

Town of Raynham, Massachusetts

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Planning Board meeting September 1, 2016

The Raynham Planning Board held its regularly scheduled meeting on Thursday, **September 1, 2016**, at Raynham Veterans' Memorial Town Hall. The meeting was opened at 6:00 p.m. by Vice- Chairman Burke Fountain.

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

Board members not present: Daniel Andrade

Staff present: Maureen McKenney, Administrative Assistant; Tim Inacio, Town Planner

6:00 p.m. – Carlton Street subdivision: Attorney Brian Hughes, BRCSM, Taunton, MA, appeared before the Board to request the release of Lot 60-2 at Carlton Street. He noted the Board released Lot 60-1 on Carlton Street last month. All but the top coat on the road is done at the subdivision and applicant would like the lot released without that top coat being done. The road will be private, a homeowners' association document will be created and recorded as soon as possible and road maintenance, repairs and plowing will be done in perpetuity by the HOA to protect the Town from those concerns. Attorney Hughes stated he is okay with Certificates of Occupancy not being issued until the HOA is recorded.

Mr. Fountain asked if there are two houses being constructed now. Attorney Hughes said there is one house under construction, the second will begin soon and all three lots will be under construction by year's end.~ He noted a covenant on the subdivision is currently in place. Mr. Gallagher asked how a building permit was issued with the covenant in place.

Board members agreed the Town wants protection and that an HOA on the private road is needed. Mr. Fountain noted if the three houses are to be done at the same time, then no more equipment would be needed on the road so the top coating could be done. Attorney Hughes said he believed they would be done roughly simultaneously. He noted the subdivision plan created two lots and the third lot was acquired by the same owner afterwards, and the owner's goal is to have the work done by year's end. It was noted the third lot was done by Form A plan.

Mr. Fountain questioned why the lots could not be released after road construction. Attorney Hughes explained that the covenant prevents construction although the third lot is not under the covenant.

Mr. Fountain said he is agreeable to sending a letter to the building department stating that no occupancies will be issued until the road is finished and an HOA is recorded; the Board members agreed. Attorney Hughes said he was okay with that. Mr. Driscoll asked if the road can be finished in the winter. Attorney Hughes said it may work and they can finish the road and the foundations.

Mr. Fountain moved to send a letter to the building department that the three lots being built upon may not receive occupancy permits until the applicant returns to the Planning Board for their approval with the road completion and a homeowners' association document is recorded, these conditions being done with the okay of the applicant; second by Mr. Gallagher. Attorney Hughes agreed with this. Motion passed 4-0-0.

Mr. Fountain moved that in consideration of what was discussed tonight and agreed to, the covenant will be released; second by Mr. Driscoll. Mr. Gallagher asked if the covenant is released, does that affect the first motion made. Mr. Fountain stated no. It was noted the houses can be built but not occupied until Certificates of Occupancy are issued. Motion passed 4-0-0.

6:10 p.m. - Riverfront Estates subdivision: Attorney Brian Hughes, BRCSM, Taunton, MA, appeared before the Board on behalf of applicant to request a minor modification to the Riverfront Estates subdivision plan. Letter dated August 25, 2016, was received from Edmund J. Brennan, Jr., BRCSM, regarding the minor modification. Attorney Hughes explained that the roadway had to be graded down substantially from what was shown on the original plan.

Mr. Fountain commented that Riverfront Estates is a new subdivision on Church Street and several houses are now under construction.

Attorney

Hughes explained that the original grading caused runoff to one basin and applicant is seeking to alter the plan by diverting the changing runoff to a second, newly added catch basin.

Mr. Gallagher discussed the plan design, noting it should have been done this way originally.

Mr. Fountain agreed the modification was a better design.

Mr. Teixeira asked if there would be a fence around the basin. Mr. Fountain said he was not for the fence now. Mr. Gallagher noted the basin is one foot deep. Mr. Teixeira stated that was enough to drown. Mr. Gallagher said it is really only six inches. Mr. Fountain asked if the regulations require the fence. Mr. Teixeira stated fences are required around drainage parcels. Mr. Gallagher noted this is a settling basin on a private way. Attorney Hughes stated this is not a drainage basin but a settling basin with rip-rap. Mr. Teixeira said he was concerned that kids will go to it. Mr. Gallagher noted the Board had discussed that the basin is not large and is on ly ankle deep, and he feels this is a much better design now with less runoff.

Mr. Fountain moved to approve the minor modification to Riverfront Estates subdivision as set forth on July 31, 2016, and set forth in August 25, 2016, letter from Edmund Brennan; second Mr. Driscoll. Mr. Gallagher noted a fence with gate is shown on the plan. Motion was approved 3-1-0 (Mr. Teixeira abstained).

General Business: Mr. Fountain moved to waive the reading and approve the minutes of August 4, 2016; second Mr. Driscoll. Motion passed 4-0-0.

Public Meeting Schedule was received for South Coast Rail. The notice will be posted in Town Hall.

Mr. Teixeira noted there was no SRPEDD meeting in August so there is no update tonight.

Town Planner update:

- Mr. Inacio informed that the bridge replacement on Route 44 is a State project and he will find out if there will be an open informational meeting on the project.
- Mr. Inacio discussed the checklists he is preparing as a guide to applicants who are submitting plans to the Board.
- Mr. Inacio informed that the Building Inspector is reviewing the draft of the proposed definition for change of use for the zoning by-laws.
- Mr. Inacio noted he is working on a street map on the GIS system and that the MassDOT mapping will be available for the Board to see at the next meeting.
- Mr. Inacio will be attending an informational meeting on Community Development Block Grants next week.
- Mr. Teixeira asked if there was progress with Comcast on the plan for better coverage of the Board meetings. Mr. Inacio said he has not heard back yet from Mr. Hylin.

There was no further business and the meeting adjourned at 6:27 p.m.

Respectfully submitted,

Russell Driscoll, Clerk