

# 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  
Caryl P. Savard, Clerk  
[planner@dudleyma.gov](mailto:planner@dudleyma.gov)  
Phone: 508-949-8014

## Dudley Planning Board

May 27, 2020

Meeting Minutes

Approved June 10, 2020

The regularly scheduled meeting of the Dudley Planning Board was called to order remotely at 7:00 PM on Wednesday, May 27, 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 Michelle Jervis – Interim Planning Clerk. Also present were David Haynes, developer of Lyons Estates, Nick Adamopoulos, attorney for DMA Holding, Inc., Nelson Burlingame, Building Commissioner, Peter Bannister, Jason Dubois and David Ochocki, JE&D Construction

Acceptance of Minutes of 4/22/20 – Richard Clark motioned to accept the minutes of April 22, 2020 as presented. Bill LePage seconded.

Roll Call Vote:

Daniel Edmiston, Aye

Richard Clark, Aye

Steve Watroba, Aye

Lou Perrin, Aye

Bill LePage, Aye

7:05PM – Attorney Nick Adamopoulos, representing DMA Holding, Inc. of 35-37 Chase Ave, Dudley, MA came before the Board to request a waiver that no special permit may be granted until the use has received a provisional license from the Cannabin Control Commission. He stated that he submitted the application in March and a provisional license could come by August/September time frame. He stated the Cannabis Commission is working remotely and going through licenses. He is hoping to be on the August/September agenda. **Richard Clark motioned that the Board waive the requirements of the Cannabis Control Commission as stated in the bylaws as precluded by any action taken by the Cannabis Commission. Bill LePage seconded.**

Roll Call Vote:

**Daniel Edmiston, Aye**

**Richard Clark, Aye**

**Steve Watroba, Aye**  
**Lou Perrin, Aye**  
**Bill LePage, Aye**

7:15PM – Discussion of Covenant for Lyons Estates – David Haynes, developer for Lyons Estates came before the Board along with his engineer Jason Dubois. Bill Scanlon stated Town Counsel reviewed the Covenant with some revisions which were approved by Mr. Haynes and Mr. Dubois. Richard Clark motioned to accept the Covenant for Lyons Estate and authorize the Town Planner to sign on behalf of the Planning Board. Steve Watroba seconded.

Roll Call Vote:

Daniel Edmiston, Aye  
Richard Clark, Aye  
Steve Watroba, Aye  
Lou Perrin, Aye  
Bill LePage, Aye

7:20PM – Continuance of Public Hearing – Major Site Plan Review – JD&D Construction 24 Oxford Ave, Dudley, MA – The Board continued the Public Hearing with Dave Ochocki, representing JD&D Construction. He stated that his engineer, Jalbert Engineering, has submitted the plan regarding the purchase of the property known as “Chestnut Street Ext”. Town Counsel reviewed and it is on the Annual Town Meeting warrant. Bill Scanlon prepared a Release Deed which has also been approved by Town Counsel. Nelson Burlingame stated that since the property is owned by the town he suggested that other abutters of the property be notified just in case they would be interested in purchasing it. Mr. Ochocki stated that he has spoken to all of the abutters and they are all in agreement that this purchase would benefit the entire area. He stated that he would get a document to the Board documenting that the neighbors are amicable with the release. Steve Watroba motioned to approve the Board vote for the discontinuance of Chestnut Street Extension as a public way the portion of Chestnut Street Extension shown as “Chestnut S. Ext.” on a plan entitled “Plan for Diamond Match Co. of Webster Lumber & Supply Co. Dudley - Mass”, dated April 16, 1941, prepared by J.R. Kleindienst, recorded with the Worcester South District Registry of Deeds in Plan Book 118, Plan 10, which parcel runs from its intersection with the southerly line of Oxford Street to the parcel of land shown on said plan as ‘Boston & Albany R.R. Leased to Webster Lumber & Supply Co’. Bill LePage seconded.

Roll Call Vote:

Daniel Edmiston, Aye  
Richard Clark, Aye  
Steve Watroba, Aye  
Lou Perrin, Aye  
Bill LePage, Aye

7:25PM – Continuation of Public Hearing – Major Site Plan Review submitted by Peter Bannister – 263 West Main Street - Bill Scanlon stated that Mr. Dubois, engineer for Peter Bannister, revised the site plan after Planning Board requests, Jeff Walsh, engineer for the town, reviewed it and was satisfied with the project. We are back to see what the Board would like to do, set conditions, etc. Mr. Burlingame requested to be present since he has had some issues with Mr. Bannister regarding enforcement. He stated that in October 2019 someone filed a

complaint regarding the area behind 263 West Main St. He sent out letters with no response but finally heard back from Mr. Bannister. He just wanted to let everyone know his side of the story. Right now the big problem is the number of cars parked there. He wants some direction and the site plan needs to state the number of cars parked there. Dan Edmiston stated that we have never really tackled the zoning on this site. Mr. Burlingame stated that the leasing of vehicles is allowed in Bus 15 but the back side of the property would be under Accessory use since it is under Res 30. Regarding the building in the back the leasing company rents it but does not really use it. Steve Watroba has concerns about that building use or lack of use. Regarding a company leasing the property, they are giving Mr. Bannister one year to get all the permitting and it is definitely not Amazon. Mr. Bannister is trying to work with the Board. Regarding the zoning, Mr. Edmiston would like the Board to be in agreement and discuss it. There is a permitted use as a BUS15 under "Motor Vehicles Rentals Sales and Service". There is a permitted use with a potential occupant can use it. Under Res 30 there is permitted accessory use "light commercial vehicles" so we need to figure out and unanimously agree. Mr. Bannister stated that he will comply with any decision the Board approves. He has asked Enterprise to move out and to leave it to another leasing company but he needs a large parking area. He does not want to divulge the name of the leasing company since it is pending. He is looking for 488 spaces; he needs those spaces to lease the property. Jason Dubois stated that on the site plan there are 488 spaces right now but not using half of site, it is very large. Bill Scanlon stated that there are wetlands abutting the property so Mr. Bannister will need to go before Conservation to comply and will not be able to utilize the area. Also the fire lanes on the plan were discussed and Mr. Scanlon will get the Fire Chief involved with his suggestions. Regarding the zoning, **Dan Edmiston motioned that the Planning Board agree that the leasing of vehicles, light commercial vehicles, is allowed in BUS 15 under Motor Vehicles Rentals Sales and Services and parking of leased vehicles is allowed under Accessory Use under RES 30. Steve Watroba seconded.**

**Roll Call Vote:**

**Daniel Edmiston, Aye**

**Richard Clark, Aye**

**Steve Watroba, Aye**

**Lou Perrin, Aye**

**Bill LePage, Aye**

Regarding the number of parking spaces, there are approximately 360-370 spaces in RES-30 per Mr. Dubois. The remaining spaces are in BUS-15. All agreed that 488 spaces were appropriate. Mr. Edmiston questioned the other repair shop in the building. The owner parks the majority of this vehicles on the side of the building but Mr. Bannister informed members that he purchased the property next door so additional space is available for him. There would not be an issue with fire lanes. Regarding restrictions the Board discussed the weight of the vehicles. Mr. Edmiston would like to have restrictions. All agreed to provide a number of 16,000 GPW for a Light Commercial Vehicles so that the Building Inspector would have guidance and will need to sign off an Occupancy Permit. Members brought up concerns that the site plan states that the parking lot will be asphalted and Mr. Bannister stated that this was not his intent to do so. It was very expensive. Mr. Dubois suggested asphalt millings and will prepare a revised plan. . Also all members requested that he move the vehicles in the back and move his heavy equipment to the BUS -15 areas. Bill Scanlon stated that the revised plan will have to go back to Jeff Walsh at

Graves Engineering for his opinion. Mr. Bannister will provide a continuance of the public hearing to be in compliant with the time line. All agreed to continue the public hearing until the next meeting to address additional concerns.

Unfinished and Old Business – Not a Public Hearing.

- Pierpont Estates – Bill Scanlon stated that all the lots were approved by the ZBA and Tony Cecciera was granted permission to build on these lots with a one year permit. If he does not build he will have to reapply.
- Rocky Hill Estates – n/a
- Piasta Rd – n/a
- Country View Estates – Eisenhower Drive – Due to COVID-19 the sewer pumping station was not completed by the town.
- Tobin Farms – Bill Scanlon stated that he had a conference call today along with Vinny Polletta and George Slingo. Mr. Slingo will be installing the guardrails requested by Mr. Polletta and he is trying to move forward and have the street acceptance on the warrant.

Bill Lepage motioned to adjourn at 9:53pm. Steve Watroba seconded.

Roll Call Vote:

Daniel Edmiston, Aye

Richard Clark, Aye

Steve Watroba, Aye

Lou Perrin, Aye

Bill LePage, Aye

Respectfully Submitted,

Michelle Jervis, Interim Clerk