

WEST BRIDGEWATER PLANNING BOARD
3/4/2020

PRESENT: H. Hurley, H. Anderson, G. Stetson, A. Kinahan and J. Noyes

ABSENT: None

The meeting was called to order at 7:30 p.m.

1. Meadow Wood Subdivision: Engineer, Frank Gallagher, and owner/developer, Ben Albanese for Meadow Wood, LLC were present

The Board received a definitive subdivision plan for a thirty one (31) lot residential development to be located in West Bridgewater from Ash Street and a subdivision road know as Patricia's Path off of West Chestnut Street in Brockton. Mr. Albanese reminded the Board that he was before them three (3) years ago. Mr. Hurley asked whether they had straightened out the sewer line problem. Mr. Albanese stated that after many Court appearances they had resolved most of the issues with this development.

Mr. Albanese stated that they went before the Brockton Planning Board and the access road, Patricia's Path, was approved for a subdivision. Mr. Noyes asked about the radius easement. Mr. Albanese stated that the city had widened the road and they have an easement from a neighbor to allow them to move the road over to make it conform. Mr. Hurley noted that the submitted plans do not show the approved road. Mr. Albanese stated that the access is from Ash Street and the city will be putting in a street light at the intersection on West Chestnut Street with him contributing to the cost.

Mr. Albanese stated that Brockton now wants them to buy water and sewer for the development at a high price but noted that the he would be able to work something out with them. He stated that he is confident that they will approve it at some point. If not, Mr. Albanese stated that he is prepared to dig wells for each lot if it is necessary.

Mr. Hurley stated that West Bridgewater does not have a municipal agreement with Brockton and has no Sewer Department. Mr. Albanese stated that four (4) lots on Samuel Avenue have Brockton water and sewer as does the Family Dollar store and the Mobile Home parks so an official mutual agreement is not really required for them to move forward. A lengthy discussion was held on the history of Samuel Avenue including past owners, access and wetlands issues. Mr. Albanese noted that Samuel Avenue is a public street and that the land is in West Bridgewater so Brockton cannot deny them access. Mr. Albanese asked if the Board would entertain a plan to get access from Samuel Avenue or Old Ash Street and would it meet their requirements. Mr. Hurley stated that the Board would certainly entertain it, but it would depend on what was presented. He noted that just because they submit it, doesn't mean that there is any guarantee of approval.

Mr. Hurley stated that with respect to the water, if they did not have access to Brockton's water supply then they would have to include water storage units that could be accessed for water in case of a fire. Mr. Albanese stated that Brockton has an excess of eight million (\$8,000,000) gallons per day for sewer capacity and unlimited sources for water.

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Mr. Albanese asked if this presentation was enough for them to go forward with their plans. Mr. Hurley stated that he would need to see a plan of the roadway. Mr. Albanese stated that there might be a change in the access. Mr. Hurley stated that he would talk to Conservation Commission Agent, John Delano, regarding wetland issues. He also stated that he would send the plans to the Board's Engineer, Nicholas Laney, for his review as well. He asked Mr. Gallagher to send him the revised plan in a PDF format so he can forward it to Mr. Laney and any other interested parties. Mr. Albanese stated that he would do a Community septic and has an area marked out to do so if necessary. Mr. Stetson stated that the "no pump" proposed design would probably not be allowed. Mr. Hurley stated that most Fire Chiefs are not in favor of this design. Mr. Stetson stated that he doesn't know how the town's new Fire Chief feels about it.

Mr. Hurley suggested that Mr. Albanese work harder to get the water and sewer tie-ins from Brockton. He noted that it would be worth it in the long run. Mr. Albanese stated that the city "jacked up" the prices by forty (40%) percent, but has dropped back to ten (10%) percent. Mr. Hurley stated that he had several concerns which included an approved roadway, water supply and a municipal agreement. He stated that he would have Mr. Laney do the review and then go from there. Mr. Gallagher stated that he had shown the drainage on the plans but would get a more detailed design and send it to Mr. Hurley. Mr. Hurley stated that he was looking for continuity. Mr. Noyes asked if proponents would have to add these items to the plans before the Board could review them. Mr. Hurley reminded all that this plan would need approval from both towns. Mr. Albanese stated that he owned land on both sides of the approved roadway. Mr. Stetson stated that he would have to get the plans signed by Brockton's Planning Board before the Board could begin their review. Mr. Noyes stated that the plans should be recorded at the Registry before this Board begins their review. Mr. Hurley stated that they should see Brockton's approvals before they even look at it. A brief discussion was held on the abutter notifications. Mr. Albanese stated that he was prepared to do the mailing. The Board will submit the advertisement and bill the proponents.

Mr. Stetson stated that other subdivisions in town have individual septic tanks, which each property owner must maintain, and the rest is then pumped to the Community system. Mr. Noyes questioned who would be responsible for the maintenance of the sewer. Mr. Hurley stated that he would look into it. Mr. Albanese stated that the approved subdivision plans have not yet been sent to the City Clerk so that the twenty (20) day appeal has not started as yet. He also stated that he expects that it will be filed sometime this week.

A Motion (HA) was made to hold a public hearing on Wednesday, April 1, 20 at 8:00 p.m. Second (GS). Vote: Unanimous. Notices will be published in the Enterprise on March 17th and March 24, 2020.

2. 445 Manley Street:

The Board received a request from the ZBA to review an application for a special permit and site plan from Double C. Realty, LLC for a Contractors Storage Yard at the above site. It was noted that the Board reviewed a similar project located across the street from this address which was in the Water Resource Protection District: this parcel is not.

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3. 402 West Center Street: The Board received a request from the ZBA to review a change of use at the above address. Mr. Hurley stated that the former Dramatics Hair Salon was to be demolished to construct a Valvoline Instant Oil Change Facility by Henley Enterprises, Inc. Mr. Noyes questioned whether there was enough room to put it on this site. Mr. Hurley noted that there was. Mr. Stetson asked why Market Basket didn't purchase it. Mr. Kinahan noted that there would be hazardous waste products used. The Board was confident that the ZBA would address these concerns with the applicants.

4. 464 & 470 West Center Street:

The Board received correspondence from Building Commissioner, Michael White, regarding a proposed McDonald's Restaurant with drive through window to be located across from the proposed Chapter 40B proposal at the Lincoln Street/West Center Street intersection. Mr. White submitted a large packet of information: mostly pertaining to the traffic issues in that area. Mr. White noted that he could not find any correspondence from Mass DOT about not allowing a street light at West Center & Lincoln Streets due to the proximity of the Route 24 exchanges. Mr. White noted that he thought that some of this information could help with the traffic issues that these proposals will bring. Also, included in the packet was a Water Department memo regarding water main sizes and sprinkler systems. Mr. White questioned whether the water requirements are an issue with the proposed Chapter 40B apartment complex.

Mr. Noyes stated that he remembered this, but did not think any decision on the proximity to the expressway was ever put in writing. Mr. Hurley noted that the Chapter 40B project would consist of a four (4) story building, with parking underneath for the twenty four (24) apartments. Mr. Stetson asked if the town has a bylaw as to the height of any construction. Mr. Hurley stated that they did however, with a 40B project the bylaws don't matter; they can do whatever they want.

5. 477 West Center Street:

The Board received an email from Lawrence Langley, of Foster Appraisal, regarding what he referred to as a "by right" assignment. He noted that Mass Housing has engaged him to do an appraisal of the above property and that he is having a difficult time getting a plan from the developer. He asked if the Board has a plan that they could forward to him. It was noted that this is the address for the Chapter 40B apartments which will be reviewed by the Zoning Board of Appeals.

6. Sunset Ave Extension:

The Board received a request from Steven Wyman for the status and dollar amount on the surety account the Town is holding for the above subdivision. It was noted that he had been directed to Treasurer/Collector, Scott Golder. Mr. Stetson stated that the Board had released one (1) Lot. After reviewing the file it was noted that they had released all three (3) of the Lots. Mr. Stetson stated that the surety from Woodrow Lane had been transferred to the Sunset Avenue Extension account.

continued:

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7. 506 West Center Street:

Mr. Hurley reminded the Board that they would be holding the public hearing for the renovations to the former Shell Station at the next meeting. Mr. Noyes reported that he had not received a written confirmation as to if it would be considered a conflict of interest for him to attend and/or vote. Mr. Hurley asked if the other members would be there as they need four (4) members to have a quorum and also to vote on the special permit. Mr. Noyes stated that he would try to get it resolved this week.

8. Luke Estates:

Mr. Stetson stated that he had spoken with Al Endruinas for an update of the above project. He noted that Mr. Endruinas stated that because the winter has been the best he has ever seen he was way ahead on the construction. Mr. Stetson stated that five (5) out of six (6) lots have their septic systems in and expected that the final one would be done soon. He noted that the grading, loam, and seed will also be finished soon. He further noted that the only things left after that would be the curbing and paving. Mr. Endruinas stated that he expects to be done with everything by early summer.

9. Meadow Spring Drive:

Mr. Hurley reported that he had spoken to owner, James Donato, about the status of the above street acceptance. He also reported that he had spoken with Engineer, Ed Jacobs, for the same reason. He stated that Mr. Jacob told him that he was waiting on the deeds. It was noted that the invoice for the advertising and abutter mailing has not been paid. Both of the conditions of approval for street acceptance have not been met as yet.

10. Parker's Way:

Mr. Stetson reported that construction has begun on the single family home at the property off of East Street. Mr. Anderson questioned whether the fifty (50') foot driveway and T-type turnaround had been completed. Mr. Stetson stated that it would probably be done after the house is finished so the heavy equipment wouldn't damage it. He noted that the owner has widened the driveway up to the original home by ten (10') feet. It was also noted that the turnaround is where the owner is getting the required frontage for the new ranch style house.

11. 31 and 45 Pleasant Street:

Mr. Hurley noted that the Board has been expecting revised plans for the above property for their signature. Mr. Hurley stated that he would contact Silva Engineering to go over the changes that they need to make before the Board can endorse them.

12. Subdivision updates:

B.C. Way:

The proponent is preparing their plans (per the new policy guidelines) and paperwork to be submitted for acceptance of the subdivision roadway and the release of the surety.

continued:

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Elm Terrace:

The proponent is preparing the plans (per the new policy guidelines) and paperwork to be submitted for acceptance of the subdivision roadway and the release of the surety.

Green Meadows:

No further updates as to the DPW review of the roadways.

Lamp Post Estates:

It was noted that there has been nothing started on this subdivision. It was reported that one of the owners came in to get the form for the Covenant since it was not filed with the original submittal. It has not been submitted. Mr. Stetson stated that the approval may be getting close to the time line for that approval to run out.

13. MAIL:

Easton Planning decision, re: comprehensive permit, 49 Robert's Drive, granted.

Easton Planning decision, re: special permit, 411 Foundry Street, granted.

Easton Planning decision, re: special permit, 1 Old Stable Lane, granted.

Easton Planning decision, re: definitive subdivision, 7 Glenn Road, granted.

Easton ZBA public hearing 3/10/2020, re: special permit, 290 Turnpike Street.

Easton ZBA public hearing 3/10/2020, re: variance, 9 Prospect Street.

Easton ZBA public hearing 3/16/2020, re: zoning amendments.

Raynham ZBA public hearing 3/11/2020, re: special permit, 676 Broadway.

Raynham ZBA public hearing 3/11/2020 re: special permit, 858 Locust Street.

Citizens Planner Training Collaborative notice re: CPTC conference information.

Expense Control report of 2/26/2020.

Expense Ledger report of 2/26/2020.

OCPC agenda for 1/21/2020, 2/18/2020 and minutes of 1/21/2020, 2/26/2020.

14. A Motion (HA) was made to pay the secretary payroll. Second (AK).

Vote: Unanimous.

15. The minutes of 2/19/2020 were accepted and filed.

16. The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Donna M. Cotter,
Secretary