



# **TOWN OF RAYNHAM**

## **PLANNING BOARD**

**RAYNHAM, MASSACHUSETTS 02767**

**Tel. 508-824-2745 Fax 508-828-4290**

**Meeting Minutes  
Thursday, July 20, 2023**

### **Call to Order**

Mr. Andrade opened the meeting of July 20, 2023 at 6:02 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):**

**Present:** Mr. Matthew Andrade-Chairman; Mr. Burke Fountain; Christopher Gallagher and Mr. Brian Oldfield

**Arrived Late: 6:05 p.m. -** Mr. Russell Driscoll

**Absent:** Ms. Maureen McKenney, Planning Board Administrative Assistant

**Present:** Mr. Bob Iafrate, Building Commissioner

### **Approval of Meeting Minutes – June 1, 2023 and June 15, 2023**

**Motion:** Moved by Mr. Fountain and seconded by Mr. Oldfield to waive the reading of the minutes from June 1, & 15, 2023, and approve as printed. Discussion: None. Vote: 4-0-0

### **Lincoln Woods - Discussion with David Wardell re: status of subdivision**

Present was Mr. Wardell, representing Raynham Investments.

Mr. Andrade informed that the extension down Maple Street, off Crimson Street, is unfinished. Manhole covers are exposed, there is unfinished pavement with all rough surfaces. Driving down the road, he saw there were two huge piles, one dirt and one stone pile.

Mr. Iafrate asked if the developer has plans to finish the roadway and if they will be asking for the roadway acceptance in the near future. The subdivision has been ongoing for almost fifteen years, and the neighbors are contacting the Town with complaints about the roadway as well as landscaped areas and poor maintenance (plowing, etc.) Neighbors would like the Town to take it over, but the Town will not until all the improvements are made.

The Planning Board has a bond for the project. Mr. Gallagher said the Board has continued discussions twice and no plans have been submitted. The road only has a binder, which only lasts so long until it starts disintegrating, and in this case, it is not in great shape.

Mr. Iafrate informed that Maple Street was top coated but no landscaping. The cul-de-sac at the end of Crimson Street and the road on the extension has major work to be completed, and the cleaning of the detention areas needs to be done.

Mr. Andrade asked that the representative return on August 3, 2023, with a plan of attack.

**6:05 p.m.** - Mr. Russell Driscoll arrived

### **Layla Estates Subdivision - Continued Public Hearing**

Present was Attorney Edmund Brennan, 174 Dean Street, Taunton, MA, and Evan Watson, P.E., W Engineering, Taunton, MA.

Evan Watson noted he has reviewed the comment letter from Nitsch Engineering and will have a response letter to the Board before the next meeting. There are no engineering issues that present any obstacles. There will be considerable upgrades to Pine Street along with the creation of the cul-de-sac. Mr. Watson reviewed the changes to address both concerns of the Board and concerns of the review engineer. One change is the 50-foot right-of-way with an offset. The plans clearly identify the water, sewer, drainage, and sidewalks. Improvements to Pine Street, as shown on the plan, will include drainage and a Cape Cod berm. The improvements will continue from the intersection of Doe Run to the end of Pine Street, approximately 1250 feet of roadway. The project will be discussed with the Sewer and Water Departments during their next meeting and the Fire Department will be supplied with the plans showing the new width of the roadway.

Mr. Fountain asked if water and sewer was adequate if other land were to be developed on Pine Street. Mr. Watson was not sure, but there is 12-inch line currently. Because the culvert is the only way in and out, and if there are a hundred homes built, the culvert will need to be replaced.

Mr. Andrade spoke to the Highway Superintendent, and it is his preference for any developer beyond the culvert to come up with some type of temporary solution to remedy the bridge to allow construction to continue beyond it and not compromise that bridge for the remainder of the residents.

Attorney Brennan also spoke to the Highway Superintendent who had said that if the property owners wanted to get together and come up with some mechanism for temporary repairs to the culvert including a stamped plan by a structural engineer, to be approved by Town Engineer and the Select Board, he would be okay with that. He also informed that his client is willing to participate with the other property owners on the temporary repairs as far as the contribution to the overall infrastructure. The proposed improvement from Doe Run to the end of Pine Street is a substantial cost, and all property owners will be benefiting.

Mr. Gallagher commented on the improvement from Doe Run and the proposed improvement to Pine Street by the developer of Layla Estates. He said that possibly with no additional expansion on Pine Street, the responsibility of the culvert might lie on the next person that comes down the line.

Attorney Brennan stated that his client is willing to take on Pine Street, but not the project with the culvert.

Mr. Watson informed that the sewer force main at the end will have a stub allowing the tie-in for the last section of Pine Street

Mr. Andrade's suggested that, in his opinion, funds be put aside to aid in the improvement of Pine Street beyond the proposed work.

Mr. Andrade asked if the applicant would like to continue discussion until August 3, 2023, at 6:05 p.m. Mr. Brennen agreed to the continuance.

### **Campbell Court – Bond Release**

Mr. Iafrate informed that discussions need to be tabled until an as-built plan is received.

### **1900 Broadway – Site Plan Minor Modification**

Present was Josh White, Civil Engineer from JDE Civil Engineering, representing Chris Carney and the MA Greyhound Association.

The original Site Plan was approved in March 2022, and the Certificate of Action was issued in April 2022.

This project is tied with the existing project at the old dog track, which is still going through the MEPA process. The final Environmental Assessment Report Certificate is expected by mid-August. The MEPA process has put the construction of the main entrance for the facility on hold until their review is complete. Also, the MassDOT road permit is in the review process.

The Planning Board's Certificate of Action contained several conditions, and Mr. White reviewed with the Board the submitted list.

Present was Mr. Mike Wurtsbaugh, advisor to the project, who explained that they are in front of the Board for the clarification of Condition #2 - the phasing in of work for the project for a temporary Certificate of Occupancy.

Mr. Andrade noted he conducted a site visit today and there is considerable amount of work to be completed. He would not consider a Temporary Occupancy until all drainage, utilities, parking including striping and the clearing of the lot is complete.

Mr. Iafrate asked for verification to the entrance and the truck route around the building on the Temporary Occupancy Permit because based on what was seen today, it is more than aggressive when talking about an October date. Also, knowing there may be a little bit of a challenge on the construction side of the building when some parts may not be available until much later.

Mr. Iafrate suggested the applicant come back when they would like to occupy the building. The Board suggested scheduling a follow-up for August 17, 2023, at 6:01 p.m.

### **Miscellaneous**

Mr. Gallagher informed that there was a couple of people interested in becoming an Associate Member to the Planning Board. The Associate Member would be chosen by a joint appointment from Planning Board and Selectmen. He suggested those interested should submit a letter of interest to be placed as an agenda item at the next meeting.

Due to possible conflict of interest, Mr. Gallagher left the meeting room and will not be returning.

### **Doe Run Subdivision**

The Board received correspondence from various people in the neighborhood regarding their concerns of little action being taken, mail shut-off and road concerns.

Mr. Iafrate informed that the Board requested a letter from the developer on the status. A letter dated March 8, 2023, was received from their engineer with a time frame and schedule for improvement. Some of the items have been started but not completed. Individual residents have reached out to him with their concerns. He suggested a motion to rescind any building permits. There is one building permit that was released by the Board in the current phase. He recommended a motion to hold issuing the building permit until some activity is done with the roadway improvement, sidewalks and some of the infrastructure.

Present was Anthony Niccoli, 15 Meghan Circle. Mr. Niccoli informed the Board that some items were completed this week such cutting of the lawn. He just wants the road to be paved.

Mr. Andrade agreed that it would be a wise decision to rescind the building permit for the current phase.

**Motion:** Moved by Mr. Fountain and seconded by Mr. Oldfield to rescind the Building Permit for the last buildable lot, Lot 22, and that the Planning Board will not issue any further lot releases until the work in Phase 1 is complete. Phase 1 work include binder coat, installation of sidewalks and granite curbing. Discussion: None. Vote: 4-0-0

### **General Business**

- Invoices/Bills Payable: No invoices to approve.
- Correspondence: No correspondence received since the last meeting.
- Old Business/New Business: August meeting schedule
- Planning Coordinator Update - Bob Iafrate, Building Commissioner:
  - Certificates of Occupancy – Taco Bell/883 Broadway and Seafood and Cones/77 Broadway.

Mr. Iafrate recommended a vote to release funds from bonds on both accounts. Final as-built plans, final inspection, landscaping, grass growing for both locations have been done.

**Motion:** Moved by Mr. Fountain and seconded by Mr. Oldfield to release remaining funds for Taco Bell, 883 Broadway, and Seafood & Cones, 77 Broadway. Discussion: None. Vote: 4-0-0

Nitsch Engineering reviewed 15 Commercial Street for their Certificate of Occupancy. The punch list was reviewed today and once they receive their final CO, Mr. Iafrate will bring to the Board's attention for a vote to release bond money.

A department head meeting is scheduled for next Tuesday on an application for 8,000 sq. ft. addition to Walmart on 160 Broadway. Also, activity is progressing at Grieco Ford on the approved site plan.

A meeting was conducted with the owners of the parcel across the street from Church Street for a 40B project to be located on Rt. 44. They have a rendering of a plan that they would like to bring forward. The property is approximately 70 acres with business zone in the front and Residential A in the back, which is heavily impacted by wetlands. The proposed rendering was a 22,000 to 28,000 sq. ft. commercial building with access through the wetlands on Rt. 44. Through the same access, they are proposing 200 apartments for a 40B project. A Letter of Intention was submitted to the Selectmen last week and they are moving forward with the design.

Mr. Iafrate informed that this would give the Town three active 40B projects, one fully permitted, two in the permitting process. With the total of about 690 plus units within the three projects, the Town would

probably be at the 10% requirement. Although the new census for 2020 has not come out yet, it may put the Town back below the 10%.

Mr. Iafrate suggested a meeting with the developer of the 1900 Broadway simulcast center/ sports book project to conduct a site walk so that all issues are resolved ahead of time. The Board would need to post a meeting to include Nitsch Engineering, with an as-built to be reviewed.

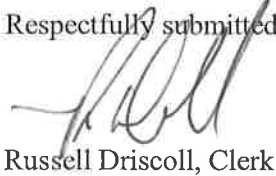
- SRPEDD Update - Christopher Gallagher: Mr. Gallagher was not present.
- Plans to be Signed: No plans presented to the Board.

### **Adjournment**

Mr. Andrade asked for a motion to adjourn.

**Motion:** Moved by Mr. Fountain and seconded by Mr. Oldfield to adjourn from the Raynham Planning Board meeting of July 20, 2023, at 7:21 p.m., with no business to be conducted afterwards.

Respectfully submitted,



Russell Driscoll, Clerk

**Upcoming Meetings:** August 3 & 17, 2023