



# Hudson Planning Board

Town Hall

Hudson, Massachusetts 01749

## Minutes of Meeting – February 2, 2021

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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 7:00 PM, Mr. D'Amelio, Chair called the meeting to order.

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

Staff: Bryan Johannes, Fire Chief  
Richard DiPersio, Police Chief  
Eric Ryder, Director of Public Works  
Kristina Johnson, Acting Director of Planning and Community Development

Mr. D'Amelio stated the following: 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."

### **ANR Plan- 240-242 Washington Street**

Attorney Christopher Yates, Counsel for Marty Libby, property owner at 242 Washington Street shared his screen and provided an overview of the ANR Plan, which will combine the two parcels of 240 and 242 Washington Street into one parcel. Attorney Yates noted that once the site plan has been approved the appeal period has expired, the owners of both parcels will be creating a new ownership entity.

Chairman D'Amelio inquired about the easements that are located on the plan, and why they are still being shown. Kristina Johnson noted that these easements are from the Route 85 widening project undertaken by MassDOT, and Attorney Yates concurred and noted that these easements are located along Route 85 in various locations. Ms. Johnson noted that the temporary easements were recorded and most likely have extinguished, and underscored that the surveyors take a conservative approach to showing all records on the plan relating to the property. Attorney Yates stated that he would revisit this issue with the surveyor and if appropriate have the temporary easements removed from the ANR plan.

Chairman D'Amelio inquired with Mike Scott, Land Design Collaborative about other easements located on the site plan but that are not shown on the ANR plan. Attorney Giannetti and Counselor Yates agreed to have the drainage easements as shown on the site plan be represented on the ANR plan. No vote to endorse the ANR plan was taken.



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### **Public Hearing- 240-242 Washington Street**

Chairman D'Amelio reconvened the public hearing for the above-referenced project, which entails the consideration of the application of Global Montello Group Corporation for Site Plan Approval to construct a motor vehicle service station and convenience store located at 240 and 242 Washington Street, shown on Hudson Assessors' Map 52, Lots 80 & 81. Said property is located within the C 12 Commercial Zoning District.

Attorney Giannetti stated that the applicant has been working with the Town Departments and the Planning Board's peer review consultants since the last meeting to make further refinements to the site plan and address many of the outstanding issues raised in the peer review reports. Attorney Giannetti turned over the virtual floor to Zack Poisson of Bohler Engineering give an overview of the site plan.

Mr. Poisson shared his screen and provided the Board an overview of the site plan and highlighted the revisions since the last meeting. Most notably, Zack highlighted that the width of the internal drive aisles was widened to comply with the requirements of the Zoning By-laws, which resulted in the shifting of some of the parking spaces. He noted that the additional traffic control signage recommended by the Muller Associates has been added and all pedestrian crossings have been updated to meet ADA standards.

Before proceeding with public comments, Ms. Johnson requested that the Town Department heads be afforded the opportunity to speak first. Chairman D'Amelio agreed.

Police Chief Richard DiPersio noted the extensive design review process that took place with the applicant and the engineering consultants. Chief DiPersio also noted that the existing access points into the site are less than desirable; however, he stated that the applicant has listened to all the Town's concerns relative to the development of the site. Chief DiPersio stated that he believes the improvements being proposed as part of this project address the Town's concerns and will mitigate any potential impacts from the development.

Fire Chief Bryan Johannes noted that he attended the first public hearing and spoke about the Department's participation in the design review process to improve the safety and traffic operations of the roundabout and reduce the number of accidents. Chief Johannes indicated his support for the mitigation measures that have been proposed, and noted that he submitted a detailed memorandum to that effect to the Board.

Eric Ryder, Director of Public Work echoed the sentiments of his colleagues regarding the number of design review meetings with the applicant that were held prior to the public hearing. Mr. Ryder stated that the ADA compliant crosswalks with the tip-downs, the internal site layout and circulation, the proposed access points into and out of the site from the Route 85 Roundabout, and the proposed restriping of the Route 85 roundabout and signage program all



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represent an improvement to the current conditions, and will improve overall safety and traffic operations in the vicinity of the site. Chairman D'Amelio expressed concern to Mr. Ryder about the site distance on Broad Street with the location of a stone wall before the intersection adjacent to the cemetery, and whether the applicant or the Town would be responsible for addressing the issues. Mr. Ryder noted that the issue regarding the cemetery wall was discussed and stated that the Department of Public Works will handle the design and replacement of the wall, which will include the lowering of wall. Dirk Underwood asked Mr. Ryder about having experience dealing with temporary easements being shown on plans. Mr. Ryder stated that he has dealt with temporary easements in the past and noted that sometimes they don't expire, and he also reiterated Ms. Johnson's explanation about why surveyors will keep the temporary easement on the plan as a matter of record.

Attorney Michael Khoury, representing Zisler Investments, owner of a vacant parcel across from the project site in between Durand Chevrolet and the new assisted living facility. On behalf of his client, he expressed serious concerns that the proposed restriping of the rotary will hinder any future access into the site. Attorney Khoury noted that the long-term plan to redevelop the site into a commercial use, and the current restriping plan would prohibit vehicular circulation from the southeast corner of the Route 85 roundabout from accessing his client's site. Chairman D'Amelio noted that a commercial use of the property would require a zoning change and reiterated that the Board can only examine and analyze the impacts of the proposed redevelopment of the gas station that is before them, not analyze the impacts to a vacant parcel that is not zoned for commercial use today, and stressed that Director of Public Works, Fire Chief, and the Police Chief support the proposed roundabout restriping plan. Attorney Giannetti cited the Site Plan Review regulations and noted that the future proposed use of a vacant parcel is not under consideration during this public hearing. And finally, Attorney Yates provided an overview of the title of vacant parcel in relation to the former Brigham Estate prior to the development of the multi-phase subdivision, and noted that the cutting off access to the vacant parcel could be self-imposed.

Jim Boyle, owner of 244 Washington Street expressed his concerns about the location and functionality of the Route 85 northbound slip lane, and inquired if this proposed access point would be hinder the access of the fire apparatus into the site for emergency response. Furthermore, Mr. Boyle reiterated his belief that it was unfair that the leftover land in front of his parcel would be "given away" to construct the slip lane while cutting off frontage to his property. Attorney Yates noted that the leftover land is Town property, not Mr. Boyle's property or his frontage. Chairman D'Amelio also noted that the proposed slip lane is being constructed from Town property, crossing over Town property into the site at 240-242 Washington Street.

Ron Muller, Muller Associates and Traffic Engineer for the Town, provided a summary of his final comment to applicant and noted that he is satisfied with all of the information that has been submitted and all issues have been addressed. Mr. Muller discussed two outstanding comments that need to be addressed: a drawing showing the assembly and location of the directional signage and handicap accessibility on the north side of the proposed Route 85 northbound slip



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lane. Mr. Muller also stated his belief that the proposed restriping of the roundabout will improve overall traffic and safety operations in the vicinity of the site.

Chairman D'Amelio opened up the floor to members of the Board for questions and comments.

Daryk Filippi inquired about the note on the site plan for a pylon site, and asked if the sign would be a pylon or monumental in nature. Mr. Filippi requested that the applicant furnish a visual representation of the proposed signage for the new site during the next public presentation. He also noted that handicap accessibility issue with respect to the proposed slip lane.

Rodney Frias inquired if the ANR plan is a totally separate action from the proposed site plan before the Board and whether the Board was going to wait until the easements were removed and the drainage easements were added to the plan. Chairman D'Amelio stated his agreement that the Board should wait to close the public hearing until the elements with the ANR plan and the outstanding peer review comment should be addressed. The general consensus of the Board was to continue the public hearing and not close it.

Chairman D'Amelio discussed the issue of adding the removal of the stone wall to the list of conditions. Dirk Underwood suggested that this should not be a condition of approval, as the Department of Public Works (DPW) may not be able to get the work done in time. Mr. Ryder expressed his concern about delaying the development on the parcel subject to the DPW removing and replacing the stone wall. Mr. Ryder stated his preference to have his department handle the wall removal and replacement rather than the applicant. Mr. Muller stated that he did not think that site distances would be an issue with most of the vehicles not making a left turn out the site onto Forestvale Avenue.

Chairman D'Amelio moved to continue the public hearing until Tuesday, February 16, 2021. Seconded by Rodney Frias. By roll call vote: Mr. Daigneault, yes; Mr. Underwood, yes; Mr. Frias, yes; Mr. D'Amelio, yes; Mr. Filippi, yes. 5-0-0

### **Adjournment**

Chairman D'Amelio moved to adjourn the meeting at 8:50 PM. Seconded by Mr. Daigneault. By roll call vote: Mr. Daigneault, yes; Mr. Underwood, yes; Mr. Frias, yes; Mr. D'Amelio, yes; Mr. Filippi, yes. 5-0-0

Cc: Town Clerk