**Raynham Planning Board**

**Meeting Minutes**

**Thursday, June 15, 2023**

**Call to Order**

Mr. Andrade opened the meeting of June 15, 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):**

**Present:** Mr. Matthew Andrade-Chairman; Mr. Burke Fountain; Mr. Russell Driscoll; Mr.

Christopher Gallagher and Mr. Brian Oldfield

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

**Approval of Minutes from June 1, 2023:** Approval of minutes was tabled until the next meeting.

**Continued Public Hearing: Layla Estates Subdivision**

For disclosure, Mr. Gallagher informed that he was not present during the first public hearing but has reviewed all the information and minutes pertaining to the meeting. Typically, there is an affidavit that would be signed stating that the Planning Board member reviewed the information. He asked if the applicant would allow him to participate subject to signing the form.

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

Attorney Brennan did not object to Mr. Gallagher participating in the public hearing.

The applicant has received the comment letter dated June 14,2023, from Nitsch Engineering. Mr. Watson will review the letter and address the concerns listed. In one comment, Nitsch suggested the applicant have a discussion with the Board regarding the street trees.

The plan proposes a 50-foot right-of-way and sidewalk on one side with vertical granite curbing; 22-foot wide pavement and one-foot Cape Cod berm for a 23-foot-wide total paved road width. With this type of design, the Town would like to see street trees within the right-of-way of the road. When there is only one sidewalk, as proposed, the street trees would be 15-20 feet into

front yards. If the design is changed to a 40-foot right-of-way and off-setting the roadway so that it is not right in the middle, they would be able to make a more symmetrical roadway.

Mr. Watson asked for the Board’s feedback. Mr. Watson informed that a meeting took place recently with the Highway Superintendent and Mr. Iafrate to discuss the roadway. There is no formal letter, but Mr. Buckley had stated that he did not have any problem with the 40-foot right-

of-way if everything would fit within the right-of-way. The Board seemed to like the more symmetrical design.

Mr. Andrade explained that he spoke to Mr. Buckley after the last meeting, and his largest concern was the condition of Pine Street. A weight restriction has been placed on the Pine Street bridge for crossings. All developers in the area have been informed and will need to adhere to the restrictions.

For future improvements to Pine Street, Mr. Andrade suggested there be a figure, per lot, going towards road improvement to Pine Street. His hope is for all to contribute to make Pine Street better for residents living there currently and in the future.

In the preliminary subdivision plan, the applicant proposed improvements for Maple Avenue. They suggested that the right-of-way be paved with lots on Maple Avenue with a proposed reduction in the roadway width. The plan proposed an 18-foot right-of-way with Cape Cod berm on both sides for a full 20-foot width. During the meeting with Mr. Buckley, it was felt that the 20-foot roadway was too narrow. Mr. Watson asked if the Board felt comfortable with the 20-foot pavement width or would they rather see the same roadway cross section throughout.

Mr. Andrade said that because the street will be eventually a public way, he would side with Mr. Buckley on the width. Remaining Board members agreed that the roadway cross section be the same throughout.

Mr. Gallagher commented on the Nitsch Engineering letter, and said most of the concerns could be addressed with waivers.

Mr. Watson requested a continuance until the next meeting.

Time-to-Act is September 8, 2023.

**Motion:** Moved by Mr. Fountain and seconded by Mr. Oldfield to continue the Public Hearing for Layla Estates until July 20, 2023, at 6:05 p.m. Discussion: None. Vote: 5-0-0

**David Wardwell – Discussion regarding Lincoln Woods**

The Board received correspondence from Mr. Wardwell stating that he was not able to attend this meeting due to health concerns and is requesting to be moved to the second meeting in July.

**Motion:** Moved by Mr. Fountain and seconded by Mr. Gallagher to continue the discussion with David Wardwell regarding Lincoln Woods until July 20, 2023 at 6:08 p.m. Discussion: None. Vote: 5-0-0

**Form A Plan for Oakland Street**

The Board’s Time to Act on the plan is June 30, 2023. The Board previously denied the Form A Plan for Oakland Street.

Present was Attorney Edmund Brennan, 174 Dean St., Taunton, MA.

Attorney Brennan informed that the owner would like to create two lots. He reviewed the history of the land across the street, and the approval of a Form A for two single family lots. The applicant, Mr. Keith, is requesting two Form A lots, one of which is 40,055 square feet so that it has the minimum width for the frontage and the other has 6.6 acres with frontage on Oakland Street.

Mr. Iafrate was not present but sent correspondence stating the required frontage for a Form A lot is 150 feet.

Mr. Gallagher agreed that the ZBA approved the lot across the street and the requirement to improve the roadway. He asked if the applicant was able to discuss with those owners for a possible partnership of a public way. Mr. Silva confirmed that they reached out to the owner and discussed, but because the owner across the street was further along in their process, they decided at that time to submit the plan that was approved by the ZBA.

Mr. Gallagher said he does not see the improvement being sufficient to allow Form A lots off a private way, in accordance with the Town’s zoning by-laws. In his opinion, it does not meet the criteria of having frontage on a public way. He said he feels that the Form A approved across the street was a mistake.

Attorney Brennan stated that there is no authority that states a Form A must be on a public way.

A Planning Board special permit allowed the lots across the street to install sewer lines, pavement of road, and street drainage.

Mr. Oldfield informed that the installed sewer main is only capable of handling the three homes currently there. The sewer line and the water main will need to be upgraded. He explained that because the road was paved, there is a five-year moratorium.

Mr. Driscoll discussed the minimum roadway required for the three existing lots, and after his review of Form A requirements, he felt they were minimal.

Mr. Andrade asked if the Board would like to rescind the previous vote and vote on the Form A as presented.

Mr. Gallagher reminded the Board that with an approval of a Form A, there are no requirements from the Planning Board.

**Motion:** Moved by Mr. Fountain and seconded by Mr. Oldfield to rescind the previous vote taken for a Form A Plan for Oakland Street. Discussion: None. Vote: 5-0-0

Mr. Fountain discussed the requirements for a Form A plan, which are frontage, area and access. The frontage and area are there, but not the access from a public way.

**Motion:** Moved by Mr. Gallagher to deny the request for a Form A as an Approval Not Required plan entitled Plan of Land, Assessors’ Map 17, Lot 61 Oakland Street, prepared for Keith Family Nominee Realty Trust by Silva Engineering Associates, dated May 11, 2023, due to the reason stated above in the discussion. Mr. Fountain seconded the motion.

**On a Roll Call Vote:** Mr. Gallagher–Yes; Mr. Oldfield–Yes; Mr. Driscoll–No; Mr. Fountain-No; Mr. Andrade–No. Vote: 2-3-0

Mr. Andrade stated that the application meets the criteria based on a Form A lot.

Attorney Brennan asked if the vote against the denial is an approval or would the Board take another vote.

Mr. Fountain requested the approved plan be presented to the Board on a mylar for signatures.

Attorney Brennan will reach out to the Planning Board office for an extension on the Time-to- Act for the endorsement.

**General Business**

 **•** Invoices/Bills Payable: The Board did not receive any invoices/bills since the last meeting.

  **•** Correspondence: No correspondence received since the last meeting.

 **•** Old Business/New Business: *July Meeting Schedule*

Due to the Fourth of July holiday, the Board will be cancelling the July 6, 2023, meeting. The next meeting will be on July 20, 2023.

Mr. Andrade suggested moving the request for Campbell Court road bond release scheduled for July 6, 2023, to July 20, 2023, to 6:10 p.m.

**Motion:** Moved by Mr. Fountain and seconded by Mr. Oldfield to cancel the Planning Board Meeting of July 6, 2023, and reschedule the road bond release requesst for Campbell Court to the Planning Board meeting of July 20, 2023, at 6:10 p.m. Discussion: None. Vote: 5-0-0

 •Planning Coordinator Update: Mr. Iafrate was not present; no update.

 •SRPEDD Update: No update presented by Mr. Gallagher

 •Plans to be signed: No plans presented to be signed.

**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 June 15, 2023, at 6:59 p.m. with no business to be conducted afterwards.

Respectfully submitted,

Russell Driscoll, Clerk