

TOWN OF DUDLEY

MASSACHUSETTS

PLANNING BOARD

DUDLEY MUNICIPAL COMPLEX, ROOM 308
71 WEST MAIN STREET, DUDLEY, MA 01571

DUDLEY PLANNING BOARD
Daniel Edmiston, Chairman
Richard Clark, Vice Chairman
Steve Watroba, Clerk of the Board
Louis Perrin, Member
William LePage, Member
Russell Giglio, Associate Member



DUDLEY PLANNING STAFF
William Scanlan, Acting Town Planner
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Dudley Planning Board

April 22, 2020

Meeting Minutes

Approved /5/27/2020

The regularly scheduled meeting of the Dudley Planning Board was called to order remotely at 7:04 PM on Wednesday, April 22, 2020 by Chairman Dan Edmiston. Mr. Edmiston read the Governor's meeting order regarding convening of meetings during the COVID-19 pandemic. Members present remotely were: Richard Clark-Vice Chairman, Steve Watroba-Clerk to the Board, Bill LePage-member Lou Perrin-member, William Scanlan-Acting Town Planner and Caryl Savard-Planning Clerk. Also present were Selectmen Paul Joseph, Steve Sullivan, Lisa Berg-Principal Assessor, Carolyn Murray of KP Law, Ed Pare, Jr. Esq. and Douglas Greene, representative for Cingular/AT&T, Chris Mayen, Trustee of the Congregational Church, and Causeway Shores neighborhood residents Gerry Frank and Len Mahoney.

1. Public Hearing Continuation – proposed Zoning Amendment to the Mill Conversion Overlay District.
 - a. Carolyn Murray of KP Law explained the proposed amendment and suggested wording for a motion. Mr. Clark **moved to** make a favorable recommendation to Town Meeting on the proposed zoning amendment to the Mill Conversion Overlay District as presented by Town Counsel. Seconded by Mr. Watroba. Roll call of votes: Mr. Watroba-aye, Mr. Clark-aye, Mr. Perrin-aye, Mr. LePage-aye and Mr. Edmiston-aye. Unanimous.
2. Public Hearing, 7:10 PM for 1st Congregational Church AT&T Cell Tower
 - a. KP Law's legal opinion was read into the record, and the legal opinion reads: Thus, based on the facts you have provided, which indicate that the original bell tower installation was approved prior to 2012, it is my opinion that the increase in 10-feet must be measured from the existing height, inclusive of the originally approved appurtenance. Thus, the proposed 8-foot increase would not constitute a "substantial change" and would be considered an "eligible facility," for which the Town lacks discretionary authority to disapprove.
 - b. Mr. Clark stated that the applicant was not forthcoming, stating they had conformed to the Dudley bylaw, when in his opinion, they had not.
 - c. After discussion, the Public Hearing was closed at 7:40 PM.

- d. Mr. LePage **moved to accept the application as an eligible facilities request to expand the antenna.** Seconded by Mr. Watroba. Roll call of votes: Mr. Perrin-aye, Mr. LePage-aye, Mr. Watroba-aye, Mr. Clark-no and Mr. Edmiston-aye. Motion passed by majority vote, 4-1 in favor.
 - e. Mr. Pare asked that a motion to agree that the modification does not substantially change the physical dimensions of the base station. After discussion, Mr. LePage **moved to accept that the modification does not substantially change the physical dimension of the base station.** Seconded by Mr. Watroba. Roll call of votes: Mr. Perrin-aye, Mr. LePage-aye, Mr. Watroba-aye, Mr. Clark-no and Mr. Edmiston-aye. Motion passed by majority vote, 4-1 in favor.
3. 7:15 Public Hearing, opened at 7:45 PM for proposed road name change relative to Causeway Shores Road and Kruger Island Road
 - a. Mr. Scanlan posted a map of the current roads and the house numbers and posted a map of the proposed road name changes.
 - b. Mr. Gerry Frank related the history of the names and most recently, the removal of the word “shores” from the street signage, which currently reads as Causeway Road. Mr. Scanlan displayed photos of the area on-screen that Mr. Frank had provided prior to the meeting.
 - c. Several emails were read into the record, including emails from Mark Stefanik, Charles Perzanoski, and Gerry Frank.
 - d. Lisa Berg, Principal Assessor, presented her proposed name change, with Causeway Shores Road starting from Baker Pond Road, turning left at the fork and continuing on; at the right fork, Kruger Island Road.
 - e. Mr. Len Mahoney, a resident, offered his opinion which agreed with Mrs. Berg’s proposal.
 - f. Mr. Perrin **moved to close the Public Hearing at 8:22 PM.** Seconded by Mr. LePage. Roll call of votes: Mr. Watroba-aye, Mr. Perrin-aye, Mr. LePage-aye, Mr. Clark-aye and Mr. Edmiston-aye. Motion passed unanimously.
 - g. Mr. Watroba **moved to rename the road starting at Baker Pond Road to left at fork as Causeway Shores Road; from fork to the right, Kruger Island Road.** Seconded by Mr. Clark. Roll call of votes: Mr. Perrin-aye, Mr. Watroba-aye, Mr. LePage-aye, Mr. Clark-aye and Mr. Edmiston-aye. Motion passed unanimously.
4. 7:30 Public Hearing opened at 8:30 PM for JD&D Construction, 24 Oxford Avenue
 - a. Mr. David Ochocki requested a continuance to the next meeting. Mr. Clark **moved to continue the Public Hearing for JD&D Construction, 24 Oxford Avenue, to May 27, 2020.** Seconded by Mr. LePage. Roll call vote: Mr. Clark-aye, Mr. Perrin-aye, Mr. LePage-aye, Mr. Watroba-aye and Mr. Edmiston-aye. Motion passed unanimously.
5. 7:45 PM Public Hearing, opened at 8:35 PM for Peter Bannister, 263 West Main Street
 - a. Mr. Edmiston stated that he stopped by the location at 5:55 PM and counted 63 vans on the lot. They were all the same style vehicles with different license plates.
 - b. At the last meeting, Mr. Bannister had been asked to move the 16 vehicles to the area zoned business, which he agreed to do. Mr. Nelson Burlingame, Building Inspector, had stated that any vehicles in the residential zoned area were in violation.
 - c. Mr. Edmiston asked Mr. Scanlan to send letters to Mr. Burlingame notifying him of the vans on the lot and to come to the next meeting, and to Mr. Bannister asking him to attend the next meeting on May 27, 2020.

- d. Mr. LePage **moved to continue the Public Hearing to May 27, 2020.** Seconded by Mr. Perrin. Roll call of votes: Mr. Perrin-aye, Mr. Watroba-aye, Mr. LePage-aye, Mr. Clark-aye and Mr. Edmiston-aye. Motion passed unanimously.
6. Meeting Minutes of March 18, 2020 and April 8, 2020
 - a. Mr. Clark **moved to approve the minutes of March 18, 2020 and of April 8, 2020.** Seconded by Mr. Perrin. Roll call of votes: Mr. Perrin-aye, Mr. Watroba-aye, Mr. LePage-aye, Mr. Clark-aye and Mr. Edmiston-aye. Motion passed unanimously.
7. ANR Plan of 71 Dudley Hill Road
 - a. The proposed ANR Plan map of 71 Dudley Hill Road was posted and reviewed. Each of the lots will be in conformance with the local bylaw for minimum frontage and upland requirements. Mr. LePage **moved to endorse the ANR plan for 71 Dudley Hill Road.** Seconded by Mr. Watroba. Roll call of votes: Mr. Perrin-aye, Mr. Watroba-aye, Mr. LePage-aye, Mr. Clark-aye and Mr. Edmiston-aye. Motion passed unanimously.
8. Signing Authority during COVID-19
 - a. Mr. Scanlan offered to sign plans and other documents on behalf of the Planning Board members during the COVID-19 pandemic. Mrs. Savard asked about invoices as well.
 - b. Mr. Clark **moved to authorize Mr. Scanlan to sign documents and invoices on behalf of the Planning Board.** Seconded by Mr. LePage. Roll call of votes: Mr. Perrin-aye, Mr. Watroba-aye, Mr. LePage-aye, Mr. Clark-aye and Mr. Edmiston-aye. Motion passed unanimously.
9. Discussion/Status Report on finishing construction of, and acceptance of, uncompleted/unaccepted subdivision streets, including:
 - a. Pierpont Estates – Developer is seeking variance for lots.
 - b. Rocky Hill Estates – none.
 - c. Piasta Road – none.
 - d. Country View Estates (Eisenhower Drive) – work is on hold, due to COVID-19.
 - e. Tobin Farms – going forward to Town Meeting.
10. Lyons Estates Certificate of Approval – Mr. Scanlan presented the Definitive Subdivision Plan decision. Mr. Clark **moved to approve the Definitive Subdivision Plan Decision and authorize Mr. Scanlan to sign on behalf of the Planning Board.** Seconded by Mr. LePage. Roll call of votes: Mr. Perrin-aye, Mr. Watroba-aye, Mr. Clark-aye, Mr. LePage-aye and Mr. Edmiston-aye. Motion passed unanimously.
11. Invoices – Mrs. Savard read the invoices. Mr. Clark **moved to accept and pay the invoices.** Seconded by Mr. LePage. Roll call of votes: Mr. Perrin-aye, Mr. Watroba-aye, Mr. Clark-aye, Mr. LePage-aye and Mr. Edmiston-aye. Motion passed unanimously.

Mr. Clark **moved to adjourn at 9:03 PM.** Seconded by Mr. Watroba. Roll call vote: Mr. Clark-aye, Mr. Perrin-aye, Mr. LePage-aye, Mr. Watroba-aye, Mr. Edmiston-aye. Motion passed unanimously.

Caryl Savard
Planning Clerk