



TOWN OF RAYNHAM

PLANNING BOARD

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Raynham Planning Board

Meeting Minutes

Thursday, September 21, 2023

Call to Order

Mr. Andrade opened the meeting of September 21, 2023, at 6:00 p.m. and informed the meeting is being broadcast live on the Raynham Channel, Comcast Channel 98 and Verizon Channel 34. It is also being recorded by RayCam for replay on the Raynham Channel and later on YouTube.

Planning Board Members Present (5): Mr. Matthew Andrade-Chairman; Mr. Burke Fountain; Mr. Russell Driscoll; Mr. Brian Oldfield; Mr. Christopher Gallagher (via cellphone); and Alternate Member Anthony Niccoli

Also Present: Mr. Bob Iafrate, Building Commissioner, and Ms. Maureen McKenney, Planning Board Administrative Assistant

Approval of Meeting Minutes – August 3, & September 7, 2023

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to waive the reading and approve the minutes of August 3, 2023 as printed and to table the minutes of September 7, 2023 until the next Planning Board Meeting. Discussion: None. Vote: 4-0-0

1900-1958 Broadway/Sportsbook Property

Mr. Iafrate informed that the applicant has requested a continuance. The project has been put on hold through the winter until additional funding is found. Mr. Andrade suggested a continuance until the October 5, 2023 meeting.

1958 Broadway/Warehouse Property

Mr. Iafrate explained that the approved site plan here is for two warehouse buildings. That project is not proceeding but there will be another application coming before the Board from a different owner for five smaller warehouse buildings instead of the two buildings proposed.

No action taken by the Board on 1900 – 1958 Broadway. Will be continued to next meeting.

Form A/ANR Plan – Raynham Riverwalk (Church Street/Rt. 44)

Present was David Eastridge, Thorndike Development, owners of Raynham Riverwalk LLC, now known as Larkwood, LLC.

Mr. Eastridge explained that during the last meeting, a Form A Plan was discussed, and the Board requested a modification on one lot line in order to create sufficient frontage outside of the wetland area. The revised plan submitted depicts the modification. One additional change to the plan is on Lot 3 in order for the future disposition of that lot to become open space with a restriction requirement per the approval from the Zoning Board of Appeals (ZBA).

Mr. Gallagher reviewed the plans and informed that the modification allows access to the public road.

The new application submitted is dated September 18, 2023, with 21 days to act. Mr. Eastridge asked for the Board to act on the plan this evening as they have already postponed the closing of the land.

Mr. Gallagher asked if the modification will affect the ZBA or Conservation Commission approval. He requested a confirmation from ZBA and Conservation on the new lot lines. During discussion, it was noted that the plan in front of the Board meets the Planning Board's requirements. Mr. Eastridge informed that the creation of Lot 3 is a requirement of ZBA approved plan, and it does not change the layout.

Mr. Fountain expressed concerns with the name change. Mr. Eastridge informed that there was a name change with the Secretary of State and for marketing purposes it should match the property.

Mr. Oldfield agreed with Mr. Gallagher in the receipt of a confirmation from ZBA on the change in the lot line.

Regarding Mr. Gallagher's concerns and matter of obtaining a confirmation letter from ZBA and Conservation, Mr. Fountain informed that the Form A Plan before the Board now states "No determination as to compliance with Zoning requirements has been made or intended."

The Board discussed the process when the applicant applies for a building permit.

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to accept the plan as an Approval Not Required Under the Subdivision Control Law plan, that being "Plan of Land in Raynham, Mass. Prepared for Raynham Riverwalk, LLC on New State Highway," dated September 18, 2023, prepared by Flaherty & Stefani, Inc., Plymouth, MA.

Discussion: Mr. Gallagher requested ZBA and Conservation be informed of the new Form A Plan.

On a Roll Call Vote: Mr. Fountain-Aye; Mr. Driscoll-Aye, Mr. Oldfield-Aye and Mr. Gallagher -Aye. Vote: 4-0-0.

Alternate Board member Anthony Niccoli joined the Board for the remainder of the meeting.

Public Hearing – Wal Mart – 160 Broadway Site Plan

Mr. Driscoll read the Public Hearing notice.

No representative for Wal Mart was present. The Board agreed to continue the public hearing to October 5, 2023, at 6:05 p.m.

1900 Broadway – Site Plan Modification

As reported previously by Mr. Iafrate, the applicant may withdraw this application. Mr. Andrade continued the public hearing until October 5, 2023, at 6:10 p.m.

Mr. Gallagher recused himself and will not be participating in the following discussion.

Doe Run Subdivision – Status update

Present was Frank Gallagher, P.E., Gallagher Engineering, and Michael Intoccia, owner/developer.

Mr. Intoccia informed that Phase I of the subdivision will be completed with roadway, sidewalks, landscaping and mailboxes. A minor modification is being requested for sidewalks with granite curbing on one side and a Cape Cod berm on the other. The roadway including sidewalks and landscaping should be in and completed by November 15th or 20th. The last foundation in Phase I has been installed.

He informed that Highway Superintendent Ed Buckley was not opposed to the change. The only concern Mr. Buckley had expressed was the weight restriction on the bridge.

Mr. Andrade asked what the plan was on completing the road with the weight restriction.

Present was contractor Paul Bumila, GB & Sons. Mr. Bumila informed that if need be, they will short load the trucks. He has spoken to a structural engineer about reinforcing the bridge as a temporary repair.

The Town currently holds a bond for Phase I and Mr. Intoccia said that bond will remain through Phase II. He will not request the release of the bond.

Mr. Iafrate discussed temporary reinforcement of the bridge prior to loading concrete for the completion of the road. The Board suggested the applicant speak to Mr. Buckley regarding the bridge.

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to approve the minor modification for Phase I sidewalk sloped granite curbing (Lots 18, 19, 20, 21, 22, 24 and 25) and Cape Cod berm on the other side for Lots 25, 26, and 27. Discussion: None.

On a Roll Call Vote: Mr. Andrade-Aye; Mr. Fountain-Aye; Mr. Driscoll-Aye, Mr. Oldfield-Aye. Vote: 4-0-0

Mr. Gallagher rejoined the meeting.

Public Hearing – Layla Estates Subdivision

Present was Attorney Edmund Brennan, 174 Dean Street, Taunton, Massachusetts, and Julie Goodwin, P.E., from W. Engineering.

Letter dated September 19, 2023, from Nitsch Engineering, states their opinion that the plan is satisfactory. The applicant received approval letters from the Raynham Sewer Commission and Raynham Center Water District. Waivers being requested are listed on the set of plans submitted to the Board. Attorney Brennan requested an approval on the waivers and the subdivision plan.

Mr. Andrade expressed concerns on the road reaching Layla Estates especially with other developments who are using the road.

It was noted that Evan Watson, P.E., W. Engineering, spoke to Mr. Buckley and any repairs necessary, his client has agreed to participate in the temporary repair to the bridge.

Mr. Gallagher has no issues with the design of the plans, although Pine Street will need improvements and should be shared by developers.

Mr. Andrade discussed the contribution of \$10,000 per lot to go towards road improvements on Pine Street and/or streets going into Pine Street.

Attorney Brennan commented on the improvements his client is making to the end of Pine Street and said, "this should be our contribution and when others come before the Board whatever their contribution is can be hammered out at that time." He continued by saying, "for his client to make improvements that they are going to use and then put a per lot amount on top is inequitable as it would be an expense of \$280,000." The contribution by his client is fair.

Mr. Gallagher suggested a \$5,000 per lot contribution to go towards road improvements. The cost per lot could be absorbed and would be a reasonable amount to request. Additional development on Pine Street is not known and could go on for years.

The bridge is the main concern and Mr. Brennan stated his client is willing to help with the temporary repair to the bridge.

Mr. Fountain agreed with Attorney Brennan, but \$5,000 request per lot is not a lot for a potential \$2M cost for a bridge.

Mr. Driscoll said he could see getting something but paying for your share of what you are doing and not the share of what somebody might do down the road because there is a chance that the land across the road will never get developed and they are paying for improvements for something that never going to happen.

If the Board requests a \$5,000 contribution, it will be earmarked for Pine Street improvement. Mr. Andrade said this is a start for improvements. The Board discussed when the contribution should be paid. Mr. Fountain suggested payable upon issuance of a building permit or an occupancy permit.

Mr. Fountain suggested an extension for the Time to Act with the preparation of Certificate of Action.

Motion: Moved by Mr. Fountain and seconded by Mr. Gallagher to require a contribution fee of \$5,000 per lot to be paid upon issuance of building permit for each lot in the subdivision. Fund to be earmarked for improvements of Pine Street. Discussion: None.

On a Roll Call Vote: Mr. Andrade-Aye; Mr. Fountain-Aye; Mr. Driscoll-Aye, Mr. Oldfield-Aye; Mr. Gallagher-Aye. Vote: 6-0-0.

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to approve the requested waivers that are set forth on the top sheet of the Layla Estates definitive subdivision plan. Discussion: None.

On a Roll Call Vote: Mr. Andrade-Aye; Mr. Fountain-Aye; Mr. Driscoll-Aye, Mr. Oldfield-Aye; Mr. Gallagher-Aye. Vote: 6-0-0.

7:18 p.m. – Mr. Gallagher left the meeting and will not be returning.

Form A/ANR Plan – Church Street

Present was Frank Gallagher, P.E., Gallagher Engineering, Foxboro, MA.

Approved at the last meeting was a Yield Plan which included the development in the back property and all the existing properties that exists on Church Street from 100 through 300. The plan before the Board eliminates all the existing lot lines that contained each of the buildings and shows the parcel in its entirety of 79.73 acres, which is owned by King Philip Realty Trust.

Mr. Gallagher stated he received a request from the Assessors' office to show the lot lines.

Mr. Fountain informed that the Board does not want to see the lot lines, but the engineer could certainly draw a sketch for the Assessors' benefit.

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to accept the “Plan of Land in the Town of Raynham, MA. Situated at 100 through 300 Church Street,” prepared for King Philip Realty Trust, Raynham, MA, by Gallagher Engineering, Foxboro, MA, dated September 10, 2023, as a plan not requiring subdivision approval. Discussion: None. Vote: 5-0-0.

Campbell Court – Road Acceptance Plan

Present was Frank Gallagher, P.E., Gallagher Engineering, Foxboro, MA. Campbell Court is located off Darrington Drive. The roadway is complete including the roadway bounds.

Mr. Iafrate informed that the Board of Selectmen is the governing Board to move the road acceptance forward. The Selectmen will conduct a public hearing so the road acceptance can be put on the Town Meeting warrant. Mr. Iafrate noted the road is 100% complete, the bounds are in, it's built according to plan, and, an as-built plan has been received. Mr. Andrade said the road looks nice. Mr. Iafrate stated that Ed Buckley is okay with the road and has no issues.

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to accept the plan entitled final Roadway As-Built Plan Campbell Court, Raynham, Massachusetts prepared for Pleasant View Realty Trust prepared by Gallagher Engineering dated September 5, 2023. Discussion: None. Vote: 5-0-0.

Lincoln Woods - Discussion

No representation for Lincoln Woods was present. It was noted the matter is at Town Counsel for review.

General Business

- Invoices/Bills Payable: Invoices approved and signed by the Board.
- Correspondence
- Old Business/New Business:

Certificate of Action 570 Elm Street East

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to approve the Certificate of Action for a Special Permit to allow an estate lot at 570 Elm Street East, Raynham, Massachusetts, Assessors' Map 2A, Lot 5B. Discussion: None. Vote: 4-0-1 (Mr. Andrade abstained).

Wildwood Estates

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to request additional fees in the amount of \$5,000 for the Revolving Account. Discussion: None. Vote: 4-0-1. (Mr. Andrade abstained)

Commercial Street/Richmond Street

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to request additional fees in the amount of \$250. Discussion: None. Vote: 5-0-0.

- Planning Coordinator Update
Bob Iafrate, Building Commissioner

Updates given earlier in meeting. Nothing further.

- SRPEDD Update
Christopher Gallagher: Mr. Gallagher was not present. No update.
- Plans to be Signed: No plans presented for endorsement.

Adjournment

Mr. Andrade asked for a motion to adjourn.

Motion: Moved by Mr. Fountain and seconded by Mr. Oldfield to adjourn from the Raynham Planning Board meeting of September 21, 2023, at 7:35 p.m. with no business to be conducted afterwards. Vote: 5-0-0

Respectfully submitted,



Matthew Andrade, Chairman

Upcoming Meetings: October 5, 2023