



# TOWN OF RAYNHAM

## PLANNING BOARD

RAYNHAM, MASSACHUSETTS 02767

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### Planning Board Meeting June 7, 2018

Meeting opened: 6:00 p.m. by Russell Driscoll, Clerk

Board members present: Daniel Andrade, Russell Driscoll, John Teixeira

Board members absent: Burke Fountain, Christopher Gallagher

Also present: Robert Iafrate, Building Commissioner;  
Maureen McKenney, Administrative Assistant

**6:00 p.m.** – Mr. Driscoll called the meeting to order. He explained that a vote was needed to allow him to chair the meeting tonight. Mr. Teixeira so moved; second by Mr. Andrade. Unanimous vote.

Mr. Driscoll announced that any votes taken tonight would need approval of three Board members.

**6:01 p.m. – Raynham Preserve East:** Lee Castignetti, Long Built Homes, New Bedford, MA, appeared before the Board. He distributed copies of a document titled Benefits of an Integrated OSPD (Open Space Plan Development) with Perry Land and Raynham Preserve East, and copies of plan sheets titled OSPD Subdivision Plan with Additional Land and Conceptual OSPD Subdivision Plan. He reminded the Board that at a previous meeting for Raynham Preserve East Open Space subdivision plan, Frank Gallagher spoke for his sister (Perry/Gallagher), an abutter to the subdivision, regarding the option or requirement that the subdivision provide access to land locked abutting parcels, and that Mr. Fountain had suggested the parties try to make a deal, and they have done that.

He explained the two plans he distributed, which show the Perry/Gallagher land being added to a conventional plan and an open-space plan. He noted the Perry/Gallagher parcel could yield four lots, and the integration of the two parcels into one open-space plan would benefit the applicant and the Town. He felt benefits would be 672 feet less in road length for the Town to maintain, reduced disturbance to the site and moving the development further from the wetlands.

Mr. Driscoll asked if the original subdivision was being shifted. Sam Watson, P.E., Prime Engineering, explained the same road geometry was kept but shifted. Mr. Castignetti said they are not adding to the length of the dead-end street. Mr. Driscoll noted the road curve was taken out; Mr. Castignetti said correct.

Mr. Iafrate noted this is a preliminary plan. He asked if the lesser road length includes the Perry/Gallagher cul-de-sac shown on the plan; Mr. Castignetti said yes, along with less road curvature. It was noted the Raynham Preserve East open-space plan would pick up four lots from the Gallagher/Perry parcel.

Mr. Driscoll asked if there were any questions on the history of the land.

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Mr. Andrade explained that the original plan was approved years ago; much time was spent researching the plan; it was agreed the old subdivision plan was valid; and, applicant could proceed with the original approval with no changes allowed in order to keep the same subdivision regulations. He stated the plan shown now is a better plan. He noted a concern had been the dead-end road length of 1350 feet but it seemed a previous Board did not consider it or the 1350 dead-end road length was not in effect at the time. Mr. Castignetti said they found it was in effect.

Mr. Andrade explained applicant must return to the Board with another yield plan for the additional four Perry/Gallagher lots, it will be a new filing, and he believes the Board must approve waivers for the road length because it's a new filing. Mr. Castignetti agreed. Mr. Andrade stated this new plan is a much nicer layout; Mr. Teixeira agreed.

Mr. Andrade requested that Mr. Fountain and Mr. Gallagher get copies of the plans Mr. Castignetti submitted tonight and they be aware of the minutes of this discussion. No action taken on the plan.

Mr. Andrade discussed that in the future the Board may want to look at the issue of water tables. He explained he is not happy with the cluster subdivision plan being done now, noting the land was clear cut and the houses built up high because of the high water table. Mr. Castignetti noted the regulations allow the lots to be 100 ft. frontage and 20,000 sq. ft. area with a special permit but the water table issue contributed. He noted the lot sizes don't allow many trees to be saved but the trade-off is the trees saved in the open-space area. Mr. Andrade felt it may be a personal concern but he thinks the plan has to look good, and in the future, they will look at the water table in an open-space plan. He stated this is not about Long Built, it's about houses being built high.

**6:20 p.m. Cornerstone Estates public hearing reconvened.** Frank Gallagher, P.E., Foxboro, MA, appeared before the Board. He said he will ask for a continuance of the hearing because they are still looking into issues Board previously raised by the Board, and they will be meeting with Conservation Commission on June 20<sup>th</sup>. Correspondence, dated June 7, 2018, was received from Cemetery Commission. Mr. Gallagher noted he spoke with the Commission, and they know of no cemetery on the property but they reserve rights if one is found.

Mr. Gallagher explained he spoke with Deputy Fire Chief LaCivita, and the deputy has concerns with the similar hammerhead turn that is being used at Tomlin Estates. The deputy wants a larger turnaround for Cornerstone to accommodate large trucks; Mr. Gallagher said he can do that. Mr. Andrade discussed that his only concern with a larger turnaround is trucks driving in someone's front yard. After discussion, Mr. Gallagher agreed to try to improve the turnaround at Cornerstone as asked by Deputy Chief LaCivita. Mr. Andrade suggested that Mr. Iafrate and others consider the issue of turnarounds without cul-de-sacs as part of the minimum road standards for private roads.

Mr. Iafrate noted he spoke with Deputy Chief LaCivita today, and the deputy is not happy with Tomlin Estates although the Cornerstone plan has a "dog leg" road, which Tomlin doesn't. Frank Gallagher noted there are other factors such as road length and grades. It was agreed Mr. Iafrate will look at the issue for minimum standards, but the issue should also be on a case-by-case basis.

Mr. Andrade discussed that he has questions on the drainage, and Azu Etoniru, Conservation Agent, is reviewing the plan for the ConCom and for the Board. Mr. Iafrate said he will be speaking with Mr. Etoniru about the plan. Mr. Gallagher noted there are over six acres of drainage area that sheets

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into the wetlands and a culvert. Mr. Andrade commented that he likes that the Town doesn't have to maintain the road but he wants the plan done right for the owners. He again stated he wants Mr. Etoniru aware of the drainage concerns since the plan is not being reviewed by Nitsch.

Mr. Iafrate suggested the street sign for this and other private roads should say "Private Way" along with the street name to avoid confusion. The Board agreed it's a good idea.

The public hearing was continued to June 21<sup>st</sup>, 6 p.m. No action taken tonight.

**6:35 p.m. – Form A plan – Pine Street/Lucier:** Applicant Lawrence Lucier, 500 Pine Street, was present. He noted Mr. Jacobs, the engineer, could not be present tonight. Proper paperwork and application fee were received.

Mr. Iafrate explained the plan to the Board. The plan proposes to divide Mr. Lucier's property into two lots and both lots will meet zoning requirements.

Mr. Driscoll moved to approve "Plan of Land 500 Pine Street In Raynham (Bristol County) Massachusetts, May 30, 2018," prepared by Jacobs Driscoll Engineering, No. Easton, MA; second by Mr. Teixeira. Motion passed unanimously (3-0-0). Mr. Driscoll signed the plan.

#### **General Business:**

- Invoices were signed.
- Minutes of April 19, 2018, were received. It was noted Mr. Fountain had not seen the revised minutes but the new wording was from the tape recording of the meeting. Mr. Driscoll moved to waive the reading and accept the minutes of April 19, 2018; second Mr. Teixeira. Motion passed unanimously (3-0-0).

#### **Planner update:**

- Mr. Iafrate discussed the summer schedule. After discussion, Mr. Driscoll moved to cancel the meeting of July 5, 2018; second by Mr. Teixeira. Motion passed unanimously.
- Letter dated June 5, 2018, was received from Nitsch Engineering re. O'Reilly Auto Parts store, 147 Broadway. The letter recommended bond reduction to \$5,934. An as-built plan was received and it was determined there were only small issues remaining. Mr. Teixeira discussed that during the public hearings, the Board was told there would be no occupancy until Mr. Iafrate returned and approved the occupancy but that wasn't the case. Mr. Andrade said the Board has already been over that, it was a misunderstanding with the fire department.

Mr. Teixeira said O'Reilly should be at the meeting to ask for their last bond reduction. Mr. Iafrate agreed to ask them to appear. Mr. Andrade spoke of his concern that O'Reilly was an out-of-state company and they might walk away from the last few items considering the small bond amount. He noted comments were made to the fire department that led to some confusion, which let O'Reilly in before the occupancy permit was issued. Mr. Iafrate said the

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site is operating on an expired temporary occupancy permit and more of the performance bond can be held back. After discussion, it was agreed that no final occupancy permit will be issued at this time. Mr. Iafrate will inform O'Reilly.

- Assisted Living Facility (Broadway) - construction of the addition is completed.
- Construction at the hotel on Commerce Way has started.
- Meineke Automotive shop, 1314 Rte. 44, is 100% complete although a couple of trees may need to be replaced.
- There may be a new site plan for property at 295 Rte. 44, where an old house now exists. The plan is for a jewelry store; the property is in a flood plain. Mr. Iafrate will meet with department heads on the proposal.
- Mr. Teixeira noted the fence at Innovation Park, 1000 New State Highway, was done. Mr. Iafrate informed that a Freight Liner plan for the site is moving forward; he will keep the Board posted.
- Former Honey Baked Ham building is permitted. Mr. Iafrate said renovation will be an improvement. He will keep the Board posted.
- There was a meeting recently with Mass DPW, District 5, Taunton, regarding work on Rte. 138. Mr. Iafrate, Mr. Teixeira, Ed Buckley and the Police Chief attended. No work on Rte. 138 is scheduled until 2021; public hearings will be held by the State on the projects when ready. Improvements will now only be done from King Philip Street to Rte. 495, excluding the Center Street light. Mr. Teixeira noted there is no funding now for Elm Street to Easton town line improvements. He stated the fact that Rte. 138 was previously constructed with concrete is of concern to the State.
- There is no activity yet on the Center Street traffic light.

**SRPEDD update:**

- Mr. Teixeira attended the annual SRPEDD meeting. It was a nice meeting; the event speaker was the Mayor of New Bedford.

**6:55 p.m.** There was no further business. Mr. Teixeira moved to adjourn; second Mr. Andrade. Motion passed unanimously.

Respectfully submitted,

  
Russell Driscoll, Clerk