

**Webster Planning Board  
Meeting Minutes  
June 28, 2021**

A meeting of the Webster Planning Board was held on Monday, June 28, 2021 in the Board of Selectmen Meeting Room, Webster Town Hall.

**Present:** Chairman Paul LaFramboise, Vice Chairman Michael Dostoler, Clerk Dan Morin, Member Christella Gonsorcik, and Associate Member Jason Piader.

**Absent:** Member Cathy Cody, Associate Member Kelly Baldarelli.

**Also present:** Ann Morgan, Director of Planning & Economic Development; Kelly Lyman, Clerk; Chuck Eaton, CHA Companies.

1. **Call to Order:** Chairman LaFramboise called the meeting to order at 6:35 p.m.

2. **Action Items**

- a. Reorganization - tabled to the next meeting.
- b. Appoint CMRPC Delegates - tabled to the next meeting.
- c. Worcester District Registry of Deeds Signature Form - tabled to the next meeting.
- d. Approval of Meeting Minutes
  - i. May 24, 2021: Mr. LaFramboise asked if the Board had any edits or changes to the draft minutes. There were none. Motion to approve the meeting minutes as drafted made by Mr. Dostoler, seconded by Mr. Morin. Motion passed unanimously, 4-0.
  - ii. June 14, 2021: Mr. LaFramboise asked if the Board had any edits or changes to the draft minutes. There were none. Motion to approve the meeting minutes as drafted made by Mr. Dostoler, seconded by Mr. Morin. Motion passed, 3-0 with Mr. LaFramboise abstaining.
- e. Draft Decision - Stormwater Permit - 0 Douglas Road; Guaranteed Builders and Developers, Inc. (Applicant / Owner)

The Board reviewed the draft decision and made the following findings and decision:

Motion to approve and make findings F1 through F14 made by Ms. Gonsorcik, seconded by Mr. Morin. Motion passed unanimously 4-0 by roll call vote: Ms. Gonsorcik - AYE; Mr. Dostoler - AYE; Mr. Morin - AYE; Mr. LaFramboise - AYE.

Waiver Request 1: Motion to grant the waiver request made by Mr. Morin, seconded by Ms. Gonsorcik. Motion passed 4-0 by roll call vote (Mr. Dostoler - AYE; Mr. Morin - AYE; Ms. Gonsorcik - AYE; Mr. LaFramboise - AYE. Waiver request GRANTED.

Waiver Request 2: Motion to grant the waiver request made by Ms. Gonsorcik, seconded by Mr. Morin. Motion passed 4-0 by roll call vote (Mr. Dostoler - AYE; Mr. Morin - AYE; Ms. Gonsorcik - AYE; Mr. LaFramboise - AYE. Waiver request GRANTED.

Waiver Request 3: The Board finds that the Applicant had requested this waiver at the time of application but had paid the fees prior to the public meeting opening. Therefore this waiver request was no longer valid or pertinent to the decision.

Motion to approve the Stormwater Permit with Conditions 1 through 9 made by Mr. Dostoler, seconded by Mr. Morin. Motion passed unanimously 4-0 (by roll call vote: Mr. Morin - AYE; Ms. Gonsorcik - AYE; Mr. Dostoler - AYE; Mr. LaFramboise - AYE).

### 3. Public Meetings

- a. **Site Plan Approval and Stormwater Permit Applications - 5-7 Goya Drive & 9 Goya Drive: R.P. Masiello, Inc. (Applicant), Goya Foods, Inc. (Owner); Assessor ID 96-A-2-1 and 96-A-2-2; Expansion of existing wholesale warehouse facility including new addition and parking. Site I located within an Industrial (I) and Lake Watershed Protection (LWP) zoning districts. Continued from 5/24/21.**

Brian Milisci, Whitman & Bingham Associates, was present to represent the applicant and updated the Board. The waiver requests, a revised stormwater report and a revised site plan have all been submitted since the last meeting. There is some light trespass onto adjacent residential properties. Potentially hazardous materials, containment and precautions have been listed for the Lake Watershed Protection (LWP) overlay district regulations. There was a waiver request from the landscaping in the parking area. The front is sufficiently landscaped and most of the work will be in back for the addition. Mr. Piader asked about the lights. Ms. Morgan shared the proposed lighting spec sheet on the screen for all to see. The Board would like all the lights on the building changed as a condition, not just the ones on the addition. The Chairman opened the floor to the public for comment. Abutters Ellie Brezniak and Catherine Brezniak, 51 Cudworth Road, spoke about noise and vibration issues. There are vibrations coming from the building and from refrigerated trucks in the parking lot. They stated the vibrations started a few months ago. They spoke with the Town Administrator. Mr. Dostoler asked if the trucks can be parked on the other side of the building, away from the residential homes. Mr. Milisci will address that with his client. There will be additional loading dock space on the other side. Ms. Morgan advised the Board that the Town of Webster does not have a noise ordinance, but the noise and vibration issue could be addressed as a nuisance through the Building Commissioner. She also stated that the current project is the new addition to the building and the noise and vibration is not relevant to this permit application. This is an industrial zone, but the Board can condition it so the trucks must be parked on the other side. Michelle Smith, 53 Cudworth Road, had some comments. She stated that the addition is to be used for storage of refrigerated items and that Goya can store non-refrigerated items outside instead of the refrigerated trucks. She also suggested that the lighting temperature should be restricted to 4,000 kelvins. Light from the cars can be seen due to the elevation and she suggested that a solid fence could be installed as a solution to block that light.

Mr. Eaton discussed the stormwater basins. He stated that the site should be stabilized before stormwater enters the basins. This would be better in the long term. Mr. Milisci stated that they can provide temporary siltation during construction. Temporary basins can be used throughout the site, along with wattles and silt fences. Mr. Eaton will monitor the site to ensure the basins are working properly.

Ms. Smith added that noise and vibration are cited in the bylaw and this is in the Board's purview. Ms. Morgan will reach out to Dan Prouty, project head, and see if someone can come to speak to the Board on possible solutions to the vibration and noise issue. There was no further comment from the Board or from the public.

Motion to continue the hearing to the next meeting date, July 26, 2021 at 6:30 p.m. made by Ms. Gonsorcik, seconded by Mr. Dostoler. Motion passed unanimously 4-0 (by roll call vote: Mr. Morin - AYE; Ms. Gonsorcik - AYE; Mr. Dostoler - AYE; Mr. LaFramboise - AYE).

- b. Site Plan Approval and Stormwater Permit Applications - 61, 67, 69 Cudworth Road - 590 vehicle storage parking lot to serve the Central Massachusetts Auto Auction facility in Oxford; Assessor ID 97-B-2-0, 97-B-2-1, 97-B-3-0; NU Auto Auction Realty, LLC, 12 Industrial Park Road, East Oxford, MA (Applicant / Owner). Said site is located in a Business without Sewer (B5) zoning district. Continued from 5/24/21.**

Ms. Morgan reviewed the status of the application. The public meeting for this project opened on April 26<sup>th</sup>. No testimony was taken as the Board had received a request for continuance to May 24, 2021 which was granted. The Board received a second request for continuance to the June 28<sup>th</sup> meeting which was also granted. No written request for continuance has since been received. No contact with staff was made to discuss the matter in advance of the meeting. She noted that the Board had two options - continue the matter to another date or deny the application without prejudice. To deny it without prejudice would allow the Applicant to resubmit at any time. The balance of the peer review funds would be returned to them. Mr. LaFramboise stated that the Applicant has had opportunity since the last meeting to keep the Board informed of their plans but have not done so. He asked the Board if there were any additional comments. There were none.

Motion to deny the applications without prejudice due to failure to advance the applications made by Mr. Dostoler, seconded by Ms. Gonsorcik. Motion passed unanimously 4-0 by roll call vote - Mr. Dostoler - AYE; Mr. Morin - AYE; Ms. Gonsorcik - AYE; Mr. LaFramboise - AYE.

#### **4. Staff Report**

- a. Odor Control Update - Marijuana Grow Facility - 30 Worcester Road - Curaleaf (Owner). Ms. Morgan stated that she has been in touch with Gary Stein from Curaleaf and he has been very responsive. The odor control solution that they use for the old building is not working with the current addition. The hot, summer humidity intensifies the smell. The Board requested Mr. Stein come to the next meeting.
- b. Eligible Facilities Request - Administrative Approval - 84 Old Douglas Road - T-Mobile. – T-Mobile requested minor modification to an existing antenna mount. Ms. Morgan is authorized by the Board to approve minor wireless facilities projects administratively. This project satisfies regulations and Ms. Morgan will draft a memo approving the project. The memo will be filed with the Town Clerk.
- c. Engineering Update - CHA Companies. Mr. Eaton had no updated for the Board. He mentioned that bidding for the reconstruction of Granite Street will begin in July. Mr. Dostoler asked about the Hill Street bridge repair. That is the Town of Dudley's responsibility and will take approximately four years to complete.

Ms. Morgan stated that a Marijuana delivery service will be seeking a permit. This business will be located at 70 Worcester Road. They are in the process of meeting with staff.

United Medical Waste will also be seeking a permit.

The Town is waiting for Attorney General's approval of the self-storage use in the B5 (Business) zoning district. The zoning change passed at Town meeting in May 2021. U-Haul is interested in property on Worcester Road.

The Vault, adult-use marijuana retailer, has requested to extend their summer hours to 10:00 p.m. This is allowed one time and they will have to revise their special permit if they would like to extend their hours again next summer.

Mr. Dostoler asked about Dunkin Donuts on Main Street. The parking lot is blocked. The owner has restricted parking from use by the nearby restaurants.

5. **Next Meeting** - Monday July 26, 2021 at 6:30 p.m., Webster Town Hall, Board of Selectmen Meeting Room.

**6. Adjournment**

Motion to adjourn the meeting made by Mr. Dostoler, seconded by Ms. Gonsorcik. Motion passed unanimously 4-0. The meeting was adjourned at 7:41 p.m.

Minutes Approved: Daniel B. Morin  
Daniel Morin, Clerk

Date: 7-26-2021

**EXHIBITS**

Public Meeting 3A. Site Plan Approval and Stormwater Permit Applications - 5-7 Goya Drive & 9 Goya Drive: R.P. Masiello, Inc. (Applicant), Goya Foods, Inc. (Owner).

- Revised Stormwater Report and Checklist; prepared by Whitman & Bingham Associates; dated March 2021 and revised June 11, 2021; 19 pages.
- Site Development Plan for Building Addition in Webster, Massachusetts off Goya Drive; prepared by Whitman & Bingham Associates; dated March, 2021 and revised June 11, 2021; 24" x 36"; 17 sheets.
- Photometric Lighting Plan; prepared by Shepherd Engineering, Inc.; dated June 7, 2021 and received June 11, 2021; 24"x36"; 1 sheet.
- Stormwater System Notice, Draft; received June 15, 2021; 2 pages.
- Correspondence from CHA Consulting.; 5 Goya Drive Warehouse Expansion, Engineering Review; dated June 22, 2021; 3 pages.
- Correspondence from CMG Environmental, Inc.; Compliance with Lake Watershed Protection District Zoning Bylaw; dated and received June 24, 2021; 2 pages.
- Revised Photometric Lighting Plan; prepared by Shepherd Engineering, Inc.; and received June 25, 2021; 24"x36"; 1 sheet.
- Correspondence from CMG Environmental, Inc.; Compliance with Lake Watershed Protection District Zoning Bylaw; dated and received June 25, 2021; 2 pages.

Public Meeting 3B. Site Plan Approval and Stormwater Permit Applications - 61, 67, 69 Cudworth Road- NU Auto Auction Realty, LLC, 12 Industrial Park Road, East Oxford, MA (Applicant / Owner).

- Correspondence from Quinn Engineering, Inc.; NU Auto Auction Realty Request for Continuance; dated and received May 24, 2021; 1 page.

Staff Report 4A. Odor Control Update - Marijuana Grow Facility - 30 Worcester Road - Curaleaf (Owner).

- Correspondence from Richard Young, Director of Operations, Curaleaf Massachusetts; dated June 16, 2021; 1 page.

Staff Report 4B. Eligible Facilities Request - Administrative Approval - 84 Old Douglas Road - T-Mobile.

- Memorandum to Robert Craver, Webster Town Clerk from Ann Morgan, Director of Planning and Economic Development; Minor Modification to Special Permit / Site Plan Approval, Eligible Facilities Request - Administrative Approval, 84 Old Douglas Road – Wireless Communications Facility; dated June 10, 2021; received by the Town Clerk on June 10, 2021; 1 page.