

PLANNING BOARD
THURSDAY, MARCH 23, 2023
RESOURCE ROOM

Attendance: Chair Tracy Sharkey, Vice chair Jake Schultzberg, Ernie Marks, Meg Schlesman, Richard Preston, Mike Greco, Mike Zwicker, Matt Benoit Community Development Director

Absent: Aaron Socrat

The chair Tracy Sharkey calls the meeting to order at 7:00 PM.

1. (7:00 PM) (0:10 TS) Citizen's Forum: Call for Public Comment
2. (7:00 PM) (0:25 TS) ANR's:
 - 54 Manchaug Street, Mark & Debra Dunleavy
Mr. Benoit stated that this plan does meet the requirements of an ANR, he did ask that they put note #7 on because of the last lot and making sure it states further review from the planning board endorsement is required if that were to become a reduced frontage lot.
(7:01 PM) (1:50 TS) Motion to endorse the ANR made by Mike Zwicker, 2nd by Jake Schultzberg. The vote passed unanimously.
 - 293 Southeast Main Street, New Sherborn, LLC
Mr. Benoit mentioned the comment about accessibility to the site's driveway and stated that lots 3 and 4 looked very difficult wetland wise. Byron Andrews stated to show the board the accessibility they laid out a typical configuration of a house, driveway, and septic system on lots 3 & 4. They were able to with lot 3 keep all the construction out of the 50-foot buffer and all the work outside the 25-foot buffer.
(7:07 PM) (7:20 TS) Motion to endorse the ANR made by Mike Zwicker, 2nd by Richard Preston. The vote passed unanimously.
3. (7:09 PM) (9:27 TS) 7:00 PM Public Hearing: Zoning Modifications to Douglas Zoning Bylaws – Amendment of Section 8.3 Floodplain District – Possible Votes
(7:10 PM) (10:20 TS) Motion to open the public hearing made by Jake Schultzberg, 2nd by Mike Zwicker. All members in favor.
Mr. Benoit stated this is an initiative brought on by both state and federal governments for Douglas and 13 other communities to update the towns floodplain district bylaw using the model they provided, this has been reviewed by Town Council and the Department of Conservation and Recreation prior to it being sent to the Selectmen. Mr. Zwicker asked if we had maps to go by and Mr. Benoit responded that FEMA did provide them with new maps but then received a letter stating that there was an error with those maps, and they will be sending out corrected maps. Mr. Zwicker doesn't like having to sign off on this without seeing the map, and Mr. Benoit agrees but also stated that if they don't comply with this the town will lose their flood insurance, which is a big issue.
(7:19 PM) (19:40 TS) Motion to close the public hearing made by Mike Zwicker, 2nd by Jake Schultzberg. The vote passed unanimously.
(7:19 PM) (19:52 TS) Motion to recommend favorable action at town meeting made by Richard Preston, 2nd Mike Greco. The vote passed unanimously.

Additional Business:

4. (7:20 PM) (20:15 TS) BVLC – Gilboa/North Improvements – Discussion

Dan Feeney with Beals and Thomas updated the board that the Blackstone Logistics Center project has been substantially completed construction, with one condition within the planning boards approval that has not been done which is improvements to the intersection of Gilboa and North Street that are essentially just pavement markings and signage. There is currently utility work with the town being done in that area and Mr. Minarik stated that it would probably be done by the fall. They would like to be able to bond the work and then complete the work after the Town is done with the utility installations to have the building permit closed out. Mr. Benoit recommends doing a bond and he received a draft bond today and he sent it out to Jeff Walsh for a peer review. Mr. Benoit asked the Board if they would be satisfied with a cash bond being placed and what percent contingency would the Board be interested in, the applicant proposed a 10% (\$24,322.30 with a 10% markup is \$26,754.50). The Board discussed what the bond amount should be.

(7:26 PM) (26:45 TS) Motion to accept the bond to allow the certificate of completion for the shell in lieu of the work being completed made by Mike Zwicker, 2nd by Jake Schultzberg. The vote passed unanimously.

(7:27 PM) (27:50 TS) Motion to authorize the amount if the peer review consultant has agreed with the proposed amount made by Mike Zwicker, 2nd by Jake Schultzberg. The vote passed unanimously.

5. (7:28 PM) (28:40 TS) 93 Davis Street – Discussion

Mr. Benoit received an update from an engineer who was on site this morning stating there is a retainer, so an engineer has been hired. The Town Council said the vote taken at the last meeting was invalid because it was not on the agenda, so he is asking if the Board wishes to take that vote again. The last note was to request an update from the zoning enforcement officer and to notify the Board of Selectmen of the situation. Mr. Marks feels there is no need to involve the Board of Selectmen, it is a Planning project, and he is fine with the letter requesting an update. The Board discussed back and forth what they are going to vote and approve. Mr. Shultzberg hasn't been to the establishment but upon just driving by he did see a potential hazard in the parking lot that structures have been raised for the purpose of having a topcoat done. Mr. Shultzberg agrees with forwarding the concerns to the building inspector and notifying the Board of Selectmen because they are the granting authority for business licenses.

(7:37 PM) (37:20 TS) Motion to forward the Boards concerns to the building inspector and request an update and opinion and possible enforcement and notify the Board of Selectmen of the situation made by Jake Schultzberg, 2nd by Mike Zwicker. Roll call vote – Ernie Marks – Nay, Meg Schlesman, Richard Preston, Mike Greco, Mike Zwicker, Jake Schultzberg all in favor.

6. (7:39 PM) (39:20 TS) Meeting Minutes: December 8, 2023, February 9, 2023 & February 23, 2023

(7:43 PM) (43:00 TS) Motion to approve the meeting minutes of February 23, 2023, as amended made by Mike Greco, 2nd by Ernie Marks. The vote passed unanimously.

(7:44 PM) (44:00 TS) Matt Benoit updated the Board on the property off Walnut Street and stated that the Open Space Commission upon further review of the property and discussion with the property owner they have withdrawn their request for the town to acquire this property. On Tuesday the Board of Selectmen voted not to accept the property, but to have the Open Space Committee continue negotiations with the property owner for a better opportunity down the road.

(7:45 PM) (45:10 TS) Motion to accept the meeting minutes of February 9, 2023, as written made by Mike Zwicker, 2nd by Mike Greco. The vote passed unanimously.

(7:48 PM) (48:40 TS) Motion to approve the meeting minutes of December 8, 2023, as amended made by Richard Preston, 2nd by Mike Greco. The vote passed unanimously.

(7:48 PM) (48:55 TS) Tracy Sharkey circulated vouchers for the Board to sign.

(7:50 PM) (50:25 TS) Motion to adjourn the meeting made by Jake Schultzberg, 2nd by Mike Zwicker. The vote passed unanimously.

Upcoming Meetings: April 13, 2023 & April 27, 2023

Respectfully submitted,

Stephenie Gosselin