



TOWN OF RAYNHAM

PLANNING BOARD

RAYNHAM, MASSACHUSETTS 02767

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Planning Board Meeting July 19, 2018

Meeting opened: 6:03 p.m. by Christopher Gallagher, Chairman

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

Board members absent: (all present)

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

6:03 p.m. Bassett Knoll Estates: request from Nitsch Engineering was received informing the Board that \$10,000 was needed for the project review account due to the number of inspections made to date. Mrs. McKenney advised that the account had a current balance of \$967. Mr. Fountain moved to request the funds: second Mr. Driscoll. Motion passed unanimously (5-0-0).

6:04 p.m. Form A-800 North Main Street/Shippee: Proper paperwork and fee were received. Attorney Peter Saulino, Fall River, MA, presented the plan and explained it was prepared as part of a compromise litigation settlement in Taunton Superior Court for a boundary line dispute.

The plan was reviewed. Mr. Gallagher noted Parcel A, which is 1200 sq. ft., is being conveyed, and the plan meets the rules of an ANR plan. Mr. Fountain moved to accept "Approval Not Required Plan of Land of Norman Shippee 800 North Main Street Prepared for Norman Shippee Town of Raynham, Massachusetts (Bristol County," prepared by Reed Land Surveying, Inc., Lakeville, MA," dated July 6, 2018; second Mr. Driscoll. 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 June 21, 2018; second Mr. Teixeira. Motion passed unanimously (5-0-0). Mr. Driscoll signed the minutes.

6:10 p.m. Cornerstone Estates: Request for a continuance was received from Frank Gallagher, P.E., Foxboro, MA. The Board agreed to continue to August 2nd at 6:15 p.m.

6:11 p.m. 869 Locust Street: Barney Bornstein, 869 Locust Street, appeared before the Board to discuss a possible division of his land. His property has over 500 feet frontage on Tearall Road although he has a Locust Street address, and it's about 800 feet in from Locust Street. It was noted there is a "road is closed" sign posted on the road.

Mr. Bornstein explained he is trying to come in to his property from the other end of Tearall Road. He has talked to the water department about his plan, and they informed him they want to install loop piping on the road so they are okay with Mr. Bornstein's planned improvements to Tearall Road.

Mr. Andrade noted that Bumila's road improvements included widening the road, putting down crushed asphalt and installing water and sewer lines, all done at the Board's request, and the similar improvements

were required of another owner at the Locust Street end of Tearall Road. Mr. Bornstein noted that some properties are benefiting from the improvements of others. Mr. Gallagher stated it would be best if all did the road together but that's not realistic. He noted the Board's issue is with the roadway not with the water and sewer lines. Mr. Gallagher advised Mr. Bornstein to talk to Bumila about the roadway; Mr. Bornstein said he would discuss the water line with Bumila. Mr. Bornstein said he is willing to open the road for fire trucks. Mr. Andrade advised that the road is private but open to the public and it can't be blocked off. Mr. Bornstein stated he is trying to do "the exact same thing" as Bumila.

Mr. Fountain commented that he believes it would be fair if the Town did the road and assessed betterments to be consistent. He suggested the property owners could go to the Selectmen to initiate. Mr. Andrade said he believes Roger Stolte, the previous Highway Superintendent, and Mr. Bumila tried to get that to happen but the cost was too much.

Mr. Bornstein said he is maintaining the road. Mr. Iafrate noted it's a private road, so access must be maintained. Mr. Bornstein asked if Tearall Road is a road or a driveway. Mr. Andrade said it is a "way." Mr. Iafrate said there are two ways improvements can be made on Tearall Road: petition the Town to make the improvements or do the improvements by the Planning Board's specs. Mr. Andrade noted he could also wait for others to make the improvements.

Mr. Iafrate advised that zoning requires frontage on a public way for a house lot or on a way approved by the Planning Board and the Board determines adequate access.

Mr. Gallagher suggested the Board could look at conditions allowing previous lots on Tearall Road. Mr. Bornstein asked if widening the road and installing underground utilities is not sufficient. He noted the lots on the road aren't worth the upgrades the Board requires, and it isn't fair for him to upgrade the road for the benefit of others. Mr. Andrade said that's what it is. Mr. Fountain said he agreed with Mr. Bornstein, and he would wait for the next person to asphalt the road but Mr. Bornstein could do other improvements and make the road passable.

Mr. Bornstein noted the Raynham Center Water District (RCWD) is happy to get water lines installed, which is costly. Mr. Gallagher noted water and sewer are not the Board's issues, drainage is. Mr. Bornstein asked if the Board was okay with the water lines if RCWD approves them; Mr. Gallagher said yes. Mr. Bornstein said he does not want the whole burden of the road improvements, it isn't feasible; he isn't looking for a free ride but he is not looking to do all for others.

Mr. Iafrate noted he gave Mr. Bornstein the Board's standards for improving a private road. He also noted that Roger Stolte had given conditions for Bumila's improvements, and the Board could review those. Mr. Gallagher advised Mr. Bornstein to get those conditions and meeting minutes and return to the Board. Mr. Iafrate suggested Mr. Bornstein get together with the other property owners. Mr. Bornstein stated the asphalt is the problem. Mr. Gallagher noted the Board doesn't consider the economics of a project, but they understand it. No action taken tonight.

6:45 p.m. Planner update: (none tonight).

SRPEDD update: SRPEDD recently gave a presentation on a drone they've acquired.

General Business: Copy of e-mail from Ed Buckley to Robert Iafrate, dated July 19, 2018, was received. Mr. Buckley's e-mail updated the Board on observations and concerns he has with Bassett Knoll/Raynham Preserve and the Paddock Road pump station, specifically that the condition of retention basin A is a major concern, retention basin B is progressing in a timely manner, and he has concerns with the surface area at Paddock Road pump station pavement. Also of concern is the width of the turnaround area and several trees that need to be removed.

Mr. Andrade suggested that Global Construction be informed there will be no more lot releases because the first basin is in "rough" shape. He noted the second basin does look good. He questioned if Nitsch should inspect the site before the next meeting. It was noted the project is half done and there is still the same issue with the basin.

Mr. Iafrate informed that Nitsch has been to the site and is on top of things, but he will go to the site again himself. He noted Lee Castignetti is not involved in the first part of the subdivision.

Mr. Andrade said lot releases should be shut off. Mr. Iafrate said Phase 2 lot releases will be coming up soon unless the Board says not to release. Mr. Fountain moved that there be no more lot releases until correspondence is received from Mr. Buckley that he is satisfied with conditions at Bassett Knoll Estates; second Mr. Gallagher. Motion passed unanimously (5-0-0).

Mr. Andrade noted the first basin was not done properly but the second basin is being nicely done. Mr. Gallagher questioned if an as-built plan is needed. Mr. Gallagher instructed Mr. Iafrate to tell them no more lots will be released. Mr. Iafrate noted that will go a long way in helping.

There was no further business and Mr. Gallagher moved to adjourn; second Mr. Teixeira; unanimous vote. Meeting adjourned at 6:54 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'R. Driscoll', is written over the printed name.

Russell Driscoll, Clerk