

**Planning Board Meeting
July 26, 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, David Peck and Carl Donaldson

Staff Members: Robin Carver and Lee Hartmann

Recording Secretary: Eileen Hawthorne

Administrative Notes:

Minutes*:

July 12, 2023

Steven Bolotin moved for the Board to approve the minutes of July 12, 2023 as presented; Carl Donaldson, second; the **vote** was (3-0-1) with David Peck in abstention as he did not attend the meeting.

Covenants, Plans and Releases*:

B543 – ADM/Redbrook Use Area 12 Modification – Plan Endorsement

David Peck moved for the Board to endorse the plan for Use Area 12 Modification; Carl Donaldson, second; the **vote** was unanimous (4-0).

B437 – Pinehills LLC – Release of lots 11-4A and S-161

Steven Bolotin moved for the Board to approve and endorse the lot release for B437 – Pinehills LLC; Carl Donaldson, second; the **vote** was unanimous (5-0).

B624 – Colony Place/Claremont LLC (cont. from 6/28)

Drainage Modification

The Board received the following documentation for this review:

Letter from Beals & Thomas dated June 28, 2023

Letter from Engineering Department dated June 26, 2023

Site Photographs

Letter from Highpoint Engineering dated June 20, 2023

All documentation from June 28, 2023 meeting

Handouts:

Memo from Michael Penzo representing Sawyer’s Reach Board of Trustees dated June 28, 2023

Comments from Pamela Magnarelli received July 21, 2023

Steven Bolotin recused himself from this review and left the room.

Lee Hartmann reminded the Board that this review was continued from June 28, 2023 because the Engineering Dept. and Peer Review comments were received after the packets had been distributed and the Board did not have sufficient time to review. The comments indicated that all the technical issues have been addressed to their satisfaction. The Board also requested that the peer review consultant attend the next meeting. Mr. Hartmann introduced Dan Gagne from Beals & Thomas. This review is for a modification to the drainage for the Colony Place subdivision and the Board will determine whether the modification meets the requirements of subdivision control.

Public Comment:

Michael Penzo, on behalf of the Sawyer’s Reach Board of Trustees commented that he reviewed two letters from Highpoint Engineering in response to the Engineering Dept. and peer review comments. Mr. Penzo suggested that groundwater levels should not be determined during a drought, water level should be measured for a period of one year (monthly or quarterly) from each well, groundwater should be measured with an electrical tape and only from properly constructed monitoring wells, monitoring wells should be replaced if damaged and additional wells should be installed if needed, a

comprehensive operation and maintenance plan should be provided and silt should be removed from the infiltration pond so rainwater can infiltrate. He also noted that climate change should be taken into consideration because of the potential for more flooding in the future.

John Magnarelli stated that the proposal is more than just a modification. Mr. Magnarelli felt that the modification would be a total destruction of the natural habitat that has been established in the retention area. He was concerned with the number of trees that would be removed and suggested creating a smaller, deeper drainage area.

Stanley Elkerton was concerned that the current plan provided no buffering vegetation for the infiltration pit which will become an eyesore. Mr. Elkerton suggested that a 30 ft. strip of buffering vegetation be provided to recreate the current view of the area.

Annemarie Cesa was concerned that the water supply in this area was inadequate, and wildlife would be displaced.

David Peck shared the concern about the adequacy of the design as 100 year storms are becoming more frequent. Mr. Peck felt the design should have a margin of error. It should be redesigned to handle more than seven inches in a day possibly to handle a foot or two of overflow.

Dan Gagne, Beals & Thomas, explained that the design does meet the current State guidelines for a 100 year storm and is designed for 2.5 ft. of additional water to be stored within the basin.

Carl Donaldson agreed that the basin design should be able to accommodate the larger storms that will happen as climate change increases. Mr. Donaldson asked when the State design guidelines were last updated.

Mr. Gagne responded that the State guidelines were revised in the mid 2000's. He explained that the top of the berm is at elevation 150 and the 100 year storm would be at 147.46 ft. – there is 2.5 ft. of additional storage within the pond to accommodate a 100 year storm with an additional two ft. above that to meet grade.

Tim Grandy asked if the design has an overflow and if it could hold a nine inch storm.

Mr. Gagne explained that this design does not have an overflow, but it could hold a nine inch storm.

Mr. Peck supported the measuring of groundwater levels within the monitoring wells for at least a year or two.

David Peck moved for the Board to find that the requested modification of subdivision control regulations to allow for the Stormwater Management Area located on Lot 26-41 on the Original ANR Plan to be reconfigured as depicted on the Plans is in the best interest of the town and appropriate for this site and in accordance with Article II, Section 201 of the Plymouth Subdivision Control Regulations, the minor modification complies with the applicable provisions of Town bylaws and regulations and of the General Laws and meets the requirements of public safety, including traffic safety and convenience, adequate water supply, sewerage disposal and drainage facilities and that the Plan adheres to the principals of correct land-use, sound planning, and good engineering. The Board further finds that the requested modification is consistent with the Guide for the Design of Storm Drainage Facilities in the Town of Plymouth, Massachusetts Including Low Impact Development Standards, as Amended through March 2009. The Board hereby approves the requested drainage modification pursuant to a modification of the subdivision control regulations, subject to the following conditions of approval:

Applicant shall provide groundwater monitoring measurements on a quarterly basis for a minimum of six (6) months commencing immediately and an additional eighteen (18) months following the construction of the recharge portion of the basin such that groundwater elevations are measured monthly using electric tape or by equivalent means. Further, that groundwater monitoring locations be approved by Beals and Thomas prior to installation.

Applicant shall provide a letter memorandum, signed by a professional engineer, indicating that the proposed stormwater management area is capable of detaining, without discharge to adjacent parcels, storm events greater than what is required by Massachusetts Stormwater Policy or the Guide for the Design of Storm Drainage Facilities in the Town of Plymouth, Massachusetts Including Low Impact Development Standards, as Amended through March 2009.

Carl Donaldson, second; the **vote** was unanimous (3-0).

Steven Bolotin rejoined the meeting.

**Public Hearing: B543 – ADM Agawam Development LLC/Redbrook
Use Area 6, Phase 5, Map 116, Lots A-47, 4-3 and 4-4 (aka A-55)**

Divide to create 8 residential lots with open space and associated infrastructure and Street Name Approval – Hydrangea Lane, Hazelnut Ave, Iris Ave and Trumpet Vine Lane

The Board received the following documentation for this review:

Public Hearing Notice

Street Name Approval Form

Draft Vote

Project Narrative with Exhibit A

Request for Waivers

Engineering Department comments dated July 17, 2023

McKenzie Engineering Group comments dated July 18, 2023

Letter from Agawam Springs Water Company and Weston Sampson dated July 7, 2023

Letters from Abutters

Construction Phasing, Use Area, Trail, and Lighting Plans

Drainage Narrative dated June 2023

Site Plans dated June 8, 2023

Handouts:

Comments from Abutters received after packets completed

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

Dan Gorczyca, ADM Agawam Development LLC, began the presentation for Use Area 6, Phase 5, which would create 8 residential lots for 52 units. Mr. Gorczyca showed the use area on the master plan map. The site is approximately six acres; 17 Transfer of Development Right certificates will be used; and two affordable housing units will be created. The Townhouses (10-fourplexes) and Twin homes (6-duplexes) will have two bedrooms, 2-2.5 bathrooms and vary in size between 1,600 – 2,200 sq. ft. Mr. Gorczyca reviewed the shared parking, sidewalk locations, open space areas within the use area, decorative landscaping areas and reforestation areas.

Robin Carver noted that this is the final phase of Use Area 6. The units will consist of 40 town homes in ten fourplex units with 12 duplex units around the perimeter. The revised plans address all the comments of the Engineering Dept. and peer review consultants and the Fire Department recommendations and standard fire language the Board drafted has been added to the draft vote. In response to a question by Carl Donaldson, Mr. Gorczyca explained that the number of affordable units is based on the number of TDR certificate being used. This use area has 17 TDR's being transferred therefore 2 affordable units are required.

David Peck noted his concern with the water capacity within the development.

Public Comment:

Wayne Carroll, Marlene Booth, Eric Pretorius, Michael Kornoelje-Power, George Arsenault, Al Dinardo, Meg Sheehan, Elaine Williams, and Keith Graveline expressed concerns included: Water usage and restrictions, poor communication, roads that have not been repaired or top coated, lack of infrastructure completion, hold permits until new wells are online, landscaping at the entrances is a disgrace, restrictions from watering new landscaping so it will become established, impacts to Halfway Pond, traffic on Mast Road, future drought issues, the amount of conservation land preserved, the aquifer can't recharge, runoff from the bogs into Agawam River, the TDR sending area is also a sending area for other towns, and the lack of inclusionary housing.

The Board's questions/comments included: whether occupancy could be limited until either sufficient water capacity is confirmed by the peer review consultant or a new well would be on line; when the next well would be online; what is the timing of the construction for this phase; what is the number of affordable homes constructed to date; for clarification on what happened with the existing well, whether non-potable water is used for irrigation; whether the plan to address the long-term issue of irrigation would be addressed through future water restrictions and/or the type of watering systems installed; what is the road maintenance program; for Makepeace to follow up on the e-mails that are being sent; what will the water permit allow to be withdrawn at full buildout; and whether the water pressure is adequate.

Mr. Gorczyca offered the following responses: for this phase the road construction would begin once the use area is approved, homes would start construction around the end of November and take 6-8 months to build; the second well is due to come on line in June 2024 and the third well is under construction; the primary goals for water are potable water and fire protection, then irrigation; the private water company is regulated by two State agencies – DEP through the water management permit and DPU that sets the rates for the water as well as fines and penalties; the permits limit how much usage in a given day and how much use collectively; all the homeowner's irrigation is coming from potable water that is metered; for the residents to share any e-mails that are of concern; at the end of June a lightning event that caused equipment to release the chemical that adjust the PH into the system which subsequently required that the well be completely flushed which resulted in temporary additional water restrictions; during the temporary restriction period when irrigation was not allowed, the water usage dropped from 260,000 gallons per day to 72,000 gallons per day; the high water usage is not sustainable; the water permit allows residents to water two days a week, but they were watering multiple times a day; residents were reminded to implement water conservation measures; the roads will not be top coated until the construction and utility installation is complete; roads will be repaired as necessary, but Makepeace often waits until there are multiple areas that need repair; communication and education regarding the seasonable water restrictions and water conservation are sent annually; 2000 residents using 65 gallons per day should use approximately 130,000 gallons per day which is half of the current usage; there are currently 15 affordable housing rental units within the apartments with 8 non-rental units in the permitting regulatory process and the development is approximately at 70% of buildout.

Steven Bolotin moved for the Board to close public comment; David Peck, second; the **vote** was unanimous (4-0).

David Peck moved for the Board to approve Use Area 6, Phase 5 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.

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

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.

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.

Prior to occupancy of units, a stamped certification from a professional engineer is required that confirms adequate water supply and pressure is provided during all normal and reasonably expected conditions.

Steven Bolotin, second; the **vote** was unanimous (4-0).

The Board took a five minute recess.

Site Plan Review - B543 – ADM Agawam Development LLC/Redbrook Use Area 7, Phase 3, Map 115, Lots 1-348, 1-406 and A-42

Construct 100 rental units in two multifamily structures with amenities

The Board received the following documentation for this review:

Excerpt from 2008 Special Permit – Condition L

Affordable Housing Tabulations

Draft Vote

Project Narrative

Engineering Department comments dated July 17, 2023

Letters from Abutters

Trail, Lighting, and Sign Plans

Memo from Weston & Sampson dated February 21, 2023 re: Flow Projections at Wastewater Treatment Facility

Memo from Weston & Sampson dated February 21, 2023 re: Water Use Projections

Memo from VAI dated January 25, 2023

Drainage Narrative dated February 2023

Building Elevations

Site Plans dated February 27, 2023

Tim Grandy announced that this review would be postponed to August 23, 2023 at 7:05 p.m.

Steven Bolotin moved to adjourn at 9:38 p.m.; Carl Donaldson, second; the **vote** was unanimous (4-0).

Correspondence: A D Makepeace Conservation Land Update

Other Business:

“Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting.”

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

Respectfully Submitted,

Approved: August 9, 2023

Eileen Hawthorne
Administrative Assistant