Raynham Planning Board

Meeting Minutes

July 21, 2022

**Call to Order**

Mr. Fountain opened the meeting of July 21, 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 (4):**

Mr. Burke Fountain; Mr. Matthew Andrade; Mr. Russell Driscoll and Mr. Brian Oldfield

**Absent:** Mr. Christopher Gallagher-Chairman

**Present**: Mr. Robert Iafrate, Building Commissioner/Planning

**General Business**

Approval of Planning Board Minutes - June 2, 2022

Motion: Moved by Mr. Driscoll and seconded by Mr. Oldfield to waive the reading of the minutes for June 2, 2022, and approve as printed. Discussion: None. Vote: 4-0-0

ANR Plan – 1588 Broadway (Terra)

Ed Jacobs, P.E., PMP Associates, was present representing applicant Janet Terra.

Cell tower is located on site with easement around the site. The owner would like to remove the easement around the tower for the sale to a cell tower company. Dig Safe located underground electric and fiber optic line and created an easement. The property is an old subdivision from 1965. Ms. Terra owns all lots except for one. The road has never been constructed and no lots have been sold or built on. Lot 2 is the location of the cell tower and there is a lease agreement in place which has been supplied to the Board for a review. The sale will be for Lot 2 with the easement. Eventually, the owner is going to have the existing subdivision be one lot.

Mr. Iafrate said this is unique as they are creating a non-conforming lot with no frontage with only the easement as the access. Legally, he is not sure if this could be contested. He has no objections to the proposed plan.

The plan states that this is a non-buildable lot, and the easement bounds are listed on the plan. Mr. Jacob is to add wording to the plans “for utility access only of electric and fiber optic” along with the type of vehicles to access the area.

Motion: Moved by Mr. Driscoll and seconded by Mr. Oldfield to approve a plan entitled “Plan of Land, 1588 Broadway, Raynham, Massachusetts, in Bristol County dated July 8, 2022,” prepared for Janet L Terra by PMP Associates, as a plan not requiring subdivision approval. Discussion: None. Vote: 4-0-0

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

Chris Tymula, P.E., Senior Project Manager with Greenman-Pederson was present on behalf of applicant Nouria Energy.

Revised plans are based on comments from Nitsch Engineering as well as multiple comments from the Conservation Commission through ET Engineering. All comments from both Planning Board and the Conservation Commission have been addressed. The revisions include moving the transformer pad to the front of the site and the underground fuel tanks moved to location outside the Conservation Commission’s 25-foot buffer zone. The wetland impact has also been reduced from 1530 sq. ft. to 1385 sq. ft. Increase in wetland improvements on site from a 2:1 mitigation to a 3:1 mitigation. Removed below ground infiltration system and replaced with above ground infiltration basin. No increase in the peak rate of runoff leaving the site.

Plans have been updated to reflect comments from the Sewer Commission, which is to keep the existing sewer line for the project.

Preliminary discussions have been had with MassDOT relative to the proposed Rt. 138 construction. The MassDOT roadway plan is being revised to match this site plan project. No approval received yet from MassDOT. The four existing curb cuts will be reduced to two.

Waiver Sec. 5.3.2.8 – request relief form the requirements that requires 150 percent storage volume for retention basin for 100-year storm. Highway Superintendent comment was that the requirement not be waived. Mr. Tymula said that he would agree if tying into the Town’s drainage system, but they are not. All site runoff is captured on site. The underground storm system is detaining groundwater runoff with the above ground infiltration system. All run-off being discharged to the rear of the site into the wetlands. Stormwater calculation indicate there will not be any increase in the peak rate of runoff. The only way to reduce volume is to recharge groundwater on site. Because the proposed plan is a gas station development, they prefer not to recharge groundwater for potential groundwater contamination. Therefore, the applicant cannot meet the requirement of 150 percent. For the 100-year storm, the development is close to 20-30 percent increase in volume with no increase in peak rate of runoff. Making the underground system larger will not suffice the volume. Mr. Fountain asked if MassDOT reviewed the runoff from the project. Mr. Tymula confirmed that MassDOT has reviewed and all runoff is flowing toward the rear of the site.

Snow storage will be in sections on the site with excess to be trucked off site.

Truck turning plan was discussed with the Board; small delivery trucks will use existing parking spaces.

Bollards are to be installed along the entire front of the building, for a total of thirty bollards.

Color rendering of the building was shown to the Board.

July 1, 2022 list of waivers:

Section 4.8 – Providing information on the location site and capacity of existing utilities.

Section 5.1.2 – Three-foot-wide landscaping strip along foundation walls.

Section 5.3.2.8 - Request relief from the requirements that requires 150 percent storage volume for retention basin for 100-year storm.

Section 5.4 -Relief from the requirements that prohibits parking between the building and street layout.

Section 5.7.2 – 25-foot-wide access points along property line.

Section 5.7.3 – Requesting relief from requirement that requires a minimum distance of 40 feet between property line and parking.

Section 5.8.2 – Requirement that the stacking lanes width be a minimum of 12 feet.

Section 6.2.2 – No increase in peak volume.

Section 6.2.4 – Maximum earth cut of four feet

Section 6.5a – Minimum of 7.5-foot setback from parking lot to building wall.

Section 5.1.3 – Requires a 25-foot undisturbed buffer from any wetland resource area

Section 5.2.4 – Prismatic lens maximum cutoff of 70 degrees from vertical

Section 6.5b – 9-foot aisle

Section 7a - Wetland distance by section to easement

Motion: Moved by Mr. Driscoll and seconded by Mr. Oldfield to approve the waivers as set forth on Nitsch Engineering July 1, 2022 letter and the added Sections 5.1.3, 5.2.4, 6.5b and 7a as set forth on Waiver request. Subject to Section 5.2.5-relief from the acquiring maximum foot candle level at 8.0 added language “only under the canopy;” Section 5.8.2-relief from the requirements that the stacking lanes be a minimum of 12 feet in width added language “but not less than 11 feet in width.” Discussion: None. Vote: 4-0-0

Motion: Moved by Mr. Oldfield and seconded by Mr. Driscoll to approve Site Plan for proposed retail motor fuel outlet site redevelopment plans for accessors Map 4, Lots 157, 158 and 160 for 999 and 1023 Broadway/Rt. 138, Raynham Massachusetts prepared for Nouria Energy Corporation of Worcester, prepared by GPI, subject to review of a Certificate of Action. Discussion: None. Vote: 4-0-0

Public Hearing: Abbreviated site Plan – Hutch Motorsports/1298 New State Highway

Mr. Driscoll read the Public Hearing notice.

David Hutchins was present. The proposed plan is for an addition to existing building using existing parking spaces with existing drainage. Mr. Gallagher has reviewed and is comfortable with existing drainage system. A 50-ft. buffer will not be maintained because the building is close to the back-property line.

Mr. Fountain asked that the 50-ft. buffer be built up. Mr. Hutchins informed that the area currently has arborvitaes that were planted years ago, which are about 12-14 feet tall.

Motion: Moved by Mr. Driscoll and seconded by Mr. Andrade to approve the site plan entitled Hutch Motorsports Site Plan, 1298 New State Highway/Rt. 44, Raynham Massachusetts dated May 19, 2022, prepared by Grady consulting, LLC. Discussion: None. Vote: 4-0-0

Site Plan Modification – 77 Broadway

Present was Dave Laghetto of Seafood and Cones, along with representative from Strong Point Engineering.

Upon a preliminary inspection, Deputy Fire Chief recommended a fire lane against the front of the building where parking was originally proposed with a walkway and bollards. Mr. Iafrate informed that Nitsch Engineering conducted a site visit and drafted a bond amount of $50,000. Mr. Laghetto has submitted the bond and a Temporary Occupancy Permit was issued until next spring when the parking lot will be completed with a top coat and finalization of parking.

Motion: Moved by Mr. Driscoll and seconded by Mr. Oldfield to accept the site plan modification for 77 Broadway as presented. Discussion: None. Vote: 4-0-0

General Business & Correspondence

•Invoices/Bills Payable - Board members signed invoices presented.

•Old Business / New Business – Partridge Lane and Cardinal Circle: A petition has been submitted and was given to Town Counsel; Town Counsel will be reaching out to the subdivision developer. Town Counsel will inform of timeframes to be met and the use of the bond on file to complete the project, if necessary. Mr. Iafrate has spoken to the contractor who informed him that plans are in place but they are busy in other towns. Meeting is planned within the next couple of weeks with Town Counsel, Highway Superintendent and Mr. Iafrate to discuss the matter. Further discussion tabled until the next Planning Board meeting.

•Planning Coordinator Update -*Mr. Robert Iafrate*:

* Mr. Iafrate will not be present at the next Board meeting but will have the drafted Certificates of Action for the approved projects ready for the Board.
* 50 Ryan Drive has been completed and a Temporary Occupancy Permit was issued although an as-built plan has not been received. Mr. Iafrate conducted a site visit and commented on the excellent construction. Nitsch Engineering to review the drainage.
* 167 South Street West as-built plan was received although some things are not complete such as landscaping. Nitsch Engineering conducted site visit and estimated cost to complete would be $11,414. Applicant is looking for a Temporary Occupancy Permit.

**Motion**: Moved by Mr. Driscoll and seconded by Mr. Oldfield to approve a Temporary Occupancy Permit for 167 South Street West with the condition that $12,000 is held to complete the landscaping. Discussion: None. Vote: 3-0-1 (Mr. Andrade abstained)

•SRPEDD Update - *Mr. Matthew Andrade*:

* The next SRPEDD meeting is scheduled for July 27, 2022.

•Plans to be signed – Doe Run modification.

* Board members signed the plans for Doe Run modification.

**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 June 2, 2022, at 7:15 p.m. with no business to be conducted afterwards. Vote: 4-0-0

Respectfully submitted,

Russell Driscoll, Clerk