

**APPROVED MAY 8, 2024**

PLANNING BOARD  
WEDNESDAY, MARCH 27, 2024  
RESOURCE ROOM

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

Absent: Ernie Marks– excused

Jake Schultzberg called the meeting to order at 7 PM.

1. (0:35 TS) ANR's – NONE

Public Hearings:

2. (0:40 TS) 7:00 PM Public Hearing: Davis St Realty – Application for site plan review (SPR-240305) industrial building – 140 Davis St. – possible votes

This is a proposed development of a 7725 sq. ft industrial building on a vacant lot totaling 11.3 plus or minus acres. Mark Allen with Allen Engineering stated that Mr. O'Leary, the applicant, owns a business at 124 Davis Street, O'Leary Welding, and is looking to expand his business to the property he owns next-door. That expansion includes the proposed one-story slab steel building of about 7800 sq. ft. They had the property flagged for wetlands and filed a notice of intent with the Douglas conservation commission with a hearing next week and under review with Graves Engineering and anticipate their comments soon. Karen Keegan with Allen Engineering went over the plans with the board. Mr. Benoit stated they met with the town's tech review board with one comment from the Water district involving the shared well with the other property that states they cannot have more than 25 people combined between both buildings for 60 days of the year because of the shared well. Mr. Benoit stated if that were to be conditioned, it would be impossible to enforce and recommend they consider doing their own well. Mr. Allen stated they are confident they will not trigger the public drinking water supply threshold that is over 25 people because they only have a handful of employees. They discussed the landscaping, the signs, and the Tennessee gas pipeline. The board is still waiting for the peer review so will continue the meeting.

(20:30 TS) Motion to continue the public hearing to April 10, 2024, at 7 PM made by Mike Zwicker, by Rich Preston. The vote passed unanimously.

3. (21:30 TS) 7:15 PM Public Hearing Continued: New Sherborn, LLC - Application for special permit on scenic Road (SR– 30) Orange Street – possible votes

Mr. Benoit stated that Town Counsel's opinion is if the stonewall is not within or in the boundary line of the right of way it is not subject to the Scenic Road bylaw. Mr. Benoit believes that these stonewalls are within the board's jurisdiction. Regarding the complaints about the access point, Mr. Benoit thinks that this board should make a recommendation to the conservation commission to issue an enforcement order for the gravel that has been placed with the jurisdiction of the wetlands. Kevin Demers with DiPrete Engineering stated that they submitted revised plans but with the jurisdiction of the Town Counsel they are no longer requesting approval for a special permit for the stone wall and will do what the board would desire whether it's dismissing the matter or accepting a withdrawal without prejudice, and they are proceeding with the conservation commission to review the environmental portion of the developed lots. Mr. Benoit would like to recommend to Mr. Bettencourt and to the applicant

that they consider repurposing the stones from the driveway to try to maintain the character of the stonewall.

(30:10 TS) Motion to close the public hearing made by Mike Zwicker, 2<sup>nd</sup> by Aaron Socrat. The vote passed unanimously.

(32:55 TS) Motion to take no action because this falls outside the jurisdiction of the Planning Board made by Meg Schlesman, 2<sup>nd</sup> by Mike DeRose. Aaron Socrat abstained; the other members voted in favor.

(34:00 TS) Motion to recommend the conservation commission issue an enforcement order for the gravel that was placed on lot 12 made by Mike Zwicker, 2<sup>nd</sup> by Aaron Socrat. The vote passed unanimously.

**Additional Business:**

4. (34:50 TS) 8 Southwest Main St – Accessory Apartment Extension – possible votes  
(35:30 TS) Motion to grant the accessory apartment extension made by Mike Zwicker, 2<sup>nd</sup> by Rich Preston. The vote passed unanimously.
5. (36:50 TS) Master Plan – The Master Plan Committee met for the first-time last Wednesday and organized, and Mr. Preston is Chairman and Carol Gogolinski is vice chair and Linda Brown is Secretary. The next meeting is Wednesday the 17<sup>th</sup> at 7pm.

**Ongoing Development:**

6. (38:25 TS) The Cubes at Gilboa & McIntyre Loam, Inc. (SPR-220215)  
Todd Morey with Beals Associates and Mitch from Clayco Construction present to discuss ongoing issues on the site. Mr. Morey talked about the issues and what they are doing to fix them and what they will be going in the future to rectify the issues. They have prepared a storm damage restoration plan that went for peer review by Haley Ward, they responded to their comments in a letter that will be submitted in the next couple of days to conservation. Prior to the basin being scooped out the side slopes, need to be loamed, seeded, and stabilized. They discussed the trees and the neighbor that has complained about the lights shining into his house and planting trees to block that. Bob Minarik said that the tree discussion is a work in progress and Mr. Zwicker asked if the board could have, a status update maybe once a month on this issue. They discussed the concern over the retaining wall.
7. (1:01:35 TS) Business Park @ Legacy Circle (DEF-2018-18)  
Mr. Socrat stated that he visited the site and noticed that there used to be a significant tree buffer and now it is gone. Mr. Benoit will ask them to come to the next meeting to talk about this concern.
8. (1:05:35 TS) BW Solar @ Oak St, (SPR-202203 & SR-200203)  
Mike Zwicker recused himself. Lori H. at 41 Oak St stated that they did go over the response updated provided from Mr. Benoit and she stated it was helpful, but they continue to be concerned about the dirty water that is coming out on the McCallum side at 37 Oak St and coming on to her property and stated that she thinks they have addressed what they can at this point. The board discussed the inaccurate statement made by Lori H. that Mr. Schultzberg did not give Blue Wave permission to loam and seed but stated that the time is approaching to be able to do so. Brandon Faneuf Conservation Agent brought us his concern about the runoff that will be coming from the proposed farm on the solar project. Elvira Stridsberg project manager with BlueWave, Pat Mahan civil contractor with J Bates & Son present at the meeting and remote is Jason Smith with BlueWave and Greg Morehouse with Mill Creek Renewables, Jeff Murphy the engineer with Beals and Thomas. Pat Mahan went through responses to the comments and what they are currently doing and doing in the coming weeks. The gravel is in basin 5 but the wick drain is not installed yet. Jeff Murphy stated that the calculations for the analysis on basin 1 are completed and they are undergoing team review and anticipate issuing

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them by the end of this week. BlueWave will have the timeframe for the agriculture part of the project for the Board at the next meeting because the Board needs to know how this is going to affect the drainage on the site as soon as possible. Mike Zwicker asked if anyone has looked into the bond and if it is sufficient, BlueWave responded that they would entertain posting and adjusted bond.

### **Staff Updates:**

#### **9. (1:41:15 TS) Administrative Policy & Procedure**

At the previous meeting, Mr. Benoit sent out storm water general bylaw for comments and he has received some comments on the storm water policy, and he has put them into the policy for the commission to consider after the acceptance of the general bylaw. The Board discussed their concerns about this, particularly with the acreage amount and how this will burden many Douglas residents in a negative way. Mr. Faneuf will find out what the ramifications are for not being compliant with the MS4 with this bylaw.

#### **10. (1:56:35 TS) Meeting Minutes: January 10, 2024 & January 24, 2024**

(1:57:10 TS) Motion to approve the meeting minutes of January 10, 2024, as written, made by Mike Greco, 2<sup>nd</sup> by Mike Zwicker. The vote passed unanimously.

(1:57:50 TS) Motion to approve the meeting minutes of January 24, 2024, as written, made by Mike Greco, 2<sup>nd</sup> by Mike Zwicker. The vote passed unanimously with one abstention from Mike DeRose.

Upcoming Meetings: April 10, 2024 & April 24, 2024

(1:58:50 TS) Motion to adjourn the meeting made by Mike Zwicker, 2<sup>nd</sup> by Rich Preston. The vote passed unanimously.

Respectfully submitted,

Stephenie Gosselin