

The regular meeting of the Bridgewater Planning Board convened at 6:30 pm in the Council Chamber in the Academy building.

MEMBERS PRESENT: Mr. Driscoll, Ms. Guarino, Mr. Ajemian, Mr. Hall and Mr. Sullivan

ALSO PRESENT: Mr. Delonno, CED Director; Mr. Etoniru, Town Engineer.

FIREFLY LANE PUBLIC HEARING CONTINUATION

A letter read from Attorney Vieira dated January 3, 2017 requesting that the public hearing be continued to February 1st and that the time to act be extended to February 28th, 2017.

On a motion by Mr. Hall, seconded by Mr. Ajemian, it was unanimously voted to continue the hearing to 2/1/17 at 6:30 pm and accept the time for Board action to February 2/28.

BOARD BUSINESS-DONALD BROWN-ROLLING PINES, II

An email received from Donald Brown on 12/4/16 requesting a bond reduction at Rolling Pines Drive in the amount of \$56,530.00. He said that the top coat, sidewalks, monolithic berm and monuments have been completed. The final as built plan and iron bar lot corner staking are scheduled for this week. An email dated 1/4/17 from Ron Ladue read into the record: recommending release of \$38,503.00 in bond monies. He is holding a \$5,000 "as-built" deposit, as we have not yet received a certification letter for the block retaining wall. Mr. Brown submitted a letter from Land Planning Inc. Norman Hill, P.E. indicating that it is their professional opinion that the walls have been constructed in general compliance with the approved design plans. It is also their opinion that the walls as constructed will serve their intended purpose of providing stability for the infrastructure associated with the roadway.

Street trees were discussed. Mr. Brown indicated that Mr. Leduc doesn't want to maintain the trees; Mr. Driscoll indicated that the trees should be planted out of the street layout. Letters from Mr. Fisher and Abby Burke received authorizing the removal of the trees from the approved plan. Mr. Driscoll commented that he went down there today and yes, there are many existing trees however there is a piece before the cul-de-sac where he thought trees would be appropriate and should be planted. Mr. Brown suggested he put in two trees per lot where needed; Mr. Driscoll asked him for a plan showing where the trees would go; the board needs a visual of what we would be approving, he said and Mr. Brown indicated that he understood.

On a motion by Mr. Sullivan, seconded by Ms. Guarino, it was unanimously voted to release the \$38, 503.00 as recommended by the Highway Supt. and an additional \$5,000.00 for the wall, upon approval by the Town Engineer. (Sec. Note: email received from Town Engineer on 1/9/17, given the height of the wall and the fact that the design plan didn't call for tie-backs, I would not recommend any release of the \$5,000 bond until the installed wall has gone through a full year of weather cycles following its installation.

Mr. Brown said he was also looking to get a portion of the contingency money returned; he was told to speak with Azu and Ron Ladue about that; Mr. Delonno suggested having an on-site meeting.

Mr. Delonno had sent an email to the members regarding a petition for a LIP project which needs a variance from §6.30.A.2. (Business B) to be located on Plymouth St Map 24, Lots 50 and 51. He supports the creation of two (2) affordable units as part of the development plan for the property. Mr. Delonno reminded the Board that this is the same parcel that was before them for New England Stunts and Safety on the Murphy property on the river off Plymouth Street. The Board had visited the site and there was an issue of the tires that had been buried there over the years. The removal and remediation of those tires became an issue with the buyer and seller and the liability there off, so that deal broke down. Mr. Murphy is now proposing a LIP project(40B)-two town houses with 8 units, 2 affordable in each. He will be proposing a right of access and roadway to the Town River and a Kayak drop off with parking area on the river. He said he provided the access plan via email to the members.

The conditions will recommended to the ZBA are as follow- he asked that if the members had any further suggestions to email him to be included in the letter.

1. That each individual structure house one affordable unit (as defined by DHCD);
2. That all the tires that were disposed or dumped onsite be completely removed and soils remediated, as necessary;
3. That the removal of tires and remediation encompasses the entire property (including any lands created as public access);
4. That the tire remediation process is witnessed by an independent third party (along the lines of a licensed site professional, LSP) and, upon completion certified by that third party as satisfying the conditions of removal and remediation; and,
5. That the easement area for access to the Town River 'Murphy's Landing' also includes furnishing an improved area that is finished with a material suitable for parking vehicles.

On a motion by Mr. Ajemian, seconded by Mr. Hall, it was unanimously voted to endorse the letter being sent to the ZBA.

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For the record: Town Clerk notification of no appeal received for Dyer Construction special permit for Mill/Plymouth Street and Claremont Parking lot.

COPART PRE APPLICATION MEETING

Larry Silva told the members that this proposed project would be located at the South Shore Community Church land as they will not be going forward with their proposal. Copart is looking to purchase the land located in Bridgewater. (The West Bridgewater portion has some constraints....Natural Heritage and flood plain issues) He explained that the drainage areas would be similar to that was proposed for the church. The difference here is that this project is for storage of vehicles that would then go to auction. There would be an operations building with paved parking; cars are stored while being inventoried; not paved; gravel surface; auction is on the internet; no salvaging of vehicles on site.(might have a salvage title)

Mr. Etoniru arrived at 7:11.

Tom Smith, property manager for Copart made a presentation on how the company works. They just celebrated their 30th anniversary in business. They have three businesses in Massachusetts; One in Bellingham, West Warren and Billerica and about 190 other locations around the world.

Mr. Ajemian questioned the number of cars involved? Mr. Smith said they average between 150-175 per acre. Somewhere around 85% will be non-drivable. Mr. Ajemian questioned the number of trucks coming in per day? In the summertime, 35 per day of inventory coming in and in the winter time could be 55-60. After an auction, there will be a spike of the cars going out.

Mr. Sullivan questioned how much land they have available? Mr. Silva said that usable land is probably around 28 acres.

Mr. Driscoll questioned if there would be any screening? Mr. Smith said yes-an 8' metal panel fence; he said they could put landscaping in front of it if the Board requires it. He also asked Mr. Etoniru if the parking spaces should be paved and has oil/water separators due to chance of leakage from the damaged vehicles. Mr. Delonno said this was discussed with the applicant during a conference call early on in terms of locating it; they do have a spill response protocol where they address any leaking fluids on the intake. Mr. Smith concurred that they have a spill prevention protocol and a spill response program. Mr. Driscoll felt that 2300 cars would be difficult to monitor and maintain; if they had pavement with drainage structures it would be a non-issue. Mr. Silva noted that it is not an active operation; vehicles not operating; nothing happening that would generate a release. Mr. Smith spoke about alternative surfaces that could be used. Mr. Etoniru suggested that the Board shouldn't get into such detailed discussion at this point; this is only a pre application meeting and the public hearing on this proposal will be on February 1st at 7:00. It was noted that the application also requires a special permit under Section

TRINITY CIRCLE PUBLIC HEARING-1095 SOUTH STREET

The public hearing convened at 7:32 pm

The public hearing notice that appeared in the Enterprise on 12/21 and 12/28. The green notification cards were submitted by Mr. Silva.

Correspondence received read into the record:

1. December 21, 2016 letter from George Allan, P.E. Stantec Consulting services read-preliminary comments.
2. December 22, 2016 letter from Jonas Kazlauskas, Water/Sewer Supt. read.
3. January 3rd letter from the Highway Superintendent.
4. Email from Mr. Etoniru to Andrew Delonno dated January 4th.

Mr. Silva informed the members that the water impact has been submitted; as far as the test pits are concerned, he will arrange that with Mr. Etoniru. He explained the history of the property. There was an estate lot created years ago for Mr. Bergeron which is being incorporated into the subdivision so the special permit that was received is essentially removed because they would now have frontage on a

roadway. The cul-de-sac is coming off Ashtead Road and is 835' (900' to the backside); there are two drainage lots interconnected with a 25' wide easement that discharge into a buffer zone of wetlands to the south. All the lots shown have current perk tests. Mr. Silva said he is looking to reconfigure lots 3 & 4 with an easement in order to loop the water and will be shown on a revised plan.

Waivers being requested:

1. IV.B.3.(d) Drain Lines-wavier from strict compliance with the required 3'-6' cover over a drain line
2. V.B.1 typical Cross Section; Variation from required cross section requested(Drain line to be located 5 feet off centerline)
3. Monuments: the use of concrete bounds in lieu of granite bounds
4. VII.10-Drainage basin with recharge system(reduction in the height of the stone from 24" to 18" within the recharge area)

Mr. Silva commented that when they did the other two estate lots, and he worked with the Highway Supt. to resolve it, they discovered that none of the drain lines were connected to anything on Ashtead, so none of them had outfalls. He said they actually remedied that when they did the two estate lots by extending the drain lines down in order to take them to a terminus. He doesn't think the one that is in front of the original estate lot has one either, so that is why they are bringing it back to an outfall.

Beth Marden-30 Ashtead Road-questioned how many sidewalks and will there be underground utilities? Mr. Silva said there will be one sidewalk on the left hand side and yes to underground.

Ben Witcher-30 Ashtead Road- stated that there is an identified drainage easement behind 20 Ashtead but it is not identified behind 30 Ashtead; it goes under the existing driveway via a pipe and behind their house at 30 Ashtead; he asked if that shouldn't be identified on the plan. He said there is essentially a creek that runs behind their house. Mr. Silva said that there is no defined easement behind 30 Ashtead like it is behind 20 Ashtead. It is defined because it is actually on that lot, he said. It discharges on the church land, not on 30. He said Mr. Witcher did bring up a good point in that the easement should be clarified on the church property in the area of lot 5.

Richard Benton-210 Forest Street-also spoke about a town owned easement (not shown on this plan but is on the town map 100) from Deerfield Drive that goes under Forest Street behind the Lessard property that becomes a swale that drains on this whole area. He said that the DEP identified a wooded wetland and to the south a shrub wetland. Mr. Silva pointed out the wetland areas. Mr. Benton had a GIS map showing additional wetland areas. Mr. Driscoll interjected that test pits will be done and Mr. Etoniru will be out there; can't really discuss until reports are done.

Terry Smith-Pena, corporate clerk for the church, stated that this particular piece of property has been available since 2003; at this point, their plan is to sell the subdivision lots. (not Mr. Bergeron's lot or the one in front of it) She said that back in August the Trinity Covenant Church merged with the Grace Anglican Church and what they are trying to do is give themselves a fund to begin as a new church as Grace Anglican Church.

Herb Weigold-40 Ashtead Road stated that his back yard gets flooded now when it rains....concerned when this is developed what will happen. Mr. Silva said basin 1 is in his general area; it would have water quality first; water storage and then it will go in the direction of basin 2 before it discharges. Mr. Weigold questioned "water storage" and asked if it wasn't going to seep into the ground. Mr. Silva stated "to the extent that something can seep through it; the soil isn't really conducive to that." He said there really are not a lot of good soils for infiltration.

Mr. Benton questioned with all this water coming from Forest, Deerfield, Legge won't it impact Cross Street? That water goes into a brook and under South Street. Mr. Silva stated that there is an extensive wetland system to the south; and it is a significant distance from here. Mr. Driscoll noted that when they build subdivisions it has to be demonstrated that there is 10 percent less water than before constructed; so should be less impact on abutters.

There was discussion about the road ownership. Mr. Silva took exception to comment made by the Highway Supt about roadway remaining private; if the road is built to subdivisions standards, the applicant does have the right to petition the Town for acceptance.

On a motion by Mr. Ajemian, seconded by Mr. Hall, it was unanimously voted to have Azu go out with Mr. Silva to witness test pits in the recharge area and every 100' in the roadway.

On a motion by Ms. Guarino, seconded by Mr. Hall, the public hearing was continued to Feb. 1st at 7:30 pm.

OLDFIELD ESTATES, PHASE I PUBLIC HEARING

The public hearing convened at 8:19 p.m.

Notice that appeared in the Enterprise on 1/21 and 1/28 read into the record. Green cards submitted by SEA.

Mr. Driscoll stated that the reason this is before the board is that the special permit for the cluster is still valid, but the subdivision had expired due to condition #2 which was not satisfied prior to a request for extension. The plan is exactly the same as the one approved August 18, 2014.

Email from Mr. Etoniru to Mr. Delonno dated January 4th read into the record:

The only reason the subdivision plan for Oldfield Estates, Phase I has been re-filed is because the original approval/permit expired without the applicant requesting an extension prior to the expiration date. He would recommend the Board approve the subdivision plan with a proviso the instant subdivision plan be verified as to consistency with the prior approved plan.

Mr. Silva requested that the board reconsider the wording of that condition to two years after the lots are released. Mr. Lehtola noted that it would not be completed with two years. Mr. Driscoll advised him to put in an extension request before the expiration date. Mr. Ajemian said he would be against it; the condition is in the rules and regulations also.

On a motion by Mr. Sullivan, seconded by Mr. Hall, it was unanimously voted to close the public hearing.

On a motion by Mr. Sullivan, seconded by Mr. Hall, it was unanimously voted to approve the Oldfield Estates, Phase I with the same conditions put on the plan approved 8/18/14 and with the condition that the plan submitted be reviewed by Mr. Etoniru to make sure that it is the same plan.

The conditions shall be:

1. All sheets of the plan shall be recorded.
2. The construction of all ways and services and installation of all municipal services shall be completed in accordance with the applicable rules and regulations of the Board within a period of two (2) years from the date of endorsement of the plan. Failure to do so shall automatically rescind approval of the plan.
3. No waiver of a subdivision rule or regulation shall be authorized unless formally approved in writing by this Board.
4. All roads, walks and ways shall be constructed in strict compliance with 521 CMR and the provisions of the Americans with Disabilities Act.
5. All wheelchair ramps shall be labeled and shall conform to Mass. Highway wheelchair ramp standards, latest edition.
6. Any easements shown on the plan must be recorded in Plymouth County Registry of Deeds. Proof of such recording shall be required prior to any request for release of lots from covenant.
7. Prior to lot release, a Municipal Lien Certificate indicating that all taxes, assessments and charges assessed against the land shown on the plan have been paid in full shall be submitted to the Planning Board. The Municipal Lien certificate shall be submitted to the Registry of Deeds at the time of the recording of the plan. Proof of such recording shall be submitted to the Planning Board prior to any release of lots for building purposes.
8. Prior to lot release, a preliminary roadway and drainage system as built plan, as outlined in Section III. B. 4 C, prepared and stamped by a Registered Land Surveyor and stamped by a Professional Engineer, shall be submitted to and approved by the Planning Board. The design engineer shall certify that the drainage system has been built in strict conformity with the plans endorsed by the Planning Board.
9. A semi-annual report on the detention basin's condition shall be prepared and stamped by a professional engineer certifying that the basin is being maintained and is functioning per approved drainage design until street acceptance.
10. There shall be an erosion and sedimentation control plan submitted prior to endorsement of the plan. The plan shall address how storm water runoff shall be controlled during construction. All sedimentation and erosion controls shall be in place prior to the commencement of any earth moving activities associated with the construction of the subdivision.
11. There shall be no driveways closer than six (6') feet from any drainage structure or fire hydrant.
12. If any changes are made, at the request of other agencies or commissions, to the approved plan, the applicant shall be required to come before the Planning Board for a modification hearing to review such changes prior to the commencement of any construction.
13. Prior to lot release, all drainage basins, swales and structures shall be in working order including, but not limited to, finished grades, landscaping and protection from erosion or siltation contamination.
14. A maintenance bond shall be deposited with the Town, prior to street acceptance, in an amount determined by the highway superintendent, as deemed adequate for maintenance

- of the drainage structures, detention basins, and other infrastructure improvements for which the Town will assume responsibility at street acceptance.
15. It shall be the responsibility of the owners of any lots containing drainage structures for the maintenance of such structures; this shall be written into the deed of any such lot; easements shall be granted to the Town to access the areas.
 16. Street Lights shall be provided by the Developer installing post lights, of design approved by the Planning Board, at each driveway opening approximately 10' from pavement as outlined in Section V.B.23. Post lamps shall be installed prior to Occupancy permit being issued by the Building Inspector.
 17. A tentative construction schedule shall be submitted to the Planning Board prior to the commencement of any construction activities associated with this proposal.
 18. The Board shall appoint an inspector to oversee the construction of the roadway and drainage systems. The inspector shall be present during all critical stages of construction to ensure that proper construction practices are followed. The inspector shall be notified 48 hours in advance of each task that needs to be completed and signed off. A pre-construction meeting with the contractor, developer, the inspector and a member of the Board shall take place before construction begins. The applicant shall be responsible for costs of the subdivision inspector. A deposit of \$2500.00 dollars shall initially be submitted to the Planning Board prior to the start of construction to ensure payment of the subdivision inspector; additional moneys shall be deposited in advance if it is anticipated that inspection shall cost more than the original deposit.
 19. There shall be a planting and maintenance plan for the street trees outlining how the trees will be replaced if they do not survive.
 20. The water main shall be looped from the Cherry Woods Subdivision to Hartswood Way. In this phase and all other phases, the water main termination will consist of a gate valve followed by two lengths of pipe plugged. This will allow the future extension to proceed without shutting off service to existing homes. Phase 4 will be connected to Erbeck Circle.
 21. Prior to the signing of the subdivision plans, the owner/applicant shall provide information and preservation restrictions for the required open space for the entire development as shown on the special permit plans.
 22. Prior to the signing of the subdivision plans, the owner/applicant shall provide to the Planning Board with a Municipal Lien Certificate indicating that all taxes, assessments and charges assessed against the land shown on the plan have been paid in full.
 23. The final plans submitted for signature will reflect this decision and all revisions.

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Mr. Etoniru said that the Claremont plan is all set for signature; Mr. Driscoll will come into the office to endorse.

The meeting was adjourned at 8:35 p.m.

MINUTES APPROVED _____

