

## 6-6-13 mins.

### TAUNTON PLANNING BOARD MINUTES

CITY HALL, TAUNTON, MA 02780

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

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DATE: June 6, 2013

BOARD MEMBERS: Daniel Dermody, Chrmn.      Anthony Abreau  
Bob Campbell V.C.                              Arthur Lopes  
Manuel Spencer, Clerk                      Joshua Borden  
Michael Ritz

ADVISORS:                      Mark Slusarz, City Engineer  
Kevin Scanlon, City Planner

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Roll Call: Borden, Ritz, Dermody, Abreau, and Borden present. Meeting opens at 5:30 PM.

Bob Campbell present at 5:46 PM Also present was City Planner Kevin Scanlon and Mark Slusarz, City Engineer.

Mike made motion to accept minutes of May 2, 2013 meeting, seconded by Joshua . All in favor.

Chairman Dermody had a moment of silence for Troy Medeiros, Police Detective and ZBA member who passed away on June 1, 2013.

**Public Meeting - Site Plan Review – 212 Broadway – To allow a used car sales (7-12 cars) submitted by Kenneth Yelle.**

Letter from applicant requesting a continuance and extending the time frame on which to act on this proposal.

Josh made motion to continue, seconded by Tony. All in favor.

**CONT'D. Public Meeting - Site Plan Review- 57 Winthrop Street and 119 High Street for the construction of a pharmacy establishment with drive-thru facility, parking areas and related improvements, submitted by Arista Development., LLC**

Letter from Atty. Gay requesting a continuance and extending the time frame on which to act on this proposal.

Josh made motion to grant continuance, seconded by Mike. All in favor.

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

**The Preserve – Request to release lot #16 – has an existing house on it.**

Kevin stated this lot was put under covenant along with the whole subdivision. This lot fronts on Tremont and has an existing house on it. It should have not been included in covenant.

Josh made motion to release lot 16 only in the Preserve. Seconded by Tony All in favor.

The Board took a 5 minute recess at this time.

**Public Meeting – Site Plan Review – 35 Mozzone Blvd., for a 59' x 33' wastewater storage tank –submitted by Water Solutions Group.**

Atty. Matthew Costa was invited into the enclosure. Josh disclosed that his work had done work for abutter across the street but has no conflict. Kevin read letter from DIRB which was placed on file. Atty. Costa stated they are proposing to add a 59 x 33 tank.

This has been reviewed by P.B. for the Special Permit which was approved by the Council. Kevin stated the Council approved this and now they need Site plan review approval.

Josh made motion to open public input, seconded by Mike. All in favor. No one in favor or opposed..

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

Josh made motion to approval Site Plan Review to include all DIRB conditions: seconded by Mike. All in favor.

Condition #1) That the plans dated September 11, 2012 shall govern with the 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 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 Suveyor (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) Compliance with the conditions of the Municipal Council Special Permit dated November 27, 2012.

Condition #7) This condition clarifies that the approval allows both tanks to be present and operating on-site at the same time.

**Public Hearing – Proposed Zoning Change – Section 6.3 – Intensity Use of Regulations – Urban Residential District & Section 10.4.6 – Development Density**

Hearing opens at 5:46 PM pm. Roll Call: Borden, Campbell, Abreau, Ritz, and Dermody. City Planner read the public hearing notice into the record. Kevin stated the Mayor sent a letter to the Municipal Council relative to some changes to the density. In summary, the proposal is to change frontage, setback for more than 3 units in URD. They are also proposing to increase the height restriction. This will help out some buildings such as old schools, warehouse, that could be re-developed but it has to be feasible due to the possible clean up. These changes require a public hearing with P.B. and Council.

Bob made motion to open public input, seconded by Tony.

Bill Eagan, 32 Wales Street stated he is opposed due to his neighborhood and what could possible go in there. He asked Kevin if this was for downtown and Kevin answered no, all URD. Kevin explains and gave background on zoning change in 1988 and density back then. He stated the City needs a variety of residential units such as apartments, condos 3 – families & 4 families. HE state the Mayor has often had discussion n with developers for potential development but fell thru because of the zoning. Kevin stated this is a “City“ not a Town. Mr. Eagen understands the proposal but he doesn’t want to see his neighborhood “book ends” to development. He now is looking forward to parcel 6A being developed. He stated it opens the doors to developers . He stated there is adequate housing in the City. Chairman Dermody pointed out Parcel 6A had several public hearings and notices to abutters.

Mike made motion to close public input, seconded by Joshua. All in favor.

Bob asked in URD you need 100’ of frontage and if no sewer you need 30,000 sq. ft. and Kevin answers yes.

Bob made motion to forward a positive recommendation to the Municipal Council, seconded by Tony. All in favor.

Hearing closes at 6:00 PM

City Planner Kevin Scanlon excused at this time (6:00 PM)

**CONT.D Profile Plans submitted by Tibbetts Eng. - Constitution Drive, Independence Dr. & John Quincy Adams Rd. – Update from City Engineer relative to unaccepted street in Myles Standish Ind. Park.**

City Engineer Mark Slusarz stated they have found 5 to 5” of pavement except at the end of John Quincy Adams Road. The design was for 5 inches. Bob Field stated they are working on plan and then they will have Mark go out and look at streets. They are moving forward. Continue until next month.

**Public Meeting - Site Plan Review - Charles F. Colton Rd. – for the construction of a 7,000 sq. ft. industrial bldg. with associated off street parking facilities and public utilities connections, submitted by Dublin Bldg. Systems, owned by TDMDC.**

Bob Field , Field Engineering Co. & Kevin Ballog, Prjobject Manager, Dublin Buildings was invited into the enclosure. Vice Chairman Campbell read letter from DIRB into the record. Bob Field stated this is the first site on Colton Road to be developed. The sewer and water is active and they are proposing a 7,000 sq. ft. building for gas maintenance. It will be used for dump truck maintenance for the trucks that maintain the existing gas lines. The drainage will come in front and drain into a common detention basin. Chairman Dermody asked how many employees? Mr. Ballog states 20 employees, 4 managers, and 16 field personnel. Tony

asked if this was the lot that the drainage was re-located and it was noted it was not. No one appearing in favor or opposed. Tony asked about the new road and the condition it will be in if there was equipment unloading and loading? It was noted they could place condition on it. He also pointed out dust control. The project manager stated they will keep on that and maintain dust control. Tony stated they have to come to DPW for curb cuts and they will do walk thru. It was noted the roadway was nice and they put topcoat on (due to monies being available) and now the Board wants to protect the road. Tony made motion, seconded by Bob to approve the Site Plan Review to include the DIRB comments as listed below:

**Condition #1) That the plans dated April 26, 2013 and revised through May 6, 2013 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 be 0 lumens at the property line 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) Landscaped buffer shall be as specified in the landscaped plan contained in the plans.

Condition #7) Trench permits, road opening permit, water and sewer connection permits are required prior to construction.

Condition #8) Haz Mat permit from Board of Health is required.

Condition #9) Dumpster shall be kept closed at all times, emptied regularly, be placed on a concrete pad and enclosed with a 6 foot stockade fence.

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. Two sets are required.

Condition #11) ADA compliance ramps shall be provided at the end of all sidewalks.

Condition #12) All loading and unloading of equipment to be conducted on site.

Condition #13) The roadway must be protected at all times by the owner and all damage must be repaired at the expense of the owner.

**Public Meeting- Site Plan Review – 9 Old Colony Avenue – used car sales (2-4 cars) submitted by nick Karavasiliadis.**

Bob Campbell, Vice Chairman read the DIRB & City Engineer's letter into the record.

Nick Karavasiliadis was invited into the enclosure. City Engineer stated he wasn't present at the DIRB meeting so they might have addressed his concerns. Nick addressed the City Engineer's letter relative to employee parking. He would be the only employee and he would park across the street. There has always been backing out of this property for 40-50 years. He needs to do something with the building. It was noted there is not much room on site Bob asked if this would be the only business on site and Nick answers yes.

He thought it would be good to restrict to only this business on site and 2 car restriction.

Bob made motion, seconded by Mike to approve the Site Plan Review to include the DIRB comments as follows:

Condition #1) That the plans dated May 1, 2013 shall govern with the following additional conditions:

Condition #2) A filing with the Conservation Commission is required.

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) A two car limit shall be placed on the number of vehicles for sale, storage and/or display on site at any one time.

Condition #7) A curb cut is required and the drop inlet shall be lowered unless waived by the DPW Commissioner.

Condition #8) The limit of paving shall be shown on the plans.

Condition #9) A swale shall be installed at the edge of pavement to the rear of the paved area.

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. Two sets are required.

Condition #11) The building shall be used for the office for the auto sales use only.

Condition #12) Restricted to 2 cars only for sale at any one time.

Condition #13) The Used Car Business shall be the only business at this site.

**Earth Removal Permit – Pratt Street – Fasolo Limited Partnership**

Mark stated this application has been forwarded to the various departments for comments for a public hearing with Council. The Board can review and place any conditions. Mark stated there will be done on a part time basis which could take 3 years in phases.

Bob asked about the distance from the property line. It shows 20 feet and a 3 to 1 slope. They will be re-constructed it as a cranberry bog. Mark stated typically they would loam and seed. They will use haul (over the TMLP easement) road and the access will be from Pratt Street. They have an Order of Conditions from Conservation Commission.

Bob made motion to send letter to the Earth Removal with the following conditions:

- No activity allowed on Sunday, Saturday hours 7:00 AM – Noon.
- Limit hauling to Pratt Street ONLY.
- Applicant must provide dust control on Pratt Street.
- Any processing not allowed on Sunday, Saturdays hours 7:00 AM – Noon.

Meeting adjourned at 6:31 pm

**NEXT MEETING JULY 25, 2013 AT 5:30 PM.**