

**PLANNING BOARD MEETING
THURSDAY, APRIL 14, 2022
RESOURCE ROOM**

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

Chair Tracy Sharkey calls meeting to order at 7:00 PM.

- 1. (7:00 PM) (0:10) Citizens Forum: Call for public comment**
Jeanne Lawrence 119 Shore Rd joined remotely and stated she has been in contact with Mr. Benoit trying to arrange a forum that some of the town's administration could be present to help address the issues that have risen on Shore Road as a consequence of development decisions. Ms. Sharkey responded that they will be discussing this on the agenda tonight under ongoing development.

- 2. (7:02 PM) (2:20) ANR's: NONE**

Public Hearing:

- 3. (7:02 PM) (2:23) Public Hearing: Zoning Modifications to Douglas Zoning Bylaws – Adoption of new Section 6.8 Residentially – Scaled and Commercially – Scaled Solar Energy Systems – Possible Votes.**

(7:03 PM) (3:57) Motion to open the public hearing made by Jake Schultzberg, seconded by Mike Greco. All members in favor.

Mr. Benoit stated that the purpose of this is because Douglas does not have any mechanisms governing solar development other than requiring a special permit for a certain size array. Mr. Benoit would like to make the board aware of Carol Gogolinski from the Finance Committee's concerns with some of the language. Solar energy systems shall not be included in calculations for lot coverage or impervious cover so long as the board would like to omit the last sentence from 'such as building setback requirements and requisite lot coverage requirements'.

(7:10 PM) (10:58) Another question that came up from Fin Comm was the minimum lot frontage listed of 200 feet, Ms. Gogolinski stated to the board that her recommendation is to have no minimum frontage amount but have a deeded right of way. The Board discussed the frontage size back and forth and landed on that the frontage should be lot frontage 60 feet, 100 feet setback for the front and 50 for the side and rear, and they would like to think about the right of way more in depth.

(7:29 PM) (29:39) The third one in question is to steer developers to already cleared areas. The first sentence - 'large-scale clearing of forested areas in excess of five acres for the purpose of constructing systems prohibited' the board would like to strike from the proposed bylaw language.

(7:38 PM) (38:09) Motion to close the public hearing made by Mike Zwicker, seconded by Aaron Socrat. All members in favor.

(7:38 PM) (38:20) Motion to approve and recommend favorable action to town meeting section 6.8 as amended made by Aaron Socrat, seconded by Jake Schultzberg. All members in favor.

- 4. (7:38 PM) (38:40) Public Hearing: Zoning Modifications to Douglas Zoning Bylaws - Removal of Section 8.4 Temporary Moratorium of the Regulation and Taxation of Marijuana Act – Possible Votes.**

Mr. Benoit explained that this is removing a bylaw that expired over four years ago.

(7:39 PM) (39:10) Motion to close the public hearing made by Mike Zwicker, seconded by Les Stevens. All members in favor.

(7:39 PM) (39:20) Motion to approve and recommend favorable action to town meeting for the removal of section 8.4 made by Jake Schultzberg, seconded by Les Stevens. All members in favor.

5. **(7:39 PM) (39:36) Public Hearing: Zoning Modification to Douglas Zoning Bylaws – Amendments of Section 9.4 Site Plan Review – Subsection 9.4.2 and 9.4.4 – Possible Votes**

Mr. Benoit stated this item is to add the public hearing requirement to section to the towns site plan regulations. Mr. Zwicker requests that there be seven lines for board members signatures not only five.

(7:41 PM) (41:10) Motion to close the public hearing made by Mike Zwicker, seconded by Aaron Socrat. All members in favor.

(7:41 PM) (41:20) Motion to approve and recommend favorable action to town meeting for the amendments to section 9.4 subsections 9.4.2 and 9.4.4 made by Jake Schultzberg, seconded by Mike Zwicker. All members in favor.

6. **(7:41 PM) (41:36) Public Hearing: Zoning Modification to Douglas Zoning Bylaws – Amendments of Section 10.0: Definitions – new definitions for Building Elevation and Building Height – Possible Votes**

Per the recommendation of the building commissioner this is to remove any questions about the definitions of elevation and height between applicants applying for permits. The board is concerned with the diagram and are considering striking it, Mr. Benoit would like to convers with Mr. Frasier about this so maybe he can explain it to the board. The board will table this agenda item

7. **(7:48 PM) (48:03) Public Hearing Continued from 3/24/2022: CRG Services Management, LLC. Request to Continue until 4/28/2022**

Application for Site Plan Review (SPR-220215)

105 & 123 Gilboa St & 470 Northeast Main St – Possible Votes

(7:48 PM) (48:10) Motion to continue public hearing to April 28, 2022, at 7 PM made by Mike Zwicker, seconded by Mike Greco. All members in favor.

(7:48 PM) (48:30) Mr. Benoit asked the Chair for permission to move an item in ongoing development up.

Ongoing Development:

8. **a. Whitin Reservoir Estates (MOD-120906)**

This is for a bond reduction, the town had this reviewed by their consultant at Lennard Engineering and they are comfortable with the reduction from the existing bond of currently \$159,136.00 down to \$89,211.07. Mr. Zwicker doesn't think that the bond should be reduced because he went through the site and said he didn't think it was cleaned up enough. Jude Gauvin joined remotely and state that he understands the concerns with the erosion, but they are asking for the bond money to be released for projects that are complete so that they can continue on with the project. The Chair is concerned about the erosion issue as an ongoing problem and wants to make sure that it will be taken care of before the town takes over. Mr. Gauvin understands the concern and suggests taking the loam and seed amount out of the reduction. The new balance would be \$99,678.29

(7:57 PM) (57:40) Motion to authorize the reduction of the bond from \$159,136.00 to \$99,678.29 made by Mike Zwicker, seconded by Mike Greco. All members in favor.

Public Hearings:

9. (7:58 PM) (58:56) Public Hearing Continued from 3/24/2022: Sutton Douglas Development Application for Definitive Subdivision (DEF-220215)

Mumford Rd & 5 Forest St – Possible Votes

Wayne Belec with Land Design Collaborative, Tim Flynn – Flynn Build & Develop and Courtney Sudak the traffic consultant from Tetra Tech joined meeting to present plans. Mr. Belec would like to address the previous concerns of Mr. and Mrs. Prince and the board of the number of mailboxes in the development. Mr. Belec spoke to the postmaster after last meeting and has agreed with one centrally located mailbox. The other concern brought up was the pickup and drop off of students from the bus. Mr. Belec met with Courtney Keenan at the school, and they do bus stops for efficiency, and they are not going into the development at this time and will be keeping the two bus stops they currently have. Mr. Belec estimates that phase 1 should be about 6 months, and the majority of the truck traffic will be on Duval in Sutton. Mr. Belec addressed the traffic vehicle lights for abutters, and they will do plantings that over ten years will be over 10 feet tall. There was one comment the board would like to address now and is the width of roads C and the loop being 22 feet, and roads A & D 24-foot roads. Mr. Prince asked if there will be streetlights and Mr. Belec responded that there will be streetlights at the intersections and in accordance with the town. Mike Lacey 18 Forest Street joined remotely and stated his concern about as the project progresses that there will be trucks on Forest Street and would like a guarantee that the roads will at least don't get worse from the truck travel. Mr. Flynn responded that he is happy to accommodate the residents and help with the truck deliveries and travel and have it a window of time as to not disturb the residents in the morning and evenings. Resident at 12 Belvoir Ave asked if the project has been approved by Sutton yet and if it isn't approved in Sutton what then happens with the current plans. Mr. Belec said it is not approved yet, but they don't anticipate a denial. Mr. Benoit suggests Douglas waiting for the town of Suttons approval. Another question was if this project gets approved by both towns when it would start. Board responded that once the permits are given it would start within months of that.

(8:53 PM) (1:53:16) Motion to continue hearing to April 28, 2022, at 7:30 PM made by Mike Zwicker, seconded by Jake Schultzberg. All members in favor.

(8:54 PM) (1:54:20) Mr. Benoit has not heard back from Mr. Frasier so would suggest continuing the hearing for the new definition for building elevation and height to next meeting.

(8:54 PM) (1:54:45) Motion to continue to April 28, 2022, at 7:20 PM made by Les Stevens, seconded by Aaron Socrat. All members in favor.

Ongoing Development:

b. (8:55 PM) (1:55:35) Gilboa Court Ext (DPX-201119)

This is a request to establish a bond and then to release lots, and the developer is asking the board to approve the estimated amount of \$33,500.00 and next meeting there will be documents for signature to establish the bond.

(8:56 PM) (1:56:13) Motion to approve the bond amount of \$33,500.00 made by Mike Zwicker, seconded by Aaron Socrat. All members in favor.

c. (8:56 PM) (1:56:30) Hawk Hill Farms (RC-210701)

The draft covenant was vetted, signed and notarized by all parties.

(8:56 PM) (1:56:50) Motion to endorse the covenant made by Mike Greco, seconded by Mike Zwicker. All members in favor.

d. (8:57 PM) (1:57:20) ASD Wallum Lake Solar, 269 Wallum Lake Road (SPR-181002)

Mr. Benoit stated that the storm water system peer review by Graves Engineering came in on April 6, 2022, and the consultant has identified some items with the system that may or may not be correct with the hydrology model and the outlook control structure. The board will wait for a response from the solar company on these issues.

(9:00 PM) (2:00:25) Mr. Zwicker asked if there was an update on the bounds. Mr. Benoit responded that he has heard no update but will follow up on this again. Mr. Zwicker would also like to mention having the engineers online specifically for the big warehouse projects so they can answer any questions that come up during a meeting.

(9:02 PM) (2:02:00) Greg Bentley 119 Shore Road joined remotely and had comment to the board that they have video of the stormwater system during the storm a few weeks ago showing what some of the issues are with the system. Ms. Lawrence would also like to emphasize that the traditional path of the water is being changed by the blockage at the culvert, and she would like to know what the status of the Mass DEP site visit, and was wondering if she heard correctly that there was bond for the solar farm put up for damages. Mr. Benoit responded that there has been a site walk done but the town has not heard any response back from DEP about it, and the company did post a \$90k stormwater bond with the town if the Solar company were to not address the problems.

Upcoming Meetings: April 28, 2022 & May 12, 2022

(9:09 PM) (2:09:47) Motion to adjourn meeting made by Jake Schultzberg, seconded by Mike Greco. All members in favor.

Respectfully submitted,

Stephenie Gosselin, Recording secretary