

OXFORD PLANNING BOARD MEETING MINUTES JANUARY 14, 2013

Meeting brought to order at 7:00 p.m. by Chairman Richard Escolas. Members present at this time: Richard Escolas, Jeffrey Stafford, Norman LeBlanc, Thomas Sullivan, Donald Mosher, and Dale Mahota. Absent: Ralph LePore. Also present: Randa Tawadros, DPW Engineer.

7:00 p.m.: Plans Not Requiring Subdivision Approval: Mr. Escolas turned the ANR's over to the Clerk, Mr. Stafford.

77 Leicester Street – ANR – Applicant: 77 Leicester Street, LLC; Owner B, D & M Realty Trust (1 parcel). Mr. Stafford read the application into the record. Present for the applicant was Chris Keenan of Quinn Engineering. Mr. Keenan stated that the plan was prepared by Jarvis Land Survey, Inc at his request. He stated that the Sterling Concrete project at 77 Leicester Street, in order to make some changes to its detention basin, needed to acquire a small triangular area of approximately 7,800 square feet from the neighboring property. He stated that the design of the basin was slightly modified and it was discovered during preparation of the as-built that a portion of the grading had strayed onto the neighbor's property.

MOTION was made by Mr. Sullivan and seconded by Mr. Stafford to approve the ANR plan for property at 77 Leicester Street as a plan not requiring subdivision approval. There being no further discussion, the Board voted in favor and the Motion carried. Abstain: Mr. LeBlanc.

Old Webster Road – ANR – Applicant: Joseph Moscoffian; Owner: Juanita Moscoffian (1 parcel). Mr. Stafford read the application into the record. Ms. Tawadros stated that the applicant is combining 3 lots owned by the same owner on 3 separate deeds; still have about 11 acres remaining on the side of the river. Mr. Escolas asked if there are buildings on any of the parcels. Ms. Tawadros stated that the parcels are vacant.

MOTION was made by Mr. Stafford and seconded by Mr. Escolas to approve the ANR plan for property at Old Webster Road as a plan not requiring subdivision approval. There being no further discussion, the Board voted in favor and the Motion carried. Abstain: Mr. Sullivan.

7:05 p.m.: Continued Public Hearing: 326 Main Street – Applications for Special Permit and Site Plan Review – Applicant: DeAnne Voas and Jennifer Hubbell. Mr. Mahota stepped down for this continued public hearing. Planning Board members present for this continued public hearing were Mr. Escolas, Mr. Stafford, Mr. LeBlanc, Mr. Sullivan, and Mr. Mosher. Present for the applicant was Mr. Thomas Purcell of Purcell Associates representing Mr. and Mrs. Voas for the proposed beauty parlor. He stated that he is requesting an extension as further information is needed on the tank which needs to be certified for compatibility and integrity testing. He stated that the permit process through DEP can take 60 to 90 days. He asked if the Board needs that approval as part of the site plan. Mr. Stafford stated that the Board needs to see the location of the tank on the plan. Mr. Purcell stated that he will submit a plan for the next meeting that shows the location of the tank, parking, dumpster, and parking table. Mr. LeBlanc asked about the tank. Mr. Purcell stated that it is a 2,000 gallon underground tank designed to meet State code for daily flow and will be located in the back yard; does not affect the parking.

MOTION was made by Mr. Stafford and seconded by Mr. LeBlanc to continue the public hearing for a special permit and site plan review for 326 Main Street to January 28, 2013 at

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7:05 p.m. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

(Mr. Mahota rejoined the Board at this time).

7:10 p.m.: Public Hearing: 80 Merriam District – Application for Special Permit – Applicant: Craig Lussier – Owner: John & Tyler Sanderski. Mr. LeBlanc stepped down for this public hearing. Planning Board members present were Mr. Escolas, Mr. Stafford, Mr. Sullivan, Mr. Mosher, and Mr. Mahota. Mr. Escolas read the public hearing notice into the record. Also read into the record was e-mail correspondence from Capt. Kenneth Sellers of the Fire Department dated December 17, 2012, a memorandum from Judy Lochner, Conservation Agent to the Board dated December 31, 2012, and a memorandum from the Board of Health to the Board dated January 14, 2013. Present for the applicant was Mr. Craig Lussier of Double L Realty, representing the property owners. Mr. Escolas stated that there is usually a 25% limit for an accessory apartment. It was discussed that the existing house is 1,730 square feet and the proposed addition is 720 square feet of living space with a 2 car garage under, making the apartment about 40% of the original living space. Mr. Stafford commented that the applicant will need to go before the Conservation Commission because of the buffer zone. Mr. Escolas asked if the parking is sufficient. Mr. Lussier stated that there is room for about 10 cars in the driveway. Mr. Mosher stated that the comments from the fire department refer to the requirement for smoke detectors and carbon monoxide detectors. Mr. Lussier stated that the existing house is only 3 years old and meets code requirements. Mr. Stafford asked what “communication” between the units means. Captain Kenneth Sellers from the Fire Department addressed the Board. He stated that the accessory apartment would be required to have a stand alone smoke detector system but because there are 2 residences, the systems are required to communicate with each other in the event of a fire. Mr. Sullivan stated that the Board has allowed deviation from the size requirement. Mr. Escolas asked for comments from the public. There were none.

MOTION was made by Mr. Sullivan and seconded by Mr. Stafford to close the public hearing. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

MOTION was made by Mr. Sullivan and seconded by Mr. Mosher to approve the special permit for an accessory apartment at 80 Merriam District and allow a deviation of the 25% size limit conditioned upon the applicant meeting all requirements of all pertinent Town Boards and Departments. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

(Mr. LeBlanc rejoined the Board at this time).

Old Business: 425 Main Street – Site Plan Discussion. Present for the applicant were Mr. Sotirios Tzeremes and Mr. Fred Trifone. Mr. Trifone distributed an as-built site plan to the Board members. Mr. Escolas commented that he drove by the address today and noticed that the approved parking is being ignored and cars are parking in the front of the building. He stated that lines on the pavement will not prevent that. Mr. Trifone stated that the applicant is proposing to paint the no parking fire lane. Captain Kenneth Sellers from the Fire Department addressed the Board. He stated that he has not seen the plan and spoke with the applicant on

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the phone a week ago. He stated that the plan does not reflect what was talked about. He stated that the design of the fire lane at Walmart and Market Basket is what the Town has adopted and what he and the Chief would like the applicant to do which is chevron striping and no parking letters on the ground. He stated that it then becomes a parking violation which is a writeable offense from the police department. Mr. Sullivan asked if no parking signs on the building are also required. Captain Sellers replied in the affirmative. He stated that DPW can provide the specifications on the signs. It was discussed that there are 3 store fronts and should be 3 signs. Mr. Escolas stated that he wants it to a point that people can't drive through the area; arrows indicate it is a thru-way; would like arrows eliminated. Mr. Trifone stated that the arrows are there to indicate to people the direction to the parking area. Mr. LeBlanc stated that a prior issue was backing up onto Route 12 which issue has been eliminated with the berm. He stated that the other issue was the water running onto the neighbor's property. Mr. Trifone stated that there was a low spot where the dumpster was located; dumpster has been relocated; can bring in paving in the spring to correct drainage. Mr. LeBlanc complemented the applicant on the progress that has made at the site. Mr. Escolas also complemented the applicant but noted that the lights on the outside of the building shine onto Main St. and suggested some type of shielding. Mr. Sullivan also complemented the applicant's progress; minor issues still need to be addressed. Ms. Tawadros asked if the applicant intends to grass or mulch the islands. Mr. Tzeremes stated that the islands will be mulched in the spring. Ms. Tawadros also suggested that some low shrubs be planted. Mr. Escolas stated that when the plan is revised, the applicant can submit the plan to the Planning Department.

7:30 p.m.: Public Forum: CMRPC – Community Development Strategy – Presented by Ryan Lundergan, CMRPC Planner. Ms. Chris Bellows, Principal Planner with CMRPC was present to address the Board in lieu of Ryan Lundergan. She distributed an informational sheet to the Board members. She stated that she is here tonight to present a draft of a community development strategy with an estimated target area for a community development block grant program (CDBG). She stated that CMRPC has been asked by the Towns of Dudley and Oxford to put together a joint application, or CDBG, which is a federally funded program administered by the Department of Housing and Community Development in the State. She stated that the program is being done jointly as a multi-municipal application has a better chance of getting funded; multiple projects in both Towns have a better chance of getting funded. She stated that CMRPC has had conversations with both Mr. Joseph Zeneski and Mr. Peter Jankowski and Ms. Nancy Runkle about a variety of projects that make sense for both communities. She stated that the application is due on February 15, 2013 and discussed the criteria to be met in order to qualify for the grant. She stated that the development strategy compiles 3 primary projects: (1) talking with Elizabeth Earl, Director of the Oxford Housing Authority to seek funding to increase the energy efficiency for door replacement and heating system upgrades to several units of the Housing Authority; (2) seeking funding to upgrade a heating system at 670 Main Street; and (3) regional housing rehab program in both Dudley and Oxford where homeowners that meet certain income guidelines would be able to apply for funding for renovations to their homes to make them more energy efficient. Mr. Sullivan asked if there was a dollar amount. Ms. Bellows replied that there is not at this time; cap on the application is \$900,000.00. She stated that estimates from projects in both Towns will be looked at. She stated that if the application is successful, CMRPC would administer the projects for both Towns. She stated that there will be an additional public forum before the application is submitted. Mr. Mosher stated that the Town has a Comprehensive Wastewater Management Plan and asked if the grant money could be used to move that plan along. Ms.

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Bellows replied that it could potentially be used for that; the challenge for infrastructure projects is that they have to be tied to the target area. She stated that she can speak to Mr. Divoll, DPW Director about that project. The Board thanked Ms. Bellows for her presentation.

Minutes: December 10, 2012.

MOTION was made by Mr. Stafford and seconded by Mr. Mahota to approve the Minutes of December 10, 2012. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

Old Business: 77 Leicester Street – Site Plan As-Built for Occupancy Permit. Present for the applicant was Mr. Chris Keenan from Quinn Engineering. He stated that he had submitted a letter to the Board dated December 7, 2012 requesting an occupancy permit for the site and included a construction certification affidavit which noted some modifications to the plan that deviated from the site plan. Mr. Escolas stated that the applicant is not completing the entire site per the original site plan at this time. Mr. Keenan stated that there were a number of items identified as future phases of construction and the plant is completed to the point where it is operational. He stated that the aggregate building is enclosed, the conveyor building in the rear is complete and the site is paved. He stated that the maintenance building is yet to be constructed, the process water recycling area is not done and the rear driveway access is not done yet. He stated that the applicant is asking that the Board issue an occupancy permit for the site because it is operational and that future items be left to a future date. He stated that in order for the property owner to roll over his construction loan to a mortgage, the bank is requiring an occupancy permit. He explained the operations of the plant and stated that it is one of the cleanest concrete facilities he has seen. He stated that in speaking with Ms. Tawadros today, she had some minor comments on the site plan. He stated that he identified the landscaped areas on the plan, but had not identified the individual plantings which are now shown on the as-built plan. He stated that the original plan had an office component which has not been built so the parking and office space has been eliminated from the site plan; parking is based on industrial use of number of employees on site and company vehicles (2 employees and no company vehicles stored on site). He stated that the last issue was raised by Judy Lochner, the Conservation Agent, regarding stormwater recharge on site. He stated that because the conveyor building was smaller than shown on the plan and the office space was eliminated, Judy was concerned that recharge on the site would be reduced, but in the original stormwater report that was submitted, none of the roof water from the conveyor building or the office building was intended to be used for recharge of the site; recharge was accommodated solely by the aggregate building roof and the maintenance building. He stated that when the maintenance building is built, that would be tied into the stormwater system. He distributed calculations to the Board and stated that because the site is only partially completed, the recharge requirement is met in the current condition and will also be met at the complete build out. Mr. Escolas stated that the Board is also in receipt of a memorandum from the Board of Health dated January 14, 2013 and read the same into the record regarding the industrial wastewater holding tank. Mr. Keenan stated that the Board is in receipt of a letter from Earthworks Engineering which details the process water and shows that it is in compliance with DEP requirements. Mr. Escolas asked if the Board of Health was in receipt of that letter. Mr. Keenan stated that he will forward the letter to the Board of Health. He stated that sewerage from the site is tied into a septic system located across Old Charlton Road in Boulder Park Way. Mr. Escolas stated that the Board is acknowledging that the site is not fully built

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out and accepting the site plan as built at this point in time and approving occupancy on the building. Ms. Tawadros pointed out that the approved site plan does not reflect the changes; changes occurred without coming back before the Board. Mr. Sullivan questioned if the changes should go through the modification process. Mr. Escolas questioned that when the economy improves and the site is built out will the site plan on file agree with the as-built plan. Mr. Keenan responded that it will with some minor modifications which modifications are addressed in his correspondence. He stated that the maintenance roadway to the stormwater basin has been switched from one side of the property to the other which he does not consider a major change. He stated that the areas that have not been built yet will be built and the last change was a modification to the landscaping; landscaping on site does not match the site plan approval which is outlined in the letter. He described the changes to the landscaping plan. Mr. Sullivan asked Ms. Tawadros if she considers the changes a significant modification from the original approved site plan. Ms. Tawadros stated that the changes are not significant but it was difficult to compare the as-built plan with the approved site plan due to the number of changes. Mr. Keenan stated that it was originally proposed to construct a septic system on site, but the owner worked out an agreement with the owner of the industrial park to tie into an existing septic system. He stated that along Old Charlton Road, DEP required the installation of a sound barrier wall to stay within required noise levels, which eliminated the ability to landscape that area. Mr. Escolas stated that it appears to be a work in progress. He questioned if the Board accepts the partial as-built and recommends an occupancy permit, how and when will the rest of the site be finished. Mr. Keenan stated that the site can operate as it is and it is the applicant's intent to finish the site. Mr. Escolas stated that the Board is recommending occupancy as it feels that is the case. He stated that he understands that the applicant is transporting its industrial wastewater to Sterling which is an expense. Mr. Keenan stated that it is an expense and to construct the onsite facility in the long run would be more cost effective to the applicant. He stated that the next phase, in terms of financial feasibility, would be the sediment reclaim area and the rear connection to the aggregate building, which would only leave the maintenance building; would come back before the Board for occupancy of that building.

MOTION was made by Mr. Sullivan and seconded by Mr. Mahota to accept the partial as-built for the property at 77 Leicester Street and authorize the Building Inspector to issue an occupancy permit for the portion of the site that is completed. There being no further discussion, the Board voted in favor and the Motion carried. Abstain: Mr. LeBlanc.

Old Business: 134 Southbridge Road – Request for Temporary Occupancy Permit. Ms. Tawadros stated that the applicant is seeking full occupancy; all issues have been addressed at this point. She stated that the applicant has striped the customer parking and erected signs and directional arrows.

MOTION was made by Mr. Mosher and seconded by Mr. Mahota to notify the Building Inspector that the Board recommends occupancy for the property at 134 Southbridge Road. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

Submission: 7 Industrial Park West Road – Application for Site Plan Review & Approval – Applicant: Brady Machine Tool Services, Inc. (machine repair shop). Mr. Escolas read the application dated January 9, 2013 into the record. Present for the applicant

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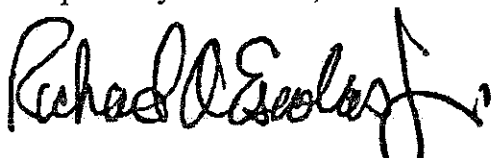
was Mr. David Pagnini, attorney for the applicant, along with Ms. Karen Brady, principal for the applicant. He stated that the applicant operates at 7 Industrial Park West Road the business of repairing used machine tools and storage. He stated that there are 2 employees on site and one employee vehicle; applicant meets parking requirements. He stated that the site plan also shows M & M Autobody on the same lot. He stated that the entire site is owned by Brady Realty, LLC. Mr. Escolas asked if the 4 parking spaces at the edge of the road exist or are proposed. Ms. Tawadros stated that the spaces exist; not a lot of traffic. It was clarified that there are 2 buildings on the site, each with its own parking. Mr. Escolas stated that the Board would not encourage use of those 4 parking spaces on a public way; if the applicant were to expand the business, would encourage additional parking within the site. He stated that he feels that the site plan can be approved using the minor site plan process.

MOTION was made by Mr. LeBlanc and seconded by Mr. Sullivan to accept the application and to approve the site plan using the minor site plan review process, conditioned upon final approval by DPW Engineering. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

Adjourn:

MOTION was made by Mr. LeBlanc and seconded by Mr. Stafford to adjourn. There being no further discussion, the Board voted in favor and the Motion carried unanimously. 8:15 p.m.

Respectfully Submitted,



Richard A. Escolas, Jr., Chairman
OXFORD PLANNING BOARD
/mh

DOCUMENTS AND EXHIBITS

1. 77 Leicester Street: ANR application and plan
2. Old Webster Road: ANR application and plan
3. 326 Main Street: file
4. 80 Merriam District: Public hearing notice; e-mail correspondence from Captain Kenneth Sellers of the Fire Department dated December 17, 2012; memorandum from Judy Lochner, Conservation Agent, to the Board dated December 31, 2012; memorandum from the Board of Health to the Board dated January 14, 2013
5. 425 Main Street: As-built site plan dated?
6. CMRPC: handout for Community Development Strategy
7. 77 Leicester Street: As-built site plan dated January 14, 2013; letter from Chris Keenan of Quinn Engineering to the Board dated December 7, 2012; letter from Earthworks Engineering, Inc. to the Board dated December 18, 2012; photographs of site; letter from Chris Keenan to the Board dated January 14, 2013; stormwater calculations; copy of letter

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from Judy Lochner, Conservation Agent to the property owner dated January 14, 2013;
memorandum from the Board of Health to the Board dated January 14, 2013

8. 134 Southbridge Road: file
9. 7 Industrial Park West Road: site plan application and plan

All documents and exhibits are on file in the Land Management Department