



Town of Hudson

Planning Board

78 Main Street, Hudson, MA 01749
Tel: (978)562-2989 Fax: (978)568-9641
Email: kjohnson@townofhudson.org

Minutes of Meeting – November 9, 2022

At 7:01 PM, Mr. D'Amelio, Chair, called the meeting to order.

Board Members Participating: Robert D'Amelio, Chair

David Daigneault
Darryl Filippi
Andrew Massa

Board Members Absent: Rodney Frias, Vice Chair

Staff Members Participating: Kristina Johnson, AICP, Director of Planning

ANR Endorsement- 27 Cox Street/54 Lake Street

Paul Litchfield presented an overview of the Approval Not Required (ANR) plan for the above-referenced property. Mr. Litchfield noted that he was able to negotiate a land swap with the abutting property owner to acquire the required frontage on Cox Street, and that he would be withdrawing his petition from the Zoning Board of Appeals accordingly.

Chairman D'Amelio confirmed that there is the appropriate amount of frontage on Cox Street/ David Daigneault inquired about why the property has two separate addresses and two driveways. Ms. Johnson noted that the property is pre-existing non-conforming with respect to having two single -family structures on the same lot, but that the developer is looking for use Cox Street as their frontage for the redevelopment of the site.

Ms. Johnson noted that the mylar does not have a signature block, so the Board will not be able to sign the plan tonight, but if a mylar with the signature block is furnished before the next meeting on November 15th, she would have the Board sign the mylar.

Chairman D'Amelio seconded by Mr. Daigneault moved to endorse the ANR plan for 27 Cox Street/54 Lake Street. 4-0-0. Unanimous

ANR Endorsement- 136 Main Street

Attorney Joe Moreira presented an overview of the ANR plan for 136 Main Street, which is comprised of two commercial condominiums, 136 East and 136 West. Attorney Moriera noted that as the 136 Main mixed-use project moves forward, the condominium owners may abandon the condominium and create some other legal organization for the property.

Chairman D'Amelio confirmed the adjustment of the lot lines shown on the ANR plan.

Mr. Filippi seconded by Mr. Daigneault moved to endorse the ANR plan for 136 Main Street. 4-0-0. Unanimous



Town of Hudson

Planning Board

78 Main Street, Hudson, MA 01749
Tel: (978)562-2989 Fax: (978)568-9641
Email: kjohnson@townofhudson.org

Minutes of Meeting – November 9, 2022

Discussion and Formulation of Recommendation on Petitioned Zoning Articles

Article 32- Amendment to the Medical Marijuana Overlay District

Planning Board members discussed Article 32, which entails an amendment to Section 5.11.5 Paragraph 10 of the Use Regulations of the Zoning By-laws for the Medical Marijuana Zoning Overlay District to allow medical marijuana establishments to open, operate, and receive deliveries between the hours of 8:00 AM and 10:00PM. Mr. Daigneault expressed his opposition to this article.

Chairman D'Amelio seconded by Andrew Massa moved to take no action on Article 32 to Town Meeting. 4-0-0 Unanimous

Article 33- Amendment to the Retirement Community Overlay District

Planning Board members discussed Article 33, which entails an amendment to Section 5.8.1.2 (d) of the Allowed Uses of the Zoning By-laws for the Retirement Community Overlay District to Section 5.8.1.2 (d) if the Zoning Bylaws shall be amended by deleting said section in its entirety and replacing with the following new Section 5.8.1.2 (d): No dwelling shall contain less than 1,000 sq. ft. of living area or more than 2,400 sq. ft. of living area, excluding the floor area of any portion of a finished basement. At least 66% of the living area in each unit shall be located on the first floor, excluding the floor area of any portion of a finished basement, or take any action relative thereto.

After a presentation and discussion of the proposed amendment to the Zoning By-laws, Chairman D'Amelio seconded by Andrew Massa moved to take no action on Article 33 to Town Meeting. 3-0-0 (with Darryl Filippi recused from the matter)

Indian Farms Subdivision- Discussion of Bond Adjustment and Lot Releases

Brian Jacobs presented the adjusted bond, which was requested by the Planning Department to include an additional contingency for the lot design. Chairman D'Amelio noted that Town Counsel had reviewed and approved the adjustment to the Bond in the amount of \$297,089.00

Mr. Daigneault seconded by Andrew Massa moved to accept the bond for Indian Farms subdivision in the amount of \$297,089.00 with the condition that prior to the issuance of the Occupancy Permits, as-builts for each lot shall be reviewed by the Planning Department and/or third-party review engineer in relation to the approved subdivision plans. 4-0-0. Unanimous.

Chairman D'Amelio seconded by Andrew Massa moved to release the remaining lots in the Indian Farms subdivision. 4-0-0. Unanimous



Town of Hudson

Planning Board

78 Main Street, Hudson, MA 01749
Tel: (978)562-2989 Fax: (978)568-9641
Email: kjohnson@townofhudson.org

Minutes of Meeting – November 9, 2022

Chairman D'Amelio expressed his concern about the issuance of building permits prior to the release of the lots, and referenced a Section within the Subdivision Control Regulations about obtaining permission from the Planning Board prior to any building on the lot. Ms. Johnson read Section 6.3 of the Subdivision Control Regulations which states "no building shall be erected within a subdivision without written permission of the Planning Board." Ms. Johnson stated that she had spoken to the Building Commissioner, and he reaffirmed his procedure that building permits can be issued without the Planning Board releasing the lot (s) and that two processes are unrelated.

Adjournment

Mr. D'Amelio seconded by Mr. Filippi moved to adjourn the meeting at 7:58 PM. 4-0-0. Unanimous.

Cc: Town Clerk