



# 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 – April 4, 2023**

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Chair Robert D'Amelio, called the meeting to order at 7:20 PM and noted that pursuant to Chapter 2 of the Acts of 2023 extending the remote meeting provisions of March 12, 2020, Executive Order suspending certain provisions of the Open Meeting Law, this meeting of the Hudson Planning Board is being held in a hybrid fashion. 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:**

Robert D'Amelio, Chair  
Rodney Frias, Vice Chair  
David Daigneault  
Darryl Filippi  
Andrew Massa

**Staff Members Participating:**

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

### **Administrative Business**

Chairman D'Amelio reviewed the agenda, noting it being amended several times. He stated he will be taking the agenda out of order. 55 Cottage Street will be continued pending a legal opinion.

### **55 Cottage Street (New Petition)**

Chair D'Amelio opened the public hearing for 55 Cottage Street, which entails application of 55 Cottage Street Realty Trust for a Site Plan Review of the redevelopment of the existing site into a five (5) unit multi-family use with a reduction in Front Yard Setback pursuant to the provisions of Section 7.1.7 and 5.1.6.1 of the Town of Hudson Zoning By-laws. The subject property is located at 55 Cottage Street within the SB General Residence District, Assessors' Map 19 Parcel 18 & 19.

Motion made by Vice Chair Rodney Frias, seconded by Member Darryl Filippi, to continue the hearing until April 18, 2023, at 7:00 p.m., pending legal opinion. Roll Call Vote was made: Chairman D'Amelio: *yea*; Darryl Filippi, Member: *yea*; David Daigneault, Member: *yea*; Vice Chair Rodney Frias: *yea*; Andrew Massa, Member: *yea*. 5-0-0. Unanimous.



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#### 540 Main Street - Site Plan Review (cont'd from 3/21/2023)

Chairman D'Amelio re-opened the public hearing for this matter. Tom DiPersio, Thomas Land Surveyors & Engineering Consultants, on behalf of the petitioner, not looking for a waiver or variance, only a Special Permit was needed as the property is in the Watershed Protection District – which will be before the Hudson Zoning Board of Appeals at their next meeting, Thursday, April 13, 2023.

The issues raised by the peer review, completed by Michael Scott, were all addressed (which Mr. Scott confirmed in an email) excluding the traffic study requested at the last meeting by the board focusing on the placement of the driveway. There was concern about its placement in relation to Brook Street (across). Kirsten Braun, Chappell Engineering Associates LLC, completed a traffic study and was present on Zoom to present the results. Ms. Braun stated that “If the town requires the 30-foot wide driveway, then we recommend that Brook Street be restriped to minimize the skewed angle at which Brook Street approaches Main Street” and referred to the intersection sketch included in the traffic study. Furthermore, Ms. Braun stated that “this modification will allow Brook Street traffic to approach Main Street at more of a 90-degree angle and will provide better alignment between Brook Street and the office driveway to minimize any conflicts between left-turning vehicles. This modification would also reinforce the STOP control for Brook Street and should be implemented regardless of the office development project.” (Per her [written advisement](#) dated March 21, 2023.)

Vice Chair Frias asked about a few other recommendations made by Mr. Scott and Mr. DiPersio confirmed all were addressed. Member Massa inquired as to the use and the applicant, David Kelly of EHP Realty, advised the board it would be a commercial site. Vice Chair Frias raised an issue of a tree being removed from the driveway's east side, and Mr. DiPersio confirmed it would be. Mr. Frias then asked about a suggested sidewalk or widened shoulder for better pedestrian safety. After a brief discussion about the striping and sidewalk, it was advised there be coordination with the DPW regarding both. Vice Chair Frias, seconded by Member David Daigneault, made a motion to close the public hearing. Roll Call Vote was made: Darryl Filippi, Member: *yea*; David Daigneault, Member: *yea*; Vice Chair Frias: *yea*; Andrew Massa, Member: *yea*. 4-0-0. Unanimous.

Motion by Vice Chair Frias, seconded by Member David Daigneault to accept the site plan. Roll Call Vote was made: Andrew Massa, Member: *yea*; Vice Chair Frias: *yea*; David Daigneault, Member: *yea*; Darryl Filippi, Member: *no*. 3-1-0 Motion Passed.



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#### Forbes Road – Roadway Acceptance

At this time, the Hudson Planning Board will hold a public hearing on whether the Town will vote to accept a layout for a portion of Forbes Road as a town way as shown on Plan entitled "Acceptance Plan of a Portion of Forbes Road in Hudson, MA" prepared by Thomas Dipersio, Jr. & Associates, 641 Concord Road, Marlborough, MA 01752, Date: November 30, 2022, Scale: 1" = 40.'

Chair D'Amelio reviewed the sub-division, the completion of remaining work confirmed by DPW, and the 10% retainage until the Town Meeting accepts the road. Member Daigneault inquired if any other roads were to be completed, to which Ms. Linda Fossile confirmed there were not. Motion made by Chairman D'Amelio, seconded by Member David Daigneault, to close the public hearing. Roll Call Vote: Chairman D'Amelio: *yea*; Darryl Filippi, Member: *yea*; David Daigneault, Member: *yea*; Vice Chair Rodney Frias: *abstain*; Andrew Massa, Member: *yea*. 4-0-1. Motion Passed.

Motion made by Chairman D'Amelio, seconded by Member Daigneault, to recommend the adoption of the article Forbes Road to Town Meeting. Roll Call Vote: Chairman D'Amelio: *yea*; Darryl Filippi, Member: *yea*; David Daigneault, Member: *yea*; Vice Chair Rodney Frias: *abstain*; Andrew Massa, Member: *yea*. 4-0-1. Motion Passed

Ms. Johnson stated she'll create the report with the recommendation to Town Clerk and the Executive Assistant for Town Meeting.

#### Citizen's Petition to Amend Protective Zoning By-Laws

At this time, the Hudson Planning Board will hold a public hearing on whether the Town will vote to amend the Protective Zoning By-Laws 2.0 DEFINITIONS to add the following:

Cold Storage Warehouse (LUC-157): Temperature-controlled building for frozen food or other perishable products, not a Parcel Hub or Distribution Center.

Parcel Hub (LUC-156): A building with a net floor area larger than 40,000 square feet used as a regional and local freight-forwarder facility with limited or no breakbulk, repack, or assembly activities.

Fulfillment Center (LUC-155): An establishment with a building net floor area larger than 40,000 square feet used primarily for the receiving, short-term enclosed storage, repackaging, and/or reshipping or distribution of goods and materials to retail stores and other market outlets,



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or directly to the consumer via telephone or Internet remote sales. Including office, administrative, and support facilities related to the foregoing.

Transload Warehouse (LUC-154): A building used for consolidation and distribution of pallet loads of manufacturers, wholesalers, or retailers with little storage duration, not a Parcel Hub or Distribution Center.

Standard Warehouse (LUC-150): A building used primarily for the enclosed storage of goods and materials for extended periods, not a Parcel Hub or Distribution Center.

Warehouse Crossdocking Types:

Full pallet load operation: Pallet loads are re-routed into outgoing trucks having different destinations. Products move directly from one truck to another.

Case-load order makeup: Merchandise arrives sorted and marked by stock-keeping units (SKUs). Pallet Loads are broken down by customer order and re-palletized to outbound vehicles.

Hybrid cross-docking: Materials in storage are blended with incoming materials. Palletized orders are routed to outbound trucks. Some goods are routed to temporary storage.

Opportunistic cross-docking: Late-arriving products are cross-docked directly upon receipt or combined with items from storage.

Truck Consolidation: Products consolidated to complete customer orders, combined and sorted for shipment within 24 to 48 hours.

Short-term storage: Seasonal or bulky items are stored temporarily until just before shipment.

Or take any other action relative thereto.

Michael McCormack, 1F Rotherham Way – Addressed the board as the sponsor of the petition. Reviewed some of the key issues that lead to this request. Revisited the Intel project and that it brought to light some deficiencies, he felt, in our current by-laws. Chairman D'Amelio stated he would speak in favor of updating the Zoning By-laws, but at this time would be taking no action.

James Carvalho, 3D Autumn Drive – Advised the board these definitions are coming from the warehouse codes written by the Institute of Transportation Engineers. Mr. Carvalho started to



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raise issues discussed during the Intel project. At this point Chairman D'Amelio advised him to present the current matter only, not to raise issues from the past.

Ms. Johnson, Vice Chair Frias, Member Filippi, and Member Massa went on to further discuss if the ITE definitions are updated and how that would affect our By-laws which would then be out of date. Ms. Johnson advised the public and board that this is not just a matter of updating the definitions, as it's also a land use issue, so the petition is 'mixing and matching' transportation and accepted zoning definitions for land uses.

Motion made by Vice Chairman Frias, seconded by Member Filippi, to close the public hearing. Roll Call Vote: Chairman D'Amelio: **yea**; Darryl Filippi, Member: **yea**; David Daigneault, Member: **yea**; Vice Chair Rodney Frias: **yea**; Andrew Massa, Member: **yea**. 5-0-0. Unanimous.

Motion made by Chairman D'Amelio, seconded by Member Massa, to take no action. Roll Call Vote: Chairman D'Amelio: **yea**; Andrew Massa, Member: **yea**; Vice Chair Rodney Frias: **yea**; David Daigneault, Member: **yea**; Darryl Filippi, Member: **yea**. 5-0-0. Unanimous.

### **Brigham Estates Phase 3, Bond III Reduction**

Chairman D'Amelio reviewed again the completion of Forbes Road, the recommendation to Town Meeting to accept the road, and the DPW confirming the completion of final items. Motion made by Member Filippi, seconded by Member Daigneault to reduce the bond to the 10% retainage (\$12,160.00) until the road is accepted at Town Meeting. At the point that the road is accepted, the remaining retainage will be released as well. Roll Call Vote: Andrew Massa, Member: **yea**; Vice Chair Rodney Frias: **abstain**; Member Daigneault: **yea**; Member Filippi: **yea**; Chairman D'Amelio: **yea**. 4-0-1. Motion Passed.

### **Discussion of Article 34 of the May Town Meeting Warrant**

Chairman D'Amelio and Ms. Johnson reviewed what was completed previously during the \$100K review and update to the Zoning By-laws. There were items addressed then that were not acted on at that time such as a Table of Use, updates to definitions, and similar updates. Nothing that would be suggested would be a controversial topic. Ms. Johnson put a memo together regarding this and it went to the Select Board and Planning Board.

### **Approval of 3/21/2021 Minutes**

Motion made by Member Massa, seconded by Member Filippi, to approve the meeting minutes of March 21, 2023. Roll Call Vote was made: Chairman D'Amelio: **abstain**; Darryl Filippi,



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Member: *yea*; David Daigneault, Member: *yea*; Vice Chairman Frias: *yea*; Andrew Massa, Member: *yea*. 4-0-1. Motion Passed.

### **Adjournment**

Vice Chairman Frias, seconded by Member Filippi, motioned to adjourn the meeting at 8:38 p.m. 5-0-0. Unanimous.

Cc: Town Clerk