



TOWN OF RAYNHAM

PLANNING BOARD

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Raynham Planning Board Meeting Raynham Veterans' Memorial Town Hall January 18, 2018

Meeting opened: 6:00 p.m. by Burke Fountain, Vice-Chairman

Board members present: Burke Fountain, Russell Driscoll, John Teixeira

Board members not present: Daniel Andrade, Christopher Gallagher

Staff present: Robert Iafrate, Planning Coordinator
Maureen McKenney, Administrative Assistant

6 p.m. – Bassett Knoll Estates: Lee Castignetti, representing Long Built Homes, and Nick Harris, Raynham Investment Realty Trust, were present. The following correspondence was received: Nitsch Engineering, Cost Estimate Update - Phase 1A, dated January 16, 2018; Nitsch Engineering, Cost Estimate Update – Phase 1B, dated January 16, 2018; letter dated 12-13-17 from Raynham Investment Realty Trust ("RIRT") requesting bond reduction for Phase 1A; letter dated 12-13-17 from RIRT with bond estimate for Phase 1B; and letter dated January 15, 2018, from Long Built Homes on behalf of RIRT requesting approval for lot clearing at Phase Two (aka 1B); and, a proposed Tri-Party Agreement for 25 lots in Phase Two/1B was also received.

Mr. Castignetti explained that there is a Tri-party Agreement for about \$500,000 in place for Phase I of Bassett Knoll that is subject to reductions, and the Nitsch correspondence of January 2nd reduces the amount needed for Phase I to \$345,721. Mr. Fountain asked what changes there will be to the Phase I Tri-Party Agreement with the bank if the amount is lowered by the Board. Mr. Castignetti said nothing will change with the agreement, just the obligation amount.

Mr. Castignetti submitted a proposed Tri-Party Agreement in the amount of \$464,425, for Phase II of the subdivision, being lots 19 through 41 and lots 62 and 63. The amount is based on the January 16, 2018, Cost Estimate Update from Nitsch. Mr. Fountain noted the agreement will be sent to Town Counsel for review. Mr. Fountain asked Mr. Iafrate if he was okay with this. Mr. Iafrate said it made sense considering the Nitsch review.

It was noted there will be about an \$18,000 reduction for Phase I, if approved. Mr. Fountain moved to reduce the amount of the security agreement for Phase I to \$345,721; second Mr. Driscoll. Motion passed unanimously (3-0-0).

Mr. Castignetti explained they are clearing lots for Phase II and are seeking permission consistent with the plan submitted with his January 15, 2018, letter. Mr. Fountain asked why this is important. Mr. Castignetti explained it is a "carryover" from previous discussions with the Board. He explained that it was hard to save trees but they secured a "pretty nice" tree line without clear-

cutting. Mr. Iafrate said it looks better on paper, but because of conditions there, the trees may have died eventually. He said the tree line is not much of a buffer but that's what it is.

Mr. Fountain read the letter from Mr. Castignetti on behalf of RIRT. He moved to approve clearing as described in January 15, 2018, letter from Raynham Investment Realty Trust; second Mr. Driscoll. Motion passed unanimously (3-0-0).

6:17 p.m. Sullivan/Sandy Hill Road: Abbreviated Site Plan public hearing was opened. Mr. Driscoll read the hearing notice. Mr. Fountain noted the hearing was opening tonight because the January 4th meeting was cancelled due to weather.

Applicant Joe Sullivan appeared before the Board and explained that he had started the variance process with the Board of Appeals but after further discussing with Mr. Iafrate and the Planning Board, he decided to seek approval with the Planning Board instead. He explained that his proposed roadway will be 22 ft. wide with dense-grade gravel, it will have a hammerhead turnaround and he has talked to the police and fire departments about the plan. He noted Sandy Hill is a public road to the point where the asphalt now ends.

Frank Gallagher, P.E., Foxboro, MA, was present with Mr. Sullivan and he explained Mr. Sullivan's road improvements will be 800 feet length. Mr. Fountain read the following letters from Town officials stating they had no objections to the plan: police department, dated July 17, 2017; fire department, dated July 12, 2017, water department, dated November 9, 2017, and sewer department, dated November 7, 2017.

Mr. Sullivan noted he has the option of having private septic system on his lot but he has not decided between that or sewer yet. He will not be paving the road but will widen it and will provide stable surface for driving and emergency vehicles.

Copy of e-mail dated January 16, 2018, from Ed Buckley was received. Mr. Fountain asked if Mr. Sullivan has discussed with Highway Superintendent Buckley the list of requirements for the plan. Mr. Sullivan said he has and has no problems with the requirements.

Mr. Fountain asked if anyone had comments. Kevin Muir, 19 Sandy Hill Road, asked where the public part of Sandy Hill ended and if there were any documents stating such. Mr. Fountain said the public way ended at the pavement, and they had checked with the Town Clerk's office previously about the road status but he has nothing in writing. Mr. Muir noted there has been a dispute with a homeowner on the road and the Town regarding sewer. He stated he always thought Sandy Hill Road was private and questioned if people's property was being encroached upon.

Mr. Gallagher explained the plans on file at the registry show Sandy Hill as public up to the point where the asphalt ends, as mentioned. He explained that the road width and layout together total 40 feet width in both the public and private sections. Mr. Muir stated the concern is that Sandy Hill not becomes a thru-way with no disrespect to Mr. Sullivan. He noted fire and police say they can access the road but Sandy Hill is 15 feet wide at points with one car only able to pass. He is concerned that if the property splits in the future, there will be the same situation without road improvements. He noted the Town recently sold land in the area so there could be more cars using the roadway in the future. Mr. Fountain said improvements are being made for one house and the Board can require more improvements if another house is planned.

Mr. Fountain asked Mr. Gallagher about the boundary with nearby land owned by the Buddhist temple. Mr. Gallagher explained there is a break in the road and the right-of-way does not extend beyond where shown on the plan, and does not extend to the Oldfield and Buddhist property. Mr. Fountain stated the Board cannot say what the future will bring but they will work with Mr. Sullivan to make improvements on his land.

Mr. Iafrate stated Mr. Muir's concerns were very valid, and they put rules and regulations in place so there would not be problems. He said Mr. Sullivan has agreed to make all improvements except for pavement and the improvements planned should solve problems. (At Mr. Muir's request, Mr. Iafrate identified himself as the Building Commissioner.)

Tina Stevens, 59 Sandy Hill Road, addressed the Board. She explained there is enough room for two cars to pass at points but at another point there is room for only one car to pass. She asked what the Town will do to widen this section. Mr. Fountain explained that many towns have ancient, narrow roads and when there is development, the road gets improved. Ms. Stevens said her issue is not the width but the widening of it. Mr. Fountain explained the Town would not allow that roadway today so improvements must be made. Ms. Stevens said emergency vehicles go down the road. She noted the road has been okay since her house was built in 1986 with no road improvements so why is it not okay now. Mr. Iafrate said that regulations changed and there is more traffic now. Mr. Fountain cited the letter from the highway department; he gave a copy to Ms. Stevens.

Vincent J. Muir spoke, stating that he is not a resident but owns property by the end of the pavement. He stated for the record that if more houses are allowed in the future and the road becomes a thru-way he is opposed because it cannot handle the traffic, and at one section people would be stepping into the road if it was widened and paved. He does not think Sandy Hill was ever accepted, noting there is no drainage or pavement in parts. He stated he was not notified of the hearing, and he is not happy about the whole situation.

Mr. Sullivan said he appreciated the comments, he is not trying to make it difficult but he is following the rules. Mr. Fountain noted that Mr. Buckley, Mr. Iafrate, Mr. Gallagher and Mr. Sullivan met several times and worked out the improvements to be made before building can begin.

There were no further comments or questions. The public hearing was closed at 6:44 p.m. Mr. Teixeira said he would like to look over the site again to better understand before voting, and suggested Mr. Sullivan could join him. Mr. Fountain said he knows the houses are close to the road. Mr. Teixeira said he wants to see himself. Mr. Sullivan showed photos of the area on his phone to Mr. Teixeira. Mr. Teixeira asked Mr. Fountain if he was comfortable with everything. Mr. Fountain said only because of the improvements being made. Mr. Teixeira asked Mr. Iafrate if he was comfortable with this. Mr. Iafrate said Mr. Sullivan can only make improvements on his section, not on the asphalt section. He noted it is tight there. Upon question from Kevin Muir, Mr. Fountain said the road improvement work will be done before a building permit is issued.

Mr. Fountain moved to approve the site plan subject to January 16, 2018, Ed Buckley letter, which the applicant has agreed to, approval is for one house only, for any additional houses, the applicant must return to the Board, and no building permit will issue until all requirements in the January 16, 2018, letter are completed; second by Mr. Driscoll.

Tom, 59 Sandy Hill Road, expressed concern that the project will take days and questioned how he will get in and out of his property any time day or night or for emergencies. Mr. Fountain said a

hole can't be left in the road and it must be cleared up, and the people who build a road know how to leave it open.

Vote was taken. The motion passed unanimously (3-0-0).

General Business: Mr. Fountain moved to waive the reading and approve the minutes of December 7, 2017; second Mr. Driscoll. Motion passed unanimously (3-0-0).

Planning Coordinate update:

- As-built plan was received from the Pine Street Extension development. Long Built Homes put the binder down and submitted a \$10,000 bond for the remaining work. A temporary occupancy permit was issued..
- A bond was submitted for the Meineke site plan, and a temporary occupancy permit was issued.
- Public hearing is scheduled on March 1st for site plan for a new CVS at Market Basket plaza.
- Mr. Teixeira noted he saw surveying work being done at Rte. 138 and King Philip Street area and asked if the State is repaving. Mr. Iafrate said he thinks that is part of the re-engineering for Center Street/Rte. 138 intersection.
- Mr. Teixeira asked if there were any by-law violations at South School relating to the parking lot. Mr. Iafrate said he found nothing but he will revisit the issue. Mr. Teixeira said if Comcast is leasing the building, they should have parking available.

SRPEDD update: None tonight.

There was no further business and the meeting adjourned at 6:57 p.m.

Respectfully submitted,



Russell Driscoll, Clerk