



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 – January 2, 2024

Chair D'Amelio, called the meeting to order at 7:00 PM and advised the Board and public that pursuant to Chapter 2 of the Acts of 2023 extending the remote meeting provisions of March 12, 2020, an Executive Order suspending certain provisions of the Open Meeting Law, this meeting of the Hudson Zoning Board of Appeals is being held remotely, being recorded, and all votes will be taken by roll-call.

Board Members Participating:

Robert D'Amelio, Chair
Rodney Frias, Vice Chair
David Daigneault,
Darryl Filippi
Joseph Mitchell

Staff Members Participating:

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

Continued Public Hearing – 469-479 River Rd. – Site Plan Review SPR-23-1

Chair Bob D'Amelio reopened the SPR-23-1 // 469 and 479 River Road public hearing. Chair D'Amelio requested that the applicant start the plan review from the beginning, including changes.

Robert DiBenedetto, Project Engineer, Hancock Associates, presenting on behalf of the property owner, David Rykbost, reviewed a recently provided rendering, the updated site plans including details of the three phases in which the project would be completed, drainage issues being resolved, and the Contech™ drainage systems being installed. He also noted several issues resolved with the DPW and the Fire Department including water connections, parking, driveway egress and ingress, and highlighted the conditions suggested by Departments and the 3rd Party Peer Review Consultant. Furthermore, he underscored that the containment chambers and catch basins for stormwater treatment meet DEP standards. Finally, Mr. DiBenedetto reviewed the Fire Engineer's proposed revisions for the pump station and construction plans coming in Phase 3, the landscaping, proposed septic, leeching field plans, and erosion controls. After reviewing the full set of revised Site Plans, Mr. DiBenedetto informed the Board that after extensive review by the DPW, 3rd party stormwater reviewer (LDC), and Fire Department all have indicated that their comments have been satisfactorily resolved, with only minor construction level conditions being made.



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The floor was opened to the Board for questions. Vice Chair Frias inquired about the comment letter provided by LDC, both Ms. Johnson and Ms. Evangelisti confirmed all of these documents were provided to the Board on several different occasions and were also available on Board Docs. Mr. Frias asked about gas/oil separators (maybe a ZBA matter requiring a Special Permit), lighting plans for the site, and noted a 30-foot roadway is a bit expansive – producing far more impervious space than necessary. Mr. DiBenedetto stated that all garages will have holding tanks for the gas/oil separators. Further, wall packs will be on all rears of buildings, not proposing road lighting or expansive light poles – reiterated this will be construction level matters. A variance from the ZBA would be required if the driveway width were to be reduced, since there is no hardship the variance may not be granted. Member Filippi supported the narrowing of the roadway. Mr. Filippi inquired about the Phase 3 area size logic, which could reduce the clear-cutting of trees required. Mr. Rykbost informed the Board that traffic jams, large truck congestion, and loading and unloading of the same are the reasons. Chair D’Amelio would like to see a ‘limit of clearing’ to be added to the plans and flagging on site before construction starts. He further stated he is unsure of who would be inspecting that, but feels it should be inspected before construction commences. Chair D’Amelio would like the replanting of the easement clearance noted on the plans specifically stating it’s going to be replanted and with what. Furthermore, Chair D’Amelio requested the applicant return before the start of Phase 3 to provide details of the construction plans that are not currently determined (pump house) and requested that he would like the Board to have the final review before the construction of Phase 3. Mr. DiBenedetto advised the Board that the final construction plans would be provided to the DPW, Building Department, Board of Health, and if applicable LDC for final review and approval. Chair D’Amelio advised Mr. DiBenedetto that he feels the Board should also be reviewing and approving the final construction-level plans as well. Mr. Filippi feels that showing the building designs would also be appreciated, although not within the purview of the Board. Mr. Filippi inquired about the details of the retaining walls. Mr. DiBenedetto advised the Board that the plan is to use aggregate from the construction, but if that is not an option then an engineer will determine details from there – will be approved by the DPW as well. Mr. Rykbost informed the Board of a few other options for the retaining walls that are being looked into if using site aggregate isn’t an option. Chair D’Amelio agrees that a Building Permit will be needed for any walls above four feet, but expressed his opinion that he didn’t feel that a Site Plan had ever been approved without the specs of the wall not being provided. Vice Chair Frias suggested a condition be added that stamped plans be approved by the DPW for any retaining walls, although the construction plans and building permit would also provide the exact specifications of the retaining wall Chair D’Amelio stated, “that the Town will probably not be inspecting anything up there other than water and sewer”. The Chair expressed his concern; that it’s not just a matter of putting a line on a plan, you have to ensure the structural safety. Ms. Johnson reiterated that she strongly encouraged Department heads that the third-party review



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should be completed and requested at the front end of the projects, to allow room for follow-up questions. She further stated that the DPW and Building Commissioner will be reviewing all construction-level documents and they and the third-party reviewer will be inspecting to ensure it meets all plans that were approved – there is a condition reflecting this on the draft decision. Chair D’Amelio stated he “wasn’t convinced of that”, he felt the Board would be approving a set of plans that could go someplace and get changed. He doesn’t believe that ever in the past the Board had approved plans that were later changed, during construction-level phases. Ms. Johnson advised the Board this is the process for the review of most Site Plans – all Departments review and approve the site plans before the Board, and from there, construction plans are furnished to the DPW and Building Department as construction plans that only come back before the Board for “minor (or major) modifications”.

The floor was open to the public, there were no public questions or comments.

The Board discussed the need for a photometric plan so that lighting and safety could be addressed, concerned that if there is no reference the Planning Board would be liable if it’s not addressed. The applicant was requested to update plans to provide photometric specs, retaining wall specs, and flagging locations for clear-cur areas. They would return with that for the Board’s review at the January 11, 2024 meeting. Motion made by Vice Chair Frias, seconded by Member Filippi, to close the public hearing. **5-0-0 Unanimous.**

Motion made by Member Frias, seconded by Chair D’Amelio, to continue the hearing to January 16, 2024. **5-0-0 Unanimous**

Administrative Matters

75 Reed Road - Review and approve the Subdivision Covenant of 75 Reed Road’s approved Definitive Subdivision – Attorney Mark Vaughan, Riemer & Braunstein, LLP, addressed the Board to present the Covenant. Attorney Vaughan advised the Board it was a standard Covenant Agreement, while the approved Subdivision will not be built it’s still required by Massachusetts Subdivision Regulations M.G.L. Chapter 41, Section 81U. Ms. Johnson also confirmed that the Town’s Municipal Counsel has reviewed and approved the agreement. Motion made by Chair D’Amelio, seconded by Member Daigneault, to approve and endorse. **4-0-1 Motion Passed.**

Board to Organize – Pursuant to Section 3.E of the Hudson General By-Laws: Forthwith after its appointment and annually, the Board shall meet and organize by electing a chairman and a clerk. Motions were made collectively by Vice Chair Frias, seconded by Member Daigneault, to elect



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Bob D'Amelio as Chair, Rodney Frias as Vice Chair, and Joseph Mitchell as Clerk. **4-0-1 Motion Passed.**

Approval of December 19, 2023 Minutes

Vice Chair Frias, seconded by Member Daigneault, motioned to accept the December 19, 2023, minutes. **5-0-0 Unanimous**

Adjournment

Chair D'Amelio motioned to adjourn the meeting at 8:46 p.m. **5-0-0. Unanimous.**