

12-4-14 mins.

TAUNTON PLANNING BOARD MINUTES
CITY HALL, TAUNTON, MA 02780

(Meeting held at Maxham School, 141 Oak St., Taunton, Ma.)

DATE: December 4, 2014

BOARD MEMBERS: Daniel Dermody, Chrmn. Anthony Abreau
Bob Campbell V.C. Arthur Lopes
Manuel Spencer, Clerk Joshua Borden
John Reardon
ADVISORS: Mark Slusarz, City Engineer
Kevin Scanlon, City Planner

Roll Call: Borden, Reardon, Spencer, Abreau, Campbell, Lopes present. Also present was Mark Slusarz a, City Engineer. Meeting opens at 5:35 PM

Arthur made motion to approve minutes of Nov. 6, 2014, Seconded by Tony. All in favor.

Josh made motion to revert out of the regular order of business, seconded by Tony. All in favor.

Public Meeting - Site Plan Review – 350 ½ Winthrop Street –The addition of auto sales with the existing auto repair facility – submitted by Leonard Shani, Leo’s Auto Repair.

Clerk Spencer read dept. comments from DIRB and Veolia which were placed on record.

Josh made motion to invite petitioner into the enclosure, seconded by Arthur. All in favor.

Paul Patneau, P.E., and Lenny Shani was invite into the enclosure. Paul stated they made changes to the plans dated Nov. 18, 2014 per the DIRB comments. Paul stated about 3 years ago the property was here for auto repair and now they want to add auto sales.

It’s a permitted use in the district but he needs a SPR. Bob asked about the curb cut for aisle and Paul answers yes they narrowed it.

Paul stated they agree with all the DIRB conditions except one with regards with extending the stockade fence. He submitted from abutter who wants a post & rail fence. Arthur asked the DIRB probably wants a stockade for security purposes. He also asked about the number of vehicles on site for sale 31? Arthur wanted to know 31 included any waiting for repairs? They have 3 bays for repair which is in a gates area with recycles asphalt with an oil/ water separator is inside. Josh asked if the new plans reflect the correct dumpster location and it was answered yes. Bob asked about the fence and perhaps extending the stockade fence to front of house. After some discussion about the intent of the fence it was agreed there should be a stockade fence to a certain point and then post & frail fence to front of property. (Amend condition #12) No one in favor or opposed. Josh made motion to remove conditions # 11, 15, 19, 22 and 23 (they are on updated plans) and amend condition#12.

Josh made motion to approve the Site Plan Review for 350 ½ Winthrop St. for the addition of auto sales with the following conditions:

Condition #1) That the plans dated October 20, 2014 and revised through November 18, 2014 shall govern with the following additional conditions:

Condition #2) A rubbish permit is required for all containers of 6 cubic yards or more.

Condition #3) Lighting shall not illuminate any portion of abutting properties and a lighting plan shall be approved prior to building permit.

Condition #4) The site shall be kept clean and clear of debris.

Condition #5) Two sets of As-Builts shall be submitted upon completion of all work on site and shall include certification notes and stamps by a Design Engineer (PE) and Land Surveyor (PLS) stating that the development has been built according to the approved plans. Plans shall show at least all of the information shown on the proposed plans referenced in condition #1 above and all utility as-builts.

Condition # 6) Storage of vehicles for repair shall be contained within the defined vehicle storage spaces only at all times.

Condition #7) Exterior storage of vehicle parts or other materials on the exterior shall be prohibited at all times.

Condition #8) The display or storage of vehicles for sale shall be confined to the display spaces noted on the plan only and shall be limited to no more than 35 vehicles at any one time.

Condition #9) Dumpster shall be kept closed at all times, emptied regularly, be placed on a concrete pad.

Condition #10) A set of updated plans shall be submitted that conforms to all of the requirements of this decision before any building permits will be issued or initiation of the auto sales use. Two sets are required.

Condition #11) The existing stockade fence shall be extended along the property line to the front of the house and then continue with a post & rail fence to property line.

Condition #12) ADA/AAB approved surfaces shall be used on the handicap parking and access.

Condition #13) Proper backflow prevention on the water piping system may also be needed, if called for by the plumbing code.

Condition #14) All DPW specifications and permits will apply, and confirmation of compliance will be required prior to final approval of the DPW.

Condition #15) Compliance with ZBA Case # 3107 is required.

Condition #16) Back water valves will be required for all sanitary sewer connections, existing and new.

Condition #17) A hazardous materials permit is required from the Board of Health.

Condition #18) Washing of vehicles shall occur within the gates area only.

Condition #19) An As-Built on the sewer shall be provided to the DPW Dept. .

Seconded by Tony.All in favor.

E-5 - Westville Terrace – Release of all monies – (holding \$110,000 & \$1,800 mylar fee)

Clerk Spencer read dept. comments from City Planner, B.O.H., Fire Dept., DPW Water and City Engineer. Paul Patneau, P.E. representing Tony Bairos. Manny complimented the owner for a fine job done on this subdivision. The whole project was done in one year. All agreed this was done nicely. He even put in some extra curbing to our benefit.

Josh made motion to find the subdivision to be complete, Seconded by Arthur. All in favor.

Josh made motion to release all monies, seconded by Arthur. All in favor.

Josh made motion to forward a positive recommendation for street acceptance, and then to release mylar deposit after street acceptance hearing. Seconded by Arthur. All in favor.

Ashleigh Estates II – follow up to lot release for Lot 26 –

Steve Perry and Atty. William Manganiello were invited into the enclosure. Clerk Spencer read the city planner's letter into the record. The request is to release lot 26 and the City Planner's recommendation is to release upon receipt of \$31,333 (based on the completion costs) Atty. Manganiello stated this will be a transfer to a family member. Manny asked City Engineer if the completion cost is accurate and he agrees it is. Atty. Manganiello asks the Board to release the lot as this will fulfill the wish of the late Ken

Perry. He asks the Board considering waiving the money because this is not going to be a sale just a transfer to a family member. He stated there is no immediate plan for the last 2 lots to be built on. John stated we have been dealing with this subdivision for just about a year and not much has been done and now you want us to do something? John stated he will be against this. John asked Mr. Perry how can he leave the roadway the way it is and he specifically made reference to the catch basin next to the mailboxes. Steve stated he started to do repairs with hiring a contractor and now he's just waiting for that contractor to come back. He has been calling in 4 times a weeks to come back and finish. John stated Mr. Perry how can he allow it to be like that? After some discussion about who the contractor is and what needs to be done the Board thought perhaps they could release lot once the catch basin is fixed. Bob stated the monies will be applied to the other lots.

Josh made motion release lot 26 after confirmation from the City Engineer that the catch basin is corrected. Seconded by Arthur. 5 members in favor, Reardon opposed

Public Hearing - Definitive Subdivision - - entitled "Myles Standish Industrial Park – Phase V – Dever Drive - beginning near the terminus of Charles F. Colton Road and continuing east for a distance of approx.. 2,150 feet until it intersects Bay Street – creating 7 Industrial lots

Hearing opens at 6:15 PM. Roll Call: Borden, Lopes, Reardon, Abreau, Spencer, Campbell present. Clerk Spencer read comments from the City Planner, Conservation Commission and B.O.H. which were placed on file. Russ Burke, BSC Group, Mike Mitchell, MassDev, Project Manager, and David Biancavilla, Design Engineer. Russ just wanted to remind the Board they waive the inspection fees so the inspections will be done in house by City Engineer. Dave says this is the final Phase Dever Drive connects Bay Street to Charles Colton Road. This phase will be more of a business park with the Life Science Center. The proposed roadway will be 30 feet in width with 2 ten foot travel lanes with 2 five foot bike lanes and sidewalks. They will comply with DEP Stormwater standards and they are going to the TCC on December 8, 2014. Due to the anticipated traffic flow they will be some modifications to Bay Street and will be doing it now. Per MEPA there will be traffic lights and they have been working with the City Engineer on this. There will be a stretch of 810 feet on Bay Street include widening, turnaround and lane to Dever Drive. They will be putting curbs and catch basins eliminating untreated stormwater to lake. They will install guard rail along Bay Street. There will be an new pump station and a post & rail fence around with landscaping. John asked if the buildings will be demolished? Mike Mitchell answers yes, eventually when their leases runs out (2017) Manny asked about the traffic study? Dave stated MEPA did analysis and they will do some mitigation for 2 turning lanes which will be signalized per MEPA. John asked how soon will the traffic light will be installed. Dave said the goal is to go out bid in January and start the next construction season. This phase will be more of offices and medical offices as opposed to warehousing. Dave said they received grant monies so they have to build road and move right along. Josh suggested building roadway and then as each user come forward form A the lot? He said that is what other towns do. The Bike paths were part of the Mass. Highway recommendations. There was some discussion about traffic and Russ stated this will be the non-truck park. There will be less trucks because it will be a business park. Bob thinks people will use this entrance and a cut through. He suggested some recommendations. Public input : No one appearing in favor or against. Tony made motion to approve the Definitive Plan for Myles Standish Ind. Park, Phase V – Dever Drive. To include the department comments as follows:

WAIVERS:

- Article II – Section 200 - Waiver to not require a local Environmental and Economic Impact Statement.
- Article II – Section 22 92) (F) - Waiver to reduce the Mylar Deposit from \$3,000 per sheet to \$1,000 per sheet.
- Article II – Section 211 (2) (H) - Waiver to waive the filing fees as the applicant is a quasi public entity.
- Article II – Section 221 (3) - Waiver of the requirement to provide profiles at a vertical scale of 1" = 4', Profiles will be provided at a vertical scale of 1" = 10" such that the roadway profile fits on a sheet with the roadway plan view.
- Article III – Section 307 – Waiver to allow a reduction of the right of way layout width from 100 feet to 60 feet.
- Article III – Section 309 – Waiver to allow a reduction of the minimum centerline radii of curved streets from 800 feet to 300 feet.
- Article III – Section 310 (2) – Waiver of the requirement to increase the maximum allowable centerline grade of 3% for a Major Street, to a maximum centerline grade of 4.75%.
- Article IV –Section 406 – (2) (A) – Waiver of the requirements to provide sloped granite curbing along the roadway edge containing a sidewalk to allow bituminous concrete berm.
- Article IV – Section 407 (1) and Typical Roadway Section (Plate 1) to construct a single sidewalk on the north side of the proposed roadway only, and to reduce the required sidewalk width requirements of 6 feet and the requirements for sidewalks to be located adjacent to the curbing to allow a sidewalk width of 5 feet and to allow for a grass planting strip of 4 feet

between the sidewalk and the curbing or edging for sidewalk.

- Article IV –Section 411 – Waiver to not require street tree planting.
- Article IV – Section 427 (2) –Waiver of the Field Inspection Fees and Consultants as the inspections will be performed and documented by appropriate City Departments and the applicant’s qualified consultants.
- Appendix A- Plate 1 – to modify the roadway pavement width from 36 feet to 30 feet.
- Appendix A – Plate 9 – City of Taunton Standards Waiver to substitute the required brick inlets with cement concrete in storm drains manholes.

CONDITIONS:

- Municipal sewer and water are available and the lots are required to connect.
- The project will require an Order of Conditions from the Conservation Commission.
- The traffic signal plan was not yet finalized at the time of this decision. The Board reserves its right to require modifications of that plan through its City Engineer.
- Total number of lots in the subdivision is seven (7) .

Next meeting Thursday, January 8, 2015

Meeting adjourned at 6:54 PM