

TOWN OF DUDLEY MASSACHUSETTS PLANNING BOARD

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

DUDLEY PLANNING BOARD

Guy E. Horne, Jr., Chair
Pamela Humphrey, Vice Chair
Daniel Edmiston, Clerk of the Board
Kevin Sullivan, Member
Gregory P. Benoit, Member



DUDLEY PLANNING STAFF

Donald T. Johnson, AICP, Town Planner
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PLANNING BOARD MEETING MINUTES

Wednesday, October 10, 2018

Dudley Municipal Complex, Room 321-A

Call to Order

The Planning Board Meeting was called to order at 7:15 PM on Wednesday, October 10, 2018 in Room 321A of the Dudley Municipal Complex by Vice Chairman Guy Horne. Planning Board members present were: Pamela Humphrey-Vice Chair, Dan Edmiston-Clerk of the Board, Greg Benoit-Member and Don Johnson, Town Planner.

A. Meeting Minutes

- a. September 12, 2018 and September 26, 2018
 - i. Mr. Edmiston **moved to approve the minutes of September 12, 2018 with the correction of the maker of the motion on Section C and the minutes of September 26, 2018 as presented.** Seconded by Ms. Humphrey. Unanimous.

B. Appointment of Planning Board Member to Fill Vacancy

- a. Three Planning Board members will attend the Board of Selectmen's meeting to appoint a member to fill vacancy
- b. Mr. Johnson will post a special meeting with the Board of Selectmen on October 15, 2018 at 6:30 PM

C. ANR for 25 Marshall Terrace

- a. Applicant is going to the Zoning Board of Appeals for a variance
- b. Action on application tabled until applicant has received a determination from the ZBA

D. Discussion on finishing construction of, and acceptance of, uncompleted/unaccepted subdivision streets

- a. Moved to end of meeting by unanimous vote

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

- a. Moved to end of meeting by unanimous vote

F. Public Hearing for Definitive Subdivision Plan for Dudley Estates

- a. Public Hearing reconvened at 7:19 PM.
- b. Mr. Benjamin Osgood of Ranger Engineering updated the Planning Board on revisions based on Graves Engineering recommendations; changes to size of pipes.
- c. Sidewalk extended along Jesse Road on edge of right of way to Alton Drive.
- d. Easements around swales added to plan. On lot 10, waiver added for easement to 13 feet in lieu of 25 feet
- e. Submitted a traffic memo from TEP, LLC, Traffic Engineer, concluding there will be no traffic effect on roadway system.
- f. Item 30 - flooding on north side of Jesse Road. Graves Engineering's response states that he could not see how the subdivision will have an impact on the flooding on the north side of Jesse Road. The culvert has recently been cleaned out by the Highway Department. Continued cleanings should alleviate the flooding except in very large storms.
- g. Graves Engineering stated that if the excess runoff the subdivision is creating stayed in the wetland, it might rise an inch.
- h. 50 foot no touch vegetation zone - 75 foot no-cut buffer easement deed restrictions added to each lot.
- i. Easements are not to be altered in any way; referenced in deed restrictions. Swales flow into 24-inch pipe under the road to detention ponds.
- j. Public Comments:
 - i. Michael DeBoise, 2 Jesse Road, asked about length of time to drain. DEP requires no more than 72 hours to drain; Ranger's calculations show that they drain in 30 hours. Mr. DeBoise asked about sidewalks along Jesse Road. The applicant stated that it would require wetland filling and

they would not fill in wetlands to put in a sidewalk. Mr. DeBoise asked about traffic count. He watched the traffic for an hour and counted 57 cars. The TEP, LLC traffic study estimates the impact of the subdivision on traffic, not the current conditions. The study estimates 18 additional cars in the AM peak hour and 20 in the PM.

- ii. Ginni DiDonato, 10 Jesse Road, asked for a copy of the studies. She asked if there were still questions that needed to be addressed. The questions were actually 4 waivers recommended and requested by both the Town Engineer and the applicant.
- iii. Mr. DeBoise asked about the grinding pumps up to Alton Drive. The applicants have met with the Town's Water and Sewer Departments and the plans have been reviewed by the Water and Sewer Department's Engineers.
- iv. John Giaquinto, 42 Alton Drive, asked if the houses are going to be built all at once or as they are sold. The applicant stated it depends on the market. The roadway and detention ponds will all be done prior to sale of houses. Mr. Giaquinto asked about construction hours. In the Order of Conditions, it will state the hours of operation on weekdays and weekends.
- v. The Public Hearing was closed at 8:04 PM.
- vi. Mr. Horne stated that Mr. Johnson is working on the Order of Conditions. Mr. Horne would like to see the subdivision create a homeowners association to maintain the deeded infrastructures. Also, fencing around detention basins. Stormwater management practices will be documented and handed over to the homeowners after the subdivision is finished.
- vii. Once the Order of Conditions has been completed, the Planning Board will send a copy to the applicant and vote on the application at the October 24, 2018 meeting.
- viii. Street names are available at the Town Clerk's office or they can suggest names to be considered.

G. Andre Asselin, 45 Flaxfield Road - owns lots 19 & 20 on Packard Drive. Wants a waiver to build a driveway and not a road. Advised owner to be placed on agenda at an upcoming meeting.

H. Discussion on finishing construction of, and acceptance of, uncompleted/unaccepted subdivision streets

- a. Rocky Hill Estates – Attorney representing plaintiff was in the office and got the information she needed.
- b. Country View Estates – the Selectmen reminded the Planning Board of a bylaw that states if a subdivision was built and comes before the Town for road acceptance and the subdivision road is older than two years old, they would like the developer to sealcoat the road. The issue is, enforcement of the bylaw lies with the Selectmen and not the Planning Board to enforce the bylaw. The developer is willing to do the remaining work; fixing the catch basin, fixing a water shutoff valve and two cracks across the road, if the Town was willing to waive the sealcoating and street trees requirement. Mr. Horne will accompany the developer to the Board of Selectmen's meeting to see if the Town will waive the bylaw requirement.
- c. Tobin Farms – The Town Counsel's decision is, there may not be a law right now regarding acceptance of roads without sidewalks, but they wouldn't recommend it. If you build it, you are responsible for it.

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

- a. Mr. Johnson spoke to CMRPC contact to choose a convenient date for a farmers' forum.

J. Planner's Plate

- a. Letter from Attorney Thomas Brousseau requesting the release of lot 4, located off St. Anthony Road, from an old covenant. Ms. Humphrey **moved to release lot 4 from the covenant dated September 9, 1971 and recorded in Worcester Registry of Deeds Book 5161, Page 426, shown on Plan of Lots in Dudley, Mass., developed by L & Z Earth Movers in Plan Book 354, Plan 18.** Seconded by Mr. Edmiston. Mr. Benoit abstained. Passed by majority vote.

K. Adjournment - Mr. Benoit **moved to adjourn at 8:42 PM.** Seconded by Ms. Humphrey. Unanimous.

Caryl Savard
Planning Board Clerk

Minutes of October 10, 2018

Guy E. Horne, Jr., Chair

Pamela Humphrey, Vice-Chair

Daniel Edmiston, Clerk to the Board

Gregory Benoit, Member