

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

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

ALSO PRESENT: Mr. Delonno, Director Office of Economic and Community Development; Azu Etoniru, Town Engineer (arrived at 8:37).

438 SUMMER STREET (Firefly Lane) PUBLIC HEARING CONTINUATION

The public hearing reconvened at 6:31 pm.

Email from the Engineer, Brian Dunn received today was read into the record:

"On behalf of our client, Greg Maroney, MBL Land Development & Permitting, Corp. (MBL) is submitting this letter to request a continuance of the scheduled public hearing for November 7, 2016 to the meeting scheduled on November 21, 2016 at 7:00 PM. This continuance will allow MBL to perform additional soil evaluation to be witnessed by the Town Engineer as received via email on November 7, 2016. We have sent an email to Azu to verify his availability"

Mr. Ajemian questioned the timeline for action? The plans were submitted on 6/27/16 so time for action was October 24, 2016. At the hearing on 10/3 the engineer requested an extension to November 7th and again has asked for a continuation. M Mr. Delonno noted that the extension request is also a defacto extension in time. Even though it is an implied extension in time for Board action, the members felt that it should be in writing.

On a motion by Mr. Sullivan, seconded by Mr. Ajemian, it was unanimously voted to continue the hearing to November 21st at 7:00 pm and ask that the extension in time for action be put in writing to December 31st.

CHERRY WOODS

A request received from Lehtola Homes for the release of \$162,520.00 of the road bond that is currently on deposit for the completion of Cherry Woods. (Doebrook Circle and Hartswood Way) A letter received from the Highway Superintendent recommending the release and retaining \$42,504.00.

On a motion by Mr. Hall, seconded by Mr. Ajemian, it was unanimously voted to release \$162,520.00.

A recess was called at 6:49 pm on a motion by Ms. Guarino, Seconded by Mr. Hall.

The meeting reconvened at 7:30pm.

AUBURN STREET SOLAR FARM (Imhoff) PUBLIC HEARING CONTINUATION

The public hearing reconvened at 7:30 pm.

Attorney John McCluskey stated that over the past several months they have made a decision to change the scope of the project. They will be increasing the scope of the project due to the change in the positioning of the inverters. They are now proposing 5 centrally located inverters on the property that won't be mounted on the solar panels anymore; that will significantly change the size of the project and the setbacks. Three preliminary plans were submitted by Attorney McCluskey. They will be going forward on Thursday with the Conservation Commission. They will be starting renegotiations with National Grid to change the format and the plan which will take several months and he requested that the Board further continue the hearing to the second meeting in March. Well before that date, they will be filing for a major modification which will require notification to the abutters and publication. Also at that point in time they will have had the studies completed concerning glare and all the other issues that have been raised. He understands that the taxes are due and they will be paid before a shovel goes into the ground.

Mr. Sullivan said he had some great concerns about the project and made some suggestions to the Board for them to consider for the special permit. He said a large array is allowed in this area with a special permit for one principal use only; no accessory use is allowed. Lot 4 has a house in it and would have to be separated on to its own lot with frontage and a separate access because common driveways are not allowed in a Residential AB. If they want, they could go for a special permit before the ZBA for a retreat lot to make it conform. Another recommendation would be for the utility poles on Auburn Street; there is an existing utility access and his recommendation would be the utility poles not be allowed within 200 feet of Auburn Street

Mr. Driscoll also expressed several concerns as a result of the site walk that he suggested attorney McCluskey bring back to the applicant: 13 poles concern him and the current by-law states that the connection has to be underground. Mr. Delonno noted that the interconnections are determined by National Grid. Mr. Driscoll commented that the special permit is determined by us and if we feel that it isn't esthetically pleasing shouldn't that be addressed. Mr. Delonno pointed out that the interconnections at the two other solar farms are above ground. Mr. Sullivan noted again that they already have a utility easement with overhead high tension lines so they do have access to where ever they need it and he reiterated that it shouldn't be within 200 feet of Auburn Street. He said he doesn't want to have this look like a power plant in a residential area. Mr. Sullivan stated that he heard comments from the abutters about the National Habitat for Endangered Species and about encroachment in the northeast corner of Auburn and Hopkins. He felt that an application should be filed with NESA as lot 4 does contain a protected area. He also made the recommendation that a comparison be submitted prior to the endorsement of a site plan, pre and post construction, of EMF levels at the existing utility easement, at the transformer and at the transition/metering area and that the readings be at 10/20 and 50 feet. (he said they could be estimates from the manufacturer)

Mr. Ajemian questioned how many panels were originally proposed and how many are there proposed now? Attorney McCluskey said he is not sure how many were originally proposed, but, there are 14,000 with the new proposal and meets the requirements of the Town By-law. He said the bylaw

states that you have to have 200' setback if the transformers are on the panels and they do not have to have them on the panels, so they have increased the size of the project.

Mr. Sullivan questioned the fact that there is no approval, so how do you file a modification? He said that thru the process plans change all the time. Mr. Delonno commented that the intent is to notify abutters again due to the possible lengthy continuation; Attorney McCluskey felt that with the change in the project, the abutters are entitled to a notification of change.

Mr. Driscoll mentioned the 13 poles again; Attorney McCluskey told him that there are now six and set back about 100 feet. Mr. Driscoll asked Attorney McCluskey to relay some of the board's concerns back to the applicant. If it is approved, the Board would like to keep it as residential as possible. He questioned how poles 30' tall could be buffered and again suggested they try to do something underground; would be the preferred method.. He also mentioned the possible creation of a subdivision to get frontage for the house like was done at the Curve St. solar farm. He agreed with Mr. Sullivan about the separation of Lot 4. He expressed concern with buffering along Auburn St, along the back of Old Farm Road and Hopkins Drive. Mr. Sullivan agreed that as a condition of the special permit that there be some serious buffering like what was proposed on Bedford Street...evergreen arborvitaes; also, no gates visible from Auburn Street; he commented that the board has to consider the esthetics for the sake of the neighborhood. Attorney McCluskey stated that he will go back to his client to make sure they incorporate suggestions as best they can.

Mr. Mike Berolini, 120 Old Farm Road – questioned whether or not there was a plan for the abutters to see? . He commented that it was hard to hear and asked if he heard correctly that the project was going to be expanded? Attorney McCluskey said he was only here to request a continuation; not prepared to talk about the preliminary plan. He has given notice that there will be changes made and that there will be a new plan that can be discussed once prepared. Mr. Berolini asked how many inverters were there. He was told that the original plan showed three; this new preliminary shows 5. He commented that 14,000 panels is way too large to put between two residential areas; he wanted to know how many were proposed with the first rendition. He asked that the board not continue this hearing and have them reapply when ready. He reminded that board that they are seeking a special permit which does not have to be granted; there is certain criteria that doesn't comply with this use....health, safety and welfare of the inhabitants.

Mr. Fred Chase-Old Farm Road- felt that a new application was required; has been three months since they were asked to supply additional information that hasn't been done.

There was discussion on whether or not the applications should be further continued or withdrawn without prejudice; Mr. Delonno advised the board that it is perfectly acceptable to continue the hearing to March.

A motion was made by Mr. Sullivan to continue to March 15th at 7:00 pm with notification given to all the abutters by the applicant according to a new list prepared after January 1st) It was seconded by Mr. Hall and unanimously voted.

Attorney McCluskey wrote out an extension in time for Board action to that date.

A.L. PRIME & ENERGY, INC PUBLIC HEARING-124 BROAD STREET

The public hearing convened at 8:28 pm.

Public hearing ad that appeared in the Enterprise on 10/24 and 10/31 read into the record. Notification green cards submitted by Engineer.

Letter from David Moore, Interim Building commissioner read into the record:

"The project is in a CBD and will require a Special Permit per section 5.10 issued by the Planning Board; also will require a variance of 11 feet from the rear lot line as per Section 8.40. "

Email from Ronald Ladue read: RE: *He has no adverse comments.*

Email from Azu Etoniru to Andrew Delonno on 11/1/16 read:

*"I've reviewed the site plan for the demolition of the existing gas station and the construction of a new Laundromat at the above subject location. The site is located in the Central Business District (CBD). The proposed use is allowed under the "Table of Use Regulations" of the Zoning Bylaws, 6.30.E.4. However, the land and the existing building are non-conforming; therefore, a special permit from the Planning Board is required for the proposed site redevelopment under sections 5.10 and 11.50 of the Bylaws. Additionally, a variance granted by the Zoning Board of Appeals is required for the proposed building rear yard. The required filing fees payable to the Planning are the following: Application fee - one thousand nine hundred fifty dollars (\$1,950) which is composed of \$500 for special permit, \$1,000 for site plan and \$450 (derived as the product of \$0.25/S.F. and 1,800 G.S.F.); and Engineering review fee deposit - one thousand five hundred dollars (\$1,500). I have not verified payment of the fees. The plans reviewed include: **1**, a September 30, 2016 plan titled "Proposed Building Layout Plan #124 Broad Street in Bridgewater Massachusetts" by Outback Engineering Incorporated; **2**, a January 15, 2015 plan titled "Existing Conditions 124 Broad Street Assessors Map 21 Lot 122 Bridgewater, Massachusetts" by Thompson Farland Professional Engineers//Land Surveyors; **3**, several plan sheets bearing respective numbers C-1, C-2, L-1, and A-1 by A. L. Prime Energy and dated severally June 25, 2016 and October 5, 2016; and **4**, a July 18, 2016 photometric plan labeled Page 1 of 5 by red leonard associates.*

*Other Comments: **A**, the proposed building is less than 4,000 S.F., therefore, no loading bay is required under section 10.70 of the Bylaws. **B**, the proposed number of parking spaces conforms to section 10.60 of the Bylaws. **C**, the proposed site work includes the demolition/removal of the existing gas station islands, canopy and building and the appurtenant structures and storage tanks; the work related to the removal of the existing underground fuel tank requires permit from and supervision by the Fire Department and must be conducted by a duly licensed site professional (LSP) in order to document any spillage and required cleanup. **D**, the site plan does not include any information on snow management; snow management is critical because of the proposed use that includes on-site parking for facility patrons, which involves continuous inbound and outbound vehicle maneuvering all-day! **E**, the plan calls for the installation of roof-runoff recharge system but no design data has been provided and no insitu soil evaluation and*

permeability testing has been documented. F, all of the site design and installation specifications are reflected on the plan sheets by A. L. Prime Energy and they have not been signed and stamped by a Massachusetts Registered Professional Engineer and a Registered Professional Land Surveyor; reference to other plans that may have been prepared by a Massachusetts Registered Professional Engineer and/or Land Surveyor is not an acceptable substitute for submitting plans that have been prepared, signed and stamped by an appropriate registrant. G, Given the proposed change in use and the associated parking demand, it would provide for a more efficient traffic circulation and reduce turning conflicts if the existing southeasterly driveway on Broad Street near the intersection with Stetson Street is closed. The northeasterly driveway on Broad Street should be changed to an entrance only driveway and the driveway on Stetson Street may remain as a two-way driveway. Please let me know if you have any questions or need additional information.

Mr. Etoniru arrived at 8:37 pm. He noted that there were multiple plans prepared and submitted as one set of plan; one by Outback Engineering, one by Thompson Farland and one by A.L. prime; his comments are based upon all three plans.

Anthony Guba, P.E. with AL Prime – presented the application; it is in the CBD zoning district with 9300 sf. It is an existing gas station and they are looking to install an 1800 sf. Laundromat. They will be seeking a variance from the ZBA on Wednesday for building set-back of 15' from the rear line. They will be razing and removing all existing improvements for the gas station including the underground tanks;; carriage house consulting is the LSP and will be on-site during the tank removal and monitor the soil take samples; they will put together a tank closure piping closure report that would indicate if there has been any impacts have been found. They understand that it has to be done in conjunction with the Fire Dept. He said that the snow management will be added to the plan; they show 10 parking spaces and only 9 are needed; so they will use one parking space and additional land in the back. As far as doing any test pits on the infiltration, the area is under the present cement; so they took a conservative number based on other locations that they have done to size the infiltration unit; they will do whatever needed to satisfy the Town Engineer. He explained why there were three different plans. They have applied for the water study impact, but, haven't heard anything. They will be planning on installing a 2" line. He will be getting the lighting plan from the manufacturer; not sure whether or not he can get that stamped per request. He said that the lighting will be reduced from what exists there now (all LED) and will all be directed downward. They will be adding a gas line that they don't have now. He said he has never been asked to have a stamp on a landscape plan, especially where there is so little landscaping involved with the site. The architectural plans will be provided when the building permit is applied for and will be stamped at that time. They are not proposing to change the curb cuts on either street. He disagrees with comment from the Town Engineer that it would probably improve traffic if they closed a driveway and make the driveway to Stetson Street one-way. They feel that the traffic will be decreased from presently exists and they are not aware of any traffic problems there now. The use that they are proposing will significantly reduce the amount of vehicles coming to and from the location.

Mr. Driscoll commented that he would like to see more green space and more defined driveways in and out. He also advised Mr. Guba that the town would discourage having a flat roof. He spoke about the downtown revitalization plan and anything they could do to making this esthetically pleasing would be appreciated.

Mr. Etoniru spoke about needing better circulation; cars coming into the gas station don't park.....need room for maneuvering parked cars for the Laundromat.

Mr. Ajemian questioned the hours of operation? Mr. Guba stated that hasn't been decided yet. He said typically they do ask for 24 hours. Mr. Ajemian questioned if two Laundromats so close to each other would be profitable? Mr. Guba said that their consultant indicated that this would be a good area for them.

Mr. Sullivan felt that the Board should know the results of soil testing for contamination before they render a decision. Mr. Etoniru said that certainly can be under the Board's purview and they could make that a condition of approval before implementation of the plan. He felt the exit off Stetson Street should be right turn only.

Mr. Guba noted that there is a fence at the back that is actually not along the property line; when they push that fence line back to their property line, it will seriously impact Mr. Brazil's driveway on his side. Mr. Driscoll questioned if there will be trees along the fence at the dumpster; he was told her. Mr. Brazil stated that he purchased his property in 1967 and at that time there was a Gulf Station there owned by Tony Anacki. He said Tony never did anything with that parcel there. Prime put up the fence where it is and there was never an issue with him. He has spoken with Mr. Guba 4 times and they are trying to work with him to try and maintain parking on his side of the fence. He commented that he has been using that property since he purchased the house. Mr. Delonno noted that this is a private issue and not the business of the Board to get involved.

Melissa Desjardins-33 Pearl Street-commented that the large opening along Stetson Street is not safe. She asked if the building could be put along the sidewalk like the rest of the buildings. She said the residents are not happy with a Laundromat; felt that a small restaurant would be more favorable. Mr. Driscoll noted that the new bylaw for mixed use encourages buildings to be closer to the street. He realizes this isn't a mixed use, but, it would be recommended that he go along with suggestions to enhance the neighborhood and the esthetics of the building. Mr. Guba said they will take suggestions under consideration.

Jim Candito-37 Stetson Street-spoke about the increased traffic on Stetson Street as it has become a cut thru for the traffic around the center of town. He requested no access or exit on to Stetson Street; no daytime parking on Stetson Street; keep the same hours as the gas station has now; no bright lights; lights turned off at night; no increase in noise. He questioned if there was a handicap parking space on site and if there was enough parking on site. Mr. Driscoll agreed that the lighting was important. Mr. Delonno noted that it really isn't under the purview of the board to set the hours of operation. Mr. Driscoll suggested that we get clarification on that.

Councilman Peter Colombotos commented that he felt the building should come up to the street. He urged the board to exercise their authority under the special permit and the preamble of the Central Business District

Mike Koska questioned how many machines? He was told 28 washers/dryers; he questioned the adequacy of the parking; he felt moving the building forward may impede line of sight for cars coming

out of Stetson Street. He said he would have an issue if people were parking their cars in his parking lot and dragging laundry baskets across the street.

Restricting traffic from turning left on to Stetson St .was discussed. Also discussed was the closing off of the access from Broad Street.

Mr. Brazil asked that parking on Stetson Street/lighting/hours of operation all be addressed. He expressed concern about the number of dryer vents out of the building and where they will be exhausted. He requested that they either go straight up or not be directed in the direction of his apartment house. Mr. Colombotos noted that internally illuminated signs are not allowed in a CB. (section 7.64)

Mr. Guba stated that they will consider the architectural design and roof lines and the materials on the building. . He spoke about the pros and cons of moving the building.

On a motion by Mr. Sullivan, seconded by Mr. Hall, it was unanimously voted to continue the hearing to December 5th at 6:30 pm.

FORM A-KOSKA-BENINATI FARM ROAD

Plan was prepared by Michael Koska for Jonathan Kish. The intent of the plan is to combine Map 119, Lots 19 and 87 into a single family house lot and to transfer a portion of Map 119 lots 19 (8,540 sf) to John & Janine Higgins for a portion of Map 119 Lot 83. The lot is located at the end of Beninati Farm road.

On a motion by Mr. Hall, seconded by Ms. Guarino, it was unanimously voted to endorse the plan.

On a motion by Ms. Guarino, seconded by Mr. Hall, the meeting was adjourned at 10:02 pm.

MINUTES APPROVED:_____