

The regular meeting of the Planning Board convened at 6:30 p.m. via Zoom.

Video version of meeting available at: <https://www.youtube.com/watch?v=DeKRORZn3hE>

MEMBERS PRESENT: Chair Patrick Driscoll, Michael MacDonald, Steve Geller, Ted Haley, Thomas Pratti, MJ Spagone (Associate)

STAFF PRESENT: Bob Rulli, CED Director, Shane O'Brien, Town Planner, Steve Solari, Building Inspector & Greg Tansey, Town Engineer

Chair Patrick Driscoll opened up the meeting as Chair and read the Governor's order for remote meetings.

ANR Plan – 884 South St/Jennifer Circle (Map 75, Lots 1, 41, & 81)

Luke Klim representing himself as the applicant. This site previously came before the Board as a Preliminary Subdivision, and an additional ANR but since then there has been an agreement with an abutting property owner for a land swap along the frontages of South St and Jennifer Circle.

Motion to endorse made by Member MacDonald and seconded by Member Haley.

Roll Call Vote:

Driscoll – Yes, MacDonald – Yes, Geller – Yes, Haley – Yes, Pratti - Yes

43 Rear Central Square - (Map 34, Lot 66) – Site Plan Review (Section 10.6) and Special Permits(Sections 6.1.4 and 9.6) to convert an existing manufacturing building into a mixed-use building with six (6) units (Continued from April 16, 2025 Meeting)

Larry Silva, Silva Engineering, representing the applicant as well as Matt Holmes from mjh architects. He provided updated plans to the Board regarding the changes that have been made since they were last before the Board. He provided an update to the parking spaces that have been reconfigured as to allow for commercial parking and residential parking and including a statement of no net loss of parking. He also suggested signage to allow for a shared parking strategy.

Chairman Driscoll asked about the landscaping and plantings. Chairman Driscoll discussed about correspondence receive about passageway access. The applicant has assessed the public correspondence and made the determination that the applicant has rights to the right of way. There was a discussion about the deeds of adjacent properties as well as screening. Chairman Driscoll asked if Staff believes this meets the no net loss in parking, Mr. O'Brien responded that the intent of the ordinance when the no net loss was created was looking at redevelopment of properties similar to 43R Central Square in the CBD-S to allow for an applicant to not be limited by the dimensional requirements within in an existing footprint.

Matt Holmes presented the updated plans showing the 4 unit apartments with varying bedroom counts and discussed the materials to be used. Jim Balsamo, owner, discussed his conversation with the Fire Department.

The Chairman open up the meeting to public comments.

Mr. O'Brien stated that he had provided the Planning Board comments received and asked for them to be part of the record.

Toni Robinson & Erica Berry, 18 Wall St, tenants of Jim Balsamo and wanted to show support to their landlord and his attentiveness and accessibility being that he lives in Town.

David Moore, 54 Flagg St, also a trustee of the Masonic lodge adjacent to the site, stated that he sent two letters to the Planning Board and provided comments about the worries of the intensity of the development. He has concerns about the off-site parking space.

Donna Jewell, Keith Place, also owner parcels adjacent to the site, asked about customer employee parking for the commercial spaces.

There was a discussion on the right of way access, which Mr. Balsamo responded that his attorney has provided a letter to the Board.

Sean Silvia, 43 Central Square, had concerns about parking and safety issues and the size of the development.

Stef Demelia, 35 Central Square, owns property adjacent and stated that they do not have issues with traveling on and off the site to the back of the property. His property is operating as a mixed-use development and that his parking lot isn't equipped to accommodate heavy equipment.

Director Rulli discussed the Town's Master Plan and newly adopting zoning that discussed promoting mixed-use developments within the Central Business District.

Matt Holmes responded by saying that the site would generate traffic in and out of the site if it were to be utilized solely as a commercial use.

Chairman Driscoll asked Mr. Balsamo about the potential location of off-site parking if he were to pursue that for employee and customer parking. Chairman Driscoll discussed that Mr. O'Brien has provided a summary of the proceeding for up to this point and discussed that no net less consideration and if the applicant was willing to find one additional space off-site as to meet that requirement.

Mr. O'Brien stated that there are matters before this Board for this project that are subject to Planning Board purview as well as considerations of private property matters between the abutters and adjacent property owners that may need to be resolved outside the Board.

Member MacDonald asked if the current passageway is two-way and Mr. O'Brien responded it was, as if there were two cars traveling at the same time, they would need to both figure out how to slowly drive past each other. Member MacDonald also discussed that commercial traffic would probably be more frequent than residential traffic.

Chairman Driscoll asked for the applicant to provide information regarding the rights to the passageway and to entertain some of the comments made at the meeting. Member MacDonald feels that he doesn't know the Board can vote on the matter with the outstanding questions of access. Member Geller stated that he is open to closing the public hearing. There was a discussion about closing the public hearing, however, it was determined if new information was going to be provided by the applicant that the public hearing should remain open.

Motion to Continue to the May 21, 2025 Planning Board meeting made by Member MacDonald and seconded by Member Geller.

Roll Call Vote:

Driscoll – Yes, MacDonald – Yes, Geller – Yes, Spagone - Yes

1010 Elm St – (Map 30, Lot 20) – Site Plan Review (10.6) for the construction of a 27,000 sq. ft commercial building with parking and other site improvements (new hearing)

Chairman Driscoll read the legal notice into the record.

Ed Jacobs, PMP Consulting Inc, representing the applicant along with Samantha Cripps. He is representing C Naughton Corp. He provided an overview of the building layout along Elm St. It is a 27,000 sq. ft building to be utilized for Naughton's current fleet of vehicles for interior storage and to be utilized with washing bays. He provided information regarding the civil drawings for the site as well. The applicant is currently before the Conservation Commission for an Notice of Intent at the same time as before the Planning Board.

Chairman Driscoll asked about placing curbing along the grass area as well asked about oil-water separators.

Greg Transey explained the design of the project and how the design should anticipate issues regarding potential hazards from vehicles on-site.

Chairman Driscoll asked about what changes have been made through the Conservation Commission process. Mr. Tansey stated some changes have been made based on his review.

Member MacDonald asked about the floor drains within the bays.

The applicant presented architectural plans to the Board as well as a landscaping plan/schedule.

The Chairman open up the meeting to public comments.

Public Comment:

Janet Hanson, 665 Pleasant St, - asked if the Planning Board would refer this project before Conservation Commission before they acted on the project.

Ed Jacobs stated that the Conservation Commission had referred the project to a third-party consultant LEC for review and are awaiting those comments.

Mr. O'Brien stated that he can keep in the Board in the loop on the third-party consultant review as well as communicate with the Conservation Agent regarding the continuing review of that process.

The Board, Town Planner and applicant discussed setting up a Site Visit at the site prior to the upcoming meeting.

Motion to Continue to the May 21, 2025 Planning Board meeting made by Member Geler and seconded by Member MacDonald.

Roll Call Vote:

Driscoll – Yes, MacDonald – Yes, Geller – Yes, Pratti – Yes, Haley - Yes

Definitive Subdivision - Public Hearing 1968 South St & 0 Mansion Way - (Map 125, Lot 17, 103 & 104)

– Mark McCloud – Definitive Subdivision for two new house lots along new roadway with waiver requests (*Continued from April 16, 2025 Meeting*)

Scott Rogers, JK Holmgren, Representing the applicant stated the project provided updated information since the last meeting concerning street trees and other layout updates as per the Board's recommendations. Test pits had been performed with the Town Engineer as well. The Engineering review fee had been submitted by the applicant as well.

Greg Tansey provided information regarding the review of the swale proposed. Chairman Driscoll asked about the maintenance of the swale.

Mr. Rogers provided the Board information regarding the Operation & Maintenance Plan for the private roadway.

The Chairman opened the meeting up to public comment. There was none.

Member MacDonald motioned to close the public hearing and seconded by Member Haley.

Roll Call Vote:

Driscoll – Yes, MacDonald – Yes, Geller – Yes, Haley – Yes

Motion to approve the waiver for 40' roadway layout was made by Member Geller and seconded by Member MacDonald. The other waiver for the Engineering Review Fee was denied at the April 17th meeting, and the applicant has provided the review fee therefore it is a non-issue.

Roll Call Vote:

Driscoll – Yes, MacDonald – Yes, Geller – Yes, Haley – Yes

The Board discussed adding additional comments regarding water line looping, additional trees be provided, water impact form be provided, as well as information regarding the HOA.

Motion to approved the subdivision for Mansion Way with the following conditions made by Member Geller and seconded by Member MacDonald

Roll Call Vote:

Driscoll – Yes, MacDonald – Yes, Geller – Yes, Haley – Yes

1. No further waivers of the applicable rules and regulations shall be authorized without a formal vote and approval of the Board.
2. The project shall adhere to all requirements of the Town of Bridgewater's Subdivision Rules and Regulations of the Planning Board
3. The development shall be constructed in strict compliance with the regulations of 28 CFR 35 & 36 the Americans with Disabilities Act and 521 CMR, the Massachusetts Architectural Access Board.
4. Prior to construction, the applicant and/or owner, shall submit a detailed construction plan that provides the following information and appropriate mitigation:
 - The estimated start date of work.
 - The name, telephone number and business address of the general contractor.

- An emergency number for day and night of the responsible parties shall be provided to the Town's public safety departments, in the case of emergency, and the provisions to be implemented for securing the site from public access.

5. Hours of construction shall be from 7:00 AM to 5:00 PM, Monday thru Friday, and 9:00 AM to 5:00 PM Saturday. No work shall be allowed on Sunday.
6. If any changes are made, at the request of other Agencies, Boards or Commissions, to the approved plan, the applicant shall be required to come before the Planning Board for a modification hearing to review such changes prior to the commencement of any construction or implementation of the changes.
7. Prior to lot release, all drainage basins, swales and structures shall be in working order, including, but not limited to, finished grades, landscaping and protection from erosion or siltation contamination.
8. The street proposed is a private way and shall remain a private way requiring associations or other means of funding street and stormwater system maintenance and repair prior to the issuance of the first Certificate of Occupancy. The Homeowners Association draft documents should be provided to Staff prior to recording for review.
9. A maintenance bond shall be deposited with the Town by the applicant, prior to street acceptance, in an amount determined by the roadway superintendent and/or the town engineer, as deemed adequate for maintenance of the drainage structures, detention basins, and other infrastructure improvements for which the Town will assume responsibility at street acceptance.
10. Street Lights shall be provided by the Developer as shown on the approved plans.
11. All curb ramps shall be labeled on the plan and shall conform to the Americans with Disabilities Standards, latest edition.
12. Applicant shall provide form of surety to the Town prior to receipt of first building permit and/or lot release, in accordance to Subdivision Rules and Regulations of the Town. Any covenant shall be recorded at the Plymouth County Registry of Deeds as well as any lot releases
13. Any easements shown on the plan must be recorded in Plymouth County Registry of Deeds within the property chain of title, including all subsequent conveyances of lots affected by the easements. Proof of such recording shall be required prior to any request for release of lots from the covenant.
14. Prior to lot release, a Municipal Lien Certificate indicating that all taxes, assessments and charges assessed against the land shown on the plan have been paid in full shall be submitted to the Planning Board. The Municipal Lien certificate and the approved subdivision plan sheets (all sheets) shall be submitted to the Registry of Deeds at the time of the recording of the plan. Proof of such recording shall be submitted to the Planning Board prior to any release of lots for building purposes. The approved subdivision plan being recorded shall include these conditions of approval.
15. The maximum number of dwelling units approved for this subdivision shall not exceed the aggregate shown on the approved plan(s).
16. Prior to the first lot release and/or the issuance of the first building permit, an enforceable document which sets forth the responsibility of the subdivision developer/owner and/or his successors in interest, assigns, designees, for the operation and maintenance of the subdivision roadway and the drainage system shall be submitted to the Planning Board for its review and approval. Said roadway operation and maintenance document shall be recorded within the subdivision chain of title at the Registry of Deeds and noticed/referenced in all subsequent conveyance deeds. Proof of recording of said roadway operation and maintenance document shall be submitted to the Planning Board. The life of the document shall expire upon acceptance of the roadway as public ways by the Town of Bridgewater.
17. Prior to the first lot release and/or issuance of the first building permit, the applicant shall provide a draft document for Staff to review regarding the responsibilities of the Homeowners Association proposed. The proposed roadway for this project, being four lots or less, shall remain a private way in accordance with the Town's subdivision rules and regulations.
18. Prior to the issuance of any building permit for the lots, the applicant shall submit a site plan for each lot prepared, signed and stamped by a Massachusetts Registered Professional Engineer and a Massachusetts Registered Professional Land Surveyor for the Town Engineer's review for verification of consistency of the lot grading relative to the approved subdivision plan(s). Any use of a retaining wall for grade

transition/attenuation shall include adequate provision for locating the retaining wall on a private lot, outside the roadway right-of-way.

19. Prior to the issuance of any building certificate of occupancy for the lots, the applicant shall submit a topographic as-built site plan for each lot prepared, signed and stamped by a Massachusetts Registered Professional Engineer and a Massachusetts Registered Professional Land Surveyor for the Town Engineer's review. The topographic as-built site plan shall include a certification clause signed and stamped by the Professional Engineer, noting compliance and consistency of the topographic as-built site grading with the drainage and grading approved with the subdivision plan. The engineer's and surveyor's stamps and signatures shall be made with original wet ink and stamps, electronic or photocopies of the stamps and signatures are not acceptable.
20. Prior to lot release, a preliminary roadway and drainage system as-built plan, as outlined in Board's rules and regulations governing the subdivision of land in the Town of Bridgewater, prepared and stamped by a Registered Land Surveyor and stamped by a Professional Engineer, shall be submitted to and approved by the Planning Board. The engineer of record shall certify that the drainage system has been built in strict conformity to the plans endorsed by the Planning Board. The engineer's and the surveyor's stamps and signatures shall be made with original wet ink and stamps, electronic or photocopies (including colored print copies) of the stamps and signatures shall not be acceptable.
21. A semi-annual report on the drainage basin's condition shall be prepared and stamped by a professional engineer certifying that the basin is being maintained and is functioning per approved drainage design until if street is ever accepted by Town
22. There shall be an erosion and sedimentation control plan submitted prior to endorsement of the plan. The plan shall address how storm water runoff shall be controlled during construction. All sedimentation and erosion controls shall be in place prior to the commencement of any earth moving activities associated with the construction of the subdivision. Additionally, a dust control plan shall also be submitted as part of the erosion control plan.
23. All roadway sections that are to be constructed in fill shall be witnessed by the Town Engineer and/or the Town's Roadway superintendent or any other designee of the Planning Board. Prior to placement of any fill, the existing vegetation, topsoil and subsoil shall be completely removed. Fill material shall be placed and compacted in six (6) to eight (8) inch lifts. The compaction tests shall be conducted by a testing company selected and approved by the Planning Board, and the developer/applicant shall be responsible for all cost associated with the tests.
24. Prior to endorsement by the Board, the final plans submitted for signatures shall reflect these conditions of approval and all revisions and shall be verified by the Town Engineer or any other engineering review consultant for the Planning Board.
25. This approval is valid for two years from the date the Town Clerk issues a certificate of no-appeal, or the date all judicial appeals have been concluded, unless an extension is granted in writing by the Planning Board prior to the expiration of the two-year period.
26. The Town Engineer or other designer appointed by the Planning Board shall oversee the construction of the roadway and drainage systems. The Town Engineer or other designer of the Planning Board (the inspector) shall be present during all critical stages of construction to ensure that proper construction practices are followed. The inspector shall be notified at least 48 hours in advance of each task that needs to be completed and signed off. A pre-construction meeting with the contractor, developer, the inspector, and a member of the Board shall take place before construction begins. The applicant shall be responsible for the costs of the subdivision inspector, when the inspector is an outside consultant not employed by the Town. A deposit of \$2500.00 dollars shall initially be submitted to the Planning Board prior to the start of construction to ensure payment of the subdivision inspector; additional moneys shall be deposited in advance if it is anticipated that inspection shall cost more than the original deposit.
27. Any application for street acceptance shall include a subdivision as-built plan prepared, signed and stamped by a Massachusetts Registered Professional Engineer and a Massachusetts Registered Professional Land Surveyor for the Planning Board's review and approval at a regularly scheduled meeting of the Board. The as-built plan shall include a certification clause signed and stamped by the Professional Engineer, noting compliance of the subdivision construction with the approved subdivision plan set. The

- engineers' and surveyor's stamps and signatures shall be made with original wet ink and stamps, electronic or photocopies of the stamps and signatures shall not be acceptable.
28. The Applicant shall perform daily cleanup of construction debris, including soil, on South St and Mansion Way, at least 50 yards from the entrance of the site driveways caused by the site construction.
 29. Omission of any requirements of the Planning Board's rules and regulations from these conditions of approval or the approved subdivision plan shall not relieve the applicant/developer of his responsibility to comply with the provisions of the rules and regulations.
 30. Street trees shall be provided on the endorsed plan and shall be species that shall conform to the Board's rules and regulations governing the subdivision of land in the Town of Bridgewater.
 31. Approval of the subdivision by the Planning Board does not relieve the applicant and/or the owner/developer of the responsibility to obtain all other applicable federal, state, and local approvals and permits prior to start of construction.
 32. Applicant shall provide Staff and Board a completed water impact form as requested by the Water Department. Applicant should additionally meet with Water Department regarding any potential requirements they may have.
 33. The subdivision roadway will remain private in perpetuity.
 34. There will be no clearing of trees, by the applicant, outside of the boundary titled Sediment and Erosion Control Plan" in the Subdivision Plan prepared for Applicant.
 35. The subdivision shall remain in private ownership and maintenance of the roadway shall be performed by the Homeowners Association (HOA) in perpetuity. The Planning Board and Staff shall approve the Homeowners Association document that clearly defines the responsibility of all homeowners in the subdivision for the required and necessary maintenance and repairs, and the document shall be recorded within the chain of title of each lot in the subdivision. No building certificate of occupancy shall be issued for any lot in a subdivision that requires an HOA until the Planning Board has received, reviewed, and approved the HOA document and proof of recording of said document as per the Rules and Regulations.

Planning Board Minutes

Motion to accept the minutes for December 18, 2024 & January 15, 2025 made by Member Haley and seconded by Member Geller

Roll Call Vote:

Driscoll – Yes, MacDonald – Yes, Geller – Yes, Haley – Yes

Other Business

Mr. O'Brien stated the 60-88 Broad St Planning Board recommendation will be before the Board at the May 21, 2025 Meeting for discuss as part of the new Form Based Code Design Review process.

Member MacDonald asked a question regarding the Form Based Code process regarding Special Permitting.

Chairman Driscoll provided comments to Staff making sure that the applicant for 60-88 Broad St provided all the information necessitated and that test pits be performed.

Mr. O'Brien provided an overview of projects on the upcoming agenda.

Mr. O'Brien introduced Tom Pratti as a new member of the Planning Board

Committee Report:

Chairman Driscoll discussed the Conservation Restriction and purchase of Hanson Farm's development right.

The Board had a discussion regarding the return of in-person meetings. Mr. O'Brien discussed the logistical issues of trying to do so. There was also a discussion of other Department comments for projects and what the Board should do when they do not receive comments from some department (example: Fire Department)

Adjournment: The Motion to adjourn was made by Member MacDonald seconded by Member Pratt and it was unanimously voted.

Roll Call Vote:

Driscoll – Yes, MacDonald – Yes, Geller – Yes, Haley – Yes, Pratt- Yes