to present plans is civil engineer Rob Lussier from CMG Engineering, traffic engineer Jeff Dirk from Vanasse and Associates and the store manager Sam Skaronski. The proposed convenience store itself is about 9600 square feet. Jeff Dirk the transportation consultant went over the transportation analysis. The traffic study was done under Mass DOT guidelines and with the guidance of the town itself. The project does not expect to have a significant impact in terms of increases in delays or vehicle cueing along the road we are at, at the intersections of the study. With the evaluation they looked at if there was a need to provide a let turn lane on route 16 and all the criteria, they use to evaluate was met so they will be making modifications to route 16 to provide a dedicated left turn lane. Currently they are keeping the pole on the island in the middle of Ridelle Road and raising the island and putting curbing around it. Mr. Whitehead spoke with Adam Furno and they discussed the removal of the pole on Ridelle Road as still a possibility so it is staying on the table. The Board received a letter from John Furno from a concerned abutter, Joyce Guiou of Main Street, and she is asking that no parking signs be installed on the south side of the main street along her property. Ray is agreeable to the signage. Rob went over the peer review comments with the board.

(8:58 PM) (1:58:44) Motion to continue hearing to February 10, 2022, at 7:00 PM made by Mike Zwicker, seconded by Mike Greco. All in favor.

APPROVED 3/10/2022

(8:59 PM) (1:59:30) Motion to adjourn made by Jake Schultzberg, seconded by Les Stevens. All in favor.

Respectfully Submitted,

Stephenie Gosselin
Recording Secretary