

PLANNING BOARD
MEETING MINUTES
February 27, 2018

7:00PM

Memorial Hall

Members Present: John Michalak, Rob Ricker, Scott Carlson, Otto Lies, Mike Krikonis

Members Not Present: Jeff Head, Tina Stratis

Others Present: Pam Harding, Director of Planning
Liz Fotos, Town Recorder

J. Michalak called the meeting to order at 7:06

REVIEW AND DISCUSSION –COMMONWEALTH OF MASSACHUSETTS HOUSING CHOICE INITIATIVE

P. Harding stated that she had not yet gathered a summary memo but she knew that the Board had discussed it. She asked if they wanted to review it and form an opinion to forward to the Town Managers Office.

R. Ricker stated that he had read it a few times and he liked it more as he read it. He stated that he feels like the benefits outweigh the losses in terms of planning. He stated that there seemed to be checks and balances.

P. Harding stated that the Town could apply to the program to work on being a certified community and that in itself would open the Town up to grant opportunities.

R. Ricker stated that there was a billion dollars being discussed; he asked how much the Town could benefit.

P. Harding replied that she was not sure because they had not yet announced the funding program or specific grants.

R. Ricker stated that it seemed as though this was moving forward so they needed to comply.

S. Carlson replied that if they didn't they would not be given any grant money.

M. Krikonis stated that there was no lose in moving forward. He stated that being a part of this positioned the Town to request for funding. He stated that he was looking at the designations and wondered if the Town met criteria for that.

P. Harding replied that we did and could move forward on that as well.

R. Ricker asked who certified us.

P. Harding replied The Department of Housing and Community Development.

R. Ricker stated that numbers one and two were easily done; he stated they could also do numbers four, five, and eight. He stated that the only obvious thing that they would lose is Special Permitting Authority on a few issues.

J. Michalak stated that they did not need to comply with all nine; just four. He stated that they would need to decide what the fourth one would be.

R. Ricker stated that the easiest would be inclusion housing.

S. Carlson stated that one needed to be related to affordable housing; he asked which one the Board liked the best.

P. Harding replied that they already had number six. She stated that they had an affordable housing bylaw and that Wachusett Woods was permitted under that.

R. Ricker stated they could use numbers four, five, six and eight.

P. Harding stated that there was no multi by right.

S. Carlson stated that concerned him.

M. Krikonis asked what his concern was.

S. Carlson stated that concern was that a house could be leveled and a multiunit could be built.

P. Harding replied that you did not have to allow it in every zone. She stated it needed to be allowed in at least one zoning district not all of them.

R. Ricker stated that accessory apartments and clusters were all special permit. He asked about sewer capacity from when the initial parcels were identified for 40R and now.

P. Harding replied that there was some interpretation on sewer capacity that had changed.

S. Carlson asked why the Town didn't have these large developments have private sewer.

P. Harding replied that you typically wanted people to hook into the sewer system.

S. Carlson stated that the Board was told that they could not stop development because of a sewer.

P. Harding replied that the Board could not but that did not mean that the Town could not deny based on lack of sewer capacity.

S. Carlson stated that it cost us as taxpayers. He asked about impact fees.

P. Harding replied that they could not charge an additional fee but as long as the work was related to the development the Town could have a developer do work.

S. Carlson stated that he understood the tie in and the cost of wire but he was speaking about some parts of Town that our system could not handle. He stated that it was going to be a lot of money to the general taxpayer unless they could find some way to protect themselves.

R. Ricker asked what the Light Department did in these cases.

S. Carlson replied they did not charge.

R. Ricker asked how National Grid charged; he stated developers would pay if they did not have service.

P. Harding stated that the Light Department could charge a fee for projects.

S. Carlson stated that if you don't have ample power you cannot charge those people because the system is not updated. He stated that we have a lot of dead headed sewers and minimal power but if there is access on the road you need ample power. He stated that is question is how we protect the tax payers from these costs.

R. Ricker stated that any house built is about \$6000-\$8000 to the Town.

S. Carlson asked as the Planning Board how they protected the Town.

J. Michalak asked what they wanted to protect the Town from.

S. Carlson replied the infrastructure that needed to be updated.

R. Ricker stated that the number of new houses that could be built is scary.

P. Harding replied that was what was said in 1950.

S. Carlson stated that to upgrade the sewer would be 4x the amount that it cost when he moved to Town.

R. Ricker replied that could be an argument to support this as it was an avenue for money.

J. Michalak stated that there may be a possibility for grant money.

R. Ricker stated that there was a lot of money for infrastructure replacement or installation.

S. Carlson stated he was more concerned with protecting ourselves; he stated that a grant is a grant but it is not guaranteed. He asked what happened if the Town bought into this.

P. Harding stated that there were options to change but you did not have to.

R. Ricker asked about the four houses on one acre lots.

P. Harding replied that was 40R and not something that had to be done; it was just an option.

R. Ricker stated that the whole thing was driven by the market.

S. Carlson stated that Holden had good schools and moderate priced homes. He asked what the cost of a development to the Town was.

P. Harding asked if he meant impact fees.

S. Carlson replied that he wanted to know what the cost to the town was. He stated that he could not disseminate what the impact was to allow this to happen and that was his biggest concern. He stated that he was

not anti expansion but he wanted to know where the costs would be covered. He stated that electric needs another substation and they were trying to keep the rates low.

P. Harding replied that the Light Department was a separate utility and could charge a fee or fine.

S. Carlson replied they needed to balance the balance sheet.

R. Ricker asked if for the new development they could figure out the cost of the sewer, electric, and water and come up with a hypothetical figure and charge a developer fee.

P. Harding replied that was already done. She stated that beyond the pump station upgrade they had to pay a connection fee as well.

R. Ricker asked about the upgrades.

P. Harding replied that was done project specific.

O. Lies stated that they were speaking about subdivision coming in but that there was also the matter of individual homes that could be developed that added to the sewer system, the water, and the electric.

P. Harding replied individual homes also get charged a connection fee.

O. Lies asked what it was.

P. Harding replied \$4000-\$5000.

O. Lies stated that on the subdivision application they asked the applicant to build new lines or pump stations but for individual houses they didn't do that.

P. Harding replied that there was a connection fee.

O. Lies asked if there was more of a connection fee; something that could pay for an upgrade to the system.

P. Harding replied it was based on the size of the lot and the number of bedrooms in the unit.

M. Krikonis asked if a developer wanted to go to Jefferson and build a 30 unit development, would the Town have to bring infrastructure out there.

S. Carlson replied that they would need to bring electricity out there.

P. Harding replied that sewer would have to be extended.

S. Carlson stated that he was not even talking about the cost of schools, plowing, roads, and more. He stated that he was asking how we protected a small Town like ours. He stated that if you look at the mill rate it is high and as we expand it will grow.

R. Ricker agreed that it was a valid point.

J. Michalak asked if he was trying to quantify the cost if you included schools and plowing.

S. Carlson replied that was above what he was talking about.

J. Michalak stated that pump stations would have to be replaced down the road.

R. Ricker stated that one issue was that the Town was largely residential. He stated that the Town had voted down industrial space in the past.

J. Michalak asked if they should form a committee to discuss it further; he asked when P. Harding needed the Board to decide.

P. Harding replied that she just wanted to keep it on the agenda as most of the items were Planning Board related.

J. Michalak stated that it was an easy application and encouraged the Board to continue to think about it and let Harding know before the deadline.

J. Michalak asked how this moved forward.

P. Harding stated that she would go to the Town Manager directly for this. She stated that they wanted to work with other Boards and Committees in Town to do what was best for Holden.

J. Michalak stated that is seemed similar to how they did Complete Streets.

2018 PLANNING BOARD GOALS ZONING BYLAW

-Recreational Marijuana Bylaw

P. Harding stated that she had passed along information from Town Counsel. She stated the fist article would be to prohibit the marijuana facility in Town and the back up would be used if the first failed. She stated if the ban passes, then they would skip over the second one. She stated it was nothing different then what they had been reviewing it was just the actual bylaw that would be posted.

J. Michalak asked if this prohibition covered the loop hole that Worcester had gone through.

P. Harding replied it did not and that part needed to go to the Board of Health. She stated that they have a draft they were reviewing and that they should be meeting in March.

R. Ricker asked if there had been any applications for marijuana permits in Town.

P. Harding replied that there had not been any.

M. Krikonis asked about a club.

P. Harding replied that they could not grow it but that you could gather and smoke it. She stated that they could not combine it with alcohol. She stated that additionally she had heard back from the Fire Department and they were in support of prohibition as their concern was combustibles if there was a facility in Town.

J. Michalak asked if a facility would need a special permit.

P. Harding replied that medical would.

R. Ricker stated that he thought if there was a medical marijuana location they also had to allow for a recreational location.

P. Harding replied that if it was applied for by a certain date a town would have to allow it. She stated that it depended on the date. She stated that she had sent it to the Town Manager's Office, the Fire Department, and the Board of Health for comment.

R. Ricker asked if the police were in favor or prohibition.

P. Harding replied that Chief Armstrong had not commented one way or another yet.

R. Ricker asked if this was what was going before Town Meeting.

P. Harding replied that they could change it but that this was what was advertised for the Public Hearing on March 27, 2018.

O. Lies asked about the taxation of the marijuana.

P. Harding replied that it was not in the Zoning Bylaw and would be a General Bylaw.

O. Lies asked if they should look at the taxes at the same time if they were looking at both articles being put on.

P. Harding replied that they could let everyone know that was an option.

J. Michalak stated that he felt that would be a long discussion. He asked if March 27, 2018 was the Public Hearing.

P. Harding confirmed it was and stated that there was plenty of time to amend the Article if needed.

J. Michalak asked if they copied the Board of Selectmen on this memo.

P. Harding replied that she did not. She stated that she sent this information through the Town Manager and that it was the Planning Boards intent to have the Board of Selectmen know what they were doing but that it was ultimately up to the Town Manager.

P. Harding stated that the Town Meeting was on Monday, May 21, 2018.

-Accessory Apartment Bylaw

P. Harding stated that Town Counsel was reviewing this at the moment.

R. Ricker stated that it looked like information that was bought forward in the joint meeting with the ZBA.

J. Michalak asked when this was scheduled for.

P. Harding replied that all the Public Hearing were scheduled on the same day; March 27, 2018.

S. Carlson asked if this was a 2/3 vote at Town Meeting.

P. Harding confirmed it was and stated that all Zoning was 2/3 vote.

O. Lies asked if they had asked for the ZBA opinion on this.

P. Harding replied that they did not meeting February but it was forwarded to their attention in January and they were set to meet on March 15, 2018.

R. Ricker replied that this covered the joint meeting.

O. Lies replied that is point was still the Special Permit; he stated that he opposed it being a Special Permit.

S. Carlson asked if he wanted it by right.

J. Michalak asked if the Board wanted the Building Inspectors opinion on this.

P. Harding replied that the Building Inspector liked it on record and liked it going through Special Permit for the paperwork. She stated that when a Special Permit was granted a decision was recorded at the Registry and it created a paper trail.

O. Lies asked if it was done by the ZBA how they would trail the Special Conditions.

P. Harding replied that it was recorded at the Registry of Deeds but now there would be a file record with the Clerk and it would more than a Building Permit Application.

O. Lies replied that was more work.

R. Ricker replied that the change in this was the blood relative. He stated that they could be making two family homes this way.

P. Harding replied in this, they owner committed to residing in one of the units so the home remained owner occupied.

-Shed Setback

P. Harding stated that she had not drafted this yet but it was a simple notification. She stated that dimensionally it needed to be under 200sq ft with 5 feet from back and 5 feet from the sideyard set back and to maintain the front with 30ft from front yard setback.

-Retaining Walls

P. Harding stated that she did not have an answer on this as of yet. She stated that they were trying to limit the height and to not allow benching for a higher wall.

M. Krikonis asked what benching was.

S. Carlson replied that benching was going up so many feet and then in so many feet. He stated that they needed to maintain certain ratios for this.

O. Lies asked if there were any regulations at this time.

P. Harding stated that they were governed by the State Building Code and not allowed in the public right of ways.

S. Carlson asked to add length of driveway and common driveway to the goals for the Planning Board to look at. He stated that after a certain amount of feet there should be a switch back.

SUBDIVISION CONTROL REGULATIONS

P. Harding stated that they had met with Graves Engineering to review and redline the Subdivision Control Regulations. She stated that some things they would be working on was low impact development techniques, complete streets, stormwater and how they operate and more. She asked if there was anything else specific the Board wished to address.

J. Michalak asked when he would be coming in to review with the Board.

P. Harding replied that they had discussed some dates and that he would get back to her.

R. Ricker asked if this changed with just a Public Hearing.

P. Harding confirmed it did so they could do it after Town Meeting. She stated that Graves Engineering would also be working on details and profiles that were outdated.

S. Carlson asked if when the Town made these changes they generally saw an increase in filings.

R. Ricker stated that they were not changing anything specific except Stormwater.

P. Harding replied that they had been conditioning for that already.

J. Michalak stated that he felt as though they were making it consistent with what the Board was approving.

P. Harding replied that the profiles were outdated, materials needed to be updated and those were the changes that they were mostly making.

MISC.

O. Lies stated that he did not know if the Board was informed but that Chris Ryan was no longer at CMRPC.

P. Harding stated that Jeff Bagg and Chris Ryan were supposed to do the Master Plan.

O. Lies stated that he thought that there was some momentum on Jefferson Village and that he felt that they should get back in touch with the successor to keep the momentum moving.

P. Harding replied that she had a meeting with them and they had lost two main employees. She stated that there would probably be some delays but that they would go over it at the meeting that was scheduled on Thursday.

J. Michalak asked if the Town paid for that service.

P. Harding replied they were contracted.

J. Michalak asked what happened if they did not replace those two spots.

P. Harding replied that they would replace them but that the timing was not conducive to the Boards schedule. She stated that they were committed to keeping the timeline but she was unsure if they would be able to.

S. Carlson asked about new developments.

P. Harding stated that there was a subdivision off Wachusett Street, Danielle Lane, that was approved for preliminary subdivision. She stated it was for 8 lots and connected land on Elmwood. She stated they would also be looking at the expansion of the Dentist Office at 1092 Main Street.

R. Ricker asked when C. Blair was back before the Board.

P. Harding replied on March 27, 2018 and that he was working on sewer studies.

J. Michalak asked the students from WPI in the audience if they had any questions or needed anything; the students replied they did not. The Board thanked them for coming in.

Motion by S. Carlson, seconded by R. Ricker, it was UNANIMOUSLY VOTED TO ADJOURN THE FEBRUARY 28, 2018 PLANNING BOARD MEETING AT 8:13PM.

APPROVED: _____