

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

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

ALSO PRESENT: Mr. Delonno and Mr. Etoniru

COPART SPECIAL PERMIT/SITE PLAN PUBLIC HEARING

The public hearing reconvened at 6:31 pm.

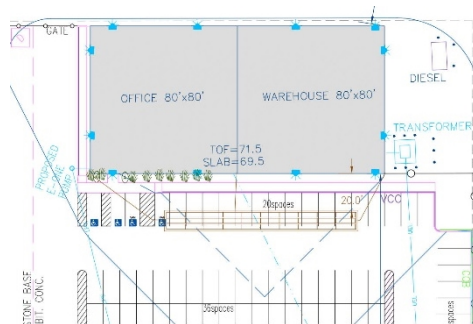
Email from Azu Etoniru dated 2/15/17 read into the record:

*"I have completed my review of the site plan and stormwater management report submitted with the application for a site plan and special permit approval by the Planning Board. The site plan and the stormwater management report are both dated December 29, 2016 and were prepared by Silva Engineering Associates, P.C. (SEA). I've also reviewed a bound document titled: "Environmental Responsibility Making a Difference Copart Inc. 2016". In light of prior meeting discussions with representatives of Copart, and as a result of my review of the above noted documents, I offer the following comments and/or recommendations: **1**, the stormwater management report includes recharge volume computations for the paved portion of the site based on the use of "Cultec R-150XLHD (Cultec Recharger 150XLHD)" system but the site plan does not reflect the use of the system. The site plan needs to be harmonized with the stormwater management report; **2**, the use of gravel surface is proposed for the majority of the 20+ acre area where the vehicles are to be stored. Gravel surfaces are conducive for runoff control and infiltration but the use of limestone as noted on the "storage yard" detail on plan sheet C.3.0 is not desirable as it has binding properties and would function as a paved surface, in which case, stormwater runoff from the area should be treated as runoff from a paved surface, and treatment volume computation consistent with the DEP Stormwater Management Handbook should be provided. If gravel surface is to be used, specifications for a pervious gravel surface should be included. The applicant noted at the February 1, 2017 public hearing meeting that snow plowing will not be required because the "fork lifts they use for storing and retrieving vehicles from the platforms can be operated over snow; therefore, it does not appear that the finished gravel surface grades would be impaired by snow plowing operations; **3**, given the size and scope of the proposed site use, Elm Street which is already in serious disrepair would be subject to additional and incalculable repeated volumes of heavy traffic wheel loads that would exacerbate the poor condition of the road. As part of a special permit condition, the Board should require the applicant to provide mitigation fund that would go towards improving Elm Street; **4**, the document titled: "Environmental Responsibility Making a Difference Copart Inc. 2016" should be revised, and tailored specific to the site as an Operation and Maintenance Manual for the proposed facility, and shall bear original wet ink seals and signatures of Massachusetts Registered Professional Engineer and Licensed Site Professional responsible for preparing the document. The manual should include emergency response protocols for handling, containing, and disposing vehicle fluid spills consistent with the Massachusetts Contingency Plan (MCP), 310 CMR 40, including the names, addresses, and phone numbers of in-state agents and representatives of the firm*

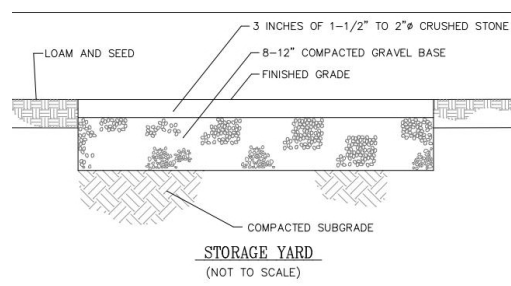
responsible for the facility; **5**, the Board should include an on-going condition of site plan and special permit approval that requires submission to the Board, a facility-wide inspection report prepared by a Massachusetts Registered Professional on a semi-annual basis, starting from the date the facility becomes operational. The report should document the conditions of the site, including but not limited to the conditions of all stormwater management system components, site surface conditions, etc.”

Mr. Silva addressed each issue raised:

Comment 1- The CAD layer was inadvertently “turned off” prior to printing the site plans. The sketch below shows the location of the proposed roof infiltration chambers and will be incorporated on the final set of plans.



Comment 2- An 8”-12” compacted gravel base (impervious) with 3” stone top layer (pervious gravel) is proposed.



Comment 3- As far as mitigations, this should be discussed at the Public Hearing; he cannot commit Copart to anything. They did ask him if this was something that others along Elm Street have committed to. He said they had no problem participating, as long as it was on an equal basis.

Comment 4- The plan will be resubmitted as an O&M specially tailored to this facility. He suggested that the endorsement of the plan should be signed by either a Professional Engineer or LSP.

Comment 5- We suggest that an annual inspection and report should be sufficient and tied to annual license or review.

Mr. Driscoll had a comment about #2- as far as the 20 acres or so that is just compacted gravel, when he looks at the project details he sees 1.85 acres impervious. Mr. Silva said that originally, just the paved area was called impervious and the gravel area was shown differently; after the DEP interpretation of what their position is as it relates to compacted gravel; he said that note needs to be revised. Mr. Driscoll stated that his big concern with the site is that these 2300 cars have a higher likely hood of leaking than a regular car and how do we make sure this land doesn't become contaminated and the storm water is treated adequately. Mr. Silva explained that if there was a leak, it would go into that stone layer and after that, is the compacted gravel area which means it can't go anywhere vertically. That means it will just stay right there or will get to the storm water management system where it will take it into the cleaning process before it goes to the detention basin and out. He said the oil/water separators or grit chambers will be built into the cleaning part of that; has to be shown on the plan. (Will meet the requirement of pretreatment) He said it is basically sheet drainage. Mr. Ajemian commented that the Board should go under the assumption that the vehicles will leak, even though they might not because they are inactive. He asked Mr. Etoniru's opinion. Mr. Etoniru said he spoke with the people down at DEP and they told him that the gravel would be acceptable in a situation like this and it is their recommendation for semiannual report as opposed to an annual and it should be for at least the first five years; if no problems, then go to annual report. Mr. Driscoll questioned if there was a berm around the whole perimeter or some kind of granite so the water can't shed off? Mr. Silva felt Mr. Driscoll's concern was how do you insure that the compacted gravel base is going to be shedding the drainage the way we said...He suggested that the board put a stipulation that requires that an as-built be done of the compacted gravel base prior to the placement of the material above, then you are going to know that it does grade in the way it is supposed to as far as the water going into the basin. Mr. Driscoll questioned if we put stipulations that the area of storage can't be plowed, who is going to monitor that. He said it seems like a very simple drainage system with not many controls for a business that has a high propensity for pollutants. Mr. Sullivan expressed some of the same concerns. Mr. Etoniru commented that is why he wants a site specific operation manual. Mr. Sullivan commented that the board just wants assurance that there will be no issues down the line. He realizes that they have protocol mandated by the DEP; he expressed concern about the top surface wearing down over the years. Mr. Etoniru stated that would be part of the O&M; would be certain standards that they have to meet. His biggest concern is infiltration before it goes out into the wetlands; no mechanical just natural infiltration, he said. Mr. Etoniru noted that if there is a spill it would go into a manhole. Mr. Sullivan questioned if something could be put under the gravel to the sediment forebay? Mr. Silva stated that he was looking to take the compacted gravel layer all the way to the back end of it and come up at the backside of it. He said if you were suggesting to have, at least at that part of it, lined underneath it, he thought that was a prudent point in terms of showing that detail. Mr. Driscoll again expressed concern that there is a lot of heavy equipment and movement on that stone and questioned how the 3" layer of stone could actually be maintained and how it would give us any protection of stormwater quality and how it would be long term. Mr. Silva stated that the 3" layer would have to be maintained to keep it that constant 3" layer. He stated that the impervious layer is not moving. Mr. Driscoll questioned how it would be monitored. Mr. Ajemian commented that he felt Mr. Driscoll's concerns were valid; he said that he felt it was the Board's responsibility to consider things that might go wrong. Mr. Sullivan questioned whether or not the State DEP has any best management practices for this type of surface

and drainage structures that we could apply to this? Mr. Etoniru commented that actually DEP gives preference to infiltration into materials like this and if the sediment forebay is properly constructed it will achieve that before it goes into the drainage basin. If it is planted with a high nutrient demand vegetation He doesn't want to make any conclusive statements until he sees the site specific info.

Mr. Sullivan commented if "mitigation" is the proper word to use for some kind of contribution for the reconstruction of Elm Street. Mr. Etoniru noted that the project at the corner of Elm/Pleasant had committed to deposit some funds; not sure whether or not that has been done. Mr. Driscoll asked if the Town has any recommended mitigation or dollar amount or road work we are looking for. Mr. Etoniru said he could take a look more specifically to come up with something for the board so they can discuss it with Copart. Mr. Driscoll questioned how many tractor trailer trucks come in and out each day? Mr. Silva said he provided that information in his report. Total round trips per day would be approx. 80.

Mr. Richard Benton-Forest Street- suggested that authorities in both towns where there are other facilities owned by Copart be contacted to find out what, if anything, they did and how the operation is functioning. Tim Buzzell, General Manager of the Bellingham site, said that there site has the same compacted base with 3" stone top layer ; it is 27+ acres; has is a 3300 sf. Office building with 23 employees ; 4 loaders; very similar facility as being proposed. He said they do have travel areas that do become thin; they bring in new stone very regularly. That is part of their budget, he said. All employees are trained in spill response: if they have one, it is documented in a log.

After a bit more discussion, a motion was made by Mr. Hall, seconded by Ms. Guarino, to continue the hearing to March 1, 2017 at 6:30 pm.

TRINITY CIRCLE PUBLIC HEARING CONTINUATION

The public hearing convened at 7:46 pm.

On a motion by Mr. Hall, seconded by Ms. Guarino, it was unanimously voted to take the Joint meeting with the Community and Economic Development Committee out of order to discuss the proposed ordinance ; the Trinity Circle hearing recessed until 8:07.

PUBLIC HEARING-Ordinance #D-20127-003

The public hearing convened at 7:49 pm

All members of the Planning Board were present.

Present from the Community and Economic Development Committee were Peter Colombotos, Dr. Kevin Perry and Mr. Frank Sousa.

Ms. Guarino read the notice at appeared in the Enterprise on 2/1 and 2/8.

Mr. DeLonno said this proposed amendment is to correct an over site that increases the minimum lot area to for a duplex to 37,000 sf. in Residential C. It removes the 15,000 per dwelling unit that currently exists and replaces it with 18,500.

Mr. Driscoll commented that this had already been agreed upon and as far as he is concerned it is just a type O.

Mr. Silva questioned the advantage of increasing the size of the lot? Mr. Delonno explained the Residential C was always conceived as not being as high density as Res. D. In order to preserve the balance of the different residential districts the recommended course of action was to increase that lot size per dwelling unit in Res. C.

The council committee members voted unanimously to recommend.

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

On a motion by Mr. Ajemian, seconded by Mr. Hall, it was unanimously voted to recommend the amendment to the council.

The board then discussed the acceptance of Hartswood Way and Doe Brook Circle in the Cherry Woods Subdivision. Mr. Etoniru and Mr. Ladue did two site inspections. The issues that had been identified have been corrected and both roadways are now ready for acceptance.

Email dated 1/3/17 received from Ron Ladue read into the record- He is recommending the request for town acceptance; However, the remaining road bond monies of \$42,504.00 are being held until the expansion and completion of the Oldfield subdivision proposed drainage basin has been inspected and functioning, as the Cherry Woods development drains into this structure.

Mr. Silva advised the council members that when accepting roadways that they be specific by meets and bounds

On a motion by Mr. Ajemian, seconded by Ms. Guarino, it was unanimously vote to recommend the acceptance of both streets.

TRINITY CIRCLE PUBLIC HEARING CONTINUATION

The public hearing was reopened at 8:07 pm on a motion by Ms. Guarino, seconded by Mr. Hall.

[Email from Mr. Etoniru dated 2/14/17 received:](#)

“This email transmission shall serve as a follow-up review correspondence to the February 1, 2017 email transmission below, and as comments on the revised subdivision plan and report dated January 27, 2017 by Silva Engineering Associates, P.C. (SEA) that were submitted on the applicant's behalf during the public hearing meeting on February 1, 2017. The following comments are offered at this time and they follow the same numerical sequence in the email below. Contrasting text font colors have been used in order to differentiate between prior comments and the follow-up comments for each numbered comment: **1**, the stormwater analysis and design infiltration rate has been changed from 2.41 inches per hour to 0.270 inches

per hour, which is consistent with the silt-loam soils found underneath the shallow sands at the site on January 23, 2017; **2**, as previously noted, the watershed area analysis submitted does not conform to Section IV.B.1.a of the Board's rules and regulations (the Regs) governing the subdivision of land in the Town of Bridgewater, in that it failed to adequately include and identify existing upstream and downstream inadequacies and inventory of existing infrastructure: the drainage system that serves the church building and parking lot has not been accounted for in the analysis and design; drainage from Ashtead Road is to be tied to the new subdivision roadway but the contributory area has not been characterized or quantified; the low point of the existing drainage channel that crosses the subdivision roadway at approximately station 1+50 is adjacent to the roadway crossing: the channel slopes down-gradient from both directions towards the roadway crossing, therefore, the proposed street drain would be submerged with no positive discharge; **the revised plan and report now proposes to tie the existing drainage manhole and pipe culvert at the location of the existing drainage channel crossing (near roadway station 1+50) to the proposed new road drainage system that conveys runoff to the proposed drainage basins, however, no documentation, characterization or quantification of the tributary area for the existing drainage on Ashtead Road has been provided as required under Section IV.B.1.a, and as such, the adequacy of the proposed drainage system cannot be properly evaluated, especially the potential for backwater onto Ashtead Road.** Drainage area DV-C actually runs to the existing church parking lot drainage system. The church parking lot drainage system has not been evaluated and its discharge pipe is proposed for abandonment/removal, with a new manhole and discharge line proposed. the runoff hydrograph for Drainage area DV-C is combined with the discharge hydrograph for drainage basin DB-2. The hydrograph addition is improper because as currently analyzed, runoff from area DV-C does not have the same discharge point as drainage basin DB-2. Area DV-C should be properly routed through the church area drain that conveys runoff through the existing conduit. As shown on the subdivision plan, the runoff conveyance conduit from the church parking lot runs through the abutting land of Bagley Realty Trust. Does the church have an easement through the land of Bagley Realty Trust? **No easement is shown;** **3**, the existing sanitary wastewater disposal soil absorption system that serves the abutting land at 42 Ashtead Road is located between the two drainage basins designed for the subdivision: the subdivision plan and the drainage report have not assessed the potential impact of the drainage basins on the soil absorption system. The cross-section of the soil absorption system should be plotted on the same elevation datum as the subdivision grading in order to properly assess the potential impact of the stormwater management system on the soil absorption system. **This has not been addressed! While the revised plan shows hydraulic barriers being installed along the edges of the drainage basins, the effectiveness of the barriers cannot be properly evaluated without a cross-section detail for the existing sanitary soil absorption system that serves the abutting land at 42 Ashtead Road;** **4**, the drainage area labels: DV-A and DV-B have been updated on the revised plan; **5**, pursuant to Section III.B.3.f of the Regs, two elevation benchmarks are required; the plan (sheet 3 of 11) shows only one benchmark; **a second benchmark should be shown;** **6**, the soils and groundwater data documented at the site on January 23rd should be included on the plan and the soils profiles documented at roadway stations 2+0, 4+0, 6+0, and 7+90 should be plotted on the roadway profile; **the data has been added on the revised plan. However, the date of the evaluation should be reflected as January 23, 2017, not January 223, 2017 as shown on the revised plan; also, I am not "Board of Health Witness" as noted on the revised plan sheet 7 of 11;** **7**, the velocities reported for the drainage pipes are for full flow

conditions. However, the actual design flow for each pipe should be used to compute the actual flow velocity in each pipe in order to verify compliance with Section IV.B.4 of the Regs. **This has not been addressed**; **new #8**, only the surface area below each basin's bottom should be counted available in the analysis for exfiltrated/discarded flow; **new #9**, backwater calculations should be performed for the drainage basins during the 100 year storm event using the peak elevation of basin #2 (86.68) as tailwater to properly account for backwater effect on basin #1 and its performance under potential backwater; **new #10**, outlet devices labeled Device #3 and Device #4 in the report for Basin #1 should be clarified on the plan. Also, the supposed "check dams" labels on plan sheet 7 of 11 near basin #1 have leaders pointing to no apparent structures/devices; **new #11**, outlet devices for drainage basin DB-2 labeled Device #3 and Device #5 in the report are incongruent with the outlet labels on the plan; **new #12**, the proposed detail for the construction period site entrance road with stones shows the stones extending to the existing edge of Ashtead Road but the location of the pad on plan sheet 4 of 11 shows the stone treatment terminating approximately thirty (30) feet east of Ashtead Road pavement edge."

In email dated 2/15/17 Mr. Etoniru said:

"As a further clarification, under comment #2 in the February 14th email below, please note that the drainage area from Forest Street neighborhood that drains southeasterly and southerly through the "20' DRAIN EASEMENT" adjacent to wetlands flags "AWFSTART" through "A8" should also be characterized and quantified as an off-site area that is tributary to the proposed drainage system in order to ascertain the adequacy and effectiveness of the system."

In email dated 2/15/17 Mr. Etoniru said:

"And finally, the drainage basins are less than twenty five (25) feet from abutting property boundaries, and as such, do not conform to Section IV.B.6 of the Board's rules and regulations governing the subdivision of land in the Town of Bridgewater. Given the sensitivity of the area, and the apparent lack of any public good, I find no basis to support any waiver of the required property boundary setback distance of twenty five (25) feet."

Mr. Silva submitted a letter dated February 17th with his responses to comments by the Town Engineer in an email dated February 1st and a follow-up email dated February 14th and again on Feb. 15th. Each comment read and then Mr. Silva discussed his responses.

Mr. Silva commented that he doesn't feel an easement is warranted for the very small portion of the drainage that goes onto the Bagley property; it has been there since the 70's. It is noted on the plan that there is no easement.

Mr. Etoniru stated that the offsite drainage is a real issue; need a good handle on how much water is coming into this area. Mr. Silva spoke about going down there during a substantial rain and there was no water running into this property. There is a defined channel behind the house to the left of the roadway off Ashtead; then it disappears; there is a wetland area there; considering that drainage is coming in from all these areas, it is unclear why there isn't a channel there, he said. What they are

proposing to do is provide for a potential overflow from the structure that is here and allow it to tie into the drainage that they are bringing to their detention basin; just so, if it ever backs up, instead of causing a problem on Ashtead, we would provide for a mechanism for it to find its way over. They are trying to provide for a better routing of storm water thru this area because it is obvious that some things have been changed over the years and are just not functioning the way they were originally intended to. He spoke about a stream that went thru where the first two houses on Ashtead were built that was filled in prior to Ashtead being built. That is in the revised drainage report that he had submitted that Azu will be able to take a look at.

Comment #3- Mr. Silva stated that wasn't shown in the detail which they will add to it before they forward on the revised plans is the actual ground water depth underneath there. He feels that they have provided for isolation between that septic system to cause any impact to it.

Comment #13-Mr. Etoniru said that the drainage basins are less than 25' from abutting property boundaries-Mr. Silva stated that the distance was taken from the 1' elevation of the freeboard. Basin #1, the freeboard elevation is at elevation 88.6 so it is 28' away. Basin #2 freeboard elevation is at 86.7 so the set back provided is 25.5 feet at its closest. He equated it to a pool and the water that is in that structure. His opinion is that they do not need a waiver because they are in compliance. Mr. Etoniru said he doesn't agree with some of Larry's responses. In terms of comment 13- he disagreed with Mr. Silva's interpretation of using the freeboard. There was discussion about the fact that there is no definition of "detention basin" setback in the rules and regulations. Mr. Delonno noted that is something that the Board is going to have to arbitrate; he said the board can grant a waiver. He will be addressing the issue in the proposed rules and regs changes. After considerable discussion on how the set back is measured, **a motion was made by Mr. Sullivan, seconded by Mr. Hall, that the basin would require a waiver. It was unanimously voted.** Mr. Silva asked if the board might be receptive to granting a waiver if Mr. Etoniru has stated that he finds no basis to support any waiver. He said it affects him making revisions to the plans. Mr. Delonno said that Mr. Silva should justify the waiver request which he hasn't had the opportunity to do and then the Board can decide. Mr. Driscoll commented that he would like more of a clarification on how it has been measured in the past. He suggested that Mr. Silva try to design as Mr. Etoniru requested; if he can't, then ask for a waiver. Mr. Etoniru stated that the request must give reasons to support the waiver and be in writing. He mentioned that the off-site drainage is the real issue; need a good handle on how much water is coming into this area. Mr. Silva questioned where responsibility ends as far as taking care of all the water coming from Forest Street, Deerfield and Legge St. that already comes down here thru a pipe into this area; he is not adding to it or changing it, he said. Mr. Benton felt there has been a considerable dry period; typically, there is standing water on this site; he has seen water gushing over the roadway. His concern is that he will add to it. Mr. Silva said he is taking his flow easterly and is putting in a provision to help the other flow.

Mr. Benton stated that the soil is classified as "Norwell Muck" which is a very fine organic loam which provides for very poor drainage. He spoke about the two retreat lots that were put in further down and all the water is heading down that way; by putting the water in pipes, it will travel faster into their backyard. Mr. Silva stated that their wetlands will not increase as a result of this. Mr. Etoniru also reminded Mr. Silva about the severe drought declared by the State and it takes awhile for things to get back to normal run off and flow conditions; so that is why he is not seeing much water. He stated that the regulations clearly require documentation of off-site inadequacies and deficiencies that may be affected; naturally, this whole area is a low spot; you have to look at the amount of water, he said, that is actually coming thru to determine if the existing pipe is actually properly sized. Mr. Silva stated that his position is that he won't put in a cross pipe at all to help the situation because he can't quantify that. He will just let the water flow the way it flows. He said he was just trying to divert some water to get it

additional flow capacity to their basin. He said he can't show it is a proper size pipe because he can't quantify the water shed. Mr. Etoniru commented that would cause a problem because now you have a subdivision road that is now included in your drainage, so you can't say that you won't take care of it. Mr. Silva will be submitting revised plans with revised drainage calculations. Mr. Benton questioned the results of the perk tests....infiltration rate changed from 2.41" to .27". Mr. Silva explained. Mr. Driscoll questioned whether the basins will drain within a 72 hour period? Mr. Silva said yes and explained why. Mr. Etoniru commented that he couldn't confirm at this time because he hasn't finished his review.

On a motion by Mr. Ajemian, seconded by Mr. Hall, it was unanimously voted to continue the public hearing to March 1, 2017 at 7:00 pm.

On a motion by Mr. Ajemian, seconded by Mr. Sullivan, it was unanimously voted to adjourn the meeting at 9:10 pm

MINUTES APPROVED:_____