

PLANNING BOARD
Meeting Minutes
Thursday, October 28, 2021
6:00 P.M.

PB Members Present: Paul Graves, Brandon Quesnell, Jeffrey Mulliken, Paul Kelly, Marianne Clements (online), Steven Azar (online), Mia Cliggott-Perlt (online), and Donna Walker (online).

Members Absent: None.

Staff: Thaddeus Soulé (Town Planner).

Chair Paul Graves called the meeting to order at 6:00 P.M.

Mr. Soulé called the roll and explained that the meeting was being held in person, however both the public and the Board members can participate either by dialing into the meeting or joining the Microsoft Teams application. Since a quorum was present, he said that the meeting would not be suspended or terminated even if there are technological problems interrupt the broadcast unless required by law. He gave the information that would be needed to call in by phone.

1. **Public Comment:** None.

2. **Public Hearings:**

PLN 21-14 (*request to continue to the meeting of December 9th*)

Application by **Lester J. Murphy, Jr., Esq.**, on behalf of **Dol-Fin Development**, seeks Site Plan Review pursuant to Article 2, Section 2320, High Elevation Protection District (A), of the Zoning By-Laws to construct 7 new residential units on the property located at **50 Nelson Avenue**.

PLN 21-15 (*request to continue to the meeting of December 9th*)

Application by **Lester J. Murphy, Jr., Esq.**, on behalf of **Dol-Fin Development**, seeks Site Plan Review by Special Permit pursuant to Article 4, Sections 4015, Site Plan Review by Special Permit, a. (1) for an increase in residential units resulting in three or more, and (5, for the excavation, land removal, or earth-moving of more than 750 cu. yds. that will alter the topography from natural grade, and 4180, Inclusionary and Incentive By-Law, of the Zoning By-Laws for the construction of 7 new residential units; 1 of which will be located on the site and deed-restricted as affordable, and 1 for which the Town will receive a payment in lieu on the property located at **50 Nelson Avenue**. Attorney Murphy requested a continuance to the December 9, 2021 Public Hearing.

There was a motion by Brandon Quesnell to grant the request to continue PLN 21-14 & PLN 21-15 to the Public Hearing of December 9, 2021 at 6:00 P.M. Jeffrey Mulliken seconded. VOTE: 8-0 by roll call.

PLN 21-18 *(continued from the meeting of September 23rd)*

Application by **Eugene Carrara** seeking Site Plan Review pursuant to Article 2, Section 2320(A), High Elevation Protection District (A), of the Zoning By-Laws to build a foundation under two existing rooms and to extend a structure out 8' on the southeast elevation on the property located at **6 Creek Round Hill Road**. Paul Graves, Brandon Quesnell, Jeffrey Mulliken, Paul Kelly, and Marianne Clements sat on the case.

Presentation: Attorney Lester J. Murphy, representing the applicant, was attending virtually to discuss the application. Eugene Carrara, Bill Fornaciari, an architect, and Ethan Poulin, a landscaper, were attending the hearing in person. He said that the applicant had submitted the material requested by the Board. He indicated that the proposed work will not change the contours, landscaping, or drainage on the site. The project involves the construction of a bump-out and a reconstruction of an existing deck. No other changes are being proposed. Mr. Fornaciari reviewed the plans. The area of the walkout slab off the building will be removed and a proper foundation will be installed. In addition, the deck will be expanded to the shape shown on the site plan. There is a proposed limit of work, demarcated by hay bales, as well as proposed surface runoff collection and retention. All are shown on the J.C. Ellis septic plan. Attorney Murphy said that there will be very minimal impact that would change the dynamics on the site, as the main work involves changes to the structure. He referenced the high elevation protection district by-law that requires that surface runoff be contained on the site, as it will in this instance. The site will be properly landscaped when the work has been completed. No erosion to abutting sites, or onto the street, will occur during construction, as there are hay bales around the limit of work. Mr. Fornaciari mentioned that the concrete driveway below the deck will be removed and resurfaced with bluestone on top of gravel, for an additional recharging area. Mr. Poulin explained the proposed minimal excavation elements of the project, stating that the sand on the site is comparable to beach sand, which is highly permeable, and runoff from the site will be slim to none.

Public Comment: None. There were no new letters in the file.

Board Discussion: The Board questioned Attorney Murphy, Mr. Carrara, Mr. Poulin, and Mr. Fornaciari.

There was a motion by Brandon Quesnell moved to approve the site plan review pursuant to Article 2, Section 2320(A), High Elevation Protection District (A), of the Zoning By-Laws to build a foundation under two existing rooms and to extend a structure out 8' on the southeast elevation on the property located at 6 Creek Round Hill Road, with the condition that during construction, runoff and sediments shall be contained on site and all exposed or disturbed areas shall be permanently stabilized within six months of the end of work. Marianne Clements seconded. VOTE: 5-0 by roll call.

PLN 21-24

Application by **Lester J. Murphy, Esq.**, on behalf of **Marjorie Kehne**, seeking Site Plan Review pursuant to Article 2, Section 2320(A), High Elevation Protection District (A), of the Zoning By-Laws for alterations to a site to include installation of hardening and a native stone parking area and driveway, repair of an existing timber wall and installation of a new timber wall, installation of a concrete pad for the relocation of a generator, installation of a new propane tank and removal of existing tanks, approval of recently installed wood steps and adjacent plantings, and approval for recently installed solar panels on the property located at

774 Commercial Street. Paul Graves, Brandon Quesnell, Jeffrey Mulliken, Marianne Clements, and Donna Walker sat on the case.

Presentation: Attorney Lester J. Murphy, representing the applicant, and William N. Rogers, II, a civil engineer, were attending virtually and presented the application. Attorney Murphy apologized to the Board, as a portion of the project had already been installed due to the work of a contractor hired by the applicant who did not follow the process of obtaining the requisite permits for the project. He referenced the existing and the proposed site plans. Mr. Rogers reviewed the elements of work that are being done in the high elevation protection district, including the installation of hardening and a native stone parking area and driveway, repair of an existing timber wall and installation of a new timber wall, installation of a 4' by 4' concrete pad for the relocation of a generator, and the installation of a new 500-gallon propane tank and the removal of existing tanks. The applicant is also seeking approval for recently installed wood steps providing access to Commercial Street and adjacent plantings, and for recently installed solar panels. Attorney Murphy said that landscaping will remain the same except the areas of disturbance, which be planted with of native vegetation. Any replacement of vegetation will also be made with native plantings. The areas that will be disturbed are in the most level area of the site, away from the slope. The proposed stone materials will be pervious.

Public Comment: None. There were no letters in the file.

Board Discussion: The Board questioned Attorney Murphy and Mr. Rogers and commented on the project. The Board said that the standard requirement for the exercise of the generator be a condition of the approval.

There was a motion by Brandon Quesnell to approve the site plan pursuant to Article 2, Section 2320(A), High Elevation Protection District (A), of the Zoning By-Laws for alterations to a site to include installation of hardening and a native stone parking area and driveway, repair of an existing timber wall and installation of a new timber wall, installation of a concrete pad for the relocation of a generator, installation of a new propane tank and removal of existing tanks, approval of recently installed wood steps and adjacent plantings, and approval for recently installed solar panels on the property located at 774 Commercial Street, with the conditions that during construction all runoff and sediments will be contained on site and all exposed or disturbed areas shall be permanently stabilized within six months of the end of the work and exercising of the generator shall be scheduled to take place during the week in daytime hours and not on weekends or in off-hours. Donna Walker seconded. VOTE: 5-0 by roll call.

3. Work Session:

a) Decision:

PLN 21-20

Application by **Eric Larsen**, on behalf of **Marcene Marcoux**, seeking a Site Plan Review pursuant to Article 2, Section 2320(B), High Elevation Protection District (B), of the Zoning By-Laws to install a shed on the property located at **186 Bradford Street**. There were no changes to the decision.

c) **Minutes of September 23, 2021:**

September 23, 2021: There was a motion by Brandon Quesnell to approve the minutes of September 23, 2021, as amended. Jeffrey Mulliken seconded. VOTE: 8-0-0 by roll call.

d) **Any other business that may properly come before the Board:** Mr. Quesnell asked if there were any Zoning By-Law amendments scheduled to be considered at the Spring Town Meeting in 2022. Mr. Soulé reviewed the By-Laws he has been tasked to amend, including those related to housing. He asked if any Board member had other suggestions. Mr. Quesnell suggested more outreach to the public about accessory dwelling units, including clarifying the By-Law and reiterating its benefits, in an effort to increase the housing stock in Town.

Mr. Quesnell asked if the Inclusionary and Incentive By-Law amendment was making progress. Mr. Soulé reviewed the progress, stating that there would be an amendment proposed to increase the payment in lieu fee. The Board discussed the issue. Mr. Quesnell suggested allowing housing units to be developed above retail establishments in the Town Center Commercial and General Commercial zones. Mr. Graves suggested increasing vacant and undeveloped land property taxes to incentivize housing.

Mr. Quesnell asked about the status of the police station and what will happen to the old police station if a new one is constructed. Mr. Soulé said he has seen conceptual drawings of housing at the existing police station site. Mr. Mulliken, who is on the building committee for the new police station, said that there were no proposed changes to the 2019 plan for the new station. He said that a community engagement process will be organized, and a consultant hired to facilitate and hold public meetings before the Spring Town Meeting.

Mr. Kelly said that the architect for the VFW property had been chosen by the Select Board. Mr. Graves said he hoped that the Board would be consulted in the development process. Mr. Mulliken said that David Gardner said the project would most likely come under a M.G.L. c. 40B comprehensive permit that would be reviewed by the Zoning Board of Appeals. Mr. Kelly suggested the possibility of building dwelling units behind existing structures on deep lots.

There was a motion by Brandon Quesnell to adjourn the meeting at 7:25 P.M. Paul Kelly seconded. VOTE: Unanimous by roll call.

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2021
Paul Graves, Chair