



TOWN OF RAYNHAM

PLANNING BOARD

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Raynham Planning Board

Meeting Minutes

March 5, 2020

Board members present: Mr. Daniel Andrade, Mr. Christopher Gallagher, Mr. John Teixeira

Arrived late: 5:50 p.m. - Mr. Burke Fountain

6:30 p.m. - Mr. Russell Driscoll

Also present: Mr. Robert Iafrate, Building Commissioner/Planning Coordinator

Mr. Andrade opened the meeting at 5:45 p.m. and informed the meeting is being audio- and video-recorded.

5:45 p.m. SRPEDD - Update on Master Plan

SRPEDD project leads for the Town's Master Plan will be Mr. Jed Cornock and Ms. Lizeth Gonzalez. Mr. Cornock submitted a summary letter with four (4) items listed:

1) Planning Board vs Master Plan Committee overseeing the Master Plan for the Town. The Planning Board will have full authority over this plan and can lead if they so choose or designate a Master Plan Committee to lead on the Planning Board's behalf. The Committee would need to report back to the Planning Board with the Planning Board having full authority over the Master Plan. Mr. Andrade informed that in the past, several Planning Board members served on the Committee. In the past, citizen and community input was also part of the process. The most important thing is the implementation of the Master Plan going forward. Mr. Andrade would like to see a Committee that is appointed through input from Planning Board/Selectman.

(5:50 p.m. – Mr. Fountain arrived.)

SRPEDD suggested a Committee comprised of eleven members with two members from the Planning Board serving on the Committee who will report back to the Planning Board periodically. The Committee could be comprised of two (2) members from the Planning Board; one (1) member each from Town Administration, Council on Aging, School District, Conservation Commission, Parks and Rec Department, Finance Committee, Historical Commission and two (2) at large members. Mr. Teixeira suggested the Committee include a member from Capital Planning.

The original Master Plan Committee consisted of many of its members being at large. So that everyone in Town can agree on a document, Mr. Teixeira asked if it would be beneficial to have Committee members as listed above or have more from the community.

Mr. Iafrate recommended that SRPEDD give direction as to what works best for other towns. The Planning Board will need to suggest members to serve on the Committee with the Board of Selectmen officially forming the Committee and appointing the members.

Mr. Andrade suggested the Planning Board wait until the Town elections to suggest members for appointment.

Members concurred that they are in favor of the Master Plan and Committee moving forward. A vote tonight would allow the start of the process for the Board of Selectmen to appoint individuals to serve on the Master Plan Committee. Mr. Iafrate informed that the Town was thinking of changing the Government Study Committee to the Master Plan Committee.

2) Branding: SRPEDD presented the Planning Board with branding that they produced as well as some promotional materials that can be used. They are presenting this tonight so that the project webpage can be developed and to promote the first event, which is going to be the Discovery Workshop to be possibly held in May. The Board was presented brochures explaining the Master Plan process, a comment card for the public, which will be used throughout the two-year period to receive public comments and a postcard used to save the date for important information.

Mr. Cornock asked the Board to conditionally approve the materials presented.

3) Timeline for Workshops: First workshop will discuss the chapters in the Master Plan. Possible meetings to be scheduled on a Saturday starting in May. Mr. Cornock asked if a weekend meeting works better or during the week. Mr. Andrade would suggest meetings at night during the week.

Meetings would be scheduled every three (3) months starting in June for a length of approximately two (2) hours. Mr. Teixeira suggested the meetings be recorded.

4) Community Events: Flyers, promotional material to be distributed to the public (i.e.: Town Meetings, events in Town, etc.). Mr. Andrade suggested the promotional picture on the brochure consist of multiple pictures so that people will recognize Raynham. He also suggested SRPEDD bring a copy of a Master Plan from surrounding communities to meetings so that people can see what a Master Plan consists of.

MOTION: Moved by Mr. Teixeira and seconded by Mr. Gallagher to support and recommend to the Raynham Board of Selectmen the SRPEDD continued efforts with the Master Plan and the creation of a Master Plan Committee. Discussion: Mr. Andrade reminded everyone that the Planning Board should have two (2) members serving on the Master Plan Committee who will be appointed after the next election. Vote: 4-0-0 (Unanimous vote)

MOTION: Moved by Mr. Andrade and seconded by Mr. Teixeira to approve the use of the brochure, comment card and postcard. Discussion: With final approval from the Planning Board on the literature to be used. Vote: 4-0-0 (Unanimous vote)

6:05 p.m. Continued Public Hearing – 1051 Locust Street – Subdivision Plan (Appleby)

Arthur Borden, P.E., Arthur F. Borden Associates, Inc. Raynham, MA was present.

Mr. Andrade reviewed the opening discussions regarding the project.

Requested waivers are listed on letter dated December 5, 2019, from Mr. Borden, and are also on the coversheet of the plan set.

(6:30 p.m. - Mr. Driscoll arrived.)

MOTION: Moved by Mr. Gallagher and seconded by Mr. Teixeira to approve the "Approval Required Under the Subdivision Control Law, Definitive Subdivision 1051 Locust Street, Raynham, MA," prepared for Kenneth Appleby by Arthur Borden & Associates, dated January 10, 2020, revised February 24, 2020. Discussion: Mr. Andrade asked that the waivers be approved prior to the approval of the plan. Mr. Gallagher suspended his motion on the approval of plan and motioned to approve the waivers as listed in a letter dated December 5, 2019, from Mr. Arthur Borden, Arthur F. Borden Associates, Inc., and

as shown on Sheet 1 of the Definitive Plan. Mr. Fountain seconded the motion. Vote: 4-0-1 (Mr. Driscoll abstained)

On the Motion to approve the Definitive Subdivision Plan for 1051 Locust Street, Raynham, MA.
Discussion: None. Vote: 4-0-1 (Mr. Driscoll abstained)

Raynham Preserve (fka Bassett Knoll Estates): Mr. Paul Cabrinha, 436 Locust Street, addressed the Board regarding issue with a lot located in Raynham Preserve. Mr. Cabrinha explained he visited the Planning Office and viewed the plans for the home being built on Lot 2, Raynham Preserve, which lot is right next to his property.

Mr. Andrade informed that the development went through about a year of approvals for which neighbors would have been notified. The house is 17 feet away from his property line with a manmade fence between. He said he would like to have the fence removed. There are windows directly facing his property and the house will be towering over the fence when completed. All trees were removed, and he said trees should have been left for a buffer and privacy, but there is nothing. Mr. Andrade explained that neighbors would have been notified of the hearings and the location of the house is on the prints for grading and elevations. Mr. Cabrinha has lived in his home for 21 years and said this is unacceptable. He explained to the Board an experience he had during a proposal for a farmer's porch about 10 years ago, which was initially rejected. Because of the Open Space Preservation approval for the development, the set-backs do not apply and all the trees were removed. Mr. Cabrinha would like to know what can be done to correct the issue.

Mr. Iafrate spoke to Mr. Cabrinha and agrees that there is a big change from what was there before, but the Open Space Preservation plan allows smaller lots with a reduction for side setbacks. Unfortunately, this lot starts right behind Mr. Cabrinha's home. Mr. Cabrinha explained that there is a lot between his home and Lot #2 that is not being built on but has been cleared of all trees.

Mr. Andrade explained that this is not a Town issue because the Town adopts the Rules and Regulations and obliges by them. Mr. Cabrinha asked why he was never notified that a home was proposed 17 feet from his property line. He feels that his house does not exist. Mr. Andrade explained that the developer needs to abide by the plans and permits attached to the plans, and he will review to make sure that is being done.

Ms. Teresa Cabrinha, 436 Locust Street, was present and asked why they do not have a buffer for privacy as stated in Section 14.5 (C).

Mr. Iafrate suggested Board members view what Mr. Cabrinha is explaining. There is no violation of zoning and the developer does meet all the zoning requirement of the Special Permit. However, there is a section in zoning that requires a 50-foot buffer when you have a business to residential. There was an existing tree line and the grading area was totally clear cut. The tree line did offer the Cabrinha's a visual buffer to the rest of the subdivision. Mr. Iafrate suggested going back to the developer and ask them to supply an additional buffer/planting.

Mr. Andrade informed that if the Certificate of Action is being followed, then moving forward, the Board may be able to ask for additional buffer.

Mr. Iafrate informed that there is no notification for building a house, the notification process would have been given to the abutters approximately four years ago when the subdivision came before the Board for approval.

(6:59 p.m. – Mr. Gallagher left the meeting room and will not be returning.)

Public Hearing – 1729 Broadway Site Plan

Mr. Driscoll read the public hearing notice into the record.

Frank Gallagher, P.E., Gallagher Engineering, Foxboro, MA, was present. He explained the plan: the site is located across the street from the Great American Pub; the parcel is currently vacant with some existing asphalt from a previous business; the lot has 250 feet of frontage on Broadway and two access points onto Broadway; the applicant has not filed with MassDOT for curb cuts but will once the Planning Board process is complete. A drainage structure is being proposed on the corner of the property with a concrete pipe and a paved apron on each side. The parcel next to the development has a 50-foot frontage that leads to a property in the rear that abuts the proposed project.

Mr. Richard Lincoln, 255 Robinson Street, was present. After review of the area, Mr. Andrade informed that the proposed project does not abut Mr. Lincoln's property. If the property owner would like to develop the land between Mr. Lincoln's home and the proposed project, then the developer will need to appear before the Board. Mr. Lincoln informed that the property between his and the proposed project contains a garage that has turned into a recycling plant. His concerns are that the proposed project will be exactly like what is behind his home now.

Mr. Andrade informed that the Board has not yet received a comment letter from Nitsch Engineering.

The developer is proposing a 7,000 sq. foot warehouse building, which will be divided into four sections with the possibility of four tenants. Fourteen parking spaces will be provided as well as water and sewer on site.

Mr. Andrade suggested a 50-foot buffer of trees along the plot line in the rear of the property because it abuts residential property. Mr. Iafrate said an adjustment can be made out in the field as to the buffer area so that it does not restrict the owner. There is an existing proposal of a 20-foot buffer depicted on the plans.

Proposed waivers were submitted in a letter with application.

1-Section 4.21 photometric plan that include proposed lighting. Plans show lights designed on the building. Mr. Andrade suggested an overlay that can be obtained from an electrician or electrical store.

2-Traffic Impact Study

3-Section 5.15 requires one tree to be provided within the paved area for every 8 parking spaces provided. Consider the proposed trees in the rear of the property towards the requirement.

4-Detention Basin requirement ratio of 3:1. Proposing ratio of 2:1 -7'-12' wide. 4' depth with grass bottom and guard rail.

Mr. Andrade recommended a Maintenance Plan for the basin attached to the waiver.

5-Section 5.4 prohibits parking between proposed parking and street layout. The project is proposing parking in front which is close to the street. The parking spaces will include bollards.

6-Curbing shall not be bituminous concrete. Proposing vertical granite curbing at entrance and requesting cape cod berm around the perimeter of the property.

Snow storage will need to be shown on plan.

Mr. Andrade suggested that if the applicant is going to store bins in the rear of the property for his business, then they should be shown on the plan.

7-Section 5.72 required width of access connection to the existing roadway not exceed 25 feet at the property line. Proposal of 28 feet for fire equipment access.

Mr. Andrade suggested an entrance or turn near the basin area for the future access to the adjacent residential property. Board members discussed MassDOT proposed plan for Rt. 138, which will consist of sidewalks and bike lane with a construction date of 2022.

8-Section 5.73 access connection shall be provided with a minimum distance of 40 feet from the beginning of any parking area.

Mr. Iafrate suggested the following: building signage detail to be shown on the plans; down spouts to be infiltrated and installation of stones in the bottom of the basin rather than grass.

Public Hearing will be continued to March 19, 2020, 6:05pm

MOTION: Moved by Mr. Andrade and seconded by Mr. Teixeira to continue the Public Hearing for 1729 Broadway Site Plan to March 19, 2020, at 6:05pm. Discussion: None. Vote: 4-0-0 (Unanimous vote)

General Business & Correspondence:

- Invoices/bills payable: Board members reviewed and signed invoices and bills as presented.
- Minutes – January 16, 2020, and February 20, 2020: Approval of the minutes was tabled to the next meeting.
- Correspondence: None received since the last Planning Board Meeting.

Planning Coordinator Update:

- Mr. Iafrate explained that a preliminary quote was received from Nitsch Engineering for the update of the Rules and Regulations and based upon the meeting with the Highway Superintendent, there is more work than anticipated. Nitsch will be coming before the Board at the next meeting with a per-hour quote. Mr. Iafrate suggested the Board meet with Nitsch during a Planning Board meeting.

Mr. Andrade suggested the meeting be televised with an agenda for the discussions. Tentative date for first meeting will be April 2, 2020. The Board discussed funding for the project.

SRPEDD Update:

- Mr. Teixeira explained that a letter was received from MassDOT regarding the conversion of all exit numbers on freeways to a mile-pole based numbering system. There are two public hearings scheduled to discuss: February 25th at 6:30pm, Cape Cod Transportation Authority at the Hyannis Transportation Center and March 10th at 6:30pm in the Veteran's Public Library.

Plans to be signed: No plans presented for endorsement.

General Business:

Mr. Driscoll informed that the Citizens Training Collaborative is hosting a day of seminars at Holy Cross College in Worcester on Saturday, March 21st. The seminar this year is Drafting Zoning Amendments and Zoning Pitfalls and Pratfalls and What Not to Do.

Adjournment

MOTION: Moved by Mr. Andrade and seconded by Mr. Teixeira to adjourn from the Raynham Planning Board Meeting of March 5, 2020, at 7:50pm with no business to be conducted afterwards. Discussion: None. Vote: 4-0-0 (Unanimous Vote)

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'R. Driscoll', is written over the printed name.

Russell Driscoll, Clerk

Next Scheduled Raynham Planning Board Meeting:

March 19, 2020 @ 6:00pm