

**Planning Board Meeting
June 28, 2023
Minutes**

These minutes are not verbatim – they are the secretary’s interpretation of what took place at the meeting. - Open Meeting Law, G.L. c. 30A§22.

Board Members: Tim Grandy, Steven Bolotin, Birgitta Kuehn, David Peck and Carl Donaldson
Staff Members: Robin Carver and Lee Hartmann
Recording Secretary: Eileen Hawthorne

Administrative Notes:

Minutes*:

June 7, 2023

David Peck moved for the Board to approve the minutes of June 7, 2023 as presented; Steven Bolotin, second; the **vote** was unanimous (5-0).

Covenants, Plans and Releases*:

B474 – Wadsworth Estates – Bond Release

Birgitta Kuehn moved for the Board to release all principal and interest held to guarantee the completion of B474 – Wadsworth Estates; Carl Donaldson, second; the **vote** was unanimous (5-0).

B437 – Pinehills - Release of Lot 11-706 Water Tank Parcel, Long Ridge Road

David Peck moved for the Board to release lot 11-706; Steven Bolotin, second; the **vote** was unanimous (5-0).

Form A Plans*:

A4858 – Pinehills LLC, Sacrifice Rock/Long Ridge Roads, Map 78A, Lots 11-705 and A360 – Lot line adjustment to create lots 11-706 and A-363

David Peck moved for the Board to determine that A4858 was entitled to endorsement; Steven Bolotin, second; the **vote** was unanimous (5-0).

A4859 – Claremont Plymouth LLC and Claremont Plymouth II LLC, Colony Place/Plaza Way, Map 104 Lots 26-40 and 26-41 – Divide to create lots 26-44, 26-45 and 26-46

Steven Bolotin recused himself from this vote.

David Peck moved for the Board to determine that A4859 was entitled to endorsement; Carl Donaldson, second; the **vote** was unanimous (4-0).

A4860 – New Hope Chapel of Plymouth, Inc., Joshua’s Way, Map 88, Lots 36-1 thru 36-5 – Lot line adjustment to create one lot 36-6

Steven Bolotin moved for the Board to determine that A4860 was entitled to endorsement; Carl Donaldson, second; the **vote** was unanimous (5-0).

Committee Appointments

The Board received the following documentation:

Committee Worksheets

Letters of Interest

The Board made the following committee appointments:

Cedarville Steering Committee:

Don Holm and Marcia Sheridan

Manomet Steering Committee:

Tim Bennett and Jeanette Kelly

North Plymouth Steering Committee:

Thomas Pinto

Vincent Strassel

West Plymouth Steering Committee:

Judith Barber

Open Space Committee:

Diane Peck

The Board will re-advertise for the following vacancies:

Plymouth Center Steering Committee, West Plymouth Steering Committee, Land Use and Acquisition Committee and the Planning Board Alternate.

**Public Hearing: B543 – ADM/Redbrook Use Area 12 Modification
Map 117, Lots A-46, 4-276, 4-277, 4-282 through 4-92, and S-30**

Reduce single family lots by 1 (63 units), terminate the southern end of Cranberry Farm Road as a cul-de-sac, Scoop Drive to provide access to one single-family lot and emergency access to Wareham Road, reduce roadway width by 36 ft. and reduce impervious roadway surface by 2,580 SF
The Board received the following documentation for this review:

Draft Vote

Letter from ADM Agawam Development LLC dated May 15, 2023

Letter from Merrill Engineers and Land Surveyors dated April 4, 2023

Modification of Use Area 12

Fire Department comments dated May 22, 2023

Letter from McKenzie Engineering dated June 12, 2023

Letter from Merrill Engineers and Land Surveyors dated June 20, 2023

Site Plans dated May 4, 2023

Tim Grandy read the public hearing notice and opened the public hearing.

Evan Miller, Agawam Development presented the proposed plans for a modification to Use Area 12. The modification would reduce the lot count and number of TDR certificates needed by one from 64 to 63; create a cul-de-sac at the end of Cranberry Farm Road instead of creating a road that could be further extended (reducing the road length by 36 ft. and reducing impervious roadway surface by 2,580 sq. ft.); and for Scoop Drive to provide access to one lot and emergency access to Wareham Road. Waivers have been requested to allow a minimum rear yard setback of 15 ft. with a ten ft. minimum on lots 4-392 and 4-393; and a minimum side setback of 5 ft. on Lots 4-390, 4-391 and 4-398. Three affordable housing units will be included within this Use Area.

Robin Carver explained that the neighborhood was approved by the Board in November of 2021 and that staff supports the proposed minor modification that will reduce the impacts of the neighborhood.

Public Comment:

Meg Sheehan requested that the Board defer voting on this modification until AD Makepeace defines their conservation land preservation/earth removal in Carver, Wareham and Plymouth. Ms. Sheehan felt that Makepeace is triple dipping in their calculations.

David Peck asked if the landscaping would include native plantings and encouraged the developer to define where the conservation land to be preserved is located.

Mr. Miller responded that the forest mat is transplanted and reused within the development and the builder packages abide by the standards set for in the TRVD.

Birgitta Kuehn asked whether the concerns regarding the conservation land preserved over the life of the project is addressed incrementally or through a reconciliation at the end of the project. Ms. Kuehn also asked what the purpose of the modification was.

Lee Hartmann explained that we can only focus on what is happening in Plymouth. Staff meets frequently with both Makepeace and the Pinehills to review the requirements and the progress of the developments (open space, affordable housing, and other conditions). Mr. Hartmann stated that he is confident that the conditions will be met, and the project is consistent with the master plan. This project protects 1,600 acres of undeveloped open space which is unprecedented in this area.

Mr. Miller commented that Makepeace has recently presented to the Board a review of the open space (April 12, 2023). He explained that the purpose of the modification was to condense this neighborhood and provide flexibility for future development.

Ms. Kuehn expressed her concerns that recent Canadian fires set a precedent for caution. She noted the Fire Department's comments regarding the history of fires in this area and the encouragement to reduce the highly combustible vegetation near structures and to utilize fire resistant exterior materials to reduce the risk of property damage from wildfires. Ms. Kuehn did not support the waivers

requested that would reduce the rear and side yard setbacks and allow structures to be built closer together and closer to combustible vegetation. Ms. Kuehn suggested that the developer provide "Fire-Wise" information to future homeowners.

Carl Donaldson encouraged the developer to consider providing amenities such as a playground within the common area of the neighborhoods that are further away from the village center.

Steven Bolotin moved for the Board to close the public hearing; Carl Donaldson, second; the vote was (4-1) with Birgitta Kuehn in opposition.

David Peck moved for the Board to approve the modification subject to the following conditions: All exterior lighting will conform with Section 205-65 (Prevention of Light Pollution) of the Zoning Bylaw.

Prior to endorsement of the Plans:

The Plans shall be revised to substantially address all applicable comments provided by Town Engineering and Fire Departments, and McKenzie Engineering Group, Inc., subject to (i) the terms of the Special Permit, (ii) the TRVD Bylaw, and (iii) consultation with the aforesaid commenters.

The Applicant shall provide verification to the Planning Board of payment of the back taxes, interest and fees (if any) owed to the Town for the subject property.

Prior to issuance of a Zoning Permit

Evidence that the following have been recorded with the Plymouth County Registry of Deeds shall be provided to the Planning Board:

The Plans will be revised to detail the Conditions of the approval, and this will be recorded at the Registry of Deeds, or the Decision will be recorded with the Plans.

Prior to issuance of a Building Permit

Four (4) sets of full-size copies of all drawings comprising the plans, one additional full-sized lotting plan, with one complete set of reproducible plans (mylars) will be delivered to the Planning Board and one (1) electronic copy of the plans shall be delivered in a format acceptable to the Town Engineer.

Fire apparatus must have adequate access. Road width 24 feet.¹

The turning radius shall be no less than 60 feet for all turns.

Fire lanes are to be no less than 20 feet in width and always remain open. Roadways will be 24 feet in width.¹

An overlay diagram will be required to demonstrate the ability of fire apparatus to enter, maneuver, reverse direction, and negotiate at each road, intersection, turn egress/exit and dead-end feature.

Dimensions and vehicle specifications will be provided by the Plymouth Fire Department upon request.

Overhead clearance of no less than 13 feet 6 inches is to be maintained to provide apparatus access.

Hydrant spacing to be no more than 500 feet.

Adequate and uninterrupted fire protection water supply to development.

Recommend no combustible mulch in contact with structures and consider landscaping design in accordance with Firewise design principles.

All plantings shall be drought tolerant, and/or native.

Note: ¹ The TRVD Rules & Regulations allow for 20' wide roads.

Steven Bolotin, second ; the **vote** was (4-1) with Birgitta Kuehn in opposition.

B624 – Colony Place/Claremont LLC – Drainage Modification

The Board received the following documentation for this review:

Letter from Highpoint dated June 20, 2023

Sediment Forebay Sizing Calculation/Drainage Calculations

Site Plan dated May 9, 2022, revised through June 20, 2023

Steven Bolotin recused himself from this review.

Lee Hartmann noted that the Zoning Board of Appeals (Case No. 4063) granted special permits for a 198 unit, age restricted residential project off Plaza Way. The decision has been appealed, but the developer is moving forward with the overall project at their own risk. Over the last several months, the developer has worked with the Town's DPW and the peer review consultants, Beals & Thomas to modify the drainage area. Their latest comments acknowledge that the current plan satisfies the drainage regulations and the Subdivision Rules and Regulations. There were two conditions

recommended: submission of a comprehensive overall operation and maintenance plan for the drainage area and adding the list of species of plants proposed for the “focal point system” to the plan. Birgitta Kuehn agreed that this review is a highly technical and the peer review report was only received this afternoon. There has not been enough time for the Board to review the document. Mike Fabiano, Highpoint Engineering reviewed the history of the project and the drainage area for this project was part of an overall drainage system for the original Colony Place Development which was approved in 2005 and complied with the local bylaw and Mass DEP standards in place at that time. The proposed modification would reconfigure the existing stormwater basin to comply with the new local bylaw and Mass. DEP standards for water quality improvements and flood control measures. The extensive review by the Town, the peer review consultants and the developer support the redesign of the stormwater drainage and note that comments have been satisfied. Carl Donaldson asked if the Board could table this discussion in order to have time to review the recently submitted documentation and the other Board members agreed. The Board continued this review to July 26, 2023.

Planning Board Priorities

The Board received the following documentation for this review:

Worksheet

Lee Hartmann updated the Board on the commitments of staff which include presenting the MBTA Communities initiative to the community, moving forward with the funding and working on the Master Plan update, updating the Cedarville Master Plan, working with OCPC on the Housing Production Plan, the Historic District Expansion and beginning to look at the update of the Open Space Plan. David Peck listed the Master Plan Update, Accessory Dwelling Units, Impact Fees, increasing the density (more units per acre or increased building height), MBTA Communities and Affordable Housing as his priorities.

Birgitta Kuehn selected the following priorities: MBTA Communities, Green Building Overlay District (GBOD)(combining GBOD with MBTA Communities), Accessory Dwelling Units, Impact Fees and to begin to follow the Town Charter – meeting with the Select Board twice a year and having other committees that deal with land use to report to the Planning Board.

Steven Bolotin listed the Master Plan Update, MBTA Communities, Housing Production Plan, Historic District expansion and Accessory Dwelling Units (now supported by the Board of Health and the Senior Task Force) and changing density in exchange for preserving rural lands by reviewing the TDR bylaw.

Carl Donaldson chose Affordable Housing, Master Plan Updated, Accessory Dwelling Units, creating new building overlay district; establish standards for resiliencies, and MBTA Communities.

Tim Grandy selected the Master Plan Update, MBTA Communities, Affordable Housing, Impact Fees, Accessory Dwelling Units and review of the Aquifer Bylaw.

Lee Hartmann reviewed the potential for future development of the TL Edward site and properties that are currently held under Chapter 61, 61A and 61B.

Birgitta Kuehn suggested having the Board of Health make a presentation on the new Title V regulations to the Board.

B639 – 46 Sandwich Road RDD – Informal presentation: final plans & common building architecture

The Board received the following documentation for this review:

Letter from Flaherty & Stefani Dated June 22, 2023

Site Plans dated August 1, 2022, revised April 28, 2023

Mark Flaherty, Flaherty and Stefani, Inc. and Rick Vayo presented the revised plans for the 46 Sandwich Road RDD which address four conditions of the approval. On the final plans some of the units were relocated because of grading, a request that the MOU be finalized before the first occupancy permit rather than at the building permit stage, the architectural plans for the community building were presented and the final locations for the natural drainage areas were presented.

Birgitta Kuehn asked if the dwellings would have solar panels.

Mr. Vayo replied that the dwellings will be solar ready and a package to have solar panels installed will be available as an option.

In response to David Peck's inquiries about snow storage and footpaths or trails through the open space, Mr. Vayo showed the areas on site where snow could be stored and noted that the open space is to be preserved and left undisturbed.

Public Comment:

Meg Sheehan was concerned with using the kettle hole for storm water drainage and asked if an archeological survey has been done on the site.

Mr. Vayo responded that it is common practice to utilize existing kettle holes for natural drainage and that he would look into whether an archeological survey is warranted. He also stated that he is still working on finding an option for the affordable housing component of the project.

David Peck moved for the Board to acknowledge that the four conditions of the decision have been met; Steven Bolotin, second; the **vote** was unanimous (5-0).

Steven Bolotin moved for the Board to adjourn at 9:32 p.m.; Carl Donaldson, second; the **vote** was unanimous (5-0).

***On file with the Office of Planning and Development in project case files.**

Respectfully Submitted,

Approved: August 9, 2023

Eileen Hawthorne
Administrative Assistant