

Planning Board Meeting Minutes
February 2, 2022

Specified information and the general guidelines for the remote participation by members of the public and/or parties with a right and/or required to attend this meeting could be found on the Town of Charlton website:

www.townofcharlton.net

Present: Chair Ross Lemansky, John Smith, Jean Vincent, Don Clay, Bill Fontaine, Planning Board Alternate Alycia Dzik

Staff Members: Planning Director Randy Benson, Administrative Assistant Jayne Garney

Chair Ross Lemansky called the meeting to order at 7:00 p.m.

7:00 p.m. Public Hearing (Continued)-Aspen Blue Cultivation (4 Score Holdings) Site Plan Modification-144 Sturbridge Road

Planning Director Randy Benson stated the Board is still waiting on a Graves Engineering, Inc. peer review.

Mr. TJ Melvin, Millenium Engineering presented the revised plan to the Board. He stated the parking is being revised because the HVAC system is being re-located to the back of the building. He stated the lighting plan is also revised.

Planning Director Randy Benson stated the applicant is still waiting on the permanent generator to be installed. Mr. Benson stated cannabis regulations require a generator incase lights go out.

Mr. Melvin stated there will be a temporary generator installed until the permanent one is delivered.

Applicant Dan Glissman stated he has spoken to the construction crew, and no work shall commence until 7:00 a.m.

Member Bill Fontaine suggested that the applicant put a sign on the property entrance stating no work shall start until 7:00 a.m.

Applicant Dan Glissman thanked the abutters for their input during the site plan modification review.

Member Don Clay made a motion to continue the public hearing to February 16, 2022. Bill Fontaine seconded the motion.

Roll call vote: Jean Vincent-aye, Don Clay-aye, John Smith-aye, Bill Fontaine-aye, Ross Lemansky-aye. Motion approved.

7:35 p.m. Public Hearing-OMA Group, LLC-Site Plan Application-
157 Worcester Road-Self Storage Facility

Chair Ross Lemansky read the public hearing notice.

Planning Director Randy Benson stated the applicant proposes to add an additional self-storage building to the already approved self-storage facility.

The Board reviewed the 1/11/2022 Graves Engineering, Inc. peer review. Engineer Jason Dubois, DC Engineering & Survey, Inc. did not revise the OMA Group, LLC site plan for this evening.

There were no comments from the public.

Member Don Clay made a motion to continue the OMA Group, LLC Site Plan application review to February 16, 2022. Member Jean Vincent seconded the motion.

Roll call vote: Jean Vincent-aye, Don Clay-aye, John Smith-aye, Bill Fontaine-aye, Chair Ross Lemansky-abstained. Motion Approved.

7:55 p.m. Public Hearing-(Continued) Edward Services, LLC-Site Plan
Application-Fuel Station & Convenience Store-16 Sturbridge Road (Route 20)

Present on zoom was the applicant Edy Wahib, Project Manager Steve Pikul and Attorney Rick Simonelli, Simonelli & Associates.

Planning Director Randy Benson reviewed a letter dated 1/27/2022 from Building Commissioner/Zoning Enforcement Officer Curtis Meskus.

Mr. Benson stated Mr. Meskus's decision in the letter dated 1/27/2022 states the canopy requires a 40 (forty) foot front yard setback.

Planning Director Randy Benson stated based on Mr. Meskus's decision, the applicant is required to either re-design the site plan to comply with the Zoning Bylaw front yard set-back required in the IG (Industrial General) zone, apply for a variance from the Zoning Board of Appeals (ZBA), or appeal to the Zoning Board of appeals that Mr. Meskus's interpretation of the Zoning Bylaw is incorrect.

Mr. Steve Pikul, Bertin Engineering, Inc. is questioning the canopy over the gas pumps. He stated the canopy is not a structure because it does not have walls.

Attorney Rick Simonelli; Simonelli & Associates stated he disagrees with Mr. Meskus's interpretation of a building. He stated his interpretation of a building, is a building has exterior walls.

Planning Director Randy Benson stated this is a ZBA issue, not the Planning Board's decision. Mr. Benson stated to Mr. Pikul that he needs to apply for a variance with the Zoning Board of Appeals.

Member John Smith asked Mr. Pikul if he was going to apply for a variance with the Zoning Board of Appeals. Mr. Pikul stated he will be writing a letter to ZBA on this matter.

Mr. Pikul stated that MassDOT has not ruled if a traffic study will be required. He also stated he is still waiting approval from MassDOT on the Driveway Permit and the Drainage Connection Permit.

Member Don Clay made a motion to continue the public hearing until February 16, 2022. Member Jean Vincent seconded the motion.

Roll call vote: Jean Vincent-aye, Don Clay-aye, John Smith-aye, Bill Fontaine-aye, Chair Ross Lemansky-aye. Motion approved.

8:31 p.m. Approval-Not-Required:

T. Reardon Builders, Inc.-Timber Valley Road

Member Bill Fontaine made a motion to approve the ANR on Timber Valley Road. Member Jean Vincent seconded the motion.

Roll call vote: Jean Vincent-aye, Don Clay-aye, John Smith-aye, Bill Fontaine-aye, Chair Ross Lemansky-aye. Motion approved.

KLSP Potter Village Road Irrevocable Trust-Potter Village Cross Road

Member Don Clay made a motion to approve the ANR on Potter Village Cross Road. Member Jean Vincent seconded the motion.

Roll call vote: Jean Vincent-aye, Don Clay-aye, John Smith-aye, Bill Fontaine-aye, Chair Ross Lemansky-aye. Motion approved.

Bluewater Bay Development, LLC-53 Sturbridge Road

Member Don Clay made a motion to approve the ANR on 53 Sturbridge Road.

Jean Vincent seconded the motion.

Roll call vote: Jean Vincent-aye, Don Clay-aye, John Smith-aye, Bill Fontaine-aye, Ross Lemansky-aye. Motion approved.

8:43 p.m. Forever Hopeful, LLC-Site Plan Annual Approval Extension Request-16 Worcester Road (Route 20)

Applicant Steven Greene was on the zoom meeting to discuss the Forever Hopeful, LLC Site Plan with the Board.

Mr. Green stated the problem is the lack of water at the site for a 20,000 s.f. proposed building.

Member Don Clay asked when the original site plan was approved. Planning Director Randy Benson states 2007.

Conservation Agent Angela Panaccione was on the zoom meeting. She asked Mr. Green if he had gone through Conservation. Mr. Green stated that he didn't remember.

Conservation Agent Angela Panaccione stated there is no grandfathering allowed if the applicant has previously gone through Conservation review.

Ms. Panaccione clarified that if the original site plan did not need Conservation peer review, and the site plan has not changed from the original approved site plan, then the applicant would not be required to meet the new Stormwater Regulations.

Member Jean Vincent made a motion to approve the Forever Hopeful, LLC Site Plan annual approval extension. Member John Smith seconded the motion.

Roll call vote: Jean Vincent-aye, Don Clay-aye, John Smith-aye, Bill Fontaine, aye, Ross Lemansky-aye. Motion approved.

9:00 p.m. Zoning Bylaw Diagnostic Review Working Meeting with Central Mass Regional Planner Gabe Trevor

Planning Director Randy Benson stated the CMRPC Contract needs to be extended.

Member Alycia Dzik made a motion to extend the CMRPC Zoning Bylaw Diagnostic Peer Review Contract to 6/30/2022. Member Jean Vincent seconded the motion.

Roll call vote: Jean Vincent-aye, Alycia Dzik-aye, Don Clay-aye, John Smith-aye, Bill Fontaine-aye, Ross Lemansky-aye. Motion approved.

CMRPC Consultant Gabe Trevor was present to review the draft Zoning Bylaw with the Board.

Mr. Trevor asked the Board how he wanted the Use Table revisions shown on the May Town Meeting Warrant.

The Board all agreed the changes should be presented in bold to show the proposed revisions.

Mr. Trevor stated he will revise the Zoning Bylaw and have a red-lined version for the Board's review for the February 16th agenda.

Minutes

January 5, 2022

Member Jean Vincent made a motion to approve the January 5, 2022 minutes as written. Member Don Clay seconded the motion.

Roll call vote: Jean Vincent-aye, Alycia Dzik-aye, John Smith-aye, Don Clay-aye, Bill Fontaine-aye, Ross Lemansky-aye. Motion approved.

January 19, 2022

Member Jean Vincent made a motion to approve the January 19, 2022 minutes as written. Member Don Clay seconded the motion.

Roll call vote: Jean Vincent-aye, Alycia Dzik-aye, John Smith-aye, Don Clay-aye, Bill Fontaine-aye, Ross Lemansky-aye. Motion approved.

9:50 p.m. Other Business-Unknown at time of posting

2021 Annual Report

Planning Director Randy Benson reviewed the draft 2021 Annual Report with the Board.

Member Jean Vincent made a motion to approve the 2021 Annual Report as presented. Member Don Clay seconded the motion.

Roll call vote: Jean Vincent-aye, Alycia Dzik-aye, Don Clay-aye, John Smith-aye, Bill Fontaine-aye, Ross Lemansky-aye. Motion approved.

Adjourn

Member Jean Vincent made a motion to adjourn. Member Don Clay seconded the motion.

Roll call vote: Jean Vincent-aye, Alycia Dzik-aye, Don Clay-aye, John Smith-aye, Bill Fontaine-aye, Chair Ross Lemansky-aye. Motion approved to adjourn @ 10:00 p.m.
