



# Town of Hudson

## Planning Board

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

### **Minutes of Meeting – March 7, 2023**

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Pursuant to Chapter 107 of the Acts 2022 extending remote meeting provisions of Governor Baker's March 12, 2020, Executive Order suspending certain provisions of the Open Meeting Law, this meeting of the Hudson Planning Board be conducted fully remotely.

Vice Chair Rodney Frias, called the meeting to order at 7:04 PM. He noted that the Board is convening remotely under the extension of the suspension of certain provisions of the Open Meeting Law relative to COVID-19. Before moving into the public hearings, he reminded the Board and meeting attendees that all votes will be taken as roll-call voice votes.

**Board Members Participating:**

Rodney Frias, Vice Chair  
David Daigneault  
Darryl Filippi  
Andrew Massa

**Staff Members Participating:**

Kristina Johnson, AICP, Director of Planning  
Katie Evangelisti, Administrative Manager

**Board Members Absent:**

Robert D'Amelio, Chair

### **Administrative Business**

Vice Chairman Frias opened the discussion of Brigham Estates III, Phase 3 Bond Reduction Request. Due to conflicts with Member David Daigneault, Vice Chair Frias, and Member Darryl Filippi with the matter, it would need to be passed on until the next hearing.

Motion made by Vice Chair Frias to pass on the matter until the next scheduled public hearing on April 4, 2023, at 7:00 p.m., seconded by Member Darryl Filippi. Roll Call Vote was made: Darryl Filippi, Member: **yea**; David Daigneault, Member: **yea**; Rodney Frias, Vice Chair: **yea**; Andrew Massa, Member: **yea**. 4-0-0. Unanimous.

Counsel of the applicant, George Kiritsy, Esq. addressed the board with concern and questions regarding the board's inability to vote. Attorney Kiritsy didn't feel that with this being a new request for release a member sitting on the prior hearing wouldn't foreclose them from voting. He requested that if there are not enough board members present on March 21, 2023, a request to Town Counsel to opine on the matter of member jurisdiction.



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#### 136 Main Street (continued from 12-6-2022)

Vice Chairman Frias opened the public hearing for 136 Main Street. Ms. Kristina Johnson confirmed for the board that per an email sent by Attorney Jose “Joe” Moreira, the applicant is requesting the withdrawal of the Site Plan Review and Special Permit and a waiver of fees for when the petition is resubmitted (so they can deal with the Office of Dam Safety issues and additional infrastructure issues). Further discussion between Vice Chair Frias, Member Filippi, and Ms. Johnson regarding what the cost was and would be. It was questioned if the Peer Reviewer had to be paid by the applicant, yes, he would but Ms. Johnson believed there were funds remaining. Ms. Johnson advised the board that there was \$2,635.00 collected for the original filing fee. Member Daigneault made a motion, seconded by Member Filippi, to review and reduce the filing fee as much as feasible, based on the exact information at the time of refiling. Roll Call Vote was made: Darryl Filippi, Member: *yea*; David Daigneault, Member: *yea*; Rodney Frias, Vice Chair: *yea*; Andrew Massa, Member: *yea*. 4-0-0. Unanimous.

A motion was made by Member Daigneault, seconded by Member Filippi, to accept the withdrawal without prejudice request submitted by the applicant. Roll Call Vote was made: Darryl Filippi, Member: *yea*; David Daigneault, Member: *yea*; Rodney Frias, Vice Chair: *yea*; Andrew Massa, Member: *yea*. 4-0-0. Unanimous.

#### 2 Fox Road Site Plan Review (Continued from 2-21-2023)

Peer Reviewer Michael Scott, Engineer Chris Sparages, and Applicant John McCarthy reviewed the revised plans which now included a 25’ no-disturb buffer to protect the currently wooded area. Due to this change, they successfully withdrew the NOI with the Conservation Committee as it was no longer warranted. The stormwater infiltration system will remain the same type but the location is reflected in the updated Stormwater Report. The species of tree being used as a buffer was also changed from an Arborvitae to an Eastern White Pine (27 trees). Peer Reviewer, Mike Scott, addressed the petitioners in regards to open space percentage (which was over 35%) and ADA parking signage. Mr. Sparages reviewed with Mr. Scott prior plans and confirmed compliance with ADA and zoning.

Vice Chair Frias asked if there were any additional questions. Member Daigneault raised the comments provided by the DPW in regard to the location of the current manhole in front of the driveway which was an issue. Engineer Sparages hadn’t yet reviewed the DPW comments but stated that they will correct the positioning of the manhole per DPW comments. Mr. McCarthy, Vice Chair Frias, Mr. Sparages, and Mr. Massa had further discussions about the ability to move either the catch basin or alter the driveway, O & M was provided in the new Stormwater Report, and additional comments by DPW would be addressed easily. Member Massa asked the



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applicant about vans currently on the road, and Mr. McCarthy advised he will be moving those. Mr. Massa also inquired (with no relation to the project) about an easement and neighboring business Turtle Transit's equipment on either side of Fox Rd. and into Mr. McCarthy's private driveway. Mr. Filippi thanked the engineer and applicant for working with the PB.

A motion was made by Member Filippi, seconded by Member Massa, to close the public hearing. Roll Call Vote was made: Darryl Filippi, Member: **yea**; David Daigneault, Member: **yea**; Rodney Frias, Vice Chair: **yea**; Andrew Massa, Member: **yea**. 4-0-0. Unanimous.

A motion was made by Member Filippi, seconded by Member Daigneault, to accept the Site Plan with the six (6) comments by the DPW as conditions, in addition to standard pre-construction conditions. Roll Call Vote was made: Darryl Filippi, Member: **yea**; David Daigneault, Member: **yea**; Rodney Frias, Vice Chair: **yea**; Andrew Massa, Member: **yea**. 4-0-0. Unanimous.

### **540 Main Street - Site Plan Review (New Petition)**

Engineer, Thomas DiPersio, to present the Site Plan for the project. Reviewed the location, zone, currently a home that will be removed, and a metal building constructed on the property for an office and garage building for the applicant's construction company. Recent ANR provided approved setbacks, by this board, the total lot is now 60K'. Mr. DiPersio reviewed the utilities, soil test results, topography, and wetlands well outside the 100' buffer. Proposing building, driveway, and parking per site plan. He went on to review the drains, grading, and water filtration system and basin. Mr. DiPersio reviewed the current landscaping, which trees would be staying, and proposed landscaping. Domestic water will be new and on-site septic, only drainage will be from the rear catch basin to the infiltration system. Electric utilities will be underground from the existing pole at front of the property. Proposed garage vehicle bays will be required to have floor drains, requiring a tight tank to be managed and pumped offsite. The erosion control plan was reviewed, and the site will allow for minimal risk due to erosion. He went on to review the construction details, including the septic system.

Peer Review and Town Department Head comments were received and reviewed by Mr. DiPersio, plans had not yet been modified based on them. Mr. DiPersio noted lightening on the building, Mr. Scott had requested a photometric plan in addition to specifics of landscaping. Mr. DiPersio reviewed the DPW's comment regarding a catch basin within the driveway opening. Mr. DiPersio feels that if the driveway is moved it would greatly reduce the sight line. He is proposing to move/add an additional catch basin, this will be addressed and reviewed with Director Ryder. Mr. DiPersio stated that the Special Permit would be filed with the ZBA, as the property is in a Watershed District.



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Member Daigneault asked if this is a single story (yes) and if there is a specific tenant (owners intend to move in with their construction company). Member Filippi – flipping the entrance on the left for vehicular safety. Mr. DiPersio advised the board that due to the sight line on the opposite side being far less it wouldn't be beneficial. Member Filippi suggested that a traffic study be completed in addition to trying to save as many trees as possible.

In addition, there were parking spaces being added on the easterly side of the lot. Mr. Scott requested that if the land is reduced it still comply with 35% open space zoning laws. Fire Chief Johannes submitted comments regarding the size of the ladder truck. Ms. Johnson suggests that a swept path analysis will address comments made by Fire Chief Johannes. There was also a comment about why a tight tank was installed. Mr. DiPersio reiterated the need for the floor drains – which would drain into the tight tank and be removed by a licensed company.

Vice Chair Frias opened it up to public questions. Tom Green – 2 Gately Ave. – wanted to discuss the width of shoulders in front of the building, because there are no sidewalks, but a lot of pedestrians. Mr. Green requests any way the developer can widen the road as they are installing the driveway they do so. Alan Goldsworthy – 9A Autumn Dr. – feels there is a need for a traffic study to be completed for citizen safety. No further public comments. DPW and Mr. Scott's comments will be added to the plans, per Mr. DiPersio. Ms. Johnson suggested that Ron Müller, P.E., be contacted to conduct a review of the geometric safety of the driveway. If there are further studies needed they can proceed from there. Vice Chair Frias also advised Mr. DiPersio to have the applicant install a sidewalk as well since the area is developing.

Motion by Member Darryl Filippi, seconded by Member Andy Massa to continue the public hearing to the next scheduled meeting, Tuesday, March 21, 2023, at 7:00 p.m. In that time Mr. DiPersio will be able to formally respond to the Department Head's comments, update plans accordingly, and allow Ms. Johnson to obtain the professional review by Ron Müller. Roll Call Vote was made: Darryl Filippi, Member: **yea**; David Daigneault, Member: **yea**; Rodney Frias, Vice Chair: **yea**; Andrew Massa, Member: **yea**. 4-0-0. Unanimous.



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#### **Approval of 2-7-2023 and 2-21-2023 Minutes**

Motion made by Member Daigneault, seconded by Member Filippi, to approve the meeting minutes of both February 7, 2023, and February 21, 2023. Roll Call Vote was made: Darryl Filippi, Member: *yea*; David Daigneault, Member: *yea*; Rodney Frias, Vice Chair: *yea*; Andrew Massa, Member: *yea*. 4-0-0. Unanimous.

#### **Adjournment**

Vice Chair Frias, seconded by Mr. Massa moved to adjourn the meeting at 8:34 p.m. 5-0-0. Unanimous.

Cc: Town Clerk