

The regular meeting convened at 6:30 pm. Virtually via Zoom.

Members present- Mr. Driscoll, Mr. Ajemian, Ms. Guarino, Mr. Geller, and Mr. MacDonald

Town staff participating - Mr. Romulus, Assistant Director, and Mrs. Dorr, Office Administrator.

Mr. Driscoll read from prepared text on Governor Bakers order of 3/12/2020 and how the meeting will be conducted and how to be able to speak at the meeting. He advised the audience that this meeting is being recorded and will be posted within 48 hours on the Town of Bridgewater website or social web page.

232 BEECH STREET FORM A

Mr. Romulus said he performed a zoning analysis, and the plan meets the requirements; the Town Engineer reviewed it as well. Plan prepared by Michael J. Koska and Associates. A lot line is being eliminated to get frontage. Lots 1A and 2A being created. Mr. Ajemian suggested waiting until a representative was present to explain what was happening. Mr. DeFrias arrived later in the evening and explained the plan.

On a motion by Mr. Geller, seconded by Mr. MacDonald, it was unanimously voted by roll call vote to endorse the plan.

81 AUSTIN STREET FORM A

Plan prepared by SEA. Mr. Romulus said it meets the requirements. Plan shows Map 10 with lots 83A and Parcel B which is not buildable; to be combined with 71 Austin Street.

On a motion by Mr. Ajemian, seconded by Mr. MacDonald it was unanimously voted by roll call vote to endorse the plan.

AUGLIS WAY-ORDINANCE FY21-016 ACCEPTANCE OF A PRIVATE WAY

Drainage in and functioning; trees are in; roadway acceptance plan needs a signature block and need a final As-built plan. Highway Dept. and Town Engineer have recommended acceptance.

On a motion by Mr. Ajemian, seconded by Mr. MacDonald, it was voted by Mr. Geller, Mr. Ajemian, Mr. MacDonald, and Mr. Driscoll, by roll call vote, to recommend the acceptance of Auglis Way to the Council. (Ms. Guarino had a computer glitch and was not present at this time.

FRUIT STREET SITE PLAN PUBLIC HEARING CONTINUATION

The public hearing reconvened at 6:49 pm.

Attorney Brennan commented that most of the issues raised by the Board and abutters have been answered thru the MEPA process and the certificate that was issued October of 2018. The Town Engineer's comments have been responded to by Mr. Silva. The Planner has done a zoning analysis and found that the plan and uses are in order. The application before the Board is for a special permit and site plan approval. He said their traffic engineer is available to answer any questions, along with himself and Mr. Silva.

The letters that have been sent to the CED were then read into the record:

1. Janet Hanson- October 5th email
2. Melissa Ramondetta-came in today with DOT document.

Mr. Driscoll explained that there was some confusion with the zoning analysis and maybe that is where some of the comments are coming from about waivers and variances. He made it clear that this complies and there are no variances being requested. The only waiver being sought is for the connectivity of the buildings, which would affect the wetlands if we asked them to connect the buildings via a pedestrian walkway. The buffer zone requirement comes under the jurisdiction of the Conservation Commission; the 100' buffer is only a jurisdiction line that requires a filing; it can actually go up to 25'. Mr. Romulus noted that the applicant did go before the Conservation Commission last week and they agreed on it and will be issuing the standard Order of Conditions.

Pat Neary's email dated October 4th was read into the record.

An August 14th letter from Brendan Mungovan read into the record.

Mr. Ajemian questioned if the Board had ever seen the Mass. DOT findings letter before getting it from Ms. Ramondetta? Mr. Romulus said this was the first time the Board was presented it. Mr. Romulus stated that it was the first time it has been presented. Mr. Ajemian commented that the Board should have seen this as traffic has been discussed before. In her letter, she quotes from the findings of 5 different areas. In three of the areas, it states that this intersection is not under Mass. DOT jurisdiction; if necessary, the appropriate mitigation measures at this intersection should be made between the proponent and the Town of Bridgewater and we have not talked about that. Mr. Ajemian questioned if the traffic issues may be more than we realize. Mr. Driscoll questioned Mr. Romulus if he knew whether or not the Highway Superintendent or Town Engineer reviewed this and did they make any recommendations to the Board? Mr. Romulus said that the traffic study was reviewed by the Town Engineer and Highway Superintendent and neither came back with any contrary comments for this project. Attorney Brennan stated that the ECD was cc'd on that letter- dated May 29, 2019. Also, those comments were based upon the entire Claremont projects encompassing phases I, II, III and 4. The MEPA certificate that determine that the traffic would not be a detriment in the first three phases. This Mass DOT letter contemplates a buildout of the entire project which would be all the lots therein which would include the vacant lots on Lakeshore Drive.

Mr. McNaughton, traffic engineer, has seen the letter and his office conducted the traffic study back in 2017. He said the letter was based upon prior filings for the overall project; that is the Section 61 finding letter from Mass DOT which is the final step in the MEPA approval process for any project that is going thru an EIR. This project has gone thru several iterations, he said, and this is the latest in the filing and documentation from Mass DOT. The detrimental language they use is standard, he said. It is in every Section 61 finding letter unless it is a project that really doesn't generate much traffic. In their letter they mention signalization timing which were tied to the apartments that are under construction. That timing will be implemented before those apartments are occupied. The comments were based on projects previously approved and those projects had a much greater discussion about traffic because they were generating the bulk of that...above 90% of those trips were coming from those specific apartments and office building; this project has a much lower overall trip generation number which is why it hasn't warranted a separate traffic study. They did look at how much traffic it would generate

and submitted to the town and State as part of the MEPA process and has gone thru that approval process. He clarified a previous statement made about the 38 turns from Lakeside Drive- that is in the peak one hour-in the morning, single hour that they counted the 38 turns going left-not over the entire day. With regards to being able to conduct new traffic counts, is where they are a bit handcuffed right now...comment made that counts are down due to Covid-19. They work with Mass DOT regularly and they are not going out doing new counts. These counts were done in 2017 which were projected to 2024 at the time they were done, so they are still within the window of acceptability, the findings and

Prior analysis is all still appropriate and valid. Patterns are different today; people are staying home, and traffic is down significantly; not a normal condition for traffic counts. The counts they did, were done in early May of 2017 when schools and BSU were in session, so they do provide an accurate representation of traffic in the area.

Mr. Ajemian pointed out that it was stated by Mass DOT that three of the intersections are under the jurisdiction of the Town of Bridgewater so why don't we work out with the proponent now what mitigations should take place. Mr. McNaughton stated that it is within the Planning Boards purview. During the approval process for the apartments and office building, there were mitigation measures that were implemented and discussed for the site drive and are part of the ongoing construction and may not be implemented yet: Pedestrian accommodations, putting in a second lane within the site driveway. At the last meeting, we did discuss this intersection and talked about the possibility of a turn lane and other opportunities for mitigation at this location. It is not a location where a signal is appropriate; it doesn't meet the traffic volume warrants. Talked about a left lane into Fruit St. coming in off Pleasant St. There were comments not in support of that. That was one item that was mentioned as a mitigation measure. Mr. Ajemian stated that if there is a need to make some changes because of the development, not just this one project, but the entire development, why aren't we doing that now? Mr. Romulus stated that this special permit and site plan application is specific for this flex building and as practice, we are making sure that we are staying in line with the project at hand, conditioning anything outside of relating to the flex building is not a good idea. We are talking about traffic because it was brought up by the public, he said. Mr. Driscoll suggested addressing in the conditions of approval...the possibility of the left-hand turning lane at the end of Fruit Street. Mr. Romulus said he could do that. Mr. Ajemian commented that his main concern is the detention basin that will be on private property that is on the edge of a wetlands; it is a critical detention basin that needs to be maintained. The developer needs to have a maintenance plan in place that gives the Town the ability to make sure that it is maintained and if it is not maintained, the town has the ability and right to rectify the situation. That agreement should be approved by the Town Counsel. Mr. Romulus had composed conditions in conjunction with the Town Engineer about design standards, which were taken from Section 15 of the Town Bylaws. He read them into the record. He said there were two additional -no chemical deicing agents to be used on any of the impermeable surfaces and no commercial fertilizers will be used in the drainage basin- only organic fertilizers. He said he can add a component as far as the maintenance to be reviewed on a yearly basis by the Town. Mr. Ajemian spoke about what things the proponents must do for maintenance; something that will require a specific schedule of items to be done to make sure that detention basin is functioning and that the Town has the right to inspect it and if it isn't maintained, the town has the right to go in and correct it. Attorney Brennan said he was very familiar with the type of maintenance plan that Mr. Ajemian is talking about as well as an easement for the principality. He said if you look at the areas of Claremont that have already been developed, there

are probably 6-8 detention areas which are all maintained and functioning...some for 15 plus years. He doesn't disagree that having a maintenance plan and easement to the Town should be done; he has drafted those before. He does not see this as an issue; no problem at all; it is common practice, he said. He suggested that Town Counsel be very careful to make sure the Town had the right but not the obligation to perform the work. Mr. Silva noted that they have a maintenance plan for every project.

In an October 7th letter, Attorney Brennan explained that Fruit Street is a public right of way with no evidence that it was ever discontinued. The only one presently using it is Mass DOT. It is the access to his client's property. He stated that Claremont has offered to resurface Fruit Street to provide access to the site.

The Town Engineer had come up with his recommendations for the roadway which was shared with the applicant. Once testing is done to find out its condition, he wanted to put together a scope of work on repaving the road and to make sure that the applicant implements said scope of work. He drafted several conditions which were sent to the applicant.

Ms. Guarino stated that on the 2019 letter from DOT, it was stated that the building was going to be 92,000 sq. ft and now it is 103,000 sq. ft and asked if that make a difference with DOT? Mr. McNaughton noted that within those MEPA approvals, there is flexibility if the project changes a little bit before you have to go back with a notice of project change. The size difference and given the level of traffic generation from the project use is a very minimal change in overall trips during the day. Attorney Brennan noted that the MEPA certificate took that into consideration.

Mr. Ajemian questioned what was the public good for consideration of granting the waiver? Attorney Brennan indicated that it would require the walkway go thru the wetlands which are very extensive, and the potential benefit would out way the effort to go thru the wetlands to accomplish that walkway. Mr. Silva noted that there is no feasible way to do any pedestrian access to the other elements of Lakeshore Drive.

Mr. Ajemian asked what is the rationale for not making the building smaller? Mr. Silva explained that the market studies show that the building needs to be at this level in order to compete with other warehouse sites. Attorney Brennan noted that as much as 50 acres of the total 160 acres of Claremont properties will remain open, treed and wetlands, after complete build out of the properties. This building complies with zoning and they have worked within the wetland protection act and with the Town's conservation Commission bylaws and he felt it was reasonable to clear 10 acres to accommodate this building. Plus, they are doing extensive upgrades to Fruit Street, which is a public way, which is a benefit to the Town. There are taxpayers on that road and there is a possibility that the Town would have to do the upgrades, he said. Mr. Silva noted that there were a lot of offsite improvements made in order to develop this site, Natural Gas, electric and sewer. There were a lot of outside costs which cannot be offset by building that is smaller than 100,000 sq. ft.

Attorney Brennan noted that their sewer line is available to those residents on the lake whose septic systems will eventually fail. Mr. Silva said they extended the sewer line 3 miles....from North Street to the first building that was constructed with the understanding that it would allow the town to extend their sewer lines into other neighborhood in that area.

Mr. Ajemian said that various other issues have been brought up by the neighbors including down lighting, buffering, and solar panels and he is not sure they have been addressed. Attorney Brennan noted that a lighting plan was submitted. Mr. Silva stated that lighting from this site has no chance of going onto any other properties; you won't see anything from Route 104, he said, even in the winter when the trees are bare. Mr. Driscoll questioned if there would be a problem requiring down lighting? Attorney Brennan said no.

The hearing was then open to public comment at 8:01.

Carlton Hunt- asked if trucks would come in during peak traffic or is it anticipated that will be coming in at night? He comes into that area a lot during peak traffic and nothing has ever been backed up more than 5 cars at the light. Mr. Mc Naughton said it really depends on the user, but generally with this type of use they don't occur within the typical commuter periods; they tend to spread out.

Melissa Ramondetta-expressed concern that this project was not considered in the traffic analysis. Her other question was that if the wetlands are within the ACEC and cannot be built upon or touched, then why are we talking about 100' buffer zone within a wetland within an ACEC where a building is being built with drainage, etc. Attorney Brennan commented that he still thinks there is a misunderstanding about the 100 feet. The 100' buffer starts at the wetland line and extends up into the uplands. So when you trigger the jurisdiction of the Con Com under the wetland protection act, you are not working within wetlands; you are working within a 100' of the wetland line and Bridgewater over and above that has a 25' no touch; we are not working within the wetlands, he said. Mr. Silva explained that with the exception of the roof runoff that qualifies for direct recharge, all other run off has to go thru a cleaning process before it can be eligible for an infiltration or recharge system. There is a lot of care taken in the drainage design, he said, and he pointed out that the question raised about being in the ACEC, which also trips another threshold, says that you have to, in the first flush of smaller storms, you have to actually treat twice as much rainfall in that first flush. There are a lot of things that are part of this design which is aimed to protect the wetlands.

Janet Hanson-concerns about the size of the building and commented that if they could reduce it, that would make some people happier. She asked if the board had received the decision from the Con Com? She listened to their meeting last week and they closed the hearing, but they have 21 days to present their decision. She commented that she felt the board should wait for that. She wanted to know what type of businesses will be going in there; she felt they must have some idea of that. Preserving the area as much as possible is very important to her.

Mr. Silva noted that it is not unusual for developers to build a building and then find the tenant. He referred to the 350,00 sq.ft one on Elm Street which is still negotiating with a tenant. Attorney Brennan mentioned all the first-class businesses that Claremont has brought to the Town and he stated that that they will wait for the best tenants.

Pat Neary asked if it was possible to require a buffer along Route 104? She asked if the plan allots enough parking because you don't know who the tenants are? She asked what control do you have over what tenants are allowed and suppose they want to put in something like a safety klean which is against our regulations? Mr. Driscoll said it would be up to the Zoning Enforcement Officer. She asked if there was some way that each tenant come before the Board for approval? Mr. Driscoll said if a tenant complies with the use table, they can go in there.

Mr. Driscoll said we have a draft decision, but there are a few things that were discussed this evening that he said should be considered; the intersection and left turning lane and do we want that as part of the road reconstruction? The lighting as down lighting with hoods; easement plan to be looked at by our Town attorney and Attorney Brennan and to be recorded prior to occupancy permit. Resurfacing improvements with coring. Discussed Section 9.65 waiver request and off-site tree planting.

On a motion by Mr. Ajemian, seconded by Mr. MacDonald, it was unanimously voted by roll call vote to close the public hearing and deliberate at the next meeting.

1453 PLYMOUTH STREET-BRS, INC SITE PLAN PUBLIC HEARING

The public hearing convened at 8:55 pm.

The public hearing notice that appeared in the Enterprise on 9/23 and 9/30 was read into the record.

Copy of the abutter notifications was received.

The Building Inspector had no issues; The fire department is ok with the request as proposed at this time.

The Town Engineer sent his review on 10/1- I have reviewed the above subject site plan dated August 26, 2020 by Silva Engineering Associates, P.C. The site plan is composed of three sheets, and I generally find it satisfactory. However, I do have a couple of review comments: there is no provision made for the proposed roof drain recharge system overflow; no groundwater evaluation data has been documented for the roof drain recharge system; and the proposed on-site sanitary wastewater disposal system should be evaluated as a new construction pursuant to 310 CMR 15, therefore, Board of Health approval of the system is required. Let me know if you have any questions or need additional information.

Email 10/7 from Azu-The only issue with the test pit for drainage is that it was not witnessed by the Town Engineer as required.

Elijah preformed a zoning analysis, and it meets all zoning requirements.

Email from Rebecca-SEA on revised plans for 1453 Plymouth Street site plan received-9-29-20
Attached is a revised plan set addressing the comments.

- Clearly defined traffic flow around the office building/ new pavement area, **Additional traffic arrows have been added to Sheet 3.**
- A lighting plan, **Lighting on site is existing with additional flood lights shown on the proposed building. I have updated Sheet 2 to include the Pole Flood lights and updated Sheet 3 with the proposed wall packs. Relief from a photometric will be requested.**
- Location of hydrant (I may have missed it but it does not look like one is located near the office building, **There is an existing hydrant on the right side of the entrance.**

Mr. Silva said they had a temporary trailer office building and now want to build a permanent building. Architectural plans were submitted. The siting is on an existing parking area, right next to where the current office is located. He designed the site around the building. There will be a new septic system. He provided for a roof recharge system. Mr. Silva said he did a test pit in the area of the roof drains; Azu

was not available to be there when they did the test pit. He suggested that a possible condition be that another test pit be done at the time of construction just to verify the results that they have shown on the plan. He said there is always overflow from the roof drains by virtue of the fact that the down spouts have open T just above the surface, so that in the event the recharge system can't handle the flow, then the water is allowed to go at the surface on to the pavement adjacent to the building.

Elijah suggested putting in the condition that test pits will be conducted prior to the issuance of a building permit.

Parking spaces will be striped around the pink areas shown on plan. Truck parking will remain where it is now. 25 parking spaces required and 25 are provided. There will be landscaping done between the building and sidewalk. Elijah said he was on site last week; the landscaping has been maintained very well. There is presently a dumpster that will remain; building really doesn't need it.

Jean has tech issues; can hear but can't speak.

Members thought the plan was pretty straight forward.

No public comments received.

On a motion by Mr. Ajemian, seconded by Mr. Geller, it was unanimously voted (Jean raised her hand due to tech issues) to close the public hearing.

On a motion by Mr. MacDonald, seconded by Mr. Ajemian, it was unanimously voted to approve the site plan prepared by Silva Engineering with the standard conditions of approval plus Elijah's added comment about test pits in the recharge area be performed prior to the issuance of a building permit.

TREE DISCUSSION

Mr. Ajemian suggested that the tree warden, Bill Maltby and Shirley Krasinski from the Bridgewater Improvement Association should be involved with the tree board. Setting up that board was agreed to by the Town Manager, but nothing has been done to date. He did get an email from him last week, saying that he will set up a meeting. Discussion to continue at the next meeting. Members will do some research; will be kept on each agenda indefinitely until resolved. Mr. Ajemian suggested at the next meeting to discuss research that Elijah has done.

MINUTES APPROVED

On a motion by Mr. Ajemian, seconded by Mr. MacDonald, it was unanimously voted by roll call vote to approve the minutes of 9/2/20 and 9/16/20

On a motion by Mr. Ajemian, seconded by Mr. Geller, it was unanimously voted to adjourn the meeting at 9:25 pm.

MINUTES APPROVED:

