
TAUNTON PLANNING BOARD MINUTES
Meeting held at 15 Summer Street

DATE: April 7, 2022

BOARD MEMBERS: Anthony Abreau, Chairman Michael Monteiro
Bob Campbell, Vice Chairman John Reardon
Manuel Spencer, Clerk Dennis I. Ackerman
Brian Carr
ADVISORS: Kevin Scanlon, City Planner
Michael Patneau, City Engineer

Roll Call: Ackerman, Campbell, Reardon, Spencer, Monteiro, and Abreau present.
Meeting at 5:31 PM

John made motion to accept minutes of Feb. 3rd and March 3rd seconded by Manny. All in favor.

Cont'd. Public Hearing – Special Permit – 175 South Walker St –

A Special Permit/Site Plan Review from Section 440 Attachment #1 of the Zoning Ordinance for the construction of 4 mixed use buildings - Each building to have 5 residential units with one commercial/office space (Totaling 20 residential units with 4 commercial/office space) submitted by 175 South Walker Street, LLC –

Requesting a continuance to next meeting.

Motion made and seconded to grant continuance to May 5th meeting. All in favor.

Cont'd. Public Meeting – Site Plan Review - 655 West Water Street - to allow a recycling company in the Industrial District with a 12' x 56' scale house, 6,900 sq. ft. outdoor storage for metal, 50' x 50' outdoor storage for equipment, 30' x 30' outdoor area for incidental hazardous waste, 4,800 sq. ft. outdoor storage for dumpsters, and 3,094 sq. ft. of container storage.

Dept. comments were read into the record from DIRB, Water Dept., B.O.H., and Veolia Water. Atty. Brianna Correia was invited into the enclosure. Atty. Correia stated this use is allowed by right in the Industrial District. They are proposing a 12 x 56 scale house and an incidental hazardous area on the plan per the B.O.H . The property has zoned Industrial since 1964 and the previous use Old Colony Scrap has used the property closer to the wetlands. Their proposal is further away and they have received in 2018 a Cert. of compliance from Conservation commission. The parcel was one parcel at one time and in 2013 they received a restriction of limited use and this restriction was only for a certain portion of the property. Since 2018 they met all the approvals of DEP and now they will be having an organized scrap metal business. They will file a NOI with Conservation Commission they are aware there is residential uses in the vicinity. However' the property has been zoned Industrial since 1964. They are currently renting 22 Fifth Street and they wants to move to next door to 655 W. Water Street. Their current hours of operation at Monday – Friday 8 -5 and Saturday, 802 and close Sunday. They originally worked longer. Atty. Correia stated she has no history or complaints from being on 22 Fifth Street and they now want to move the entrance to 655 W. Water Street. They are also asking for a 50% reduction of landscaping. Bob noticed the 6,500 sq. ft. of outdoor storage and 20 x 20 area next to the residential properties. Dennis asked if there was a scale house there before and it was answers yes and they are moving away from the wetlands. Mike asked about the

plans for the entrance? It was answered they are not big fans of pavement and most likely will be gravel. Tony suggests millings as they will help with dust control. Manny stated he read the complaint from neighbor in regards to noise. it was stated it was even more noise in the past. Atty. Correia stated they have been cleaning up the property and it being winter the trees are not filled in. She stated it's not a continuous noise. It was noted Old Colony Scrap was less busy. Dennis asked if they are complying with the noise ordinance? It was noted there are some exceptions. John asked if they take washer & dryers? They do and grind it up. It was noted the noise is coming from the machine that picks up the items. They can try and limit the use of those machines. John asked if they required I.D. when someone comes in. It was answered yes and they work with the Police Det. On providing info on alleged stolen goods. Tony stated he saw the magnet that is used to pick up items and it's a typical one you see in scrap yards. Public input: Wendy Bonin, One Clay Street asked if she could play video showing sounds of banging. It shakes her house and windows. She says she can hear a lot more noise now than when they were on 22 Fifth St. She can see the loader from her house. The noise is unbelievable and before her complain they were working 6 am – 6 pm. She stated in 2012 there was no problem because the pile was at another location. She realizes it's a business but there are also houses close by. The scrap pile is a lot bigger now and the fumes are bad. She read her letter she submitted to the Board into the record. She asks for some type of sound barrier. In favor. Lawrence Quintal, as a citizen but a council member. He visited the site and spent 4 hours there and saw a small trailer come in with asbestos on it and they called the B.O.H and informed them they could not take it. He did witness the banging noise and it's the magnet. He stated several years ago veteran makers were being stolen and turned in for money for the metal. This company called the police. He suggests putting up some kind of arborvitae or shrubbery for barrier. He also witnessed them cleaning up around 4:40 PM to be done at 5 PM. He thinks the business is an asset to the City but was to ensure the neighbors are taken care of too. He thinks them moving the entrance to 655 W. Water St. is a much safer situation. Dennis asked if they agreed to the hours of operation Monday – Friday 8-5, sat 8-2 and closed Sunday and they said yes because that is what they are doing now. He asked if they needed any variances and they said no they met with DIRB twice. Manny agrees the business is allowed to be there but the neighbor did not experience noise before. He suggests planting trees to help with noise. He suggests creating some kind of enclosure or plant some trees to act as a buffer? It was stated there is about 200 feet from the left corner to the abutting's property. The site is wide open and their site has an 28 elevation and the it goes to 14 elevation. Manny suggests putting up a metal building? Shane stated he understands the abutting's concerns and he doesn't want to be a nuisance. He wants to try and resolve her issue. He suggests maybe putting up a berm with trees? There was lengthy discussion relative to the noise that comes from the magnet. Bob suggests perhaps putting in insulated windows? After more discussion it was suggested moving the 70 x 70 metal area to the other side of the property. Lawrence suggests putting one year review and if neighbor still has noise complaint then they put up arborvitae for her. Ms. Bonin stated she doesn't have an issue seeing the equipment it's the noise.

Mike made motion, seconded by Dennis to grant with the DIRB and following condition:

Condition #1) That the plans dated July 12, 2021 and revised through March 1, 2022 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two sets of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) there shall be no vehicular connections to abutting properties

Condition #7) Storage shall be confined to the labeled areas on the plan only

Condition #8) There shall be no air conditioners or vehicles accepted or stored on site

Condition #9) Re-locate the proposed 70' x 70' metal area to the north side of the property.

Condition #10) A 50% reduction of landscaping buffer requirement is granted

Notes;

Note 1) A notice of Intent with the Conservation Commission is required

Note 2) DPW permits are required including city licensed contractor, road opening and trench permits

Note 3) DPW specifications shall apply including backflow devices, pressure testing, materials, installation, a new water meter with an updated radio frequency unit, inspection and approval and prior notice is required before any city water work is to be performed and inspections are required prior to backfilling

Vote:	6 In Favor
Anthony Abreau	YES
Robert Campbell	YES
John Reardon	YES
Manuel Spencer	YES
Dennis Ackerman	YES
Michael Monteiro	YES
Brian Carr	Absent

Cont'd Public Meeting - Site Plan Review for property -Fremont Street - Map 30, Lot 97 – revision is for the construction of a 7,500 sq. ft. building with drive-in doors at the front and back of the building with the potential to demise the building into separate units, and parking spaces are proposed between the drive-in doors along both the front and back of the building, submitted by Future Fuel LLC

Dept. comments were read into the record from DIRB, Veolia Water, B.O.H., Water Dept., and City Engineer. Bob Field and Atty. John Zajac was invited into the enclosure. He stated they have eliminated the access from the haul road and now have smaller building with drive-in doors. No loading docks and if individual units they will be required to have separate services for each one. Tony asked about putting fencing between haul road to deter cut through. Atty. John Zajac stated that would be fine. Bob C. stated John Hancock Road is an approved subdivision and the landscaping specified along Fremont Street will obstruct the view. He suggests putting something that won't obstruct the view or site distance. Manny asked if any big trucks will be entering and Bob F. state no there no loading docks. Mike asked about trash removal and it was stated the DIRB indicated the dumpster to be located in the southeast corner fenced in. Public Input: No one in favor opposed.

Dennis made motion, seconded by Bob to grant with the DIRB comments & conditions:

Condition #1) That the plans dated August 9, 2021 and revised through March 9, 2022 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two sets of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) Two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) A corrective plan for the drainage easement shall be recorded prior to any Building Permits

Condition #7) An access easement shall be recorded and a copy provided for the file prior to any building permits

Condition #8) Dumpster shall be located on a concrete pad, be enclosed with a 6 ft stockade fence, be kept closed at all times and be emptied regularly and shall be located in the southeasterly corner

Condition #9) Sow the freestanding sign on the plan

Condition #10) A conforming landscape plan shall be approved prior to building permits and landscaping shall not impede or obstruct site distance.

Condition #11) The building size and parking calculations shall be corrected on the plan

Condition #12) Trench drains and gas-oil separators are required for each garage door

Condition #13) Separate services are required for each unit

Condition #14) Install fence along the property line of John Hancock Rd.

Notes

Note 1) DPW permits are required including city licensed contractor, road opening and trench permits

Note 2) DPW specifications shall apply including backflow devices, pressure testing, materials, installation, a new water meter with an updated radio frequency unit, inspection and approval and prior notice is required before any city water work is to be performed and inspections are required prior to backfilling

Vote:	6 In Favor
Anthony Abreau	Yes
Robert Campbell	Yes
John Reardon	Yes
Manuel Spencer	Yes
Dennis Ackerman	Yes
Michael Monteiro	Yes
Brian Carr	Absent

Public Hearing – Form J – Waiver of Frontage - 1685R Bay St. – to divide one lot into two lots – submitted by David & Sandra Amaral

Hearing opens at 6:48 PM – Roll call: Campbell, Reardon, Ackerman, Spencer, Monteiro and Abreau. Dept. comments were read into the record from Water Dept., Conservation Commission, City Planner, and City Engineer. Atty. Wm. Rounds was invited into the enclosure. He stated the family has owned this parcel for some time and they receive ZBA approval to divide the lot. The parcel is unique in that it has access from Bay Street then a private way, Goward Rd. Atty. Rounds stated tonight they are here only for the Form J and acknowledges they need to obtain a Special Permit for a common driveway because 3 homes are using access. The access is 12 feet wide and they are proposing to widen to 18 feet wide with an access area of 20 feet wide with turnaround. Manny asked who is responsible for maintenance of driveway? Atty. Rounds stated there is an existing agreement between the 2 who use it now. He asked if the ZBA put any

condition and it was answered yes, no further subdivision and single family homes only. There will be only 2 houses on this 12 acre parcel. They will extend utilities. Public Input: No one in favor or opposed.

Motion made and seconded to grant with dept. comments:

1. **Lot 2 will require a filing with the Conservation Commission if work falls within the 100 foot buffer zone of the wetland.**
2. **Plans are required and need to be submitted to DPW for water services, gate valves, fire hydrants and curb stops.**
3. **DPW permits are required including, City Licensed contractor, road opening, and or trench.**
4. **DPW specifications apply including Pressure testing, hydrant flow test. Materials, installation, new water meter with an updated radio frequency unit, inspection, and approval.**
5. **Prior notice is required before any city work is to be performed and inspections will be required before backfilling.**
6. **A Special Permit from Planning Board is required for a common driveway accessing 3 lots. Conditions shall be in place regarding access easements, width of access, utility easements, maintenance agreements and snow removal agreements for the common driveway. These restrictions should be included in all 3 deeds which shall be approved by the City of Taunton and recorded prior to any building permits including a foundation permit.**

All in favor.

Hearing closed at 6:56 PM

Public Meeting - Site Plan Review Modification - Property I.D. 24- 2 - 500 John Hancock Road - to allow an additional lane to be added to the entrance off the roundabout at Dever Drive that will affect the wetland & landscape buffer zones, relief for additional landscape buffer reduction at the access drive between Phase 1 and 2 (837 sq. ft.) submitted by Colton Property LLC, by Martignetti Companies

Dept. comments were read into the record from DIRB, City Engineer, and Water Dept.

Atty. Edmund Brenna, Hank Suominen, and Taylor Dowdy, Engineer was invited into the enclosure. They are here tonight because they want to add land because now they only have one way in and one way out. The problem is when the employees are leaving is causing stacking. They want to add 3rd lane to avoid stacking. It's a very minor alteration. They are within 100 feet of wetland and they won't be going any closer and it's not an additional disturbance. Dennis states it's a safety issue and you are addressing the stacking.

Public input: No one in favor or opposed.

John made motion, seconded by Manny to grant modification with DIRB & conditions:

Condition #1) That the plans dated September 17, 2022 and revised through February 15, 2022 shall govern with the following additional conditions;

Condition #2) The July 7, 2021 Site Plan Review approval shall remain in full force and effect accept as specifically modified in this decision.

Vote:	6 In Favor
Anthony Abreau	YES
Dennis Ackerman	YES
Robert Campbell	YES
John Reardon	YES
Manuel Spencer	YES
Michael Monteiro	YES
Brian Carr	Absent

Public Meeting – Preliminary Cluster/ Inclusionary Development – Willis Pond Rd., Map 37, lot 47 and a portion of Map 37, Lot 48 – showing 6 lots submitted by Aspen Prop Holdings, LLC -

Atty. Brianna Correira, Chris Moniz, and Tracey Duarte, P.E. were invited into the enclosure. Dept. comments were read into the record from City Engineer, Water Dept., Conservation Commission, B.O.H., and the City Planner. Atty. Correira states the preliminary plans now shows 6 lots which is the maximum allowed by right under a conventional subdivision. They are proposing a Cluster Inclusionary which results in more open space and less impact on the environment. The proposal is 14 lots on 21.3 acres under the Cluster Inclusionary housing with setbacks at 15 foot front, 10 foot side and 15 feet rear. These are similar to that of Run Brook Circle built by same developer. There would be 14 acres of open space with shorter road and more forest area. They will be proposing an inclusionary housing development under Section 440 1402 of the Zoning Ordinance. They are proposing to donate \$300,000 instead of actually having an affordable house in the subdivision. They would pay the \$300,000 upon release of the lots 1/14 as per the City Planner's letter. Atty. Correira states the new plan show a conventional subdivision with 6 lots which would give them a base density of 1.75 – 2.75 and the 14 lots they want to build would be within that range. They will extend the water line and sewer and would provide more hydrants which improves public safety. The total tax revenue is \$119,938 in estimated taxed and spending \$300,000 on the new roadway. They are proposing similar houses like in Run Brook Circle Subdivision. Chris Moniz stated they are proposing single family with 3-4 bedrooms with a 2 car garage, average house is 2,250 sq. ft. Tracy stated the closest house on Powderhorn is about 550 feet away, Barry Drive is about 400 feet away and Malibu Drive is about 340 feet away. They will extend water and sewer and loop is for the City. They will widen Willis Pond Road to 20 feet wide and pave it to DPW standards. Chris said they will add hydrants and have adequate access for 2 way travel. There is only room for one car now. Chris stated the water line will be connected to Barry Drive but not the road. The lotting plans shows the smallest lot size at 10,009 sq. ft. with setbacks of 15 foot front, 10 feet side and 15 feet rear. The proposal cluster roadway will be 450 feet shorter than the conventional road and there is no wetland crossing. The lots will be fully landscaped and have irrigation. Bob pointed out under the inclusionary housing the \$300,000 based on 10% is inaccurate. 10% is more than one unit, it's actually 1.4 units. Atty. Correira stated she was under the impression the proposal of \$300,000 was correct and the City Planner was in agreement. Bob stated the value of 10% should be based on 1.4 units not 1 unit. Chris stated they met with residents on 2-21-22 and heard their concerns. They will be providing low pressure sewer system and will tie into force main. There will be no pumping station. Manny asked if they will be extending water & sewer and it was answered yes and they will stubs for residents. It was noted sewer is already they will extend it. John asked about snow and it was stated plow snow and store at end of cul-de-sac. Public Input: Mike Foley, 75 Willis Pond Rd. stated he doesn't know how they are going to widen Willis Pond Rd. He stated it's very dangerous around Norton Avenue to Malibu Dr. Charles Fitzsimmons, 59 Powderhorn Dr. opposed. He stated it looks good on paper? It's 6 lots vs. 14 lots? They want to build more than double and he thinks they are not considering the neighborhood. The road isn't wide enough to widen He pointed out the construction trucks traveling down, old culvert and asked what if culvert fails? He stated the property is pristine with wildlife and they want to add all these homes on it. He stated Willis Pond Rd. is not a public way and now 14 more homes will be access from it. He stated all this development will impact the residents. Opposed: Joseph Costa, 25 Stetson St. stated the City plows and cleans the road and TMLP provides service. Opposed: Stephen Orcutt, 135 Malibu Dr. stated he would rather see 6 conventional lots, he points out there are a lot of wetlands. He stated it looks good on paper but by the developer building less roadway with more houses they make more money. They know they can't build on wetlands. He points out there are deer, turkey, fox and all sorts of wildlife out there. Charles Fitzsimmons, 59 Powderhorn Dr. stated he's confused about what they really want to build, 6 or 14 lots?

Dennis explained to them about inclusionary/cluster and how they need to show they can build a conventional showing 6 lots to get the multiplier to ask for 14 units. The ordinance allows for this. Dennis stated if they meet the subdivision rules & regs the Board has to approve it. Chris stated they have approval for lot 3 and have received an Order of Conditions from Conservation. Mr. Orcutt stated they are saving money building smaller road and he thinks it's being shoved down our throats. Sandra Kingsbury, 345 Norton Avenue pointed out the safety issue at the corner of Norton Avenue & Willis Pond Rd. Opposed: resident at 60 Willis Pond Rd. stated the traffic needs to slow down. Jill Brown, 115 Willis Pond Rd. opposed. She states it's a nice place to live but adding 14 more houses will change the neighborhood. There are lady slippers out there. Opposed Jose Medeiros, 7 Stetson St. he's against 14 lots and he doesn't know how they will widen road. It's a difficult neighborhood and can't sustain this type of development. Dennis made motion to close public input, seconded by Manny. All in favor.

Chris stated he understand the neighborhood doesn't want any development but the there is a significant need for affordable housing. There is 40 acres and they have approval for lot 2,3,4 and it's not reasonable for the neighborhood to think it won't be developed. This proposal will improve the neighborhood with water, sewer, widen and pave Willis Pond Rd. and he states something is going in there. This is responsible way to have it developed. Tracy stated they will provide more detailed plan for the Definitive Subdivision filing. They have gone before the Conservation Commission and are well within the 5,000 sq. ft. allowable disturbance within the wetland which was a public meeting. They are making significant improvements to the area and will results in tax revenue for the City. Many asked if Willis Pond Rd. was a private street? Bob stated a street can be a public way and used as a public way and approved by the P.B. A road can be in the opinion of the P.B. is suitable for the intended use.

Bob made motion to approve the 6 lot preliminary plan with dept. comments., seconded by Manny. All in favor.

- 1. City Water is available from the existing City water main on Willis Pond Road.**
- 2. Plans are required and need to be submitted to the DPW for water services, gate valves, curb stop and fire hydrants.**
- 3. DPW Permits are required including, City licensed contractor, road opening, and or trench.**
- 4. DPW specifications apply including: pressure testing, hydrant flow test, materials, installation, new water meter with an updated radio frequency unit, inspection, and approval.**
- 5. DPW specifications apply including: any backflow devices must be inspected by the Plumbing Inspector or City Inspector.**
- 6. Prior notice is required before any city water work is to be performed, and inspections will be required before backfilling.**
- 7. The applicant will be required to file a Notice of Intent with the Conservation Commission for the roadway which includes alteration to the Bordering Vegetated Wetlands (BVSs) and intermittent stream greater than 5,000 sq. ft., which is not allowed under the Wetlands Protection Act (310 CMR 10.55 (4) (b). This disturbance will need to be reduced to meet the requirements under the Wetlands Protection Act and the Conservation by-law. Work on individual lots that fall within the 100 foot buffer zone to the BVWs will require a filing with the Conservation Commission.**
- 8. If municipal water and sewer is not available the new lots would need to be able to construct an on-site septic system, with appropriate setback requirements and buffers in accordance with Title % regulations, and private well. All dwellings must comply with the Minimum Standard of Fitness for Human Habitation, State Sanitary Code, Chapter II.**

9. The total number of lots shall be 6 for a conventional development based on a multiplier of 2.33.

Public Hearing - Willis Pond Rd. on Lot 2 and part of lot 4 (parcel I.D. 37-47 and 37-48) for Special Permit for a Cluster/Inclusionary Development under Section 440-1402 of the Zoning Ordinance to allow 14 units - submitted by Aspen Prop. Holdings LLC (Public hearing for Definitive Subdivision will be at a later date)

Roll call: Reardon, Ackerman, Campbell, Spencer, Monteiro and Abreau present. Hearing opens at 8:16 PM Atty. Brianna Correira, Tracy Duarte, P. E. and Chris Moniz representing Aspen Prop. Was invited into the enclosure. New dept. comments were read into the record from City Planner, Conservation Commission, City Engineer, Atty. Correira relative to contribution of monies. Older comments from Veolia Water, B.O.H., and Fire Dept. were also read into the record. Atty. Correira stated as part of the preliminary plan discussion (see above) they combined this presentation but will go over it again briefly. Atty. Correira states the preliminary plans (see above) showed 6 conventional lots and which allows them to ask for 14 lots under the Cluster/Inclusionary housing ordinance. Atty. Correira stated they would like to build the alternative plans showing 14 lots which encourages open space and less environmental impact. They are proposing 14 lots on 21.3 acres with 15 foot front setback, 10 foot side setback and 15 foot rear setback. Chris states there will be significant improvements and they are proposing to give the City \$300,00 which he thinks is acceptable. Dennis asked if they would be assign for any variances and it was answered no. Bob pointed out you are not proposing any buffer and Chris stated under the Inclusionary housing it's not required. He stated they own 140 Willis Pond Rd. and lots 2,3,4 and they will fully disclose to any homeowner that there is a subdivision going in. They will have a natural buffer and 14 acres of open space. Public Input: Paul Boivin stated there is a problem on Willis Pond Road with the sewer line from Fremont Street. Jason Costa, 25 Stetson St. stated there is a problem with sewer and this is the lowest point. It's already an issue and they want to add more. Steve Orcutt, 135 Malibu Dr. stated he would rather see 6 conventional house lots and not 14 under the inclusionary. Miguel Sosa, 50 Malibu Dr. stated there is a big difference from 6 homes to 14 homes. Too much on small lots. He would rather see 6 lots.

Bob made motion, seconded by Dennis to approve with dept. comments and conditions:

1. A Homeowner's Association shall be established, approved by the City and recorded prior to any lot releases.
2. The Open Space shall be placed under a conservation restriction in perpetuity. Said restrictions shall be approved by the City and recorded prior to any buildings permits.
3. Setbacks from the property lines shall be: 15 foot front, 10 foot side and 15 foot rear
4. An amount of 10% (the value of the construction costs for 1.4 units) shall be set for the affordability component of the Inclusionary density bonus. This amount shall be paid upon the lot release for each lot in an amount 1/14 of the set total.
5. The applicant will be required to file a Notice of Intent with the Conservation Commission for the roadway which falls within the 100-foot buffer zone of the bordering vegetated wetland. Any work on separate lots within the 100-foot buffer will also require filing with the Conservation Commission.
6. The project will be subject to the City Sanitary standards and specifications.
7. If municipal water and sewer is not available, the new lots would be able to construct an on-site septic system, with appropriate setback requirements and buffers in accordance with Title 5 regulations, and private well. All dwellings must comply with the Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II

- 8. A Definitive Subdivision Plan is required to be filed with the Planning Board
- 9. A Roadway Improvement Plan for Willis Pond Rd. is required to be filed with the Planning Board.
- 10. Total number of lots in subdivision is 14.

Vote:	5 In Favor	1 Opposed
Anthony Abreau	YES	
Dennis Ackerman	YES	
Robert Campbell	YES	
Michael Monteiro	YES	
Manuel Spencer	YES	
John Reardon		NO
Brian Carr	Absent	

Hearing closed at 8:34 PM

Public Meeting - Site Plan Review - 215 High Street - for the construction of a 22 unit condominium development on 1.78 acres, submitted by Gawadat Meawad.

Frank Gallagher and Gawadat Meawad were invited into the enclosure. Dept. comments were read into the record from DIRB, B.O.H., City Engineer, and Water dept. Frank stated the property is located in the Urban Residential District and the house was lost in a fire but there is a carriage house still on property. All utilities are in High Street and they are proposing 22 units with 3 bedroom townhouse style. They have 53 parking spaces which is 9 extra. They are under the allowed percentage of maximum lot coverage. There will be a single entrance on High St. The courtyard will be a grass area where children can play. They will submit a landscaping plan per the DIRB recommendations. Dennis asked if they included all the things the Council asked for and Frank said the Council approved with all dept. comments and he will update plans and include all conditions. Tony stated he doesn't want any overflow on any street and he stated there is a pipe on plans going out to street and he asked they remove it. Frank said that is essentially an overflow and Tony said the City doesn't want a direct pipe in a problem area. Bob said fix arrow on plan. Public Input: Joe Andrade, 219 High St. stated in 2017 his 5 family house burned down and he need to get a Special Permit to re-build. He asked how can he get approval for 22 units? It was stated this applicant went through the same process as he did.

Dennis made motion, seconded by John to grant with dept. comments & conditions:

- Condition #1) That the plans dated June 10, 2021 and revised through March 3, 2022 shall govern with the following additional conditions;**
- Condition #2) Lighting shall not illuminate any portion of abutting properties**
- Condition #3) The site shall be kept clean and clear of debris**
- Condition #4) Two sets of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc**
- Condition #5) Two sets of updated plans shall be provided that conforms to this decision prior to Building permit**
- Condition #6) Minimum pipe size for the drainage pipes shall be 12 inch diameter**
- Condition #7) All wheel chair ramps shall be shown on the plans.**
- Condition #8) The sidewalk grade shall be maintained through the proposed driveway apron with ADA/AAB access maintained**

Condition #9) Dumpsters shall be located on a concrete pad, be enclosed with a 6 ft stockade fence, be kept closed at all times and be emptied regularly

Condition #10) An 81X plan shall be recorded with a confirmatory deed combining the parcels prior to any building permits

Condition #11) The mailbox shall be moved to the northerly side of the play area

Condition #12) A conforming landscape plan shall be approved prior to any building permits. If a 50% waiver is utilized, all said areas shall have a 6 foot stockade fence.

Condition #13) Applicant to meet with City Engineer and DPW to ensure all runoff and overflow stays on the property.

Notes;

Note 1) An engineered study is required to determine if the existing sewer main on High Street can handle the sewer flow.

Note 2) DPW permits are required including city licensed contractor, road opening and trench permits

Note 3) DPW specifications shall apply including backflow devices, pressure testing, materials, installation, a new water meter with an updated radio frequency unit, inspection and approval and prior notice is required before any city water work is to be performed and inspections are required prior to backfilling

Vote:	5 In Favor
Anthony Abreau	YES
Dennis Ackerman	YES
Robert Campbell	YES
John Reardon	YES
Michael Monteiro	YES
Brian Carr	Absent
Manuel Spencer	Absent

44 Dean St. – SPR – request to modify decision relative to Curb Cut from Mass DOT.

Mike Amaral stated per the P.B. approval he is required to obtain a curb cut permit prior to a building permit. Letter from the City Planner was read into the record. Mike was working on the front house and now wishes to work on the inside and the City Planner states that means he is now utilizing the SP and SPR approval which has that condition. So he is asking for it to read prior to an occupancy permit. The Board has placed similar condition on previous approvals after it was brought to their attention that Mass Highway has been taken a long time to issue curb cut permits resulting in holding up development.

Bob made motion to modify condition # 12 to read as follows:

A copy of the Mass DOT Highway Curb Cut shall be provided prior to any occupancy permits, seconded by Dennis. All in favor.

Ashleigh Estates – letter from resident -

Letter from Stacy Sousa Royer, 51 Manken Rd. relative to completion. Chairman Abreau stated the DPW has secured their paver for the City and they anticipate doing some paving (base coat) in May. Letter will be sent to Ms. Royer giving update.

Meeting adjourned at 9:06 PM