



# TOWN OF RAYNHAM

## PLANNING BOARD

RAYNHAM, MASSACHUSETTS 02767

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Raynham Planning Board

Meeting Minutes

Thursday, January 19, 2023

### Call to Order

Mr. Gallagher opened the meeting of January 19, 2023, at 6:00 p.m. and informed the meeting is being broadcast 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

**Present:** Mr. Robert Iafrate, Building Commissioner, and Ms. Maureen McKenney, Planning Board Administrative Assistant

### Approval of Minutes of January 5, 2023

**Motion:** Moved by Mr. Fountain and seconded by Mr. Oldfield to waive the reading and accept the minutes of January 5, 2023, as printed. Discussion: None. Vote: 5-0-0.

Due to conflict of interest, Mr. Gallagher asked to take agenda items out of order. Members of the Board did not object.

### General Business

Invoices/Bills Payable: Invoices were reviewed and approved by the Board.

### Correspondence:

- Information regarding changes to the Town Code was received. Mr. Iafrate informed that the changes made to the Planning Board section of the code only reflect verbiage and punctuation.
- **Motion:** Moved by Mr. Fountain and seconded by Mr. Andrade to adopt and approve the changes to the Town Code as presented in the attachment to the correspondence between the Planning Board and Deborah Tuszynski. Discussion: None. Vote: 5-0-0

Planning Coordinator Update - Mr. Bob Iafrate:

- Mr. Iafrate informed that he spoke to Mr. Buckley regarding projects in Town. Concerns were expressed by Mr. Buckley on Cardinal Circle/Partridge Lane project. Mr. Buckley would like a letter to be sent to the developer with a short timeframe to perform work and if the work is not performed within the stated time, the bond is to be taken to complete the roadway. There has not been any communication between Mr. Buckley or the developer in months.

Mr. Gallagher suggested Mr. Buckley draft a letter and the bond amount to be checked to make sure there is enough for him to complete the work.

SRPEDD Update – Mr. Matthew Andrade:

- No update to report.

Plans to be signed:

- No plans to be signed.

**Public Hearing**

Church Street Estates – Preliminary Plan

Mr. Gallagher informed that there was a question on the submission of the plan for Church Street Estates. Because it is a cluster development, there are certain requirements that must be met. Rules and regulation for both the Planning Board and Zoning Board are required. The application submitted to the Board was for a review and approval of a preliminary plan. Therefore, Planning Board rules and regulations apply first. The project will also need to go through Conservation Commission for the wetland line.

Because the submission was not complete, Mr. Gallagher stated that the Board will need to decide how they would like to act. The applicant could withdraw the plan and resubmit with all requirements met, or if the Board would like, open the hearing but take no evidence until the plans are complete with. A continuance request and time-to-act extension would be needed from the applicant.

Mr. Gallagher informed that he will not participate in the discussion due to conflict of interest as his brother is the engineer on record for the project.

6:16 p.m. – Mr. Gallagher opened the public hearing, and Mr. Driscoll read the Public Hearing notice.

Mr. Chris Gallagher submitted information to Board members on wetland resource delineations and cluster development plans.

Mr. Fountain agreed with Mr. Gallagher in requesting that the plans be complete and, if the applicant so wishes, either continuing the hearing until the next meeting or withdrawing the application. Members agreed that the Board needs to follow the Planning Board regulations when reviewing and approving plans that have been submitted.

Time to act is February 18, 2023.

Present was Frank Gallagher, P.E., Gallagher Engineering. He informed that the time-to-act will need to be extended as the process with the Conservation Commission may take some time. Typically, there is not much dispute these days with wetland flagging but the timing is on the review process and Conservation meeting schedule. He said the wetland flagging could be completed and ready to present by the February 16<sup>th</sup> Planning Board meeting.

Mr. Chris Gallagher suggested an extension of four months on the time-to-act.

Present was applicant John Noblin who explained why he was looking for approval on the preliminary plans. He informed that he would like to eliminate the lot lines so that he is able to build garages and protect the use of the property. There have been issues with dumping of trash on the property.

Mr. Chris Gallagher informed that the requirements for this application are nothing different than what any other applicant would need to submit.

Mr. Driscoll commented on the possibility of submitting a plan to combine all lots into one.

Mr. Chris Gallagher informed that would be permitted if the applicant would like to submit with one lot, but he would not be able to do so on this application as submitted. Also, any building of garages would need to remain in the envelope of the one lot area.

The Board discussed the existing application being left open while working on an amended application.

**Motion:** Moved by Mr. Fountain and seconded by Mr. Oldfield to continue the public hearing for Church Street Estates Preliminary Plan until February 16, 2023, at 6:10 p.m. with a time-to-act of June 18, 2023. Discussion: None. Vote: 5-0-0

The Board discussed with Mr. Noblin the need to submit a Form A showing one lot.

**6:45 p.m.** - Mr. Chris Gallagher left the meeting room and will not be returning.

#### **Form A – Lot 27 Doe Run**

Present was Frank Gallagher, P.E., Gallagher Engineering. The driveway for 781 Pine Street has encroached onto Lot 27 along with a landscape berm. The Form A plan will accomplish two things: 1) create Parcel A, which will be combined with the 781 Pine Street property, allowing an

existing driveway to be located solely on that property; and, 2) create an easement to allow the 781 Pine Street abutters access to the landscape berm at the rear of their property. Both property owners agree with the plan. Parcel A will be deeded to 781 Pine Street.

Mr. Fountain asked if both lots conform. Mr. Gallagher informed that they do and there are no wetlands on the property.

Mr. Fountain asked for a motion to approve.

**Motion:** Moved by Mr. Driscoll and seconded by Mr. Oldfield to approve the plan entitled Plan of Land in the Town of Raynham, MA situated off Sydney Drive, prepared for Deer Hill Development, LLC, prepared by Gallagher Engineering dated January 12, 2023, as a plan not requiring subdivision approval. Discussion: None. Vote: 5-0-0

#### **Form J – Lot releases at Doe Run**

Present was Frank Gallagher, Gallagher Engineering.

Frank Gallagher requested the release of five lots at Doe Run. He explained that the developer has extended the pavement on Sydney Drive into Phase II, about 600 feet at binder grade. The request is to release lots that are in front of the section that was paved.

Mr. Fountain informed that a memo was received from Ed Buckley, Highway Superintendent, expressing concerns with items in Phase I of the subdivision that are not complete.

Mr. Fountain suggested postponing the discussion on the release of lots until the next meeting so that Frank Gallagher can discuss with the Highway Superintendent his concerns. It was agreed to do so.

#### **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 January 19, 2023, at 6:55 p.m. with no business to be conducted afterwards. Vote: 5-0-0

Respectfully submitted,



Russell Driscoll, Clerk

Upcoming Planning Board Meetings:  
February 2, 2023  
February 16, 2023