

5-7-15 mins

TAUNTON PLANNING BOARD MINUTES
CITY HALL, TAUNTON, MA 02780
Meeting held at Maxham School, 141 Oak St,

DATE: May 7, 2015

BOARD MEMBERS: Bob Campbell, Chrmn. Dan Dermody
 Anthony Abreau, V.C. Arthur Lopes
 Manuel Spencer, Clerk Joshua Borden
 John Reardon

ADVISORS:

Mark Slusarz, City Engineer
Kevin Scanlon, City Planner

Roll Call: Abreau, Spencer, Reardon, Dermody, Lopes, Campbell and Borden present. Also present were Kevin Scanlon, City Planner and Mark Slusarz, City Engineer. Meetings opens at 5:31 PM

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

Public Meeting – Site Plan Review – 263 Broadway – to allow auto sales in a portion of the existing building. – submitted by Robert Martin, Jr., Nitram Realty Trust –

Letter requesting a continuance to next month.

Motion made and seconded to grant continuance until next month.

Summer Schedule- July & August Meeting – Discussion as to whether or not to re-schedule the July meeting.

It was voted to leave the July meeting for July 2nd. Will discuss August as time gets closer.

Cont'd Public Meeting – Site Plan Review - 30 Mozzone Boulevard for the use of 46,000 square feet of the easterly portion of the existing building together with parking of vehicles outside of building by 2 tenants . Wind River Environmental to occupy 10,400 sq. ft. for parking, storage & small office and We Care Environmental to occupy 35,600 sq. ft. for additional storage.

Letter requesting to continue until July meeting.

Motion made and seconded to grant request to July 2, 2015 meeting. All in favor.

Public Hearing – Proposed Changes to the Zoning Ordinance - Floodplains and Administrative Changes- Section 7.3.2 – Unregistered Motor Vehicle

Section 8.4 – Mobile Homes. Section 13.8 - Special Flood Hazard District

Section 13.10- Provisions Applicable to Flood Plain Districts

Roll Call: Borden, Reardon, Lopes, Abreau, Dermody, Spencer and Campbell present. Hearing opens at 5:35 PM. Clerk Spencer read the public hearing notice and dept. comments from Board of Health and TMLP which were placed on file.

City Planner Kevin Scanlon states there are 3 changes. First is to unregistered motor vehicles, just fixing a clerical error. Second is relative to mobile home just taking out some language relative to MGL. And the third is Flood Plain FEMA Maps. These regulations have to change to stay eligible for flood insurance. Manny asked about the unregistered motor vehicles and if they can still only have 1 and City Planner says yes only one outside and they have to have wheels.

Josh made motion to open public input, seconded by Arthur. All In favor.

No one in favor or opposed.

Dan made motion to close public input, seconded by Tony. All in favor.

Manny made a motion to forward a POSITIVE recommendation to the Municipal Council for these proposed changes, seconded by Josh. All in favor. Hearing closed at 5:39 PM.

Public Meeting - Site Plan Review- 201 Alfred Lord Boulevard -for a 145 foot monopole wireless communications facility within a 60' x 52' fence compound submitted by Varsity Wireless LLC & Bell Atlantic Mobile of Mass. Corp., (d/b/a Verizon Wireless)

Property owned by George Hudson.

Atty. Elizabeth Thompson, rep. Varsity Wireless LLC and Jesse Moreno, Proterna Design Group were invited into the enclosure. Clerk Spencer read the public meeting notice and DIRB, TMLP and Veolia comments which were placed on file. Atty. Thompson stated they are proposing a 145 foot monopole for up to 5 providers. Verizon Wireless is the applicant and they have identified a significant gap in service in this area.

They are proposing a fenced compound area with a 8 foot chain link fence which will be sufficient for all 5 carriers. Atty. Thompson stated they always look at the existing structures first and then if there is a gap they will either re-locate on an existing tower and put new. This is the only feasible location to close the gap. Jesse Moreno stated the site is on Route 140 consisting of a 10 acre parcel with an existing commercial building on it. They are proposing to put this in the rear and the nearest house is over 500 feet away and the closest off site structure is about 435 feet. They will be using the existing driveway. There is a pond (Sheppards Factory Pond AKA "Oakland Pond") located in the area and a series of resource areas. They have been to Conservation Commission and have Order of Conditions. There is a 130 foot gravel driveway from the exiting driveway and there is 129 feet to the property line (They received variance from ZBA allowing 129 feet instead of 145 feet) The compound will be 60' x 50' with a ¾ stone base for the inside pole and carrier equipment. There will be no water & sewer. The technician may have to go there a few times when needed. There is a small dam and the overall disturbance is under ½ acre. Historically the property was a gravel pit but has been built up and occasionally floods but they will provide extra protection. There will be a 12 x 26 shelter for radio gear for back up tower. Atty. Thompson showed photos showing driveway and tower in back. They will use the existing ground tree cover. There will be no direct detriment to wetlands and they are not in flood plain or natural habitat, but they are in the AECE (3Mile River) Bob asked what the variance was for and Atty. Thompson said for being 129 feet from property line instead of 145 feet. But she pointed out the closest structure is over 500 feet away. John asked if public safety can go on the tower at no cost? Atty. Thompson answers as long as its feasible she think they would be agreeable with that. John asked about condition #6 relative to Hazardous Materials Permit. The City planner explains certain things require that permit like gasoline, in this case, the generator. John asked about the condition requiring them paint the tower grey? There was some discussion as to whether or not the color with camoflauge it. Atty. Thompson agrees with the DIRB as to the color. Josh pointed out the Plus & minus signs (+-) should be taken off plan. It was asked whoever goes on top gets the best strength? Atty. Thompson explains every carrier has their needs and the frequency is mandated by the FCC and they must comply. Public Input: Kathryn Trainor, 210 Alfred Lord Blvd., in favor as well her neighbors, owner of 211 & 191 Alfred Lord Blvd., She stated she was there when they conducted the balloon test and there was no obstruction. She supports it. She stated the tenant in back uses her driveway and if Verizon goes in then that won't be happening anymore. John stated he would have been invited to see the balloon testing. He stated it would have been a good idea to notify the P.B. members so they would be able to see if and perhaps answers some of their questions. There was some discussion as to whether or not the rules & regs should be changed to be required to notify the P.B. members of balloon testing. City Planner stated that would require changing the ordinance.

Josh made motion to refer to the City Planner the possibility of changing the ordinance to require applicants to inform the P.B. of balloon testing for cell towers, seconded by Dan. All in favor.

Manny asked if they proved they have gap in this area and Atty. Thompson answered yes.

Pubic input: Mike Hamie, 139 Alfred Lord Boulevard in opposition. He lives and works in the area and he lived on Winthrop Street and had cell tower there and he heard someone passed away from Cancer. He moved from Winthrop Street to Alfred Lord Boulevard for the country living.

He thinks it will affect property values, create health issues and is a 100% against it. Atty. Thompson stated they can provide report showing property values will not be affected. She also stated this is approved for a certain number of antennas and they will have to come back for more. John asked if she could forward the information that they complied with FCC regs. Josh asked how they would be taxed? Stanley Johnson, 235 Alfred Lord Boulevard also opposed. He stated it would have been nice if they let neighbors know of balloon testing. He submitted report on property values and at the ZBA meeting they said they were going to submit report in 2 weeks on property values they have not yet. In his report 27 real estate agents stated property values would be affected. He asked the Board to vote like this was their neighborhood. Opposed: Hamie Hamie, 239 Alfred Lord Boulevard, opposed due to a host of health issues. He stated because the cell towers haven't been around for a while there is little reports on health issues. The FCC have non-strict rules and he thinks they are finding more information that they do cause health issues.

Dan made motion to close public input, seconded by Josh.

There will be a public hearing with Municipal council and the abutters can go to that.

Atty. Thompson stated there is an aggressive growing need for more towers. Josh notices the need to fill the gap in service. Manny asked how far apart is the closest tower? Atty. Thompson answers about 2 ½ miles.

Josh made motion to approve SPR with the DIRB comments to include condition to remove plus & minues signs on plans. Seconded by Dan.

Condition #1) That the plans dated July 1, 2014 and revised through March 9, 2015 shall govern with following additional conditions:

Condition #2) 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. Two sets are required.

Condition #3) Lighting shall not illuminate on any portions of abutting properties.

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) A Hazardous Materials Permit from the Board of Health is required.

Condition #7) Compliance with ZBA Case # 3261 is required.

Condition #8) Compliance with the Order of Conditions from the Conservation Commission or superseding authority for Case # 2609 is required.

Condition #9) The parcels shall be combined prior to any building permits.

Condition #10) The drainage plan shall be approved by the City Engineer prior to building permit.

Condition #11) The facility shall approved for up to 5 carriers.

Conditions #12) The tower shall be grey in color and non-illuminated.

Condition #13) Remove plus & minus (+ -) signs on the plans.

Special Permit - 201 Alfred Lord Boulevard for a 145 foot monopole wireless communications facility within a 60' x 52' fence compound submitted by Varsity Wireless LLC & Bell Atlantic Mobile of Mass. Corp., (d/b/a Verizon Wireless) Property owned by George Hudson. -

Motion made and seconded to forward a positive recommendation to the Municipal Council for this proposal.

Pubic Meeting – Site Plan Review – 300 Constitution Drive for the construction of a 282,000 square foot building to be utilized as a newspaper printing operation, including printing, inserting and distribution and the remainder of the building, approx. 46,000 sq. ft. to be utilized for accessory office space, submitted by Boston Globe Properties LLC.

Atty. John Towig, representing Boston Globe and Phillip McManus, Eng. Was invited into the enclosure. Clerk Spencer read the DIRB comments into the record which were placed on file.

Atty. Towig stated this is an existing building and there will be no changes. They will be doing interior renovations. The Boston Globe is re-locating from Dorchester to this site. They are exciting about coming here. They will be using this site for printing the Herald, Globe, and New York Times. Atty. Towig stated it will take some time so there will be some period of phasing, of moving out of Dorchester to Taunton. He stated the DIRB requested a traffic study but he pointed out the distribution crew will be coming in at 10:00 PM. They will be employing 600 employees and 260 part-time employees. Presently this is a vacant building and they have met with DIRB and spoke with B.O.H. about the foot permit because there is a cafeteria. Arthur asked if the vehicles will be registered in Taunton and it was answered yes. Dan asked about the maintenance of the vehicles and Mr. Towig answered traditional it is off site. The reporters will be working from Boston. No on in favor and opposed.

Josh made motion to grant the SPR with the DIRB conditions, seconded by Dan. All in favor.

Condition #1) That the plans dated February 11, 2015 and revised through February 26, 2015 shall govern with following additional conditions:

Condition #2) 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. Two sets are required.

Condition #3) Lighting shall not illuminate on any portions of abutting properties.

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) A Hazardous Materials Permit from the Board of Health is required.

Condition #7) A Food Service permit from the Board of Health is required.

Condition #8) The traffic study shall be updated to include the Myles Standish Blvd., and John Quincy Adams Road intersection as well as the peak times and trip distribution for this facility.

Public Meeting – Site Plan Review – Charles F. Colton Rd. Prop. I.D. 19-51-0 – for the construction of a 200,000 sq. ft. industrial building/warehouse, with vehicular parking, trailer storage, pavement and sidewalks, stormwater and utility infrastructure improvements and landscaping., submitted by Conroy Dev.

Joseph Lynch, Conroy Development and Doug Hartnett, Eng. were invited into the enclosure. Clerk Spencer read the DIRB & TMLP were read into the record which were placed on file. Doug stated this is Lot 6R Phase IV. Charles Colton Road has been completed and Dever Drive is slated to be re-constructed. This parcel is 14.87 acres and is vacant and they have demo the buildings. There will be 2 accesses 26 wide driveway with 237 parking spaces with 63 loading in rear. There is 13 parking spaces on the right side for long term trailer. There will be a free-standing sign on right and identity sign. They will follow stormwater Management policy. MassDevelopment has been to review and they will address some concerns relative to screening. They will be planting 8 foot and 2 foot plantings along berm. Dan asked where is this site and Mr. Lynch said across from Sullivan Tire. Bob asked about the intersection of Colton Road & Dever Drive. City Engineer Mark stated it will not be affected but he will look to see if the roundabout will be affected. Mr. Lynch said this will be a spec building. Tony asked if tenants

would be leasing and Mr. Lynch said yes. Bob asked about the landscaping and they said they were going to do same as Sullivan Tire with white pines. Bob asked if they would replace trees that don't last and they said yes. No one in favor or opposed. Josh made motion to approve the SPR with DIRB comments. Seconded by Dan. All in favor.

Condition #1) That the plans dated April 6, 2015 shall govern with the following additional conditions:

Condition # 2) A set of updated plans shall be submitted that conforms to all the requirements of this decision before any building permit will be issued. Two sets are required.

Condition #3) Lighting shall no illuminate any portion of abutting properties.

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) A Hazardous Materials permit from the Board of Health is required.

Condition #7) Dumpster shall be located on a concrete pad, enclosed with a 6 foot stockade fence, be kept closed at all times and emptied regularly.

Condition #8) A Food Service permit from the Board of Health is required.

Condition #9) The sidewalk shall be a minimum of 5 feet in width excluding the curbing.

Condition #10) An oil water separator may be required depending on the actual uses and sizing of the overhead doors.

Condition #11) The final drainage plan shall be approved by the City Engineer prior to any building permits.

Condition #12) The parcels shall be combined prior to building permits.

Condition #13) Any damage to the roadway as a result of construction shall be repaired at the owner's expense.

Condition#14) The handicapped spaces shall be aligned with the entrances to the building.

Condition #15) The curb inlets for the drainage basins shall be 6 feet not 4 feet.

Condition #16) Add a second dumpster area to the southerly rear corner similar to the proposed one in the northerly rear corner.

Condition #17) Freestanding sign shall be located at the Colton Road entrance farthest from Dever Drive.

Condition #18) Dever Drive shall not be used for truck traffic.

Public Hearing – 207 Hart St. – Bristol Plymouth Reg. Tech. School – for a 7,200 sq. ft. Early Child Care Development Center and the addition of 135 parking spaces, submitted by Stephen Poelaert, Sup. Of Bldgs. & Grounds – Bristol Plymouth Reg. Tech. School.

Steve Poelaert, BP Supervisor of Buildings & Grounds, and rep. from Existing Grade Inc., were invited into the enclosure. Clerk Spencer read the DIRB comments into the record which were placed on file. The 7,200 square foot building which will be used for day care will be located on the south side of the property. They are losing 88 parking spaces but putting new parking lot on the southwest side of the site and they will be actually gaining 23 spaces. There will be no new students this building will be accommodate the children on site now. Steve said there is overcrowding now and this will be big help. No one in favor or opposed.

Arthur made motion to close public input, seconded by Tony. All in favor.

Dan made motion to approve the SPR to include the DIRB comments. Seconded by Tony. All in favor.

Condition #1) That the plans dated April 6, 2015 shall govern with the following additional conditions:

Condition # 2) A set of updated plans shall be submitted that conforms to all the requirements of this decision before any building permit will be issued. Two sets are required.

Condition #3) Lighting shall not illuminate any portion of abutting properties.

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) An updated Hazardous Materials Permit from the Board of Health s required.

Condition #7) An updated Food Service Permit from the Board of Health is required.

Condition #8) Sidewalks shall be a minimum 5 feet wide excluding the curbing.

Public Meeting – Site Plan Review – Modification – 88 Washington St. – for the Grove Street parking lot to be constructed in a future phase, not part of current ED project, ambulance drop off shall be modified as shown on plans, submitted by Donna Maher, c/o Morton Hospital

Tony Moura, Santec Planning & Landscape. In 2012 they received an approval and they have complete construction. They are requesting a minor modification to the parking. The exiting Grove Street parking area which consists of 18 spaces is unstriped and part of the previous approval to create a connection. They are asking that be done at a later phase. Due to finances they are asking this be done at a later date. The second is the ambulance drop off rear of the building which is currently off Pleasant Street. Originally there was one way entrance is off Washington Street then changed to 2 way traffic which was a confusing pattern. There is parking for 7 ambulances and 6 spaces for employees & visitors. They looked at it a little closer and they decided to make all one way for Ambulance & emergency vehicles only. They did angle the spaces slightly 90% to 93% angle and made them 12' x 20 to 12' x 26' in case they need to get out quickly. They added room for one additional ambulance for a total of 8. They met with the DIRB and they wanted a gate at entrance to prevent people from using. They have Do Not Enter signage but the DIRB asked for gate. The DIRB comments were read into the record and placed on file. Dan stated back in 2012 we talked about the congested traffic. Dan stated he thinks Governor St. needs to be a two-way street. Between 3-5 pm. the traffic is the worst. Tony Moura recalls the issue about traffic but they are here tonight for 2 minor issues. Manny asked if the entrance was off Washington Street and they answered yes to alleviate ambulance entrance on North Pleasant Street. Public Input: Gilbert Perry, 38 N. Pleasant St. lives right across the street. The house next door is empty and the hospital bought it and all the windows are broken. He thought the hospital would take house down to put parking lot. He stated the traffic is bad and the next door neighbor had sign No parking in front of house. Bob stated they are here tonight for delaying the Grove Street parking lot and will build later in next phase. Bob asked about curbing and grading for separation of lots. They will be re-shaping and creating a physical connection. There will be no change in number of spaces. Manny asked about the ambulance access only and they answered yes and no pedestrian traffic and there will be signs appropriately. City Planner explains why he thought there should be a gate. He wanted to deter access to emergency entrance. Mr. Jim Parker, 6 No Pleasant St., stated in 2012 they said the alternative entrance would be North Pleasant Street. Mr. Moura stated yes that is and still is, the North Pleasant Street would be the backup if needed. The City Planner didn't know this and based on that he would not a gate there now. He suggests painting on asphalt & perhaps speed bumps. Dan made motion to close public input, seconded by Arthur. All in favor. Josh made motion to approve the SPR to include the DIRB comments, and change #4 relative to gate seconded by Dan.

Condition #1) That the plans dated July 6, 2012 and revised through April 8, 2015 shall govern with the following additional conditions:

Condition # 2) A set of updated plans shall be submitted that conforms to all the requirements of this decision before any additional building permits will be issued. Two sets are required.

Condition #3) That all of the conditions specified in the decision dated October 9, 2012 for the Special Permit/Site Plan Review shall remain in full force and effect. (note: the proposed changes do not conflict with the Special Permit conditions)

Condition #4) Do Not Enter shall be painted on the asphalt at the exit to the ambulance drop off area to ensure one way traffic.

Manny stated back in June last year said they voted to call developers in to ensure completion of subdivision. They are required to post monies for lots and post double for last lot. City Planner explains the process is working, but we do have some older subdivisions that are still left. City Planner states that is why the Board needs to stick to the surety schedule and not waiver from it.

Meeting adjourned at 7:41 pm.

