

OXFORD PLANNING BOARD MEETING MINUTES MAY 14, 2018

Meeting brought to order at 7:00 p.m. by Chairman Richard Escolas. Members present at this time: Richard Escolas, Jeffrey Stafford, Norman LeBlanc, Edward Hashey, Kristine Bird and Mark Lee (arrived at 7:02 p.m.). Absent: Dale Mahota. Staff present: Mary Herriage, Planning Assistant.

7:00 p.m.: Plans Not Requiring Subdivision Approval: None.

Minutes: April 23, 2018.

MOTION was made by Ms. Bird and seconded by Mr. Hashey to approve the Minutes of April 23, 2018. There being no further discussion, the Board voted in favor and the Motion carried. Abstain: Mr. Stafford.

Minutes: May 2, 2018.

MOTION was made by Mr. LeBlanc and seconded by Mr. Lee to approve the Minutes of May 2, 2018. There being no further discussion, the Board voted in favor and the Motion carried. Abstain: Mr. Stafford, Mr. Hashey.

Action Item: 313 Main Street: Application for Site Plan Review and Approval (minor) – Applicant & Owner: Cumberland Farms – Remodel/Renovation of Existing Building and Minor Site Improvements. Mr. Escolas stated that the Board is in receipt of correspondence from Cumberland Farms dated May 8, 2018 requesting to withdraw the application without prejudice.

MOTION was made by Mr. LeBlanc and seconded by Mr. Lee to accept the applicant's request to withdraw the site plan application for 313 Main Street, without prejudice. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

Action Item: 302 Main Street: Application for Site Plan Review and Approval – Applicant: CVS Caremark Corporation – Owner: 302 Main Street, LLC CMP 10562 (improvements to existing parking area). Mr. Escolas stated that the Board is in receipt of correspondence from Matthew Leidner dated May 14, 2018 requesting a continuance of tonight's hearing to June 11, 2018, along with a Request for Extension to the Time for Planning Board Action to July 27, 2018, and read the same into the record.

MOTION was made by Mr. Stafford and seconded by Mr. Hashey to accept the applicant's Request for Extension to the Time for Planning Board Action to July 27, 2018, and to continue discussion of the application as an Action Item at the June 11, 2018 Planning Board Meeting. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

7:05 p.m.: Public Hearing: 47 Ennis Road: Application for Special Permit – Applicant & Owner: Stephen M. Adams (addition for in-law apartment). Planning Board members present for this public hearing were Mr. Escolas, Mr. Stafford, Mr. LeBlanc, Mr. Hashey, Ms. Bird, and Mr. Lee. Present for the applicant was Mr. Stephen Adams. Mr. Escolas read the public hearing notice into the record. He stated that the Board is in receipt of correspondence from Jared Duval, DPW Civil Engineer, to the Board dated May 14, 2018, and read the same into the record. Mr. Adams stated that he is proposing to construct a garage with an apartment above. He stated that the existing house has 4 bedrooms, but is only set up with 3 bedrooms; adding 5th bedroom with the apartment. He stated that he is willing to extend the leach field for a flow of 550 gallons per day. Mr. Escolas commented that

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the Board has not received correspondence from the Board of Health. Mr. LeBlanc stated that the size of the apartment is 800 square feet. Mr. Adams stated that it will be a true in-law apartment, there is sufficient parking and he will continue to reside in the dwelling. Mr. Escolas requested comments from the public. There were none.

MOTION was made by Mr. Stafford and seconded by Mr. LeBlanc 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. Stafford and seconded by Mr. LeBlanc to grant the special permit for an in-law apartment at 47 Ennis Road and approve the plan dated March 20, 2018. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

7:10 p.m.: Public Hearing: 30 Sullivan Boulevard: Applications for Stormwater Management and Land Disturbance Permits – Applicant: Ryan Wambach – Owner: Ryan Wambach and David Wambach, Jr. (construction of new single family home with associated site work and drainage). Planning Board members present for this public hearing were Mr. Escolas, Mr. Stafford, Mr. LeBlanc, Mr. Hashey, Ms. Bird, and Mr. Lee. Present for the applicant was Mr. Frank Bicchieri from Bertin Engineering. Mr. Escolas read the public hearing notice into the record. He stated that the Board is in receipt of correspondence between DPW Engineering and Bertin Engineering dated May 10, 2018 and May 11, 2018, herein referenced into the record. Mr. Bicchieri stated that the applicant is proposing a 2-family house, not a single family house as referenced in the public hearing notice. He stated that the revised plans dated May 11, 2018 show 2 separate driveways and the septic system; plans revised per comments from DPW Engineering. Referencing the plan, he showed the location of the stormwater management components. Mr. Escolas confirmed that the proposal is for a 2-family house. He requested comments from the public. An unidentified abutter questioned the frontage. Mr. Bicchieri stated that there is sufficient frontage of 150 feet. There were no further comments from the public.

MOTION was made by Mr. Stafford and seconded by Ms. Bird 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. Stafford and seconded by Mr. Hashey to approve the Stormwater Management and Land Disturbance Permits for 30 Sullivan Boulevard and approve the plan dated May 11, 2018. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

7:15 p.m.: Public Hearing: 158.5 Dudley Road: Applications for Stormwater Management and Land Disturbance Permits – Applicant: James Loach – Owner: Conner Land Trust, LLC (construction of new single family home with associated site work and drainage). Planning Board members present for this public hearing were Mr. Escolas, Mr. Stafford, Mr. LeBlanc, Mr. Hashey, Ms. Bird, and Mr. Lee. Present for the applicant was Mr. James Loach, applicant, and Mr. Frank Bicchieri from Bertin Engineering. Mr. Escolas read the public hearing notice into the record. He stated that the Board is in receipt of correspondence from Jared Duval, DPW Civil Engineer, to the Board dated May 10, 2018 and read the same into the record. Mr. Bicchieri stated that he is in receipt of that correspondence and has been in touch with the Fire Department regarding reducing the driveway grade to less than 10%. He requested that the public hearing be continued to address DPW comments and Fire Department concerns. Mr. Escolas requested that the applicant submit a Request for Extension to the Time for Planning Board Action. He requested comments from the public.

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Abutter: Ms. Ruth Marquis, Sullivan Boulevard. Ms. Marquis stated that she is an abutter and questioned the effect the construction may have on her property. Referencing the plan, Mr. Bicchieri showed the location of the lot in relation to Ms. Marquis's property; will not be directing any water toward Ms. Marquis's property. The Board members explained that the property has to be developed in accordance with the approved plan and when the project is complete, the applicant must submit an as-built plan to the Board.

Mr. Escolas read the Extension Request into the record.

MOTION was made by Mr. Stafford and seconded by Mr. Lee to accept the applicant's Request for Extension of Time for Planning Board Action to July 11, 2018 and to continue the public hearing to June 11, 2018 at 7:10 p.m. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

7:20 p.m.: Continued Public Hearing: 51 Brown Road – Applications for Stormwater Management and Land Disturbance Permits - Applicant: Double L Realty, Inc. – Owner: Ruth Ellis (construction of new single family home with associated site work and drainage). Planning Board members present for this public hearing were Mr. Escolas, Mr. Stafford, Mr. Hashey, and Ms. Bird. Mr. LeBlanc and Mr. Lee stepped down for this public hearing. Mr. Escolas stated that the Board is in receipt of e-mail correspondence from Quinn Engineering dated May 14, 2018, along with a revised plan dated May 14, 2018, herein referenced into the record, and additional correspondence from Jared Duval, DPW Engineer, to the Board dated May 14, 2018, herein read into the record. He stated that everything has been adequately addressed. Mr. Carl Hultgren of Quinn Engineering, present at the meeting for another matter, stated that he is available to answer any questions the Board may have. Mr. Escolas requested comments from the public. There were none.

MOTION was made by Mr. Stafford and seconded by Mr. Hashey to close the public hearing. There being no further discussion, the Board voted in favor and the Motion carried. Abstain: Mr. LeBlanc and Mr. Lee.

MOTION was made by Mr. Stafford and seconded by Mr. Hashey to approve the Stormwater Management and Land Disturbance Permits for 51 Brown Road and approve the plan with a revision date of May 14, 2018. There being no further discussion, the Board voted in favor and the Motion carried. Abstain: Mr. LeBlanc and Mr. Lee.

(Mr. LeBlanc and Mr. Lee returned to the Board at 7:41 p.m.)

Action Item: 8 Town Forest Road, Map 56, Parcel C04 – Application for Site Plan Review & Approval – Applicant: NU Auto Auction Realty, LLC – Owner: Kunkle Bus Company, Inc. (expansion of existing vehicle parking area for Central Mass Auto Auction). Present on behalf of the applicant was Mr. Carl Hultgren from Quinn Engineering. Mr. Hultgren stated that since the last meeting, the Board is in receipt of correspondence from Jared Duval to the Conservation Commission dated May 9, 2018 and a memorandum from Jared Duval to the Board dated May 10, 2018, herein referenced into the record,. Mr. Escolas stated that Mr. Duval's memorandum recommends approval contingent upon favorable review from pertinent Town Boards and Departments. Mr. Hultgren stated that he met with the Zoning Board of Appeals last week for a variance for a retaining wall at the wetland crossing which was approved. Mr. LeBlanc questioned the number of customer parking

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spaces that will be made available at the existing facility (at 12 Industrial Park Road East) with the parking expansion. Mr. Hultgren stated that he wasn't sure. Mr. LeBlanc questioned the number of customer spaces at the existing facility. Mr. Luke Semmelrock, on behalf of the applicant, stated that there are approximately 350 customer parking spaces; expansion would probably add 75 to 100 customer parking spaces at existing facility. Mr. LeBlanc suggested that approval be conditioned that there be 450 spaces for customer parking at the existing facility. Mr. Escolas stated that the Board would like to see the customer cars off of the street.

MOTION was made by Mr. LeBlanc and seconded by Mr. Stafford to grant site plan approval for the parking expansion at 8 Town Forest Road and approve the plan dated March 6, 2018, conditioned that the customer parking area at the existing auto auction facility on the adjacent lot at 12 Industrial Park Road East be increased to a total of 450 customer parking spaces, and further conditioned upon approval by all pertinent Town Boards and Departments. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

Action Item: 367 Main Street: Acceptance of As-Built Plan and Recommendation for Occupancy Permit. Mr. Escolas stated that the Board is in receipt of correspondence from Quinn Engineering dated September 14, 2015 and the as-built plan dated September 21, 2015. Ms. Herriage stated the applicant currently has a temporary occupancy permit pending the receipt of the as-built plan which was not received in the office until last week. Mr. Escolas stated that the as-built plan notes that the 6 foot stockade fence will not be installed at the agreement of the abutter.

MOTION was made by Mr. Hashey and seconded by Mr. Lee to accept the as-built plan dated September 14, 2015 and recommend full occupancy. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

Old Business: 425 Main Street – Curaleaf – Discussion Regarding Lifting Restrictions for Appointments and Hours of Operation. Present on behalf of Curaleaf was Mr. Gary Stein and Ms. Maura O'Brien. Mr. Stein stated the dispensary has been open for approximately one month. He stated that as of May 8, 2018, they have seen 606 patients which is about 30 people per day or about 4 ½ people per hour. He stated that there have been no issues with traffic; have had several visits by the Police Department. He stated that outstanding site issues that have been completed include seal coating, line striping, the new pylon sign and directional signage. He stated that the applicant is looking to duplicate its hours of operation and patient visits based on its Hanover facility. Ms. O'Brien stated that extending the hours overall will be beneficial to patients and traffic control. Mr. Escolas stated that he is disappointed that Mr. Jonnson is not present as he is familiar with the site. He stated that he appreciates the new signage and applauds Curaleaf for the site improvements. He stated that the sign on the south side of the property is supposed to be removed. Mr. Stafford commented that he would have preferred siding on the entire front of the building. Mr. LeBlanc stated that the landlord will have to comply with the Board's requirement that the sign be removed before the other side of the building can be rented. Mr. Escolas stated that the Board is in receipt of a memorandum from Anthony Saad, Police Chief, dated May 8, 2018, herein referenced into the record, in support of lifting the restrictions of patient visits by appointment only and changing the hours of operation from Monday through Saturday from 9:00 a.m. to 7:00 p.m. and Sundays from 10:00 a.m. to 2:00 p.m.

MOTION was made by Mr. Hashey and seconded by Ms. Bird that the Board lift the restrictions in the site plan approval pertaining to patient visits by appointment only and to change the hours of

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operation from Monday through Saturday from 9:00 a.m. to 7:00 p.m. and Sundays from 10:00 a.m. to 2:00 p.m. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

Submission: 5 & 7 Brown Road – Application for Special Permit – Applicant & Owner: Steven B. and Geraldine A. Nowicki (common driveway to serve 2 lots). Mr. Escolas read the application into the record and deemed it complete.

MOTION was made by Mr. Stafford and seconded by Mr. Hashey to accept the submission and schedule a public hearing for June 11, 2018 at 7:15 p.m. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

Submission: 20-28 Dana Road – Application for Site Plan Review & Approval – Applicant & Owner: Chase Corporation (expansion of existing paved parking area and repair of existing paved parking area). Mr. Escolas read the application into the record and deemed it complete. He stated that it is good to see another business in town expanding. It was the consensus of the Board members that a public hearing is not required. Ms. Herriage stated that the applicant is filing concurrently with the Conservation Commission due to the wetlands.

MOTION was made by Mr. Hashey and seconded by Mr. Lee to accept the submission and have the application run through various Town Boards and Departments, to be listed as an Action Item at the next meeting. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

Submission: 223 Old Webster Road: Application for Special Permit – Applicant & Owner: Thomas F. Walsh (in-law apartment). Mr. Escolas read the application into the record and deemed it complete.

MOTION was made by Mr. Stafford and seconded by Mr. Hashey to accept the submission and schedule a public hearing for June 11, 2018 at 7:20 p.m. There being no further discussion, the Board voted in favor and the Motion carried unanimously.

Old Business: 191 Old Webster Road, Solar Project. Mr. Frank Bicchieri of Bertin Engineering addressed the Board. He stated that Seaboard Solar wants to scale down the previously approved project from 3 arrays to 2 arrays which reduces the drainage and clearing for the project. He questioned if a re-filing is required or can the modification be handled administratively with review by DPW Engineering. Mr. Hashey questioned if the stormwater management changes. Referencing the plan, Mr. Bicchieri pointed out where the drainage and clearing was for the 3rd array. He stated that eliminating the 3rd array will not change the stormwater management. Mr. LeBlanc questioned if the area for the 3rd array had been cleared. Mr. Bicchieri stated that he does not believe so. Mr. Escolas stated that he would recommend that the engineer work with Mr. Duval and have Mr. Duval issue a memo to the Board whether or not a formal modification is required. Ms. Herriage stated that she learned about the proposed modification about a month ago as Seaboard Solar had submitted a revised plan to the Fire Department for its approval and then received confirmation from Mr. Bicchieri today that they are going forward with the modification. Mr. Escolas questioned if the applicant has submitted a building permit application yet. Ms. Herriage stated they had not. She stated that Mr. Duval is scheduled to conduct a site inspection this week. She stated that she has informed the

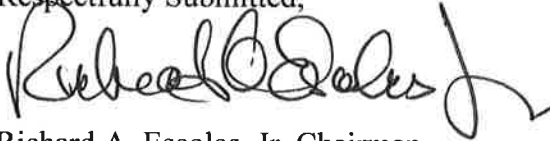
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applicant that the \$50,000 bond needs to be in place before a building permit is issued. Mr. Escolas requested confirmation from Mr. Duval that the parcel for the 3rd array has not been cleared.

Adjourn:

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

Respectfully Submitted,



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

DOCUMENTS AND EXHIBITS

1. 313 Main Street: correspondence from Cumberland Farms dated May 8, 2018
2. 302 Main Street: letter from Matthew Leidner to the Board dated May 14, 2018; Request for Extension to the Time for Planning Board Action
3. 47 Ennis Road: public hearing notice; memorandum from Jared Duval to the Board dated May 14, 2018; file
4. 30 Sullivan Boulevard: public hearing notice; memorandum from Jared Duval to the Board dated May 10, 2018; letter from Bertin Engineering to the Board dated May 11, 2018; revised plans dated May 11, 2018; memorandum from Jared Duval to the Board dated May 11, 2018; file
5. 158.5 Dudley Road: public hearing notice; memorandum from Jared Duval to the Board dated May 10, 2018; Request for Extension of Time for Planning Board Action; file
6. 51 Brown Road: e-mail correspondence from Quinn Engineering dated May 14, 2018; revised plan dated May 14, 2018; memorandum from Jared Duval to the Board dated May 14, 2018
7. 8 Town Forest Road: memorandum from Jared Duval to the Conservation Commission dated May 9, 2018; memorandum from Jared Duval to the Board dated May 10, 2018; file
8. 367 Main Street: letter from Quinn Engineering to the Board dated September 14, 2015; as-built plan dated September 21, 2015
9. 425 Main Street: file; letter from Police Chief Saad to the Board dated May 8, 2018
10. 5 & 7 Brown Road: special permit application
11. 20-28 Dana Road: site plan application
12. 223 Old Webster Road: special permit application
13. 191 Old Webster Road: e-mail correspondence from Frank Bicchieri of Bertin Engineering dated May 14, 2018

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