

**TOWN OF DUDLEY
MASSACHUSETTS
PLANNING BOARD**

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

DUDLEY PLANNING BOARD

Mark L. Marzeotti, Chairman
Guy E. Horne, Jr., Vice Chairman
Pamela Humphrey, Clerk to the Board
Kevin Sullivan, Member
Daniel Edmiston, Member
John Briare, Alternate Member



DUDLEY PLANNING STAFF

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PLANNING BOARD MEETING MINUTES

Wednesday, April 25, 2018 7:00 pm

Dudley Municipal Complex, Room 321-A (DMC, Veterans Memorial Hall)

7:00 PM Call to Order

The Planning Board Meeting was called to order at 7:00 PM on Wednesday, April 25, 2018 by Chairman Mark Marzeotti. Planning Board members present were: Guy Horne-Vice Chairman, Pamela Humphrey-Clerk to the Board, Kevin Sullivan-Member and Don Johnson, Town Planner.

A. Meeting Minutes for April 11, 2018

- a. Minutes passed over to next meeting.

B. Discussion on finishing construction of, and acceptance of, uncompleted/unaccepted subdivision streets, including:

- a. Pierpont Estates – Request of Tony Cerqueira to discuss finishing construction of Phases 1, 2A and 2B with the Board, based on an on-site meeting with Jeff Walsh of Graves Engineering regarding plans and final construction standards.
 - i. Don has a meeting scheduled for April 12, 2018 at Pierpont Estates with Jeff Walsh, Dan Gion and Tony Cerqueira. Don will have an update for the next meeting.
- b. Rocky Hill Estates – request of Ted Chojnacki to release a lot on Bona Circle formerly known as Dorothy Circle from the covenant held on the subdivision for building a single family home.
 - i. Ted Chojnacki not present.

C. Vote on Recommendation to Town Meeting: Article to amend the Zoning Bylaws and/or Zoning Map, to be on the warrant for the Town Meeting on May 21, 2018: Add text to establish the Solar Overlay District on Lots 19 and 19-1 on Assessors Map 215 (adjacent to 99 Ramshorn Road) and amend the Zoning Map accordingly.

- a. Mr. Sullivan asked about Partridge Hill Road. Mr. Horne clarified the Zoning Amendment request was separate from the issues at Partridge Hill Road.
- b. Mr. Horne stated that he attended the Board of Selectmen's meeting to discuss the possibility of the landowner completing Partridge Hill Road. The Selectmen gave Town Counsel permission to negotiate with the landowner/applicant. Don to give ED Switzer's contact information to Town Administrator and Counsel. The Selectmen also want a bond or legal agreement, if anything goes wrong. Mr. Marzeotti stated for the record that even with the bond or legal agreement, acceptance of the road may not pass at Town Meeting.

D. Preliminary Subdivision Plan: 20 single-family lots with access from 27 Jesse Road, Four Lots Dudley Realty Trust, applicant. Note Action (45-day timeframe) due April 28, 2018.

- a. A 30-day extension was requested by the applicant.
- b. Mr. Horne **moved to allow Four Lots Dudley Realty Trust a 30-day extension on their preliminary subdivision plan application for the 20 single-family lots on Jesse Road.** Seconded by Ms. Humphrey. Unanimous.
- c. The Board members were asked if they had any questions

- i. Mr. Horne stated he hopes they over-engineer the retaining walls; like a commercial retaining wall.
- ii. Ms. Humphrey asked why the Planning Board would consider granting a waiver for the length of the road. Ideally, the waiver results in a benefit to all; eliminating a very steep road.

E. Discussion on the status of Economic Development Planning, including:

- a. Integration of 2015 Village District Study and scheduling of Village District Walk; and
- b. Phase 2 Economic Development Strategic Plan; commencement of Phase 2 work plan
 - i. Mr. Johnson is waiting to hear from CMRPC for the beginning date
 - ii. Save the date for the site walk – a Saturday afternoon – Mr. Johnson to send out a couple of dates in May to see what works for all members

F. Audience Comments

- a. Jason Thies, 2 Queen Circle, spoke about residents not being notified when the sidewalks were being worked on; resulting in damage to several sprinkler systems. Mr. Thies read a letter into the record that he sent to Mr. Cerqueira regarding the sprinkler damages.
- b. Mr. Marzeotti asked if anyone had contacted Mr. Cerqueira verbally; as he has always been very easy to work with. Mr. Thies said he was told someone had, but that Mr. Cerqueira was rude; so he decided to write rather than talk with him.
- c. Mr. Horne stated that the legal layout for a road is 50 feet wide. If the contractor is working beyond 15 feet from edge of pavement, he is working on their property. If he is within 15 feet from the edge of the road, and there are sprinkler systems in that area, then they shouldn't have been installed in that area and it's the responsibility of the sprinkler system installer. If the contractor is working within the 50-foot road, that is his property and he doesn't have to notify anyone. If he took loam away, that's his property and therefore, his loam.
- d. Mr. Marzeotti reiterated that the Board has no benefit of saying someone is a good contractor or not. Mr. Cerqueira has always been a conscientious subdivision contractor. Mr. Marzeotti also recommended that Mr. Thies contact Mr. Cerqueira personally and he believes Mr. Cerqueira would work with him.
- e. Mr. Thies said that there are no berms on Noble Street. He thinks Mr. Cerqueira should finish Phase 1 and 2 before moving on. Mr. Horne stated that, at the last meeting, Mr. Cerqueira had asked to start the grading for the last phase. The Planning Board told him he could, but they will not release any lots until the work is finished for Phases 1 & 2.
- f. Sadie Vivencio, 6 Queen Circle, questioned the 50-foot rule and the grassy circle in the middle of the cul-de sac and asked about the length of time to finish the subdivision. Mr. Horne stated that 10-15 foot setback follows all the way through cul-de sac and is still Mr. Cerqueira's property. Mr. Marzeotti stated that possibly at the time the house was purchased, the plan for subsequent phases was explained, but if you subtract 11 years from today's date, it was when the housing market crashed.

G. Planner's Plate – Subdivisions

- a. **Piasta Road**
 - i. Mr. Johnson to meet with Dan Gion, Jonathan Androlewicz, Jeff Walsh of Graves Engineering to discuss finishing Piasta Road.
- b. Regarding subdivisions, Mr. Marzeotti wants to make sure that the great effort Mr. Johnson put forth and new subdivision control documents would be used in making certain of enough surety, etc. Mr. Johnson concurred.
- c. **Eisenhower Drive**
 - i. The members agreed to send Mr. Heney a certified letter indicating the Planning Board would like to discuss completing Eisenhower Drive. Unfinished work: Water gate is sticking up, several catch basins, final survey work and crack filler on pavement.
 - ii. Mr. Marzeotti stated that since Mr. Heney has not responded to several calls, he suggested sending a letter stating that if no response to the letter, the Town will use the funds in the escrow to get the work completed.
- d. Economic Development – to be covered at next meeting
- e. Mr. Johnson to attend the state's 2018 Economic Development Summit in Worcester on Tuesday, May 1, 2018
- f. Email from Worcester Regional Chamber of Commerce regarding a survey for the regional CEDS for securing federal funding for economic development. Mr. Johnson will complete and send out to members.

H. Comments from the Planning Board – Ms. Humphrey asked if anyone is up for re-election. Mr. Johnson stated that Mr. Marzeotti's and Mr. Edmiston's term expires this year. June 11, 2018 is the next election day.

I. Comments from the Audience – no comments

J. Other Business – none

Adjournment

- a. Mr. Horne **moved to adjourn at 8:06 PM.** Seconded by Ms. Humphrey. Unanimous.

Caryl Savard
Planning Board Clerk

Minutes of April 25, 2018

Mark Marzeotti, Chairman

Guy Horne, Jr., Vice-Chairman

Pamela Humphrey, Clerk to the Board

Kevin Sullivan, Member

Daniel Edmiston, Member