



**TOWN OF RAYNHAM**  
**PLANNING BOARD**  
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**Planning Board Meeting**  
**May 17, 2018**

Meeting opened: 6:05 p.m. by Burke Fountain, Vice Chairman

Board members present: Daniel Andrade, Burke Fountain, Russell Driscoll, John Teixeira

Board members absent: Christopher Gallagher

Also present: Robert Iafrate, Building Commissioner

**6:05 p.m. – Cornerstone Estates** public hearing was opened. Mr. Driscoll read the hearing notice. Frank Gallagher, P.E., Frank J. Gallagher Engineering, Foxboro, MA, was present representing applicant Shawn Cairns. Mr. Cairns was also present. Copy of e-mail dated May 16, 2018, from Raynham Fire Department Deputy Chief Brian LaCivita to Robert Iafrate was received.

Mr. Gallagher explained the plan: 13 acres located on the south side of King Street, opposite King Estates subdivision; legal frontage is on King Street; wetlands are on the west side of the property; roadway is proposed going south on the property and then turning east for three buildable lots.

Mr. Fountain asked if the property with the wetlands to the west of the roadway is applicant's property. Mr. Gallagher explained the limits of the property, noting there is exactly 150 feet of frontage on King Street. Water and sewer are proposed for the subdivision. The plan will require waivers to allow a roadway similar to Tomlin Estates on White Street. The plan was designed with a similar 20 ft.-wide paved roadway and 2 ft.-graveled shoulder on each side. An Order of Conditions will be needed from the Conservation Commission, but applicant has not filed with ConCom yet.

A hammerhead turnaround is proposed. Mr. Gallagher noted he has not yet spoken to the fire department and police department, but this plan is a duplicate of Tomlin Estates, which was approved by the fire department. He also has not spoken with Ed Buckley, Highway Superintendent, for his input.

Mr. Iafrate noted it was decided not to send the plan to Nitsch Engineering, but Azu Etoniru, ConCom Agent, will be reviewing it for the ConCom and the Board. The road is to remain private, not to be accepted by the Town.

Mr. Gallagher explained the road elevations. There will be a culvert and the drainage will sheet to an open area.

Mr. Andrade discussed that the turnaround at Tomlin Estates doesn't work well. He has seen that it is difficult to back up for different reasons; he's not sure how a fire truck or ambulance will back up.

Mr. Iafrate commented that the turnaround needs to be larger so fire apparatus can turn around. He said Tomlin Estates looks great but doesn't work well because of the turnaround; and, he spoke to Mr. Cairns about this being his biggest concern.

May 17, 2018

Page 2

Mr. Andrade said he was informed there was a cemetery in the back of the property. He suggested the cemetery department be contacted about this; Mr. Fountain agreed. Mr. Gallagher noted this is registered land and nothing has shown there is a cemetery, but he will check on it.

Mr. Gallagher explained this turnaround is different than Tomlin Estates – there is no stilling basin and no hydrant at the end, but he will look at improving the turnaround.

Mr. Andrade said he knows there is a lot of rock and ledge in the area. He noted Mr. Etoniru will be looking over the plan. He suggested a berm may be needed on the road. Mr. Gallagher noted he submitted calculations and a watershed plan; and, he designed the culvert to limit the back water gathering and so stormwater will remain on this property.

It was agreed to continue the public hearing to June 7<sup>th</sup>.

Mr. Fountain asked if anyone wished to speak. Ed Brezniak, 915 King Street, property abutter, spoke about the concerns he has with water on his land, which brings a lot of mosquitos, and asked what will be done for that. Mr. Gallagher explained how the storm water flows. Mr. Fountain asked that the engineer reviewing the plan be alerted to Mr. Brezniak's concern.

Mr. Iafrate informed Mr. Gallagher that for the next meeting he needs to satisfy the fire department concerns, Mr. Etoniru must be contacted for input, Mr. Buckley needs to be contacted about the plan, and a letter is needed from the Cemetery Commission. He noted ConCom will deal with the drainage issue with Mr. Etoniru.

Mr. Chartier, 883 King Street, stated the road will be going next to his house. He has concerns that trees will be taken down, leading to more water problems. Mrs. Chartier noted when they bought their property, the realtor told them it was conservation land and nothing would be built on it. Mr. Gallagher said that was incorrect information. Mr. Fountain noted ConCom will be making their decision on the land.

The hearing was continued to June 7<sup>th</sup>, 6:05 p.m.

(Mr. Andrade left the meeting.)

**Form A Plan – 68 North Main Street:** Proper application and fee were submitted. Attorney Edmund Brennan, Taunton, MA, appeared before the Board representing the applicant. He explained the plan is submitted under MGL Chpt. 41, Sec. 81L, allowing the division into two parcels with a building on each parcel provided the buildings pre-date the adoption of zoning, which both of these buildings date back to early 1800's. He noted this is not a common procedure but the Town has done it at Center Glass, Broadway, and another on White Street. Mr. Fountain noted that previously an opinion had been received from Town Counsel stating the statute applied. It was agreed the statute applied here. There are no wetlands on the property. Each of the two lots being created has a building on it.

There were no further questions. Mr. Fountain moved to approve plan entitled "Plan of Land of 68 North Main Street in Raynham Massachusetts Prepared for Andrade Family Realty Trust," dated May 10, 2018, by Arthur F. Borden & Associates, Inc., Raynham, MA, as a plan not requiring subdivision approval; second by Mr. Driscoll. Motion passed unanimously (3-0-0). Mr. Driscoll signed the plan.

May 17, 2018  
Page 3

**Form A Plan – Carver Street:** Proper application and fee were received. Attorney Edmund J. Brennan, Taunton, MA, appeared before the Board on behalf of the applicant. Also present was Mr. Borden, the engineer who prepared the plan.

Attorney Brennan explained the plan: the land is on Carver Street; each lot on plan has the required frontage and area to comply with zoning; one large piece is being divided into Lot 1 and Lot 2. It was noted the property is the site of a kennel.

Mr. Borden noted there are no wetlands on the property.

Mr. Iafrate stated the lots meet the zoning requirements in a Residential A district, the use now is a non-conforming use in a Residential zone.

Mr. Fountain stated he wanted a locus map on the plan that he could read and a note on the plan stating there are no wetlands. There were no further questions. Mr. Fountain moved to approve plan entitled "Plan of Land of 197 Carver Street in Raynham, Massachusetts, prepared for Advanced Development, Inc.," dated May 10, 2018, by Arthur F. Borden & Associates, Inc., Raynham, MA, as a plan not requiring subdivision approval and before the plan is endorsed, that there be a new, better locus map and a note stating there are no wetlands; second by Mr. Teixeira. Motion passed by unanimous vote (3-0-0). Plan not endorsed tonight.

Attorney Edmund J. Brennan, Taunton, MA, appeared before the Board, regarding the approved CVS/Market Basket site plan. He noted there were a couple of changes that were needed to the Board, specifically signage at the south end of the CVS exit to Broadway. Two signs have been added to the exit – No Exit, Service Vehicles Only – and another out front stating No Thru Traffic. The other concern to the Board was the architectural look of the building from Broadway. New drawings were resubmitted showing an improved elevation from Broadway with a better looking building.

Mr. Brennan asked that the Board approve the changes and endorse the site plan with the changed sign. Mr. Teixeira asked if DeMoulas has seen the changes. Mr. Brennan stated yes, the changes have been approved by all parties.

After discussion, Mr. Fountain moved to accept the rendering and the plan with revisions to the plan the Board previously accepted; second Mr. Teixeira. Motion passed unanimously (3-0-0).

The CVS site plan was endorsed.

**General Business:** No invoices or minutes submitted tonight.

Request was made to transfer funds from Tomlin Estates to Cornerstone Estates. Matter was tabled.

There was no further business and the meeting was adjourned.

Respectfully submitted,

  
Russell Driscoll, Clerk