



TOWN OF RAYNHAM

PLANNING BOARD

RAYNHAM, MASSACHUSETTS 02767

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Raynham Planning Board Meeting Minutes - May 5, 2022 Amended *

Call to Order

Mr. Gallagher opened the meeting of May 5, 2022, at 6:00 p.m. and informed the meeting is being broadcasted live on the Raynham Comcast channel 98 and Verizon channel 34 and videotaped by RayCam.

Planning Board Members Present (5):

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

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

General Business:

Reorganization of the Board: Mr. Oldfield moved to keep the Board membership the same as it is; seconded by Mr. Fountain. Motion passed by unanimous vote (5-0-0). (Mr. Gallagher-Chairman; Mr. Fountain-Vice Chairman; Russell Driscoll, Clerk; and, Matthew Andrade-SRPEDD Representative) *

Minutes: Approval of Raynham Planning Board meeting minutes of April 7, and April 21, 2022, and December 2, 2021: The Board tabled the approval of minutes until the next meeting.

Discussion on summer meeting schedule: The Board discussed keeping the same schedule for meetings during the summer. Mr. Iafrate suggested one meeting per month and if agenda gets full, second meeting to be added for the months of June, July and August. Members concurred.

Public hearing: 1094 New State Highway/Hyundai Dealership - Abbreviated Site Plan

Mr. Driscoll read the Public Hearing Notice.

Mr. Gallagher informed that a review by Nitsch Engineering is not necessary.

Present was Ms. Kristen LaBrie from Howard Stein Hudson, Engineers + Planners, Chelmsford, MA. The proposed project is for an 8,000 \pm sq. ft. addition on the rear of the existing building along with an overhang for vehicle pickups. The proposed addition is for maintenance of vehicles. Proposed parking to be rearranged, striped with added parking to the front of the building, lesser parking on the sides with the ones in the rear to be removed. The rearrangement of parking will provide ADA parking in the front along with a handicap ramp to the front door. Installation of EV charging stations to be in the new overhang and in the front parking spaces. Overall, parking will be increased by five spaces. A new oil and grit separator is being proposed on the side and rear for the trench drains that are inside the garage.

Mr. Gallagher informed that the building currently has loud speakers that annoy the neighbors. E-mail correspondence was received from Linwood Hudson, Judson Street resident, regarding the noise. Pictures were received from Mr. and Mrs. Hudson depicting lights from the Hyundai property shining through their entire backyard. Mr. Gallagher asked if the lighting could be redirected. There also seems to be debris thrown over the fence; also, the fence needs repair.

Mr. Gallagher discussed that conditions should be for lighting, intercom, cleaning up of debris and updating of the chain link fence to include vinyl slats.

Mr. Fountain asked why the need for intercoms, especially with everyone having cell phones, so why not eliminate.

Ms. LaBrie informed that the fence and four feet beyond is the applicant's property. Mr. Gallagher informed that the pictures look like debris was thrown over the fence and should be cleaned up; also, the lighting should be hooded. Ms. LaBrie stated that the building will receive new lighting, and they will make sure that the lighting is shielded. The rear portion will not be disturbed except for cleanup of debris.

Mr. Fountain asked if Narragansett Drive has been discontinued or is it still a public way.

Ms. LaBrie informed that according to the surveyors stamped plan, the road is still there, they could not find an ANR that combined the lots. The plan does consist of an updated locus map with street maps as requested by the Board.

Mr. Andrade asked if the parking spaces along the front of the walkway/building will consist of bollards. Ms. LaBrie informed that the handicap parking space will have a sign and the remaining spots will have a 6" curbing in front of each space. Mr. Andrade stated, "the Board typically requires bollards for walkways," and "with glass on the front of the building, it is more of a reason to install."

Conditions discussed: Bollards for parking spots next to a walkway (5-inch minimum by 4 feet tall); 50-foot buffer requirement to the residential neighborhood; lighting to be hooded and directed away from the abutters; intercom removed; cleaning up of debris near fence; and, updating of the chain link fence with vinyl slats.

There are currently light poles in the rear of the property that spill light off the property. Ms. LaBrie informed that that shields could be added to help with the lighting issue. Mr. Fountain asked if lighting could be directed from the rear of the property toward Rt. 44. Ms. LaBrie explained that the new lighting on the building will be shielded downward and a photometric plan can be submitted as a condition to show light fixtures and shields. Mr. Gallagher said that the photometric plan would need to be submitted before any building permits are issued.

On the condition for an intercom, Mr. Fountain recommended no intercom throughout. Ms. LaBrie informed that the intercom would be used during work hours for communication, not at night, and they could remove the speakers from the rear of the building. Mr. Fountain reaffirmed, "no intercom and if it turns out that there is one in the front of the building then the Board will need to revisit."

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to accept the Abbreviated Site Plan for Hyundai dealership at 1094 New State Highway, Raynham, MA prepared by Howard Stein Hudson, Surveyors and Engineers with the following conditions: bollards to be installed against the front of the building and walkway, lights to be hooded with no lights spilling over the abutting properties; photometric plan showing hooded light fixtures shall be submitted prior to issuance of building permit;

existing fence along rear property line to be repaired and vinyl slats to be installed on the fence; debris along rear lot line to be cleaned up; no intercom, if there is one currently, it should be disconnected. Discussion: None. Vote: 5-0-0

Ms. LaBrie informed that the lighting will be done during construction due to the fact that the existing light will be removed for the construction of the addition.

1958 Broadway/Warehouse buildings – Certificate of Action

Suggested changes to the Certificate of Action were received from the applicant.

Language change

#3— Final entrance layout and signalization plan to be approved by MassDOT, if MassDOT does not approve the plan as proposed in the approval, then the applicant will immediately submit the plan that reflects the MassDOT approval.

#6 - In the event that MassDOT does not permit a traffic signal, the Planning Board reserves the right to have a traffic control officer to direct traffic at peak *PM* hours at the *south* entrance to the site at the applicant's expense.

Mr. Gallagher suggested striking PM and south from #6.

Motion: Moved by Mr. Fountain and seconded by Mr. Andrade to approve the Certificate of Action for 1958 Broadway with revision on the draft through April 27, 2022 from applicant with changes in yellow except for #6 where the Board removed (PM and south) as noted above. Discussion: None. Vote: 5-0-0

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to approve the waivers as listed in Section C, pages 2 & 3 on the Certificate of Action. Discussion: None. Vote: 5-0-0

Public Hearing - 999-1023 Broadway (Site Plan & Special Permit)

Mr. Driscoll read the Public Hearing Notice

Ms. Duquette, PE, from Greenman-Pederson Inc., was present for a different hearing and informed that her firm had thought this project was on the agenda for May 19, 2022.

The proposed project is for a gas station with sixteen fueling positions, fueling canopy, convenience store, donut shop with associated parking and utilities.

Special Permit in sought in accordance with Raynham Zoning By-laws, Sec. 7.4, for 999-1023 Broadway, Assessors Map 40, Lots 157, 158, 160

Mr. Gallagher informed that the Board received a letter from the Sewer Superintendent, Mr. Rob Carey, explaining how to disconnect and reconnect sewer for the project. and a letter from the Highway Superintendent, Ed Buckley, regarding comments on a proposed waiver. Both comments to be discussed during the continued meeting on May 19, 2022.

Mr. Iafrate stated that the applicant will need to discuss any issues with the respective departments.

Form A plan requirement is to show the wetland line on the plan, which currently it does not show. Ms. Duquette requested a continuance to May 19, 2022, for both the Form A and site plan.

Motion: Moved by Mr. Fountain and seconded by Mr. Andrade to continue the Public Hearing for 999-1023 Broadway (Site Plan & Special Permit) until May 19, 2022. Discussion: None. Vote: 5-0-0

Public Hearing - 883 Broadway/Taco Bell – Site plan and Special permit. Ms. Duquette, PE, from Greenman-Pederson Inc., Salem, NH, was present for a different hearing and informed that her firm had thought this project was on the agenda for May 19, 2022.

Time to Act is May 19, 2022; The Board has before them a draft Certificate of Action listing three conditions.

The Board has a letter dated April 21, 2022, from Highway Superintendent Ed Buckley on the mitigation discussed. The Board discussed previously a 6-foot stockade fence along the back portion of the property.

Mr. Fountain asked about the comments in Mr. Buckley's letter regarding waiver 5.3.2.8 – basins.

Mr. Gallagher informed that this is a redevelopment site where it does not fall under the new rules because they are vastly improving the site.

Waivers

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to approve the waivers as listed in Section C of the draft Certificate of Action. Discussion: None. Vote: 5-0-0

Special Permit for drive through

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to approve the Special Permit request for a drive-through as shown on the proposed plan. Discussion: None. Vote: 5-0-0

Site Plan

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to approve the Site Plan entitled Site Redevelopment Plan proposed for Taco Bell Restaurant dated February 3, 2022, last revised April 11, 2022, prepared by Greenman-Pederson Inc., Salem, NH, subject to mitigation of \$75,000 to the Town of Raynham for drainage improvement on Sylvain Road and Richard Street; solid 6-foot high vinyl fence installed along the southeast side of property and the three standard conditions as proposed on the draft Certificate of Action. Discussion: Mr. Fountain requested at the last meeting information regarding the two back properties. Attorney deAbreu informed that it is a land court plan with three lots. The site proposed is a buildable lot and the repercussions of the remaining two lots after this conveyance may very well be that they are rendered unbuildable. This is outside of the purview of what is in front of the Board. Mr. Gallagher didn't realize it was land court. If it is land court, and the lots are already broken up, the court is going to allow the conveyance no matter how done. Mr. Iafrate said, "if someone is to allow a conveyance, that's fine," but from what he understands, the lots have been held in common ownership for a number of years. He stated that legally, the lots merge by zoning. Mr. Fountain stated that he doesn't believe that someone would get a permit for the remaining two lots. Vote: 5-0-0

7:02 p.m. – Mr. Gallagher left the meeting room and will not be returning.

Doe Run Subdivision Plan – Modification

Present was Frank Gallagher, P.E., Gallagher Engineering, Foxboro, MA, and owner/applicant Mr. John Noblin, Deer Hill Development, LLC, Raynham, MA.

The subdivision was approved as a definitive plan in 2015, and the site is currently under construction. The development is proposed in three phases with Phase 1 almost complete with a total of 10 lots either sold and/or under construction. Roadway along Pine Street consists of a binder grade, and the Town is holding a security bond for the roadway.

Mr. Carney, abutter to the north of the development, was recently surveying and engineering the parcel he owns. Mr. Carney approached Mr. Noblin regarding the purchase of the land because it consists of a wetland line and the property is landlocked. Given all that, a proposal for additional lots has been submitted.

The length of the dead-end road does not exceed the requirement; therefore, no waiver required. The proposal is to lengthen the road by 350 feet from what is currently there. The two stormwater basins proposed on original plans will handle all stormwater from the subdivision. Mr. Frank Gallagher informed that one of the two basins will handle the addition. No change or characteristic to the basin except for the outlet structure is to be adjusted to hold back some of the stormwater. The original design held back more than what was required; therefore, to account for the additional lots, they adjusted the outlet. The addition would be a part of Phase 1.

Mr. Fountain suggested a public hearing for a major modification. Mr. Iafrate informed that it is only 350 feet of new roadway with an additional six lots. The proposal could be handled with a minor modification with review from Nitsch Engineering.

Mr. Frank Gallagher submitted an addendum to the original report for drainage. He noted the applicant has done considerable work on Pine Street.

Motion: Moved by Mr. Oldfield and seconded by Mr. Andrade to accept the proposed changes as a minor modification subject to the applicant report being submitted to Nitsch Engineering for approval on the drainage along with plans submitted to the Board. Discussion: None.

Vote: 4-0-0

Mr. Iafrate requested the applicant enter into communication with the existing homeowners in the subdivision to inform them of the proposed additional six lots.

General Business & Correspondence:

- Invoices/bills payable: None
- Old Business/New Business: None
- Coordinator update - *Mr. Bob Iafrate:*

Mr. Iafrate received a request from Town Counsel to be placed on the next Planning Board meeting regarding protocols on meeting votes. The Board of Selectmen has requested that Town Counsel speak to all Boards regarding meeting processes.

- SRPEDD update - *Mr. Matthew Andrade:*

The SRPEDD 66th Annual Meeting will be held on May 25, 2022, beginning at 6:00 p.m. at Whites of Westport, MA.

- Plans to be signed: None

Adjournment - Mr. Fountain asked for a motion to adjourn.

Motion: Moved by Mr. Driscoll and seconded by Mr. Oldfield to adjourn from the Raynham Planning Board Meeting of May 5, 2022, at 7:16 p.m. with no business to be conducted afterwards. Vote: 4-0-0

Respectfully submitted,



Russell Driscoll, Clerk

Next scheduled Raynham Planning Board Meeting: May 19, 2022 @ 6 p.m.