



Hudson Planning Board

Town Hall

Hudson, Massachusetts 01749

Minutes of Meeting – July 21, 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 7:00 PM, Mr. D'Amelio called the meeting to order.

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

Staff: Jack Hunter, Director of Planning and Community Development; Kristina Johnson Assistant 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."

Indian Lakeshore Drive – Definitive Subdivision

Mr. Hunter explained that there is a note on the approved plans that dictates how the buffering shall be planted etc. He had inspected it and asked for additional trees which were planted. However, the Chair did not feel it met the intention of the Board when they asked for screening along the southern boundary. Therefore, he has asked the applicant to attend this meeting.

Atty. Norris representing the applicant addressed the Board and stated that the applicants engineer has conducted a site visit and in a letter to the Board, Saluk Engineering states that the conditions regarding buffering have been met.

Mr. Goldberg asked if deciduous trees were allowed. Applicant responded there were no stipulations in that regard.

Ms. Senovich, Daniels Street said she doesn't feel there is enough plantings.

After considerable discussion Mr. D'Amelio and Mr. Daigneault agreed to meet with the applicant and Ms. Johnson on July 22, 2020 at 9AM to come up with a compromise.



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Public Hearing – 49 Houghton Street – Site Plan Review and Special Permit – 86 Units

Mr. Iannuzzi, EBI Engineering asked for a continuance to August 18, 2020.

Mr. Frias moved to continue the Public Hearing for 49 Houghton Street to August 18, 2020 at 7PM, Seconded by Mr. Underwood. On a roll call vote 4-0-1 (Goldberg Abstained) in favor.

Public Hearing – 240 Washington Street – Site Plan Review - Gas Station Convenience Store

Mr. D'Amelio noted they have a request to continue this hearing to August 18, 2020.

Mr. Frias moved to continue the Public Hearing for 240 Washington Street to August 18, 2020 at 7PM, Seconded by Mr. Daigneault. On a roll call vote 4-0-1 (Goldberg Abstained) in favor.

Public Hearing - Definitive Subdivision and Site Plan Review – 1 Robert Bonnazoli Avenue

Mr. D'Amelio reviewed the Board's concerns stated at the initial hearing, namely buffering, deliveries and conditions that protect the neighbors.

Atty. Borenstein representing the applicant reviewed proposed conditions that he believes addresses most of the issues brought up at the previous hearing. Specifically a note on the plans that protects encroachment; a watering schedule; and a condition that allows the Town access to the property. He also discussed the nature of the proposed deliveries to the property and how they are very limited, the truck sizes are rather small and they are proposing a condition that mandates an electronic delivery door.

Mr. Hunter then went through the Dept. concerns and all have been addressed, including Mike Scott.

Chief Johannes also reiterated his concerns have been met.

The Chair asked if anyone wished to speak.

Ms. Messina, 12 Birchwood asked about the loading docks and screening.

Atty. Borenstein answered her questions by reviewing the plans and proposed conditions.

Having heard no further testimony the Chair asked to have the Public Hearing closed.



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Mr. Daigneault moved to close the Public Hearing for 1 Robert Bonnazoli Avenue, seconded by Mr. Goldberg. On a roll call vote 4-0-1 (Mr. Frias abstained).

Mr. Goldberg moved to approve the Definitive Subdivision with the following waivers as requested regarding the 1 Robert Bonnazoli Definitive Subdivision, seconded by Mr. Underwood. On a roll call vote 4-0-1 (Frias abstained):

3.3.2(g), 3.3.3.5 & 4.9.4.1: Drainage Requirements Adhering To The Mass DEP Stormwater Management Standards

3.3.3.1(d): Location & Ownership Of Abutting Property Owners Within 300 FT

3.3.3.1(h): Tree Plan (Requested under 3.3.3.6, but also required under 3.3.3.1(h))

3.3.3.1(k): Location & Identification of Existing/Proposed Permanent Monuments

3.3.3.1(r): Locations of All Utilities within 400 FT of the Proposed Street Intersection

3.3.3.1(s) & 3.3.4.1: Staking

3.3.3.6: Tree Plan

3.3.3.9: Environmental Impact Statement

3.3.13: Performance Guarantee

3.3.16: Road & R.O.W. Acceptance

4.1.2.5: 30 FT R.O.W. Radius

4.1.2.7: Roadway Centerlines Shall Be Parallel With Roadway Right-Of-Way Sidelines

4.1.4.2: 7% Maximum Road Grade

4.1.4.3: Road Grade Changes

4.1.4.5: 4% Maximum Proposed Road Grade At Robert Bonazzoli Avenue

4.1.5.1: Minimum Dead-End R.O.W. Length



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4.1.5.2: 110 FT Pavement And 120 FT R.O.W. Diameters At Dead End

4.2: Driveway Curb Cut

4.4: Open Space

4.8 & 5.4: Sidewalks

4.9.4.2: Requirements For Precipitation Extremes

4.9.7: Monuments (Bounds)

4.10: Bike Paths & Trails

5.1.8: As Built & Acceptance Plans

5.2: Street & Roadway Construction

5.3: Utilities

5.5: Bikeways & Walkways

5.6: Granite Curbing

5.7: Grass Plot

5.8: Trees & Other Vegetation On Each Side Of The Road

5.9: Monuments

5.10: Street Signs

5.11: Street Lights

5.12: Fire Alarms



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Mr. Daigneault moved to approve Site Plan Approval for 1 Robert Bonnazoli Avenue with the following conditions, Seconded by Mr. Goldberg. On a roll call vote 4-0-1 (Frias abstained) 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 at the site.
2. 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 Laws, work on Sundays and holidays needs to be permitted on a case by case basis by the Chief of Police.
3. Prior to the commencement of work at the site, the Planning and Community Development office shall be given 48 hours written notice. If the work 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.
4. A copy of the conditions and all final approved Plans shall be kept at the Project Site.
5. Worthmore Property Management, LLC, and its successors-in-interest (collectively, "Worthmore"), as owner of 1 Robert Bonazzoli Avenue, Hudson, MA (the "Property"), grants a limited license to the Town of Hudson Department of Public Works ("DPW"), Moura Realty Trust and/or Moura Interior Finishes of Mass Inc. (collectively, "Moura") and DPW and Moura's representatives and agents (DPW, Moura and their representatives and agents are collectively referred to hereinafter as the "Grantees"), to enter upon the Property for the sole purpose of inspecting and evaluating an existing drainage system adjacent to Robert Bonazzoli Avenue. The Grantees shall be permitted to access only the portion of the Property located within 30 ft. from Robert Bonazzoli Avenue. The Grantees shall not make any alterations, additions or improvements to or upon the Property, including, without limitation, any excavations, as part of the inspection and evaluation, without the express written consent of Worthmore. The Grantees shall be permitted to exercise the license granted hereunder upon forty eight (48) hours advance notice to Worthmore and with a representative of Worthmore present.
By exercising the license granted hereunder, the Grantees shall agree to indemnify and save harmless Worthmore and its affiliates, and all members, managers, employees or agents of any of them, from and against, any and all liabilities, damages, loss, costs, expenses, causes of action, suits, claims, demands or judgments of any nature whatsoever arising from the Grantees' use of the license granted hereunder.



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The inspection and evaluation of the existing drainage system is in response to a Notice of Violation, dated June 25, 2020, issued by the Town of Hudson Conservation Commission to Moura Interior Finishes of Mass Inc.

In the event that the Town of Hudson Department of Public Works and/or Moura determines that repairs to the existing drainage system are required on the Property, Worthmore shall enter into a property access agreement with Moura, upon terms and conditions acceptable to Worthmore in its sole discretion, to provide access to the Property to Moura to conduct any necessary repairs, at Moura's sole expense.

The license granted hereunder shall expire upon the earlier of the following: (i) the execution of a property access agreement by and between Worthmore and Moura; or (ii) October 31, 2020.

6. Irrigation System and Arborvitae

Worthmore shall plant the arborvitae and install the irrigation system as shown on the plans dated May 25, 2020, and revised on July 14, 2020, during the first complete Growing Season following six (6) months from the date of the issuance of a building permit for the proposed building on the Property. Worthmore shall not be obligated to commence the planting of the arborvitae and the installation of the irrigation system if a Growing Season shall have already commenced six (6) months from the date of the issuance of the building permit. "Growing Season" shall mean either March 15th through May 15th or September 1st through October 31st. For example, if a building permit shall be issued on April 1st and six (6) months shall lapse on September 30th, Worthmore shall not be obligated to commence the planting of the arborvitae and installation of the irrigation system on October 1st but may commence the work at the beginning of the first complete Growing Season on March 15th.

7. Access to Town of Hudson

Worthmore grants a limited license to the Town of Hudson and its representatives, including, but not limited to, its peer review engineer to inspect and evaluate the work on the Property periodically prior to the issuance of a certificate of occupancy to ensure that the work has been completed in accordance with the approved plans dated May 25, 2020, and revised on July 14, 2020. The Town of Hudson and its representatives shall be permitted to exercise the license granted hereunder upon forty-eight (48) hours advance notice to Worthmore and with a representative of Worthmore present.

8. Fences

The contractor shall not impact or remove the existing fence adjacent to the properties at 12 and 14 Birchwood Road, and shall provide a temporary construction fence, or other means, to ensure that the existing fence is not impacted.



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9. Garage Doors

One or more automatic garage doors shall be installed for each of the business units in the proposed building on the Property.

Public Hearing – 71 Apsley Street –AROD – 23 Units

Mr. Hunter reviewed the proposal and that it is an AROD application that the Board considered for Town Meeting 2 years ago.

Atty. Yates introduced the applicant Eric Chaves and went over Mr. Chaves history of property development in Hudson. They are proposing 23 one bedroom units; he went over their proposed parking, plantings, and affordable units for the Board.

Mr. LeClair, engineer next reviewed the drainage, water and sewer plans.

Mike Scott, peer engineer said his reviewed centered on the unit calculations as they pertain to the AROD; the parking, drainage and other requirements in the AROD regulations.

Mr. D'Amelio stated he voted against the zone change that allowed the AROD on this site but asked about the 30 foot access width; the parking widths and whether they should have a commercial unit pursuant to the AROD.

Mr. Yates said if they demand the regulated widths they would have less parking and if a commercial unit is required it most likely would fail.

Mr. Daigneault asked about the number of handicap units and number of affordable units being provided.

Mr. Yates responded there will be 2 handicapped units and 4 affordable units.

Mr. Underwood asked if the handicap units were on the first floor.

Mr. Yates said yes.

Mr. Goldberg was concerned about the water table and its proximity to the ground floor.

Mr. Le Clair said he would look into it.

Mr. Frias felt there should be a limit on the number of bedrooms to 23, that way they have the flexibility to have less units but no more bedrooms and its effect on parking.

Chief Johannes mentioned that a Fire Protection engineer will be required to design the sprinkler system and the radio system, for the facility prior to a building permit.



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Mr. Underwood stated these are apartments not condos.

Jim Quinn, 8 Old North Road explained the history of the neighborhood and felt that this is a good project for the Town.

Atty. Yates asked for some direction on certain items before they go back and revise the plans.

Mr. D'Amelio asked the Board if any member had an issue with the parking dimensions and with the request for a waiver on the commercial space.

No member noted a problem.

Mr. Frias moved to continue the Public Hearing for 71 Apsley Street to August 4, 2020 at 7PM, Seconded by Mr. Daigneault. On a roll call vote 4-0-1 (Goldberg abstained) in favor.

Minutes – July 7, 2020

Mr. Daigneault moved to approve the minutes as written for July 7, 2020, Seconded by Mr. D'Amelio. On a roll call vote 4-0-0 (Frias abstained) in favor.

Adjournment

Mr. Goldberg moved, seconded by Mr. D'Amelio to adjourn at 8:37 PM. On a Roll Call Vote: 5-0-0. Unanimous

Cc: Town Clerk