



TOWN OF RAYNHAM

PLANNING BOARD

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Raynham Planning Board Meeting Raynham Veterans' Memorial Town Hall February 15, 2018

Meeting opened: 6:00 p.m. by Daniel Andrade, Chairman

Board members present: Daniel Andrade, Burke Fountain, Christopher Gallagher, Russell Driscoll, John Teixeira

Board members not present: (all present)

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

6:00 p.m. – Doe Run subdivision: (Chris Gallagher left the meeting room.) Frank Gallagher, P.E., Foxborough, MA, submitted a letter dated January 17, 2018, requesting a change to the phasing plan for the approved subdivision. Mr. Teixeira noted that at the previous discussion for modification, the problem had been there was no access to Pine Street. Mr. Gallagher agreed and explained the phases as modified. He told the Board that this is a better situation than originally approved.

Mr. Andrade asked about drainage for Phase 3. Mr. Gallagher explained the drainage and the basins involved. He noted no change to the drainage basins was requested. Frank Gallagher was okay with the Board approving the modification with a condition on the basins, noting the Order of Conditions requires applicant construct and stabilize the basins before other construction.

Board members were agreeable to the phasing request, and Mr. Iafrate said it addresses all concerns. Mr. Fountain moved to approve the minor modification to the phasing as outlined in Frank Gallagher's letter dated January 17, 2018, with the condition that the drainage must be constructed on Phase 3 before building permits are issued on Phase 2; second Mr. Driscoll. Motion passed by unanimous vote (4-0-0). (Chris Gallagher returned to the meeting room.)

6:10 p.m. – Innovation Park/1000 New State Highway site plan: Buzz Artiano, property owner/developer, appeared before the Board stating he was here for an informal discussion on the site plan. He handed out photos showing Freightliner trucking sites along with a Conceptual Site Plan for Tristate Truck Center. Mr. Artiano explained his site was approved by the Board for six flex-space buildings, 110,000 sq. ft. in total; the site is now prepared to grade; rear landscaping, fencing, retaining wall, gas line across the street, electrical poles and a basin are completed; six building permits are issued and the site is shovel ready.

Mr. Artiano explained during marketing, he was approached by Freightliner about the site and as a result he wants to modify the plan to accommodate a single user for 32,000 sq. ft. dealership with bays, a showroom, sales and service spaces all with the same site improvements in place.

Mr. Iafrate stated that the plan is not a minor modification and needs to be reviewed from the beginning. He noted this plan may have less impact to the abutter but the nature and scope of it requires a new hearing; the site is zoned properly but there are concerns with noise and fumes.

Mr. Andrade discussed that the single building may have less impact but he has looked into Freightliner locations and all are located in industrial areas with no residences nearby. He noted the building looks nice but he has concerns with new and old trucks being serviced.

Steve George Attice (sp.?), Chief Strategy Officer, Freightliner, appeared before the Board. Mr. Andrade asked if the site will be full service; Mr. Attice stated yes. Mr. Andrade explained he looked online at Freightliner locations 100 miles out and saw many types of vehicles on their sites, and there were more old vehicles than new vehicles. He said he knows from experience that trucks smoke when started, there are residences behind this site that are "pretty exposed," and there is need to prevent smells and smoke from getting into the houses. He stated the noise, pollution and the number of electric plug outlets are concerns, and EPA information and regulations are needed.

Mr. Attice stated there will be trucks inside the building; Mr. Andrade said he is not worried about inside the building. Mr. Attice questioned if Mr. Andrade saw one of their actual sites, noting Tri State Truck Center is theirs and they run a different shop. Mr. Andrade said he couldn't be sure which one he saw, but he doesn't know how the diesel smell can be kept from the back residential properties. Mr. Attice said they could use the left side of the site to service vehicles as there is ample space on that side and have a different use on the right side. Mr. Andrade said that would be further from the residences, but he doesn't know the answer yet. Mr. Gallagher felt the use couldn't be policed; Mr. Andrade noted they could police the noise and pollution issues. Mr. Andrade said he saw no other problems except for the smell, noise and pollution as mentioned.

Mr. Gallagher noted the plan doesn't show where the homes are in relation to the property. Mr. Andrade suggested all drive by the site and see for themselves. Mr. Gallagher noted the new use would be drastically different and needs to start from "square one." Mr. Andrade agreed and said it is definitely not a minor modification, it needs a new hearing. He noted the site looks great and is ready to go. He questioned what the Board of Health and Fire Department will need to know.

Mr. Andrade commented on the following: he knows the type of trucks that will be brought in and they will smoke; all understand the property is business but the abutting residences must be considered; there are court cases that have made business owners pay neighbors 10% of their property value because those values went down due to the abutting business; and, Raynham would love to have the tenant but it is up to the applicant to provide information to the Board. Mr. Attice said he has the punch list and will be happy to answer it.

Mr. Fountain asked what is around the site. Mr. Artiano showed there is Lowe's, Wendy's, residential houses, a group home and wetlands nearby. There are three or four direct abutters with potential for a fifth.

Mr. Fountain questioned how far fumes will travel. Mr. Andrade stated houses across Judson Street will smell the fumes. Mr. Andrade noted they all worked hard to get the first project approved, and the Board was adamant there be no outside storage or containers. Mr. Artiano agreed. Mr. Andrade said there could be at least six residential properties severely impacted, which is the biggest hurdle for the plan; Applicant must prove the residences will not be smelling diesel. It was noted there will be 24-hour emergency service provided at the site. Mr. Artiano said he appreciated the input.

Mr. Andrade noted residents were here tonight. He advised the applicant that inside the facility is okay, but he should not draw a plan before questions are answered. He questioned if the building could be moved or a taller wall built.

Mr. Teixeira noted there is a medical center across the street. Mr. Artiano said yes. Mr. Artiano told the Board there will be lesser traffic count so this plan is considered a minor modification with the State. Mr. Andrade said there is far less impact for the neighbors without all the buildings but the number one concern is pollution, noting he would not want this in his back yard because he knows they stink.

Anthony Foscarota, 283 Judson Street, spoke and said he knows trucks and these will be loud, noisy and with fumes.

Brant Cruz, 279 Judson Street, spoke and said his concerns are with noise and pollution, and he wishes there was a wall on the site now. He thanked Mr. Andrade for his research on the matter.

Mr. Fountain suggested there be another informal discussion before a plan is filed. Mr. Artiano said he appreciates the feedback and will discuss. He agreed to come back informally to discuss further with the Board. He told the Board he was not expecting a minor modification to the plan as he was advised it was a new filing.

Mr. Gallagher said he wants to let the neighbors know about any further discussion. Mr. Andrade noted the neighbors knew about tonight's meeting and will be informed of future meetings.

Mr. Andrade said the Board needs legitimate proof of what can be done and why it will work, noting this type of project can ruin a Board. Mr. Iafrate stated if mitigation is proposed for the project, there can be a preliminary meeting with department heads. Mr. Artiano was agreeable to that. Mr. Andrade stated the downfall to this site is it abuts residences.

No action on the proposal was taken by the Board.

6:39 p.m. - Form A Pine Street: Edward Jacobs, P.E., appeared before the Board on behalf of Briarwood Realty and Lawrence Lucier and handed out plan sheets. Mr. Gallagher asked if the piece the Town owned is involved in the plan. Mr. Jacobs said that someone bought the property for \$310,000. He explained that a land swap is being done between the lots involved on the plan so they will have sufficient frontage.

Mr. Gallagher asked if upgrades were being done to Pine Street. Mr. Jacobs showed where the road is being built with a fire truck turnaround. Mr. Iafrate explained the owner would need to build out the road to Lot 3 and then provide a hammerhead turnaround for Lots 2 and 3, with Lot 4 being done later. Mr. Jacobs noted Lot 4 is not buildable.

Mr. Fountain informed that deeds, MLC's and a memo from the Town of Raynham Tax Collector/Treasurer were received, and all taxes are paid and paperwork in order.

Mr. Gallagher moved to approve as an ANR, the plan entitled "Plan of Land Pine Street In Raynham (Bristol County) Massachusetts ," dated February 5, 2018, prepared for Briarwood Real Estate, So. Easton, MA, by Jacobs Driscoll Engineering, No. Easton, MA, for Lots 2 and 3, with Lot 4 being shown as unbuildable, with the condition that no building permit be issued on Lot 3 until the hammerhead is extended; second Mr. Teixeira. Motion passed unanimously (5-0-0). Mr. Driscoll signed the plan.

General Business:

- Mr. Fountain moved to waive the reading and approve the minutes of January 18, 2018; second Mr. Teixeira. Motion passed unanimously 5-0-0.
- Tri-Party Agreement for Bassett Knoll Estates, Phase 2, was received. Mr. Andrade noted Town Counsel has reviewed and approved. Memorandum of Agreement regarding payment of taxes was received from Treasurer/Collector Michael King. Vote was taken to approve the agreement; it was unanimous to approve. A Form J was received for the Phase 2 lots. Mr. Iafrate stated the subdivision is allowed 20 building permits per year and there are six months left before permits can be issued for Phase 2. It was agreed to hold the Form J in escrow until Mr. Iafrate further researches the permit dates.
- Mr. Andrade signed a letter to Claire Harris, Trustee, Raynham Investment Realty Trust, regarding the Board's reduction of surety for Phase I Bassett Knoll Estates.

Planning Coordinator update:

- The former "Honey of A Ham" building on Route 44 is being redone for restaurant and retail use. A design review meeting will be held Wednesday for the proposed plan. It was noted the building has been found to be structurally good.
- 275 New State Highway/Rte. 44: The owner wants to add a storage facility at the back of the site. A department head meeting will be held with the owner to discuss the plan. The Planning Board discussed the fact that they thought the site entrance would be moved. Mr. Iafrate noted there are funds being held by the Board for that purpose, but the owner is "absentee" and living outside of the country so it's a challenge to bring him to the table to discuss the site. After discussion, the Board agreed a new letter is needed from the owner regarding use of the funds being held in escrow. Mr. Fountain noted the Hibachi restaurant building should have been taken down as previously discussed with the Board, and he wants a new sign placed across the street stating no left turn is allowed out of the site. Mr. Iafrate noted changes can be made when the plan comes before the Board.
- Bassett Knoll Estates: 16 building permits are issued, six houses have occupancy permits and the sewer went on-line last week.
- Buses at the South School site: parking of the Lucini school buses was approved by the Selectmen. Mr. Iafrate went to the site and saw three buses parked and there seemed to be plenty of open parking spaces. He noted the contract is up for renewal in June, and either he or Mr. Teixeira can bring the parking issue to the Selectmen at that time.
- Berry Hill: most work is believed to be done, but the applicant has not yet asked for the bond back. Mr. Andrade said he will approach applicants attorney, Bill Rosa, for a status update.
- 366 South Main Street: the owner got relief from the ZBA to allow a daycare center on site, and a site plan will be submitted.

- A public hearing is needed for the Rte. 138 rezoning amendments so they can be on the warrant for the Town Meeting, which will be held either in late April or in May. After discussion, it was agreed to schedule a special meeting on March 22nd, at 6 p.m.
- Mr. Teixeira thanked Mr. Iafrate for the update on the bus parking at South School. He then discussed the light in the parking lot of the American Legion on Mill Street. Mr. Teixeira noted he fully supports the Legion but the light in the parking lot was not on the original plan, and it throws off a red light onto the house across the street. Mr. Gallagher and Mr. Andrade will each check out the light. Mr. Gallagher noted no one has complained about the light. Mr. Fountain noted the plan was approved without the light.

SRPEDD update:

- The Mass Transportation Improvement Plan (TIP) shows that resurfacing on part of Route 138 will begin in 2021.
- Funding for replacement of the bridge on Route 44 has been approved.
- Mr. Teixeira informed Mr. Iafrate he has contact information for District 5 in Taunton; Mr. Iafrate noted he has it.

Public hearing for CVS site plan at Market Basket Plaza will be held on March 1st, 6 p.m.

There was no further business. Mr. Andrade moved to adjourn; second Mr. Teixeira. Unanimous vote to adjourn (5-0-0.) Meeting closed at 7:10 p.m.

Respectfully submitted,



Russell Driscoll, Clerk