



Hudson Planning Board

Town Hall

Hudson, Massachusetts 01749

Minutes of Meeting – August 18, 2020

The Hudson Planning Board met virtually on a Zoom platform pursuant to the Remote Participation statute consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus."

At 7:02 PM, Mr. D'Amelio called the meeting to order.

Present: Bob D'Amelio, David Daigneault; Rodney Frias; and Dirk Underwood

Staff: Jack Hunter, Planning and Community Development; Kristina Johnson
Acting Director of Planning and Community Development

Mr. D'Amelio stated the following: Good evening. This Open Meeting of Hudson Planning Board is being conducted remotely, consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus."

Minor Modification – Chestnut/Murphy – Countryside Estates

Mr. D'Amelio explained that at the last ZBA meeting there was a request to have the circulation and road widths for Countryside Estates modified before the ZBA could render a decision.

Mr. DiPersio presented two plans outlining 2 options for circulation. He asked the Board for their preference.

Mr. D'Amelio, Frias and Daigneault were all comfortable with either option.

Mr. Daigneault moved that the plans as presented adequately represented a Minor Modification and a full Site Plan Approval was not necessary, Frias seconded. On a roll call vote 3-0-1 (Underwood abstained) in favor.

Public Hearing – 240 Washington Street – Convenience Store and Gas Station

Atty. Giannetti representing the developer explained that due to the complexities of this project, particularly with traffic flow they would like to ask for a continuance until October.

Mr. D'Amelio felt this as too long and asked if a withdrawal and re-advertising when ready was in order.

Atty. Giannetti agreed and formally asked for leave to withdraw without prejudice.

Mr. D'Amelio moved to accept the leave to withdraw without prejudice for 240 Washington Street, Seconded by Mr. Daigneault. On a roll call vote 4-0-0 in favor.



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Public Hearing – 71 Apsley Street – Site Plan Review - AROD

Mr. D'Amelio opened the Public Hearing and asked the applicant to present an update on their progress.

Atty. Yates reviewed the various outstanding issues notably the Fire Chiefs comments regarding an FPE; the ground floor elevation and the sprinkler system of which will be handled during the Building Permit stage.

Chief Johannes had no issues with that plan.

Next Atty. Yates went through the waivers as requested.

Mr. Frias asked about the landscaping. Atty. Yates showed the revised plan to the Board.

The Chair asked if any board member had any questions of the applicant. There was none.

The Chair asked if anyone from the public wished to speak. There was none.

Mr. Frias moved to close the Public Hearing for 71 Apsley Street AROD application, Seconded by Mr. Daigneault. On a roll call vote 4-0-0 in favor.

Mr. Frias moved to approve the waivers # 1,2,4,5,6 and 8 as listed in the application for 71 Apsley Street, seconded by Mr. Daigneault. On a roll call vote 4-0-0 in favor.

Mr. Frias moved to approve the waiver # 7 as listed in the application for 71 Apsley Street, seconded by Mr. Underwood. On a roll call vote 3-1-0 in favor (D'Amelio against).

Mr. Frias moved to approve the AROD application for 71 Apsley Street, seconded by Mr. Underwood. On a roll call vote 3-1-0 in favor (D'Amelio against).

Public Hearing - Site Plan Review – 71 Parmenter Road – Proposed warehouse

Mr. D'Amelio opened the Public Hearing.

Mr. D'Amelio noted that there was a list of items still outstanding for the project, but he wanted to know about the soils regarding contamination and how it will be handled.

Mr. Di Benedetto went over each item as noted in the email from Mr. Hunter. Namely, the no touch zone; no parking on the access road, a list of uses not allowed in storage area. Regarding soils he said DEP is monitoring the site but his client has no issues with conducting their own soil analysis if DEP's is not relevant.



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Atty. Yates stated that contamination can flow from the air to ground and there is much concern that the proposed construction and use may contribute to the contamination.

Ms. Young, Parmenter Road thought the buffer no touch zone should be extended.

Mr. D'Amelio agreed with her.

Mr. D'Amelio felt there should be a soil analysis prior to any construction to determine if any accommodations will need to happen.

He suggested a condition that the Board of Health and Peer engineer should approve the soils test whether its DEP's or the clients prior to the commence of construction.

Mr. Daigneault asked about the "guide wires".

They were shown of the plans.

Mr. Frias moved to close the Public Hearing for 71 Parmenter Road, seconded by Mr. D'Amelio. On a roll call vote 4-0-0 in favor.

Mr. Daigneault moved to approve the waiver as requested in the application for 71 Parmenter Road, seconded by Mr. Frias. On a roll call vote 4-0-0 in favor.

Mr. Frias moved to approve the Site Plan Review application for 71 Apsley Street, seconded by Mr. Daigneault with the following conditions. On a roll call vote 4-0-0 in favor.

1. A list of 24-hour emergency contact information must be provided to the Director of Planning and Community Development and the DPW Director prior to the commencement of any work.
2. A pre-construction conference will be held between the developer, the Director of Planning and Community Development, DPW Director, Fire Chief, Police Chief and other interested parties. If construction begins without this conference, construction will cease immediately until the conference is held.
3. Hours of construction will be Monday through Friday 7:00 a.m. to 5:00 p.m. and Saturday 8:00 a.m. to Noon. No work or operation of machinery may happen before 7:00 a.m., in accordance with the town's noise by-law or after 5:00 p.m. Per the Massachusetts General



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Laws, work on Sundays and holidays need to be permitted on a case by case basis by the Chief of Police.

4. Prior to the commencement of authorized site activity, the Planning and Community Development office shall be given 48 hours written notice. If the activity at the Project Site ceases for longer than 30 days, 48 hour written notice shall be given to the Planning and Community Development office prior to restarting work.
5. A copy of the conditions and all final approved Plans shall be kept at the Project Site.
6. Members or agents of the Planning Board shall have the right to enter the Project Site and to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the Planning Board entering onto the Project Site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.
7. The approved erosion control plan shall be adhered to and governed. All erosion control shall be in place and approved by the DPW before construction begins.
8. If, during construction, a discrepancy is found between the approved plans and the existing regulations, the DPW Director will make the final decision on how to proceed or if a decision is not able to be made, the matter will be referred to the Planning Board.
9. Prior endorsement by the Planning Board agent, revised plans shall be submitted to the Planning Director showing an extended 20 foot "no touch" zone terminated at the end of the proposed retaining wall.
10. Prior to the pre-construction meeting, as required in Condition # 2 of this decision, the applicant shall produce previously conducted soil testing and/or groundwater testing, to be reviewed as to location and appropriateness by the Planning Board's peer review Licensed Site Professional (LSP) engineer. If required by the Planning Board's peer review LSP engineer, the applicant shall conduct independent soil tests and corresponding analysis. If necessary, all construction shall commence under any and all DEP and Board of Health regulations.

Minutes – July 21, 2020 and August 4, 2020

On a motion by Mr. D'Amelio, seconded by Mr. Frias the minutes of July 21, 2020 and August 4, 2020 were approved by roll call vote 4-0-0.



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Adjournment

Mr. Underwood moved, seconded by Mr. Daigneault to adjourn at 8:45 PM. On a Roll Call Vote: 4-0-0. Unanimous

Cc: Town Clerk