



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 – December 20, 2022

At 6:30 PM Chairman D'Amelio opened the public meeting.

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

Mr. Massa seconded by David Daigneault move to enter into a joint Executive Session with the Select Board pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (3), the Planning Board will vote to meet in Executive Session to discuss pending litigation in that an Open Meeting may have a detrimental effect on the litigation position of the Planning Board: Linda Fossile, Trustee and Geraldine Fossile, Trustee, Ashbury Realty Trust v. The Town of Hudson Planning Board, and Robert D'Amelio, Rodney Frias, David Daigneault, Dirk Underwood and Darryl Filippi, as members of the Hudson Planning Board and not individually, Middlesex Superior Court, Docket No. 22-1337; and Linda Fossile, Trustee and Geraldine Fossile, Trustee, Ashbury Realty Trust v. The Town of Hudson Planning Board, and Robert D'Amelio, Rodney Frias, David Daigneault, Dirk Underwood and Darryl Filippi, as members of the Hudson Planning Board and not individually, Land Court Docket No. 22-MISC-000134, and to seek the advice of legal counsel.

By roll call vote: Chairman D'Amelio, yea; David Daigneault, yea; Darryl Filippi, yea; Andrew Massa, yea. 4-0-0. Unanimous

Chairman D'Amelio seconded by Mr. Filippi moved to adjourn Executive Session and reconvene in Open Session. By roll call vote: Chairman D'Amelio, yea; David Daigneault, yea; Darryl Filippi, yea; Andrew Massa, yea. 4-0-0. Unanimous



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569 Main Street

Chairman D'Amelio reconvened the public hearing for 569 Main Street, and noted the receipt of correspondence from the Fire Chief and the Building Commissioner. In the Building Commissioner's correspondence, it was noted that the only item in their Special Permit that it is out of compliance is the connection of the Fire Road to 567 Main Street.

Ms. Johnson read into the record correspondence from Mike Scott regarding his review of the latest plan iteration, which stated that the site plans are in good shape and address all substantive comments that have been raised. Chairman D'Amelio noted that the revised plans comply with the required parking ratio. Mr. Daigneault requested more detail about what the compliance with the ratios means relative to the site plans. Ms. Johnson explained that they have the required number of spaces; however, she noted that providing the extra parking spaces takes away from the required percentage of open space, which will necessitate relief from the Zoning Board of Appeals. Mark Santora, site engineer, noted the engineering constraints on site and that there is not enough space to comply with both the open space requirement and the parking ratio.

Chairman D'Amelio expressed concerns that a connected fire lane between 569 Main Street and 567 Main Street was not constructed pursuant to the condition in the 2015 Special Permit from the Zoning Board of Appeals. Mr. Ohlson stated that plenty of clearance exists on their site, and they would be willing to clear additional trees to establish such a connection, but stated that a connected fire lane would require permission of the property owner of 567 Main Street. Mr. Filippi questioned why a connected fire lane between the two properties would be required noting that fire code requires access to the three sides of the building. Mr. Daigneault inquired as to whether at one time a single property owner owned the property at 569 Main Street and 567 Main Street, and perhaps that is the reason why this condition was included in the Special Permit.

Mr. Filippi inquired about whether the existing septic system is sized appropriately to handle the occupancy loading of the new building addition. He stated that it is required by the International Building Code to design a septic system based on the maximum capacity loading, which for this building would be 65 people. Chairman D'Amelio stated that the Building Commissioner and the Board of Health will review the occupancy loading.

Mr. Massa read the condition in the 2015 Special Permit regarding the fire road and noted that the condition does not compel the property owner of 567 Main Street to bring in a fire road. Chairman D'Amelio re-iterated that the condition states that there must be a "connected" fire road between the two properties, and stated that the lack of connection could be related to ownership. Mr. Massa asked if the Zoning Board of Appeals can condition the amended Special Permit to cap the total number of employees rather than a deed restriction. Ms. Johnson



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underscored that the Watershed Protection Overlay District regulations require the Board of Health to review and comment on plans that are before the Zoning Board of Appeals.

Mr. Daigneault suggested the following conditions: 1) that any outstanding items that Mike Scott raises in his final letter be addressed; and 2) that the Zoning Board of Appeals and the Board of Health review the occupancy loading for the septic system.

Mr. Massa seconded by Chairman D'Amelio moved to close the public hearing for 569 Main Street. 4-0-0. Unanimous.

Mr. Filippi seconded by Mr. Massa moved to approve the Site Plans for 569 Main Street with the following special conditions:

1. Prior to requesting a pre-construction meeting, the site plans shall be updated with a table that indicates both the anticipated occupancy loading of 45 employees and the maximum loading occupancy of 65 employees. The applicant shall obtain a review and approval of the septic system by the Hudson Board of Health based on the maximum loading occupancy.
2. The applicant shall obtain an amendment to the Special Permit issued on May 14, 2015 (Petition #1061) pursuant to Section 3.3.10 of the Hudson Zoning by-laws for work within the Watershed Protection District and a variance pursuant to Section 6.2.1.3 of the Hudson Zoning By-laws for a reduction in the required open space percentage on the site. Pursuant to Section 3.3.10, the Hudson Board of Health, Conservation Agent, and the Department of Public Works shall review the Site Plan to ensure compliance with the use regulation of the Watershed Protection District.
3. Prior to the issuance of a building permit, the applicant shall submit the landscaping schedule to the Conservation Commission for final review and approval. The applicant shall to the greatest extent feasible use native, drought resistant species for the site plantings that will not impede any sight lines into the property.
4. The installation of all underground utilities shall require an inspection and approval by the Planning Board's third-party peer review engineer.

4-0-0. Unanimous



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Approval of 10/12/2022, 11/1/2022, 11/9/2022, and 11/15/2022 Minutes

Chairman D'Amelio moved by Mr. Massa moved to approve the 10/12/2022, 11/1/2022, 11/9/2022 and 11/15/2022 with the highlighted corrections. 4-0-0. Unanimous

Adjournment

Chairman D'Amelio seconded by Mr. Filippi moved to adjourn the meeting at 8:19 PM. 4-0-0. Unanimous.

Cc: Town Clerk