



TOWN OF RAYNHAM

PLANNING BOARD

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Raynham Planning Board

Meeting Minutes

September 2, 2021

Call to Order

Vice Chairman Burke Fountain opened the meeting of September 2, 2021 at 6:00pm and informed the meeting is being recorded. The Meeting was streamed on <https://global.gotomeeting.com>

Planning Board Members Present (4):

Mr. Burke Fountain-Vice Chairman; Mr. Russell Driscoll-Clerk, Mr. Matthew Andrade and Mr. Brian Oldfield

Absent: Christopher Gallagher, Chairman

Present: Mr. Robert Iafrate, Planning Board Coordinator and Ms. Maureen McKenney, Planning Board Administrative Assistant

6:01 p.m. Approval of Planning Board Minutes – August 5, 2021

MOTION: Moved by Mr. Fountain and seconded by Mr. Driscoll to approve and waive the reading of the Raynham Planning Board Meeting Minutes of August 5, 2021. Discussion: None. Vote: 4-0-0

6:05 p.m. – Continued Public Hearing for Commercial Street/Richmond Street - Site Plan & Special Permit for parking reduction

It was noted that waivers were discussed during the last meeting.

Mr. Fountain requested a vote on the following waivers:

- Section 4 – Site Plan Content
- Section 4.6 – Topography within 50 feet
- Section 4.7 – Landscaping Plan
- Section 4.21 – Photometric Plan
- Section 4.22 – Traffic Impact Study
- Section 5 – Landscaping
- Section 5.1.2 – Three-foot wide landscaping strip along the foundation
- Section 5.1.5 – Trees based on the number of parking spaces
- Section 5.3.2.1 – Twenty-five-foot buffer

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- Section 5.4 – Parking should include median strips and landscape islands; parking prohibited between building and street lay-out
- Section 5.7.3 – Access connection shall provide a minimum distance of 50 feet in depth

MOTION: Moved by Mr. Fountain and seconded by Mr. Driscoll to approve the waivers listed on the proposed Certificate of Action for Commercial Street/Richmond Street. Discussion: None. Vote: 4-0-0

MOTION: Moved by Mr. Fountain and seconded by Mr. Driscoll to approve Commercial Street/Richmond Street Special Permit for parking reduction. Discussion: None. Vote: 4-0-0

MOTION: Moved by Mr. Fountain and seconded by Mr. Driscoll to approve site plan entitled Proposed Garage/Storage Facility Permitting Plan Set, Map 14, Lot 50-1, at the corner of Richmond Street and Commercial Street in Raynham, MA, plan dated January 15, 2021, revised through May 27, 2021, prepared by Lighthouse Industrial Group LLC, including Conditions as set forth on the Certificate of Action. Discussion: None. Vote: 4-0-0

6:15 p.m. Public Hearing – 1000 New State Highway Site Plan

Mr. Driscoll read the public hearing notice.

Present was Mr. Daniel deAbreu, Attorney with office on Winthrop Street, Taunton MA, and Mr. Daniel Gagne, P.E., Outback Engineering Company.

The proposed site plan is for transportation support for a regional operation. The site is 6.5 acres with 224 parking spaces proposed.

Mr. Gagne informed that Nitsch Engineering comment letter was received.

Mr. Fountain informed that a complaint regarding noise at 2:00 a.m. was received from neighbors of the site. Also, complaints re. diesel fumes, etc. Mr. Fountain stated that a few months back the site was used for small delivery trucks, and he thought it was to be used for the same vehicles. Currently, the site contains trailer and presumably tractors. Mr. deAbreu informed that the previous use did involve tractor trailers as well as smaller vehicles and presently there are six trailers onsite. Mr. Fountain said he would like clarity on the hours of use. Mr. Iafrate informed that the Planning Department received several complaints from the neighborhood.

It was noted that as the Planning Board proceeds through the process, the proposed use will need to be conditioned with special hours of use so that it does not impact the neighborhood. Mr. deAbreu informed that the proposed plans will have a substantial buffer for neighbors and noise. Mr. Gagne informed that he discussed the proposed project with the Conservation Commission, and it has been determined that the lot will be paved within the existing disturbed area. Stormwater analysis was conducted to show the reduction in pavement and the installed stormwater system will function as previously approved.

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Site lighting has been proposed and the light will remain on the property. The proposed project will have a minimum of 100-foot buffer between the parking area and the abutting house parcels along the rear of the property. A stockade fence will be installed along the front and rear of the property with vegetated plantings between fence and currently installed berm. The parking will be approximately 200 feet back from Rt. 44. Entrance of site was approved by MassDOT and will remain unchanged from the previous design. There will be no change in the wetlands and no significant changes to the stormwater system.

Nitsch Engineering report was received and Mr. Gagne is working with Mr. Ventresca on the comments.

Mr. Andrade asked about conditions stipulated previously regarding hours of use. He noted that the parking spaces are all 55 feet long and questioned if they are designed for tractor trailer parking. It was informed that there is no condition for hours and the spaces are designed for tractor trailers. Due to the hook-up noise of tractors and trailers, Mr. Iafrate suggested hours be stipulated for hook-up.

Development Impact Statement was a concern as stated in Nitsch Engineering comment letter and Mr. Gagne discussed that with the submittal of MEPA project change, Mr. Ventresca is satisfied that it will meet most of the requirements. The plans depict snow storage but applicant will work with Mr. Ventresca to make sure he is satisfied. The site has existing utilities with a manhole to connect to Town sewer. No building is being proposed on site.

The Board discussed a security individual for the site, and they would prefer a monitoring system as to the vehicles entering and exiting. The Board requested additional information on the use at the site. Mr. Fountain requested a detailed hand drawn locus map rather the US GIS Map.

Mr. Matthew Costa, Attorney, Gay and Gay PC, 73 Washington Street, Taunton, MA, appeared before the Board as representative to several abutting property owners on Judson Street. Those abutters are Brandon & Patricia Cruz, 297 Judson Street; Anthony & Susan Foscara, 283 Judson Street; Michael & Sarah Kelly, 302 Judson Street; People Inc., 317 Judson Street; Joseph & Angela Reidy, 329 Judson Street. A letter of concern was presented to the Board. A lot of the concerns from those abutters pertain to impact of noise and associated impact with truck activities. Clients would like to see the issue fully vetted by the Board.

The applicant is requesting a waiver from Development Impact Statement. Attorney Costa discussed that under the regulations, the applicant would need to address the noise issue. He stated that the abutters request the Planning Board require the Impact Statement to include impact to Judson Street. He stated that MEPA review should not be a replacement for the Town's requirements. Attorney Costa cited zoning by-laws Section 2.4.1 (sic), noting this is a wholesale retail business. Mr. Costa stated that there is no building on the site, therefore there is no wholesale or retail being proposed. Another issue is the time of activity, 24/7 with no report as to the impact of the use. Neighbors are concern that there could be no limit on trucking use for the site. The berms, fences and screenings should be designed to eliminate impact of the use. Current berm is for a retail site not trucking use. The proposed fence will be eight feet tall, whereas trailers are fifteen feet tall. There should be sufficient screening as the entire site is visible to his client, Mr. Reidy.

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Mr. Fountain requested a letter be submitted with questions that the Board did not already ask the applicant. Mr. Fountain stated that the use being either business or industrial is in question. The original hours for site use were 7:00 a.m. - 7:00 p.m. He asked if the vehicles will be loaded and unloaded on site.

Mr. Driscoll asked if a sound study was conducted as part of the previous site plan application for this site. Mr. Gagne confirmed that a noise study had been conducted.

Mr. Iafrate asked if all vehicles parking in the lot will be registered in Raynham. Mr. deAbreu will report back to the Board on that at the next meeting.

MOTION: Moved by Mr. Fountain and seconded by Mr. Oldfield to continue the public hearing for 1000 New State Highway site plan until September 16, 2021, at 6:15 p.m. Discussion: None. Vote: 4-0-0

6:45 p.m. Public Hearing – 1651 New State Highway Site Plan

Mr. Driscoll read the Public Hearing notice.

The plan proposed to extend service bays and service area in the rear of the building, approximately 15,956 sq. ft. for twenty new service bays to be built on existing pavement. A total of thirty-three existing parking spaces are to be eliminated. Proposal is to replace stormwater basin and septic tank with connection to a force main on Rt. 44. The dealership previously had 300-350 vehicles stored on site ready for purchase, but due to the car market, this is no longer required, and the dealer will be moving to an order form process.

Present via GoToMeeting.com was Brian Dunn, President, and Justin Williams, P.E., of MBL Land Development & Permitting Corp., Raynham, MA.

Mr. Dunn informed that there has been a site plan change. The applicant now proposes the addition to the service area, but the additional parking over the drainage and new drainage as shown on the plan will no longer be necessary. Because the proposed addition is to be located on existing pavement, a waiver is being requested on the Development Impact Statement. The height of the building proposed is twenty-two feet.

A new site plan will need to be submitted eliminating the additional parking and new drainage. Mr. Dunn discussed the easement for loading and unloading vehicles and all vehicles will be unloaded on the property not on the layout of Rt. 44. MassDOT permitting is not necessary for the project as there are no new curb cuts being proposed. It was noted the Board approved waivers back in 2004 for the buffer around the building.

Mr. Fountain requested a different locus map that shows the abutters.

MOTION: Moved by Mr. Fountain and seconded by Mr. Andrade to continue the Public Hearing for 1651 New State Highway site plan until September 16, 2021, at 6:30pm. Discussion: None. Vote: 4-0-0

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General Business & Correspondence

- Release of Review Funds:
Riverwalk ARC – the Board signed to release the funds.
- Estate Lots @ Oakland Ave – Certificates of Action

At the last meeting, the Planning Board approved two special permits for estate/retreat lots off Oakland Ave. Mr. Fountain informed that the approvals should not have been made due to the fact that one of the requirements for an estate lots is that it be located on a public way, and the proposed lots are on a private way. And, one of the Board's conditions stated the road remain private. The applicant has been notified of this matter and understands that he needs a variance from the Zoning Board of Appeals. The Building Inspector will not issue a building permit because the lots do not conform to the zoning by-laws. Mr. Fountain recommended the Board rescind the vote pending a ruling from the Board of Appeals. Applicant Joseph Sullivan has given a 90-day extension of time for the Planning Board to file their decision.

MOTION: Moved by Mr. Fountain and seconded by Mr. Driscoll to rescind the vote taken on August 5, 2021, for two retreat lots shown as Lots 2 & 3 on a plan entitled Plan of Land in Raynham, MA Plot 24 Oakland Street. Discussion: None. Vote: 4-0-0

- Discussion of Planning Board Associate Member

Members briefly discussed the addition of an associate member. Majority of the Board members present were in favor. Mr. Iafrate informed that he reached out to Town Counsel on the matter and received an opinion from him.

MOTION: Moved by Mr. Fountain and seconded by Mr. Andrade to put forth an article to the Board of Selectmen for a Town Meeting vote on the addition of an associate member for the Raynham Planning Board. Discussion: None Vote: 4-0-0

- Invoices /bills payable: The Board reviewed and signed the invoices and bills submitted.
- Old Business/New Business: None
- Planning Coordinator update - Mr. Robert Iafrate:
 - The Town has engaged with a company, General Code, who will be going through all the code requirements, by-laws and rules and regulations. Mr. Iafrate informed that a vote is needed to present the revised Rules & Regulations to be Board of Selectmen.

MOTION: Moved by Mr. Fountain and seconded by Mr. Andrade to approve and accept the revised Rules & Regulations as submitted by Nitsch Engineering. Discussion: None. Vote: 4-0-0

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- Due to the significant amount of rainfall recently, approximately 7.5 inches, the system on Granite Ave. has failed. There was a negative impact at the end of Parkwood Drive. The detention basin near the last house on Granite Ave. overflowed spilling over onto the walking trail and scoured lawns. The detention basin was not designed to handle the amount of rain that occurred in one night. Mr. Iafrate will check to see if there was a bond submitted for Granite Ave.
- Upcoming projects: Taco Bell being proposed at the old China Garden Restaurant on Broadway; Popeyes restaurant proposed at the old Chalet Jewelers on Route 44; warehouse facility being proposed at the Raynham Dog Track.
- It was noted that the buffet located near Pep Boys on Route 44 has not reopened. Mr. Iafrate commented that buffets were impacted with COVID.
- The owners of Hannoush Jewelers are currently waiting on financing for construction at their site on Route 44.
- Cardinal Circle work on sidewalks/driveways has begun.

SRPEDD Update – Mr. Matthew Andrade:

- Mr. Andrade stated that no SRPEDD meetings are currently scheduled


Plans to be signed: Christina's Path Road Acceptance Plan was signed.

Adjournment

MOTION: Moved by Mr. Fountain and seconded by Mr. Mr. Oldfield to adjourn from the Raynham Planning Board Meeting of September 2, 2021, at 7:24 p.m. Discussion: None. Vote: 4-0-0

Respectfully submitted,

Russell Driscoll, Clerk
Upcoming Meetings:



September 16, 2021 – 6:00pm -Planning Board Meeting