

# Town of Raynham, Massachusetts

558 South Main Street, Raynham, MA 02767  
ph: 508.824.2707

---

## Planning Board meeting September 7, 2017

### Raynham Planning Board Meeting Raynham Veterans' Memorial Town Hall September 7, 2017

Meeting opened: 6:04 p.m., by Chairman Daniel Andrade

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

Board members not present: (all present)

Staff present: Robert Iafrate, Building Commissioner/Planning Coordinator; Maureen McKenney, Administrative Assistant

**6:04 p.m. – Warren Street West Form A plan:** Frank Gallagher, P.E., Foxboro, MA, presented a Form A plan for land on Warren Street West on behalf of applicant Louis Pacheco, Raynham. Proper application and fee were received.

Mr. Gallagher explained the plan creates Lot 1, which is 40,000 sq. ft., almost entirely upland and conforms to zoning requirements. The remaining land is 4.27 acres, of which 2.40 acres is upland.

Mr. Andrade asked why the original house lot is not numbered as Lot 1, which is the usual case. Mr. Fountain noted it doesn't matter. It was noted the two lots meet zoning, are on a public way and have water and sewer available.

Chris Gallagher stated he will be abstaining from the vote.

Mr. Fountain moved to accept "Plan of Land In The Town of Raynham, MA. Situated Off Warren Street," dated August 16, 2017, prepared for Louis and Lisa Pacheco, by Gallagher Engineering, Foxboro, MA, as an ANR plan; second Mr. Driscoll. Motion passed 4-1-0 (Chris Gallagher abstaining). Mr. Driscoll signed the plan.

**6:10 p.m. – Route 44 Toyota Abbreviated Site Plan:** the public hearing was opened. Mr. Driscoll read the hearing notice. Brian Dunn, MBL, Land Development & Permitting Corp., was present on behalf of the applicant.

Mr. Dunn explained the plan: a 10-bay service addition to be located to the rear of the existing building in the existing paved/graveled area. Robert Iafrate informed the Board that he spoke to Mr. Dunn after the previous meeting regarding parking and drainage. Mr. Andrade noted he wants to highlight the points that were discussed at the previous meeting.

Mr. Dunn explained he added the Hyundai and Toyota parking to the plan at Mr. Iafrate's request. Also, catch basins and manholes are on the plan; the building will be going on what was pavement; and, the proposal is to tie into the existing oil/water separator system. Parking was discussed. Mr. Andrade and Mr. Gallagher noted the parking probably exceeds the requirement. Mr. Dunn agreed it did.

Mr. Dunn discussed plan sheet C-5 and explained the drainage. Mr. Iafrate asked if there are roof drains going into the drainage system. Mr. Dunn said there can be. Mr. Iafrate said it was a good idea to do; Mr. Dunn agreed.

Mr. Iafrate said there should be no outside speakers. Mr. Dunn stated Rte. 44 Toyota won't object to that, and he was not aware of speakers in the back. He also noted Rte. 44 Toyota won't object to tying into the roof drains.

Judith Hudson, Judson Street abutter, addressed the Board stating her concerns were lights, noise and water runoff. She noted the water seems to be addressed by the plan. She also informed the Board that there is trash from the site along the fence between the properties. Mr. Dunn said he will bring the trash problem to the Barboza's attention, and the lights are on poles now, with no plans for additional lights. Ms. Hudson asked if they were adding more lights for security. Mr. Dunn said no, there are enough lights now.

Mr. Andrade explained that this is an abbreviated site plan, and he had thought the reconditioning shop was abbreviated but it was actually a full site plan. He noted he had been concerned with additions to the site but an addition of this size is okay. He advised Ms. Hudson that if there are nuisance issues, such as lights or noise, she should bring them to the attention of the Building Inspector. He noted Toyota has been good in the past. Mr. Dunn said he will speak to the Toyota owners. Mr. Andrade stated the lights should not transfer or shine over the property line.

There were no other comments or questions.

Mr. Gallagher moved to approve as an abbreviated site plan the "Proposed Site Redevelopment Plans Service Area Addition Site Plan Approval Plans", Assessors' Map 15, Plots 152 & 153, Raynham, MA, prepared for Route 44 Toyota/Hyundai, Sheets C1-C10, with conditions: roof drains shall be tied into the system; there shall be no additional lighting and no outside speakers; second Mr. Teixeira. Motion passed unanimously 5-0-0.

**6:28 p.m. – Orchard Ave Extension subdivision** plan public hearing was opened. Mr. Driscoll read the notice. Dan Aguiar, P.E., Sitec Engineering, was present on behalf of owner Hamlin Realty LLC. Ron Turowetz, Hamlin Realty LLC, was present. Mr. Aguiar submitted copies of Shirley Road Extension plan, Woodlands subdivision plan and Orchard Ave Extension subdivision plan.

Mr. Aguiar discussed the plan: it is at the end of the existing Orchard Ave; on December 4, 2014, he had discussion with the Board on possible subdivision scenarios for the property; there is extreme topography on the site; the hammerhead plan was the preferred choice of the Board at the 2014 discussion; two other similar plans have been done in Town; one to two weeks ago, the Building Inspector informed that he did not like the T/hammerhead plan and preferred a cul-de-sac; there has been no feedback from police or fire departments; it needs to be determined which type the Board prefers; there is a large fill pile on site – 20-25 feet high; the T-configuration will allow construction below the pile; the cul-de-sac pushes into the fill so more fill will need to be removed. It was noted the Building Inspector now was not here in 2014; tonight is to decide which configuration to use; and, the cul-de-sac plan would need construction waivers.

Mr. Andrade noted the current hammerhead plans were not done to create frontage and this plan would create a dead-end road. Mr. Aguiar said they are providing a turnaround with road but would need 150 feet frontage. It was noted that Parcel 1 on the plan is for drainage swale and is not a buildable lot.

Mr. Gallagher asked if there is enough frontage on the existing Orchard Ave. Mr. Aguiar stated no. Mr. Gallagher noted the topography is difficult.

Mr. Aguiar said if the Board decides against the T, that's ok, and he will return with another configuration. He showed a 2006 plan showing two lots and showed other plan schematics as well. Mr. Andrade said they had discussed waivers for a two-lot plan and asked how far back a cul-de-sac would be shown. Mr. Aguiar said it would be at the end of the road layout, not the pavement. Mr. Andrade said he agreed with the Building Inspector about having a cul-de-sac for frontage. Mr. Aguiar noted the applicant had wanted the T design as the Board okayed in 2014 but will do what's best.

Mr. Gallagher suggested sending the plan to the fire department. Mr. Aguiar said he did and got nothing back. Mr. Andrade noted if the Fire Chief was okay with the T design, he should be ok with the cul-de-sac design, and that is what the Board prefers. Mr. Aguiar said the hammerhead design works best for the topography. Mr. Andrade commented that this is discussion, and nothing is set in stone. He noted that no preliminary plan was submitted. Mr. Aguiar said he only wants the Board to say if the hammerhead design is off the table, and he will do a new design.

Mr. Fountain said if legally three lots are possible, but they are cutting down to two lots, waivers can be given. He noted a T-design or cul-de-sac design doesn't matter to him as long as fire trucks can turn around.

Mr. Gallagher said he agrees with the Building Inspector.

Mr. Teixeira said he goes with the cul-de-sac design.

Mr. Iafrate spoke, noting he was not here in 2014, and he has seen a lot of hammerhead designs but not for use as frontage and there is not enough land for adequate frontage. He stated that as Zoning Enforcement Officer he would not accept this plan as frontage because it is illusionary frontage.

Ron Turowetz, President, Hamlin Realty LLC, told the Board that he met with the Fire Chief and he was fine with the plan.

Cynthia Booth addressed the Board and explained she is concerned with the land quality, noting it was filled in the 1970s, and she has significant concern that fire department access is paramount.

Mr. Andrade stated the Board prefers the cul-de-sac. Mr. Aguiar said ok, and he can discuss with the Board and Chief. Mr. Andrade said to make sure the Building Inspector is satisfied before going to the Fire Chief. He noted a full subdivision should not be needed, but frontage is needed. He noted islands are pretty but do not work.

Mr. Andrade noted that Mr. Iafrate has done an “awesome job” with reviewing small projects for the Board, and if the Board is ok, they can keep the review in-house. Mr. Teixeira said as long as the Building Inspector is okay with the plan not going out for review. Mr. Iafrate noted the plan was sent to the Highway Department. Mr. Andrade discussed that the water department said the developer will have to redo the water line. Mr. Aguiar said they will contact the water department. Mr. Gallagher suggested asking the fire department if they need a hydrant but it may be ok if they are within 500 feet of a hydrant. Mr. Turowetz said he called the water department, and they want a blue 2-inch plastic pipe on the left side.

Mrs. Booth stated she thought some waiver requests may be a problem. Mr. Andrade said ok.

Mr. Iafrate asked if the road will be Town or private. Mr. Aguiar said they are constructing in a public way but the cul-de-sac could remain private. Mr. Iafrate said it needs to be known and relayed to Highway Department. Mr. Gallagher suggested an easement could be given to the town for access. Mr. Aguiar noted a private cul-de-sac would be no maintenance to the Town. Mr. Andrade said it would be cleaner if all were public; Mr. Teixeira agreed.

The public hearing was continued to October 5, 2017, 6:15 p.m.

Mr. Andrade informed Mr. Turowetz and Mr. Aguiar of the memo received from the Raynham Tax Collector, giving them a copy. Mr. Andrade read the memo into the record. Mr. Gallagher noted it is state law. Mr. Andrade advised them to work out the matter with the Tax Collector; Mr. Aguiar agreed to do so.

**General Business:** Mr. Fountain moved to waive the reading and approve minutes of April 20, July 20, and August 3, 2017; second Mr. Teixeira. Motion passed unanimously (5-0-0).

**Planner update:**

- The light that was of concern to the Board on Mill Street at the American Legion has been changed by TMLP. The lights were changed to LED. Mr. Teixeira noted both lights face into the parking lot and don't appear shielded.
- There are cones and equipment at the intersection of Center Street/Broadway. Lopes Construction is doing the work there.
- Innovation Park (Route 44): the drainage material is on site.
- O'Reilly Auto Parts (Broadway): the building permit is almost ready, the contractor will be pulling the permit.
- Bassett Knoll subdivision (Locust Street): four building permits are issued.
- Meineke shop (Route 44): site work is being done.

- Mr. Iafrate submitted copy of a document he is working on to regulate minimum road standards. He has reached out to the Planner's Association and found some towns have road guidelines, some do not. He noted the road standards will be for roads other than Town roads. Mr. Andrade suggested giving the document its own title so as not to be confused with the Board's current regulations. Mr. Iafrate agreed.

**SRPEDD update:** No meeting, no update. Mr. Teixeira noted the Town is given 40 hours of available time, 20 each for Planning Board and Selectmen, and the hours can be grouped.

There was no further business.

The meeting adjourned at 7:13 p.m.