

PLANNING BOARD
MEETING MINUTES
February 27, 2024

7:00pm

Remote Meeting

Members present: Scott Carlson, Chair, Otto Lies, Jim Parker, Frank Doyle, and Brynn Zawada.

Staff present: David L. George, Town Planner

The Chair called the meeting to order at 7:00 PM.

1. ANR: 404 and 410 Elmwood Avenue (Continued from 2/13/24).

The applicant presented the revised ANR plan dated February 15, 2024. That plan showed the required 50 ft. dimension at the narrowest part of the lot. As a result, the Board confirmed that the lot complies with the minimum width requirement.

On a motion duly made and seconded the Board voted 5-0 to endorse the revised ANR plan titled, “Plan of Land for Wingspan Properties, LLC, 404 and 410 Elmwood Avenue, Holden, MA,” prepared by B & R Survey, dated February 15, 2024.

2. 788 Main Street (Hearing dates 11/14/23, 12/12/23, 1/9/24, 1/23/24, and 2/13/24. Hearing closed 2/13/24): 7:00 PM, Special Permit with Site Plan Review for Restaurant, Including Associated Drive Through Lane.

On February 13, 2024 the hearing was closed. The purpose of this meeting was for the Board to vote whether to grant the special permit with site plan review for the restaurant with drive through service and related site improvements and to review and to vote whether to approve the decision with conditions. The Board discussed the conditions first. The Chair read each of the five conditions. Condition 1 pertains to the development being built in substantial conformance with the revised plan set. The Chair read the list of applicable plans. Condition 2 relates to the post construction monitoring of the Main Street driveway with respect to traffic considerations. This condition was submitted by the applicant and edited by Planning and DPW staff. Condition 3 requires the applicant to submit a land use disturbance permit to the DPW. Condition 4 states that signage is not part of this approval, notwithstanding condition one. Condition 5 indicates that plan revisions be reviewed by the Board at a meeting or a hearing if the changes are major. The board also discussed whether to add a condition that that the use cannot be operational until the proposed road work on Route 122A has been completed. After discussion of this condition, the board decided not to add a sixth condition. As a result, the decision only contains 5 conditions. The applicant did not voice any objection to any of the five above referenced conditions. After finishing its review of the conditions the Board on a motion made by Jim Parker and seconded by Brynn Zawada voted 5 to 0 to accept the decision with conditions. Then, the Board on a

motion made by Scott Carlson and seconded by Brynn Zawada, voted 5-0 to grant the special permit with site plan review for the restaurant with drive through service and related site improvements

3. Bailey Road Development (Sunshine Ridge): 7:00 PM, Extension of Time for a Definitive Subdivision and Plan Revision.

The Chair opened the hearing and read the legal notice. Representatives of the builder stated that they were before the board to extend the period for which construction must be completed and for approval of a revised road profile plan. The Chair asked staff whether the DPW was aware of the plan change. Staff indicated that DPW was aware of the change to the road profile made in December 2023. Tiffany Gallo, a resident who lives adjacent to the development had a question regarding the easement on her property. The developer indicated that they still needed that easement and that they expected to finish work in that easement area as soon as possible. The developer also indicated that they expected work to continue on the subdivision on a timely basis. The developer stated that they needed approximately 2 more years to complete the work. On a motion made by Scott Carlson and seconded by Otto Lies the Board voted 5-0 to grant the extension of time for two years until May 11, 2026 and to accept the revised road profile plan titled, "Holmes Drive Profile, Sheet P-01," prepared by New England Environmental Design, dated December 3, 2020 and revised to December 7, 2023.

4. Newell Road Realty, LLC (Westminster Place): 7:15 PM, Extension of Time for a Special Permit Site Plan 125 Unit Housing Development.

The Chair opened the hearing and read the legal notice. The attorney representing the owner, Jeffrey Roelofs, presented the petition. Atty. Roelofs indicated that prior extensions have been granted. He provided a brief history of the project. He indicated that work was now commencing in phase three with approximately 17 units that have not been started yet. He indicated that the condition to build in phase three after work was finished in phase two has been met. Atty. Roelofs stated that market conditions were favorable and that the developer was committed to finishing the project within the next two years. Atty. Roelofs stated that he would like to amend the original request from a one year extension to a two year extension. The Board discussed how long to extend. Audience members spoke in opposition to extending the period for more than one year or if extended for more than one year that all the foundations be built. Atty. Roelofs indicated that pouring all the remaining foundations was not feasible because the foundation are a function of the floor plan and the floor plan is negotiated between the developer and owner at the time of a purchase and sale for a given unit. The Board discussed whether to grant the extension for 18 months to allow for two construction seasons instead of only one construction season. After further discussion with the Board, Atty. Roelofs deferred to his original request for a one year extension. There was also discussion with a resident, Mary Jude Pigsley, regarding truck traffic to the site and the number of truck trips on Newell Rd. per day. There was a concern with whether the condition regarding where trucks should access the site has been met. After discussion of this point, Atty. Roelofs indicated and agreed that it was the developer's responsibility to make sure that if the condition was still in effect that it would

be met. He indicated that he would review prior decisions to see whether that condition was still in effect and if so make the developer aware of their responsibility. It was agreed that Atty. Roelofs would work directly with Ms. Pigsley on an update regarding that condition. On a motion made by Otto Lies and seconded by Frank Doyle, the board voted 4-0-1, with Jim Parker abstaining, to grant the extension of time for one year until March 30, 2025.

5. Jefferson Village Center Zoning: discussion and update.

The Town Planner provided an update on this effort and indicated that he had spoken with a large property owner in the area and that that property owner was in favor of the proposed zoning changes. That meeting was a follow up to a recent meeting with the Economic Development Committee, which was also in favor of the proposal. In the upcoming month further meetings will be held with stakeholders.

6. Zoning Bylaw Recodification/Comprehensive Update: discussion and update.

The Town Planner provided an update on this matter. This project is in follow up to the recently completed zoning diagnostic. As the board knows, the the zoning diagnostic provided recommendations for improvements and other modifications of the Zoning Bylaw. The current effort is the next step in the process to comprehensively update the Bylaw. The results of the zoning diagnostic will be used to inform that update. The vendor has been selected to perform the update. The effort to update the Bylaw will be led by the Planning Office, with support from the Town Manager's Office. The Planning Office seeks 2 planning board members and one ZBA member to be part of the team. Jim Parker and Frank Doyle both volunteered to be part of the team to update the Zoning Bylaw. The effort to update the Bylaw is expected to take about one year with meetings occurring approximately once a month with reviews of the Bylaw chapters occurring between meetings. The meetings are expected to be mostly in person with a remote meeting option to be determined. A Board member asked whether or not the Planning Board would get updates on this effort. The Town Planner indicated that the item would stay on the agenda as a running item and that the board would receive regular updates and opportunities to comment.

7. Minutes: February 13, 2024.

The meeting minutes were prepared for this meeting. However, the minutes were inadvertently not distributed to the Board. The meeting minutes will be submitted for review and approval at the next meeting.

On a motion duly made and seconded the meeting was adjourned on a vote of 5-0 at 8:13 PM.