

PLANNING BOARD
WEDNESDAY, SEPTEMBER 11, 2024
RESOURCE ROOM

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

Absent: Ernie Marks, Rich Preston (both excused)

Jake Schultzberg called the meeting to order at 7 pm.

(0:15 TS) The Board had a moment of silence in remembrance and honor of those lost on September 11th.

1. (1:05 TS) ANR's:

a. Lot 3.1 Southeast Main St – Possible votes

Mr. Benoit reviewed this ANR and stated that it seems to be compatible with the town's subdivision rules and regulations. This is to carve off lot 4 into 2 lots to create lot 3.1 as shown on the plan provided.

(2:15 TS) Motion to approve the ANR for lot 3.1 Southeast Main Street made by Mike Zwicker, 2nd by Meg Schlesman. The vote passed unanimously.

b. 55 Southwest Main St – Possible votes

Mr. Benoit stated that this does not affect road frontage and is to transfer a piece of land from one landowner to the next. The plan meets all the requirements of subdivision control, and he recommends endorsement.

(3:50 TS) Motion to endorse the ANR for 55 Southwest Main Street made by Mike Zwicker, 2nd by Mike Derosé. The vote passed unanimously.

Public Hearings:

2. (4:10 TS) 7:00 PM Public Hearing: Town of Douglas Highway – Application for Scenic Road Permit (2024-31), 9 Oak Street – Possible votes

Town of Douglas Highway is seeking a special permit to remove two dead trees along Oak Street. Adam Furno the Highway superintendent and tree warden went to the site at 9 Oak Street, met with the property owner requesting the tree removal, found that two out of the 6 trees are in the town's right of way, and stated they are both dying or dead. Jason McCallum the property owner stated that he would be taking the other 4 trees down.

(7:45 TS) Motion to close the public hearing made by Aaron Socrat, 2nd by Meg Schlesman. The vote passed unanimously beside one abstention from Mike Zwicker.

(8:25 TS) Motion to approve the removal of the two trees by the Highway department made by Meg Schlesman, 2nd by Aaron Socrat. The vote passed unanimously beside one abstention from Mike Zwicker.

Additional Business:

3. (9:10 TS) AA- Ext – 503 Northwest Main St and AA – Ext – 141 Northwest Main St – Possible Votes

Mr. Benoit stated that he reviewed the applications and there were no changes to the accessory apartments, and relatives occupy them. He recommends granting both extensions in one motion. The Board discussed the new accessory dwelling unit law and how that is going to affect their bylaw.

(10:55 TS) Motion to accept the accessory apartment extension for 503 Northwest Main Street and 141 Northwest Main Street made by Mike Zwicker, 2nd by Aaron Socrat. The vote passed unanimously.

4. (11:30 TS) Perry Street Extension Road Improvements – The applicant asked to table this until the first meeting in October.
5. (11:40 TS) Master Plan – They are working on their survey and will wrap that up at tomorrow's meeting and the website is now operational.

Ongoing Development:

6. (12:50 TS) Business Park @ Legacy Circle (DEF-2018-18) – Mr. Benoit received an email from Evan Tetreault and read it to the Board regarding the planting of the trees. The Board discussed the timeline of progress for the site.

Public Hearings:

7. (18:25 TS) 7:15 PM Public Hearing Continued: McIntyre Loam, Inc. – Application for Special Permit (SP-240416), Earth Removal Permit (ER-240416), Site Plan Review (SPR-240416) Outdoor Manufacturing & Processing, off Legacy Circle – Possible votes

Thomas McIntyre the applicant, John Palmer president of McIntyre Loam, Mike Dryden with Allen Engineering, and Mark Wallace the sound consultant for the applicant from Tech Environmental all present for the discussion. Mr. Benoit stated that the abutters have provided comments and tonight is to hear the applicant address the comments. Mr. Wallace went through the comments and provided answers. Jim Barns with Cintec hired by the town to perform a peer review, and stated that Cintec accepts the methodology that Tech Environmental used and the noise measuring they used is in accordance with Mass DEP. Mr. Benoit talked about the post construction survey and when the Board is going to ask for the survey. The sound engineer has provided his comments and the town's peer review has provided verification of their review, so the town's sound study expert has verified that their findings are accurate. The Board discussed the hours that drilling should not occur. There was discussion about the unattended survey versus the attended survey. Jeremy Flansberg 63 Monroe Street asked about the pre-inspection of his home and the berm, the applicant responded. Resident from 30 Walnut Grove Street asked about the post study for the end of construction phase and applicant party responded that they are expecting the construction portion to take about 18 months. Barbara Van Reed expressed her concerns and her questions specifically about the noise. The Applicants spoke to her concerns and questions. Rick Netter 20 Walnut Grove Street asked if the post construction analysis could be made clear with the requirements. The Board discussed when the post construction sound study should be done.

(1:27:25 TS) Motion to close the public hearing for McIntyre for the special permit, earth removal permit, site plan review for all 240416 made by Mike Greco, 2nd by Meg Schlesman. The vote passed unanimously beside an abstention from Aaron Socrat and Jake Gniadek.

(1:29:55 TS) Motion to approve special permit section 9.3 for the use of the outdoor manufacturing use in the industrial zone for map 165 lot 27 and 30, map 166 lot 15 for McIntyre Loam with standard conditions made by Mike Zwicker, 2nd by Mike Derosé. The vote passed unanimously beside an abstention from Jake Gniadek. Mike Zwicker stated that he is not comfortable voting on the other items until he sees all the conditions and requirements written down. They discussed the special conditions tonight before Mr. Benoit is to put them on the draft and he went through the waivers and recommended voting on the waivers tonight.

(1:36:25 TS) Motion to grant the waivers as presented made by Mike Zwicker, 2nd by Meg Schlesman. The vote passed unanimously besides an abstention from Jake Gniadek.

The Board will put this on the agenda for the next meeting for decision and vote

Ongoing Development:

8. (1:43:00 TS) BW Solar @ Oak St, (SPR-200203 & SR-200203) – Mike Zwicker recused himself. Greg Morehouse with Mill Creek Renewables gave an update on where they are at with installing the posts and the progress on the project.

APPROVED 10/9/2024

Additional Business:

9. (1:46:05 TS) General Bylaws – Scenic Road Amendments – Mr. Benoit put a placeholder on this for Town Meeting and would like the Board to decide on language. The Board discussed what they would like to have for language and Mr. Benoit will get Adam Furno and Town Counsel's opinion.
10. (1:52:20 TS) The Cubes at Gilboa (SPR-220215) – Tom McIntyre manager of KTKT signed the plan that was done and asked if the Board would approve the signed plan.
(1:53:15 TS) Motion to approve the amended plan signed by Mr. McIntyre for the planting of the trees at Northeast Main made by Mike Zwicker, 2nd by Aaron Socrat. The vote passed unanimously.
11. (1:54:05 TS) Sleepy Hollow (DEF-160316) – Mr. Benoit said there be a road acceptance coming in soon, the draft as-built plan is being peer reviewed.
12. (1:55:05 TS) Sutton/Douglas Development (DEF-220215) – The land was officially transferred to the town, and they are working on setting up the pre-construction meeting with the town.
13. (1:56:00 TS) Whittin Reservoir Estates (MOD-120906) – Mr. Benoit will follow up with the progress on the clean up to report back to the Board for an update.

Staff Updates:

14. (1:57:10 TS) Administrative Policy & Procedures – Training September 25th @ 5 pm – This will be the first of hopefully 5 trainings this year budgeted for at Spring Town Meeting. This training session will be on the roles and responsibilities of the Planning and Zoning Boards. The next meeting will be going over ANR's and subdivision control on October 9th.

Signatures:

15. (1:59:35 TS) Decisions – There is a decision for 286 Webster Street for the outdoor storage. The Board discussed having something written up and updated with the Boards standards conditions listed for reference.
16. (2:04:05 TS) Meeting Minutes: June 12, 2024, July 17, 2024 & August 14, 2024 – Possible votes
(2:07:30 TS) Motion to accept the June 12, 2024, meeting minutes as written made by Mike Derose, 2nd by Meg Schlesman. The vote passed unanimously.
(2:15:40 TS) Motion to accept the July 17, 2024, meeting minutes as amended, made by Aaron Socrat, 2nd by Meg Schlesman. The vote passed unanimously.
(2:19:05 TS) Motion to accept the August 14, 2024, meeting minutes as amended, made by Meg Schlesman, 2nd by Mike Zwicker. The vote passed unanimously.

(2:19:25 TS) Motion to adjourn the meeting made by Mike Zwicker, 2nd by Jake Gniadek. The vote passed unanimously.

Upcoming Meetings: September 25, 2024 & October 9, 2024

Respectfully submitted,

Stephenie Gosselin