

PLANNING BOARD
WEDNESDAY, JANUARY 10, 2024
RESOURCE ROOM

Attendance: Chair Jake Schultzberg, Vice chair Meg Schlesman, Aaron Socrat, Mike Derose, Mike Greco, Mike Zwicker, Rich Preston, Matt Benoit Community Development Director

Absent: Ernie Marks

Matt Benoit, the Director of Community Development called the meeting to order.

1. (0:20 TS) Reorganization – Mr. Benoit called for reorganization and is looking for a nomination for Jake Schultzberg as chair, motion for nomination made by Mike Zwicker, and 2nd by Aaron Socrat. The vote passed unanimously. Mr. Zwicker nominated Meg Schlesman for vice chair and Aaron Socrat 2nd that nomination, the vote passed unanimously.
2. (1:50 TS) ANR's: 138 Martin Road, Thomas Hunt – Possible votes
Les Stevens 31 Brookside Drive, Douglas, explained he has a parcel of land with an existing house and Lot 1 would be a 200 ft frontage, 2 acres meeting the zoning requirements, Lot 2 would be 200 ft with a little over 1 acre of land, non-buildable and Lot 3 would be 80 ft of frontage, non-buildable lot. It meets all the requirements for an ANR, and he met with Mr. Benoit, did updates, and made all the changes requested.
(4:10 TS) Motion to endorse the ANR for 138 Martin Road, made Mike Zwicker, 2nd by Meg Schlesman. The vote passed unanimously.

Public Hearing:

3. (5:50 TS) 7:00 PM Public Hearing Continued: Pyne Sand & Stone Company, Inc. – Application for Earth Removal Permit (ER-230906), Site Plan Review (SPR-230906) & Special Permit (SP-230906), 93 Cliff Street – Possible votes
Andy Leonard with Pyne Sand stated the requested changes and revisions to the plan of moving the grading 5 feet from the 100-foot buffer, and they hired Tech Environmental to review the noise concerns. There are some concerns that were found, and they are willing to meet all the sound requirements, they are looking at a couple options with maybe putting the crushing operation inside the 32,000 sq. ft building there or building a combined earth berm or wall. They are leaning towards putting it in the building. Murray Bristol with Pyne Sand & Stone stated that DEP requires them to do subsequent sound study after the commencement of the operation. Jeff Walsh with Graves Engineering, they reviewed the site plan and the special permit application with respect to the building and reviewed the stormwater with some comments on the first letter on October 12, 2023, and received revised information that addressed the concerns, and they issued a revised letter on November 21, 2023, stated the comments had been addressed. The major concern with an earth processing and washing operation is the wash water not being mixed with the stormwater and that is being done at this site, and he is satisfied with the revisions that were made, and he gave his opinion on the sound requirement concerns. Mr. Bristol has reached out via email to both Webster and Oxford, and he has not received any response from Oxford and Webster responded that as long as they are going through the process through the Planning Board and going through the right channels, they are good. Mr. Zwicker asked about the noise level inside the building and if that matters,

Mr. Briston stated you are allowed 10 decibels above ambient, which is about 35 decibels. The Board would like to have that beginning number, and they will settle all the conditions by the next meeting and start working on a bond estimate.

(29:50 TS) Motion to close the public hearing for Pyne Sand & Stone Company application for earth removal permit, site plan review, and special permit, made by Mike Zwicker, 2nd by Rich Preston. The vote passed unanimously.

Additional Business:

4. (30:55 TS) Sleepy Hollow Streetlight Discussion – Possible votes

Andy Leonard is speaking on behalf of the applicant, and they have a Sonotubes there and they are looking for the Board's preferences for the streetlight specifications before they put it in. Mike Zwicker suggested asking the highway department, the Board agreed to have them check with the highway department and then get the pole and streetlight in.

5. (37:00 TS) Sleepy Hollow Surety Bond Reduction – Possible votes

Andy Leonard stated that the roadways are topped, and the concrete walks are in, on November 16, 2023, Doug Bush determined that the bond amount should be \$33,444.66, which the current bond amount is \$198,080.36. Since then they have done bounds except for one (that they hope to put in next week) which would further reduce the bond amount. Once the last bound is done, he can request the plans and then the as-built for the roadway.

(40:40 TS) Motion to reduce the bond amount of \$198,080.36 by \$164,080.36 to a round number of \$34,000.00 made by Rich Preston, 2nd by Aaron Socrat. The vote passed unanimously.

6. (41:25 TS) Accessory Apartment Extension – 34 Douglas Hill Way – Possible votes

Matt Benoit stated that there are no issues with this and that it is a standard extension.

(41:45 TS) Motion to endorse the accessory apartment extension for 34 Douglas Hill Way made by Mike Zwick, 2nd by Meg Schlesman. The vote passed unanimously.

7. (42:05 TS) Master Plan

Mr. Benoit stated that they have sent out requests to all the boards and commission for Master Plan members and they have received feedback from all except the school committee. The Master Plan is not going to move forward until they get an appropriation at town meeting so Mr. Benoit has some estimate requests from CMRPC who through some grants can give the town an opportunity to get almost \$135,000.00 worth of services for almost \$30k. If he gets their estimates and the town can get an appropriation at town meeting for \$30k accepted and approved, then the Master Plan Group would start after that under the guidance of CMRPC. Rich Preston suggested meeting as a group prior to getting the funding to get started and meet all the members pull together objectives, etc. Matt Benoit responded that he is not opposed to that and said that they need to solicit citizens from each of the voting precincts also which they usually use town meeting to get that information out there for interested citizen members. Rich Preston asked if that was a state requirement to have the citizen members before they start meeting and Mr. Benoit stated that it isn't required just good practice, they also need to get a school committee member. Rich Preston suggested the group meet and talk about the process for soliciting the citizen members of the group and maybe put it online and have them apply like any other position so they can get the process started. The Board agrees with Mr. Preston's proposal.

Ongoing Development:

8. (47:40 TS) Cubes at Gilboa & McIntyre Loam, Inc. (SPR-220215)

The issue brought up at the last meeting was the trees and there has not been any progress on that yet. Mr. Benoit did state that there has been a drainage failure and a wash out of the roadway as of this morning, so Conservation Commission voted on Monday to issue an enforcement order because it washed out the wetland on town property and dumped a bunch of debris. The Town's peer reviewer has been out to the site and is aware of the issue and Brandon Faneuf the Conservation agent is aware and involved.

9. (49:20 TS) BW Solar @ Oak St, (SPR-200203 & SR-200203)

Mike Zwicker recused himself from this discussion.

Mr. Benoit stated that the Douglas Conservation Commission issued an enforcement order along with the town of Sutton for the debris that is washing off the site into Manchaug Pond. Lisa Mosczynski, 60 Oak St, stated that December 10, 2023, was the first major failure a drainage/stormwater control on this site, and 7 days later, there was a repeat failure from the site, left the site, traveled over property for almost 1/3 of a mile, and ended up in Manchaug Pond. They did a lot of work to try to stabilize yesterday's rain but there is a basin on the northeast corner that is not finished, and they did not stabilize the slopes, so the erosion was bad again. There continues to be serious water flow that was not there before that is pooling in the road and driveways are washed out and water pouring out of stonewalls. Ms. Mosczynski stated that the residents would like to see more action to be taken than an enforcement order because Haley and Ward who the town hired reported that the silt should be cleaned out of the basin and recommended a redesign of the basin closest to Oak Street. Mr. Benoit stated that the enforcement order entails Blue Wave Solar to stabilize the site and continue building the basin and keeping the silt clear of it and installing the outlet control structures as designed. They fell behind because of the winter and the snow and they put erosion control blankets over the hills, and the building inspector is not going to issue any permits for solar rec until the stormwater is resolved. They don't want to issue a cease-and-desist order because they want them to keep working on fixing the issues. Mike Zwicker, 46 Oak St, stated that he knows they have been trying to make a road to get trucks back there suck the silt out of the pond. The Board would like Mr. Benoit to follow up with Blue Wave Solar to find out if they are doing what was suggested by Haley and Ward with the site. The Board discussed the options for resolution further amongst themselves. Shirley Mosczynski, 60 Oak St, and stated that at the Planning Boards August 24, 2023, meeting she asked that an engineer review the plan for phase 3 and she was told that it would be and she wants to know if it has been reviewed. The Board stated that is what Haley Ward is actively reviewing the entire project, and the Board will confirm that phase 3 has been reviewed. Mr. Benoit suggests the Board send a letter to Mr. Smith at Blue Wave asking whether they have conformed to the letter from Haley and Ward and get an update from Blue Wave on the progress. The Board discussed doing a site walk separately so they don't have to post it as a meeting, Mr. Benoit will arrange the site walk with Blue Wave and they may do it together and post it as a meeting.

10. (1:22:00 TS) Hawk Hill Farms (RC-210701)

Meg Schlesman recused herself from the discussion as a board member and spoke to the update. Ms. Schlesman stated that they are waiting to hear back from Town Counsel whether the Planning Board will hold occupancy permit and release the lot, and her engineer has requested to be on the agenda for the 24th to discuss this, and the fire department did come up to Hawk Hill Farm. The number of bounds has not yet been voted on to be less as requested by

Jude Gauvin, and they asked that Matt Benoit review that meeting and make sure the Board's decision to approve that is not an issue.

11. (1:27:00 TS) Miscellaneous:

Mr. Zwicker stated that there was a Building Facilities Committee meeting on November 15, 2023, and Matt Wojcik the Town Administrator made some comments about some Planning Board members and about the Board, he felt were not appropriate and feels that there should be a public apology at their meeting. He feels the Board should have been approached about any issues with the Board or particular members of the Board. Jake Schultzberg stated that as the new chair, he will do his best to improve communication between the town and other Boards and Committees as needed.

Upcoming Meetings: January 24, 2024, & February 14, 2024

(1:32:45 TS) Motion to adjourn the meeting made by Mike Zwicker, 2nd by Rich Preston. The vote passed unanimously.

Respectfully submitted,

Stephenie Gosselin