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TAUNTON PLANNING BOARD MINUTES

Meeting held at 15 Summer Street, City Hall, in the Chester R. Martin Municipal Council Chambers

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DATE: August 3, 2023

BOARD MEMBERS:	Anthony Abreau, Chairman	Michael Monteiro
	Bob Campbell	John Reardon
	Manuel Spencer, Clerk	Dennis I. Ackerman, Vice Chairman
	Brian Carr	
ADVISORS:	Kevin Scanlon, City Planner	
	Michael Patneau, City Engineer	

Roll Call: Campbell, Ackerman, Reardon, Abreau, Spencer, Monteiro and Carr present. Meeting opens at 5:35 PM

Mike made motion accept minutes of June 1<sup>st</sup> and July 6<sup>th</sup> meeting, seconded by Brian, Dennis stated he had a correction and it was noted the corrected minutes were circulated to members for review and those are the ones they are approving. All in favor.

**Millview Estates – requesting to release lots 1,2,3,5,6,7 & 8 (holding 0 surety)**

Chris Moniz was invited into the enclosure. He is requesting release of all lots but one. They have the binder course down, drainage, water stubbed. He stated is asking the Board to allow a minor change relative the utilities. Dept. comments were read into the record from the City Planner, City Engineer and outside consultant. Apparently the previous owner had underground utilities on the plans and that is the way it was approved. Chris stated it’s not good to have underground there is no benefit. He submitted application to Verizon and council. He asks the board to take the completed cost of \$155,000 with aboveground utilities Dennis asked if it was in the decision and Chris read the condition. Dennis suggest getting letter from TMLP or Verizon to protect city. Bob stated the specific condition says that and it’s the way it was presented. He stated underground utilities are the usually under the jurisdiction of the TMLP. He has no problem with release lots but suggests getting letter from TMLP saying they are ok with above ground utilities. Bob asked Chris how many poles will be needed and Chris answers 4 poles for 800 feet of roadway. Manny stated having underground utilities looks better. Chris stated it a larger expense to have underground. But he said above ground would be consistent with the neighborhood.

**Bob made motion to release lots upon receipt of \$19,375 per lot of acceptable surety. Seconded by Manny. All in favor.**

**Brian’s Way – Request to release lot #5 – holding \$352,000 bond**

Justin Whitney was invited into the enclosure. Dept. comments were read from the City Planner recommending release of the last lot and informing the Board this is the last lot but won’t be accessed from the newly constructed road. They will be accessing from Whittenton Street due to wetlands on Johnny Mac Way They will need to go to conservation for approval. City Planner states we are holding enough monies and no additional monies will be required.

**Many made motion to release lot#5 without any additional surety being required. Seconded by Mike, all in favor.**

**2318 Bay St. – Request for a 6-month extension of the Special Permit - for convenience store with thru, car wash and filling station**

Atty. William Rounds was invited into the enclosure. Letter from Atty. Ford on behalf of new owner requesting a 6 month extension on the Special Permit. Dennis asked if this would be the last extension hopefully. Manny asked if they need 6 months? Atty. Rounds stated they would feel more comfortable if they had 6 months but are intending on starting within the next few months. Brian stated Mr. Doherty owned it and this is the new owner requesting 6 month extension. Atty. Rounds stated the original developer did not work out and this is the second developer. They are ready to finalize plans and apply for building permit. Bob asked if they started the Mass. Highway permit because that takes some time.

**John made motion to grant 6 months extension on the Special Permit, seconded by Bob. All in favor.**

**Public Hearing - Remanded from Superior Court - A Special Permit from Section 440 Attachment #1 of the Zoning Ordinance for a two-family use in Highway Business District, on premises situated on Winthrop Heights Drive, Lot B - property I.D. 102-2 and 102-98**

Roll Call: Campbell, Ackerman, Abreau, Spencer, Carr, Monteiro present. Reardon excused.

Hearing opens at 5:56 PM Atty. Brianna Correira and Chris Moniz were invited into the enclosure. This was remanded back by Superior Court. Atty. Correira states this proposal is for a 2 family use in a Highway Business District. They had hearing in March 2022 and had 4 members in favor, 2 members opposed and 1 member excused. Motion did not pass. They appealed the decision and now the Court has remanded it back to board. They have come to an agreement and adding some conditions. They are willing to plant arborvitae along 27 Winthrop Heights Dr. and with fencing. The proposed conditions mimicks the conditions in the neighboring subdivision Winthrop Heights. Dennis stated he has been approached and they would prefer 6 foot trees in height instead of 4 feet high. Chris M. stated that is a reasonable request. He stated he has been in contact with (lot C) and they are agreeable to 6 foot trees. Brian stated the appeal was between the Board and the applicant not the neighborhood of Winthrop Heights. He feels it was rushed and he would have wanted more communication between the developer and the residents of Winthrop Heights. Brian went onto say during the executive sessions meting he was very vocal that they residents be included and the law dept. reach out to them. He stated if they had compromised before he would have voted for it. Brian asked about the condition about a garage. Atty. Correira answers they are not proposing any garages but left that in just in case. Atty. Correira stated conditions 1-6 are standard conditions but others are to this specific case. She stated the Winthrop Heights residents' attorney (Atty. Coutinho) was privy to what they were discussing. Atty. Winters was invited into the enclosure. He cautions Brian on what can be discussed. He also advised the Board he reached out to the association's attorney and incorporated some of their conditions within the perimeters of the appeal. Brian asked if they can appeal this decision and Atty. Winter answers any abutter can appeal. Chris stated they will be building nice units going for \$550,000 per unit and disagrees it will devalue house values. Manny stated he originally voted against it and after consulting with the law dept. and after coming to an agreement he will support it. Public Input: Tom Permberton, 86 Craven Court stated when this first came up he was not against it but wanted some concessions. He thinks the Board did a good job and developer did his best. But he did say he never met with them once but he's satisfied. He understand the Board must approve it per the Court remand. Public Input closed. Chairman Abreau read the condition 1-19 with the change of 6 foot trees min. height.

**Bob made motion to approve the Special Permit for a duplex house to include the conditions, seconded by Dennis.**

- Condition #1) This project will be subject to the City Sanitary Sewer Standards and Specifications.**
- Condition #2) The property must be serviced by municipal sewer and water. All dwellings must comply with the Minimum Standards of Fitness for Human Habitation, Stand Sanitary Code Chapter II.**
- Condition #3) DPW specifications are required including, City licensed contractor, road opening, and or trench.**
- Condition #4) DPW specifications shall apply including, pressure testing, hydrant flow west, materials, installation, new water meter with an updated radio frequency unit, inspection and approval.**
- Condition #5) Prior notice is required before any city water work is to be performed, and inspections will be required before backfilling.**
- Condition #6) Plans are required and need to be submitted to DPW for water services, gate valves and curb stops.**
- Condition #7) No commercial enterprise be conducted or operated on the property.**
- Condition #8) No livestock animals, or poultry of any kind may be raised, bred or kept on the property.**
- Condition #9) No unregistered vehicles or disabled passenger vehicles shall be parked in the driveway or yard.**
- Condition #10) Boats and recreation vehicles must be parked in garage or in the backyard of the premises.**
- Condition #11) No vehicles other than those designed for carriage of passengers shall be parked in the open, in any driveway or yard. All other vehicles shall be kept in garage.**
- Condition #12) No lot shall be used as a dumping group for rubbish.**
- Condition #13) Each residence shall have a 12' x 12' shed for storage that shall be clad in vinyl siding to match the dwelling units.**
- Condition #14) No pools shall be allowed for either dwelling.**
- Condition #15) A garage will be allowed within required setbacks.**
- Condition #16) Dwelling unit shall be constructed in an architectural style similar to those dwellings in the Winthrop Heights Subdivision.**
- Condition #17) No Air BnB shall be permitted.**
- Condition #18) No community or group home or other communal living shall be permitted unless by right.**
- Condition #19) An arborvitae or similar evergreen screen shall be planted and maintained beginning at the front property line of Lot B and continuing for a distance not to exceed 100 feet along the property line abutting 27 Winthrop Heights Drive. Said screen shall consist of a total of 25 trees planted every four feet apart with a minimum height of 6 feet (or installation of a 6 foot stockade or shadow fence)**

<b>Vote:</b>	<b>5 In Favor</b>
<b>Anthony Abreau</b>	<b>YES</b>
<b>Dennis Ackerman</b>	<b>YES</b>
<b>Manuel Spencer Jr</b>	<b>YES</b>
<b>Michael Monteiro</b>	<b>YES</b>
<b>Robert Campbell</b>	<b>YES</b>
<b>Brian Carr</b>	<b>NO</b>
<b>John Reardon</b>	<b>Excused</b>

**Public Hearing - Special Permit/Site Plan Review- 515 Middleboro Ave., Prop. I.D. 96-135 and 96-134 - from Section 440 Attachment #2 of the Zoning Ordinance to allow a 3,320 s. f. auto repair shop with auto sales (58 vehicles) with an updated parking layout for customers, sales, and repair storage spaces and the installation of a drainage system in the Business**

Roll call: Campbell, Ackerman, Reardon, Abreau, Spencer, Monteiro and Carr present. Hearing opens at 7:45 PM Dept. comments were read from DIRB, City Engineer, Water Dept. Commission for Individuals with Disabilities, and Fire Dept. John DeSousa was invited into the enclosure. He states they are here for a used car dealership with repair bays. The current curb cut is about 75 feet along Middleboro Avenue. He currently has cars along the front and rear of the building. The cesspool is in the backside of the building where the bathroom is. John said there will be no public restroom being proposed. There are propane tanks on site and the dumpster will be re-located. They will move entry point and extend sidewalk They are proposing rain gardens and will re-arrange auto sales. There will be 9 spaces along the backside of building. The handicapped parking will be at the closest point to door. They will connect to sewer stubs, set floor drains and pump chamber. The backside will be more spaces for vehicles for sale. During the DIRB meeting they wanted a tire storage area. John said there will be two small basins in front with an equalizer connect the two basins. They will remove the cesspool and connect to sewer stub but won't need to go into street as it has moratorium because it was just paved. There is currently a white vinyl fencing along the rear of property. They will re-located sign. Chairman Abreau asked about the bathroom and John answers it's for mechanic only, not for the auto sales. He asked if that was ADA acceptable and John said they were not proposing a public bathroom John stated the customers aren't there that long maybe a half hour or so. John R. asked if he took care of all the City Engineer's comments? John D. answers yes. Manny stated this site has zoning violation and asked if they have been remedied? John D. stated the owner was doing outside repairs and he was informed when he went for his Class II license he can't do that. He agreed to stop doing that until he gets this approval. Manny said there were more violations than that and he read the Zoning Enforcement's Letter from 8-10-22 outlining 6 violations. John D. stated the owner installed a mini split air conditioner/heat system and added several overhead doors. He didn't know he needed to pull permits. John D. stated these plans will bring the site into compliance. Manny stated he was disturbed that he hasn't brought the site into compliance and he has been open. John D. stated he is now on the project and he will pull permits for Andy. Mike asked how can the Board be assured he will comply with the rules now when he didn't comply with our previous ones. He doesn't feel good about the project. John D. stated he has been hired by Andy to draw plans and apply for building permits. John D. stated he had issues with and he asked him to take care of violations. Mike stated he should have taken care of them He didn't take care of them the first time. John D. stated he knows what he needs to do . Brian asked if he will get any fines? John D stated they will most likely triple fine him because he did work without a building permit. Dennis stated he will need to do what is required or the Zoning Enforcement Officer will be out there. He has the utmost respect for ZEO Bob Pirozzi and knows he will make sure the conditions are complied with. Bob C. stated he's is uncomfortable with approval a plan that needs a lot of updating. He would like to see updated plans to see if it all works, rain gardens, landscaping etc. John D. stated the plans are about 80% done and was just waiting to see if there were anything else he needed to add. He stated they could continue and update plans for next month. Tony asks if they will abandon the cesspool totally and it was answered yes. There are two pipes for sewer, for drainage and one for bathroom. It was asked if there will be a gate on the truck entrance? That needs to be determined. Bob stated there is a 75 foot wide opening and he asked about extending the sidewalk? It was suggested extending the sidewalk . He would like to see the curb radius. Bob suggests continuing one month, updated plans Mike and Manny agree with Bob.

**Dennis made motion to continue to next month, provide updated plans, seconded by Bob . All in favor.**

**Public Hearing- A Special Permit from Section 440-201 for a common driveway to access 3 lots on Burt Street known as property I.D. Map 61, Lot 11**

Request for a continuance and waiver of the time frame on which to act on this proposal.

**Dennis made motion to grant continuance to next month, seconded by Mike. All in favor.**

**Public Hearing – Special Permit/Site Plan Review – 1095 County St. from Section 440 Attachment #2 of the Zoning Ordinance to allow the demolition of an existing kiosk, fuel pumps, canopy and existing car wash and construct a new 3,780 sq. ft. convenience store with drive-thru, new fueling pumps and overhead steel canopy, submitted by Kayrouz Petroleum, LLC**

Halim Choubah, P.E. was invited into the enclosure. Dept. comments were read from DIRB, City Engineer, Water Dept. Commission for Individuals with Disabilities, and Fire Dept. which were placed on file. This is a re-development of the site which has been there for about 40 years. It's located in the Industrial District and they will be demolishing the car wash, little kiosk and constructing a new 3,780 sq. ft. convenience store with a drive-thru, gas pumps, canopy. The parcel is approx.. 1 acre and the site is all paved. There will be 6 gas pumps in the vicinity of the old pumps were. There will be lighting improvements. They have stacking in the drive-thru for 16 cars. There will be no increase in impervious area. They went to DIRB and in the process of filing with Conservation Commission. There will be no increase in the quantity of water. They will provide landscaping, lighting, safe turning radius. You will come in one end and leave the other end. The parking is in compliance. They are here for a Special permit for the Drive-thru and SPR for the rest of the site. Tony asked if they will demo the tanks and it was answered yes. It will improve fuel delivery. John asked what are hours of operation? It was answered around 5 AM to midnight. They currently have 4 10,000 gallons tanks and now they will have 20,000 tanks. There will be no change in the capacity just the number of tanks. John asked if there are any seats inside? It was answered there are no seats inside. Dennis doesn't think we should restrict hours since there are no houses close by. It was suggested allowing 24 hours a day. Bob had some suggestions of adding pedestrian access from sidewalk, trash receptacle, remove door or put sign do not block (rear building at the drive-thru side) Brian asked how much taxes will be generated from this. Mr. Choubah answers its going cost between 2.5 and 3 million for improvements. They pay \$10,000 per quarter in taxes now. The sign will be 20 feet high. Brian asked about if any leaks is Fire dept. called? Mr. Choubah stated yes it's monitored and the proper people are notified. There will be double walled monitoring tanks. He stated his clients owns 30 gasoline stations. Mike asked about the diesel (high speed) and it was answered they will be still have them they are eliminating two pumps from the original. He was afraid the big trucks will be blocking and it was answered no. Manny is glad they are doing improvements and asked about any charging stations? He stated the infrastructure will be there but we will see if it's warranted. Public Input: No one in favor or opposed.

Manny made motion, seconded by Brian to approve the Site Plan Review with the dept. comments:

**Condition #1) That the plans dated June 30, 2023 shall govern with the following additional comments;**

**Condition#2) Lighting shall not illuminate any portion of abutting properties**

**Condition #3) The site shall be kept clean and clear of debris**

**Condition #4) Two sets of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc**

**Condition #5) Two sets of updated plans shall be provided that conforms to this decision prior to Building permit**

**Condition #6) No exterior storage of hazardous materials is allowable**

**Condition #7) A filing with the conservation commission is required**  
**Condition #8) Show the missing catch basin on the plan**  
**Condition #9) Drainage plan shall be approved by the City Engineer prior to a building permit.**  
**Condition # 10) Provide a marked pedestrian access path from the sidewalk to the walkway at the building.**  
**Condition #11) Place and maintain a trash receptacle accessible to queued vehicles in the drive-thru lane between the ordering kiosk and the pickup window.**

**Condition #12) Add a sign and pavement markings at the door at the rear of building (at the drive-thru side) to advise not to block the emergency door, or relocate the door away from the drive-thru lane.**  
**Condition #13) Ensure the dumpster is fully enclosed and capable of being secured against unlawful entry. All applicable BOH permits must be obtained prior to operation.**  
**Condition #14) Hours of Operation: 24 hours a day**

**Notes**

**Note 1) DPW permits are required including city licensed contractor, road opening and trench permits. Plans shall be submitted to DPW for water services, fire service line, gate valves and curb stops**

**Note 2) DPW specifications shall apply including backflow devices, pressure testing, materials, installation, inspection and approval and prior notice is required before any city water work is to be performed and inspections are required prior to backfilling**

**Note 3) Compliance with the July 24, 2023 letter from the Taunton Commission for individuals with Disabilities for relevant AAB accessibility requirements on the following:**

**All AAB/ADA regulations to be followed for both exterior and interior**  
**Accessible routes need to be provided to all areas (sidewalk, curb cuts, detectable warnings, etc) per 521 CMR 20.00**

**Accessible parking spaces to be on accessible route to accessible entrance. There are 2 accessible parking spaces identified – 1 should be marked as accessible van parking per 521 CMR 23.00**

**Signage for accessible parking spaces (International Symbol of Accessibility) per 521 CMR 41.00**

**Fuel pumps meet required ranges per 521 CMR 6.00**

<b>Vote:</b>	<b>5 In Favor</b>
<b>Anthony Abreau</b>	<b>YES</b>
<b>Dennis Ackerman</b>	<b>YES</b>
<b>Robert Campbell</b>	<b>YES</b>
<b>John Reardon</b>	<b>YES</b>
<b>Manuel Spencer Jr</b>	<b>YES</b>
<b>Brian Carr</b>	<b>YES</b>
<b>Michael Monteiro</b>	<b>YES</b>

**Hearing closed at**

**Public Meeting - Site Plan Review - 1141 County St. - to allow a multifamily development consisting of 286 units across 4 buildings with 475 parking spaces and 4,900 sq. ft. of a standalone retail building, submitted by Alliance Realty Partners owned by 1141 County St, LLC**

Dept. comments read into the record from DIRB, City Planner, Conservation Agent, Commission for Individuals with Disabilities, Water, and Fire Dept which were placed on file. Michael Boujoulian, Manage Director, Alliance Residential Co. N.E., Sean Henry, V.P. Alliance New England, Greg Arsenault, Development Analyst, and Atty. Gregg Cosimi were invited into the enclosure. Mike stated Alliance is based out of Scotsdale Arizona and has 40 years of experience. They built 195 units in Waltham, 314 units in Waltham, 220 units in Hingham, 225 units in Billerica. The property is located on along Rte. 24 off County St. They will share a driveway with 1133 County Street. In 2020 the new highway ramp was approved and there will be a major signalized intersection. The MBTA commuter rail took 6 ½ acres to build the new train station. The site has constraints due to the wetlands on it. They are proposing 4 buildings with associated amenities and a 4,900 sq. ft. retail which won't be filled right away. They will seek a tenant. The amended plans shows 275 units with 412 parking spaces. Buildings 4 & 5 are near County Street and there will be a two-way in and each building will have separate access and parking. Building #3 is the smallest building with 23 units 3 story building. Buildings #1 & 2 will have parallel parking and a soft scope sidewalk which will be a seamless connection to the site/train. They have created an area with tables, umbrellas and will have transit lounge with a fitness center, coffee shop open to the residents only. They made some adjustments to plans by reducing the number of units from 284 to 275 but the footprint is the same. They reduced parking to 412 spaces which is more efficient. He introduced the development team, Carlton Quinn, Allens & Major, Michelle Littlefield, Architect, Sean Henry, VP, Randy Hart, VHB and Greg Arsenault. Carlton stated they have complied with zoning ordinance relative to building height, and density. There is adequate fire access and every building is ADA compliant. They submitted street lighting plan and there will be no spill over to the properties. There is adequate turning radius and the sidewalk connect to the MBTA site. They are within 100 feet of wetland and they will meet all Mass DEP standards. There are few retaining and they will submit engineered plans. The MBTA installed utilities which will be adequate for them. Michelle Littlefield has 20 years experience in working in Massachusetts. She stated 3 of the 4 buildings are flat roof buildings. They wanted to created something a little different unique to Taunton. Building #1 is the primary building with 100 units with 4 stories. The amenities will be on the ground level. They will have clapboard siding with more texture. They will offer large outdoor amenities including pool and tables. Building #2 is a 4 story building with 92 units and is less symmetrical. This building will have a fitness center, resident storage. Building #3 is the smallest with 23 units with 1,250 of amenities area including mailboxes and couches. Building #4 is a 3 story with 60 units. It's the longest façade with 2 red towers with 2,479 sq. ft. of amenities with white towers. This will have lounge, lobby, storage and possible pet wash area. Building #3 will have walk in simple retail tenant. All pedestrian will come through front doors that will face County St. Randy Hart explains traffic. They reviewed traffic for a project slightly larger that what was presented. They did traffic study along County Street and included all County Street improvements. There will be no change in the level of services which was rated a C which is acceptable. Chairman Abreau states the plans look good. Manny stated it was a good presentation and asked if they consulted with the neighbors? He took a walk out there and observed a major drop off to tracks which is a safety issue. He stated the neighbors have been there for years and now they are going to have a train track in backyard and this project. Mike B. stated they have committed to staying in touch with neighbors since they

went to Conservation Commission. They had an on-site meeting with neighbors and made some changes. They still have some neighbors who have issues and they offered to put trees but they have exhausted ideas. Manny stated they should be more worried about the extremely dangerous drop to the train tracks. He stated the 4 story building closest to the neighbors on Debra Drive concerns him. He asked how tall are the poles out there from the driving range? Tony answers the poles are about 70 -80 feet high. The 4 story building is 52 feet in height. Manny would be upset if a 4 story building was going in behind him. He asks they look into shifting the buildings. Mike B. stated MEPA has approved this plan and they tried to take level off but can't because of wetland and trying to balance parking. As a compromise they added a substantial screening. They are not proposing to remove any vegetation along the railroad tracks. They are proposing fast growing white pines with larger arborvitae. Manny stated the neighbor should be concerned about the drastic drop to the train tracks. Bob stated he works for the MBTA and the entire ROW will be fenced within a couple of weeks so no one can get there. Mike M. stated he's very familiar with the site as he swam in ponds over there. He asked about the 4 story building closest to abutters and asked if they could look at moving it. He stated now it's a dark place and now they will have a train station and a new housing complex. Mike B. stated they reduced that building to 4 stories and to reduce more would not be in keeping with their business plan. Mike M. suggested making building #1 5 stories and Mike B. stated it comes under a different code under the building code requirements. Brian stated the project itself is very broad and asked about the fiscal impacts. He stated in the submitted impact statement he thinks 20 children on site is very low. He doesn't think that is accurate. Brian stated the increase in population affects the Police, Fire, EMS services. Brian stated he voiced his concerns to the Planner about the newly created TOD. He has concerns but he knows they meet all the zoning requirements. Mike B. stated they are currently before the ZBA for a variance for a waiver of the providing affordable housing. They do vetting and background credit checks. Brian asked if they would allow migrants to live here? Mike B answers they must pass a federal background check. Brian stated he would like to see height reduced for that one building closest to neighbors. John asked if they are proposing any green area? Mike B. answers building 1 has some hardscape/softscape but they don't show any playground area. They might add a pet washing spa. Mike stated the elevator building will not be used by many people with children. He doesn't see people with families living here. Maybe a young couple starting out. John agrees they should reduce the height in one building. Dennis went through the MEPA report and it stated it was for 358 units. Mike B. stated yes MEPA approved more than what they are proposing here. They made changes and they will alert them of the changes. Dennis stated there will be 142 one bedroom and 142 two bedroom and with that he calculated an increase of 46,860 gallons of water/sewage. Mike B. answers they worked with Engineer and they will have to comply with Title V state law. Dennis suggest having a peer review. He doesn't like the height of building. He was appalled when he went out there and it sounded like you made a request or compensation offer in addition to some changes. Dennis suggests re-vegetate along the railroad and plant larger trees that what is being proposed. He stated the mobile station on Winthrop St. had to move some tall trees and they survived. Mike B. stated planting taller trees is unfeasible. Dennis stated you are only proposing 10-12 feet high trees and that's not fair to neighbors. The taller trees are available. He's protecting the neighbors and we have always looked out for the neighborhood. He want to ensure a playground area is there. Mike B. stated there will be an average of 2 people per unit and that is based on their New York complex. Dennis stated he came to Taunton in 1975 and he's here to protect the people that live here. The developer is not a Tauntonian. Mike M. stated he just looked quickly on the internet and you can find 25 foot tall trees in New England. Tony stated the height of the building seems to be a big issue and he thinks the MBTA is to blame. He walked the site and went into 55 Debra Drive yard and he thinks maybe the MBTA could put some kind of screening. He stated it's a good project for the community and the neighborhood is building up because the train is going in. Public input: Cheryl Monteiro, 55 Debra Drive said she has been in business since 200 and have developed over 115,000 units with 23 billion in capital. She asked respectfully that one



building be reduced to 3 stories. She has lived there for 31 years. They had a conservation meeting and then an on-site meeting and they stated they would plant 40 60 tall trees and now they are only proposing 10-12 foot high trees. They offered money for trees but they don't want that they want the building reduced. She stated the parking underneath is not feasible now? She is a mother and grandmother and she asking for mitigation. She stated now they are proposing Juliet balconies? Mike B. stated they are not proposing full balconies. He stated they will be 300 feet away from her property. Cheryl stated the building is 262 feet away and she stated they are talking money and we are talking quality of life. Opposed: Paul Monteiro, 55 Debra Drive stated his mom lives at 45 Debra Drive and building 2 is visible from his mom's house. His mom has lived there for 31 years. William Olson, 294 Plain St. supports his neighbors on Debra Drive. He has woods behind him and he is more impacted by the train.

Brian made motion to close public input, seconded by Manny. All in favor.

Brian thinks the Board is at an impasse with the height of building #2. Mike M asked how many unit son 4<sup>th</sup> floor of building and it was answered 24 units. Mike B. stated he grew up in Arlington, Ma and he respects everyone on the Board's concerns but by reducing the number of units by 24 will be unfeasible. Discussion took place on exploring reducing the size of building 2 and adding another story or two to another building. Mike B. stated they received conversation approval and if they change they may need to go back.

He asks for a 5 minutes recess to discuss with his team.

Dennis made motion to allow a 5 minute recess at 11:04 PM, seconded by Mike. All in favor.

Come back from recess at 11:09 PM.

Mike B. stated after consulting with their architect they can reduce a portion of building #2 to 3 stories and re-locate 14 units to other buildings. Mike says he trusts his architect Michelle on re-locating the 14 units to other buildings. Mike accepts providing a playground area. He stated this project is allowed as a matter of right. Dennis still wants to have 25 foot streets for the neighbors. He states if they can't get them then they can come back. Brian stated the reason for the bigger trees is for the screening of the taller building and they just agreed to reduce a portion of the building to 3stories. Discussion took place about the height of the trees. Mike B. stated he's been advised by his landscaped to not agree to 25 foot tall trees. They won't last and will die after the warranty. Dennis asked the neighbors if they are happy with the 10-12 ' trees and or if they wanted higher trees and they indicated higher. Dennis stated he promised he would stick up for the neighbors and if they want taller trees then he's going to ask for it. He stated we are giving them an out if they can't find then they can come back to the Board and we can waive it. It will be a minor change and so it won't be a public hearing. Dennis said he's only one vote but he's sticking by what he promised the abutters.

Dennis made motion to approve the Site Plan Review with dept. comments and the following conditions:

**Condition #1) That the plans dated June 22, 2023 shall govern with the following additional conditions;**

**Condition #2) Lighting shall not illuminate any portion of abutting properties**

**Condition #3) The site shall be kept clean and clear of debris**

**Condition #4) Two sets of as-builts shall be submitted upon occupancy for each building for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc**

**Condition #5) Two sets of updated plans shall be provided that conforms to this decision prior to Building permit**

**Condition #6) The drive thru shall be removed from building #5**

**Condition #7) Compliance with conservation commission order of conditions #3050**

**Condition #8) The landscape plans approved by Conservation commission shall be incorporated into the plan set**

**Condition #9) A stamped engineered design shall be submitted and approved for any retaining walls over 4 feet prior to building permit**

**Condition # 10) A portion of building #2 (north side) shall be reduced to 3 stories and those 14 units shall be re-located to other buildings.**

**Condition #11) Provide a playground area for younger children.**

**Condition #12) Plant 24 trees that are a minimum of 25 feet tall in place of the 24 trees being proposed on the northern side of Building #2. Condition could be waived at a future meeting (March 2024 or after) if petitioner proves they cannot locate them or that they will not survive (it was stated this would be a minor change and the Planning Board would waive and the approval would revert back to the original plantings as presented on plans.)**

**Notes – Compliance on the following:**

**Note 1) DPW permits are required including city licensed contractor, road opening and trench permits. Plans shall be submitted to DPW for water services, fire service line, gate valves and curb stops**

**Note 2) DPW specifications shall apply including backflow devices, pressure testing, materials, installation, inspection and approval and prior notice is required before any city water work is to be performed and inspections are required prior to backfilling**

**Note 3) Compliance with the July 15, 2023 letter from the Taunton Commission for individuals with Disabilities for relevant AAB accessibility requirements.**

<b>Vote:</b>	<b>5 In Favor</b>
<b>Anthony Abreau</b>	<b>YES</b>
<b>Dennis Ackerman</b>	<b>YES</b>
<b>Robert Campbell</b>	<b>YES</b>
<b>John Reardon</b>	<b>YES</b>
<b>Manuel Spencer Jr</b>	<b>YES</b>
<b>Brian Carr</b>	<b>YES</b>
<b>Michael Monteiro</b>	<b>YES</b>

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**Public Meeting-Site Plan Review – 68 Church Green (a.k.a. parcels 66-424 and 66-426) to allow a 30 unit residential development in the Urban Residential District, Submitted by Boston Capital Development Partners, LLC, owned by Taunton Church Green Realty, LLC.**

Atty. Brianna Correia, Cliff Boehner, Architect, Rich Mazocchi, Mg. Dir., Jacob Lemieux, P.E.. were invited into the enclosure. Atty. Correia states they are proposing 30 units with 2 bedroom, 2 story building for first-time homebuyers. They hosted a neighborhood community meeting in March. The museum owns the right of way but they have a right to use it for access. They went to ZBA for frontage & lot width variances and received approval. They have 63 parking spaces and 3 handicapped parking spaces and per the fire dept. has sufficient access. They had no one opposed at the ZBA meeting, in fact they had 3 abutters in favor. The ZBA placed 2 conditions on the approval. One being a 6 foot fence (not white) and the other was to comply with Mass Housing Commonwealth Builders Program guidelines. They met with DIRB on 7-25-23 and it was a positive meeting. They met with Water, DPW and Sewer dept. to go over fees. It was a very productive meeting. The building was previously used as medical building with 10-12 doctors. The building is vacant and is kind of an eyesore and a headache with trespassers. The owner tried to develop before but they think this proposal is much nicer. The site currently is paved with buildings located on it. Her clients has been in business since 1974 with over 200,000 units with places in Worcester, Lowell, Nashua. They will operate under the Mass Housing Commonwealth Builders program. They will set aside 4 units at 80% of the medium income. It will be under this program for 30 years. They will have a lottery and local preference to city residents and municipal employees. Cliff explains the architect of the buildings.

They were sensitive to neighbors by keeping in only 2 stories in height with a low roof line. They will install a storm water management put in landscaping, site lighting, and provide private patio space in back. They have a commercial area in the middle and the walkway from along the ROW connects to the development. Each unit will be under 1,000 sq. ft. with grade level entry. They will have ½ bath first floor and 2 Bedrooms & 1 bath on second floor. These units will be very efficient with people on a limited income. Jacob explains the site. The existing condition include a small grass area between building with the entire site being paved. They are meeting all other zoning requirements other than the ones they received variance for. The parking spaces will be 9' x 18' with a 22 foot wide aisle and curbing. They will have 63 parking and that includes 3 extra. They have provided snow storage area, and have a center island with a primary one-way around. All units have patios and there will be an 18' x 20' dumper enclosure. They are working with the DPW for the new sewer line or extension per DPW. Each building will have 6' supply with 4" for fire suppression and 2" for residential water feed. They have 2 existing sewer lines for the site Both 4" lines are inadequate and they will be putting in a new 8" line with a dog house manhole from Church Green. They will meeting all storm water Management regs. They have 25' wide pervious pavement with 4" deep stone reservoir beneath which will reduce imperious area by 16,000 sq. ft. Now the site floods and they will have 9,500 sq. ft of .storm water storage with 12,500 sq. ft. infiltration which will reduce the overflow to abutters. They have accommodated for the 100 year storm . The roof drains are routed to the subservice leaders. They will install silt sacs in all catch basins and straw waddles along the site. They will construct temporary swales & ponds to capture any water from silt. They will have landscaping around entire site. Some will be on the museum property and will be owned & maintained by them. Brian stated the presentation was very professional. He's happy to see they had a community meeting and it went well. He's happy they rectified the entrance way issue and happy to see first choice for Taunton residents and municipal employees. He asked if there would be a fee paid by each unit? It was answers yes they will have monthly fees paid to management company. It was asked if they can lease units and it was answered no. Dennis stated this is the 3<sup>rd</sup> time he has seen this project. He asked if they would be asking the City for any waivers and it was answered no. He asked if they would, if asked provide a copy of their proforma? It was answered yes. Atty. Correira stated they have answered questions regarding constructions costs. Dennis stated he asks the same questions and he says the neighbors are here tonight and we will see if they are satisfied. Tony stated they met with them on the fees for water /sewer and thinks this project is good. This will promote housing. The units will sell for \$250,000 affordable and \$450 for market rate units. Manny stated the entire site is electric and asked if they looks at solar energy? It was answered they did not do a solar analysis because it's a little hard with sloped roofs. Manny asked what happens if the management fees goes up? Initially they have units sold, the homeowner's association is established and then the residents will have say in the management. Mike thought it was a great presentation also. He asked about adding lighting to the dumpster area. He asked how big the units are and it was answered under 1,000 sq. ft. Will there be any storage units or shed for owners to use? He asked what if management company changes can fees go up. It was answers yes the HOA choose their management company. John asked what happens if person with a disability moves in do they accommodate for that? It was stated ownership is different that rental. It's their responsibility to make their own unit accessible. They do have units with no step entry and if they wish to convert to be ADA accessible it's their responsibility. Bob asked about the note on the northwest corner and the retaining wall by others? What does that mean? If just means that they need to have a civil engineer doesn't design it, they will need a structural engineer do it. He asked what type of fence are they proposing? A 6 foot vinyl fence preferably no white. That was one of the ZBA conditions. He asked about the landscaping along the right of way and have the museum owner take care of it. He suggested adding sidewalk to dumpster. He asked about the ADA comments and they answers there will be ramps. Bob asked the site distance and it was answered they can keep shrubs because they have the site distance. They will work with the City for the corner site distance. Mike asked about the parking for the

museum and suggests signage. Public Input: William Hanna, rep. Old Colony and stated they have had continued talks with applicant and they have been treated well and he supports the project. Mike McCloskey, 172 Bay St. is a taxpayer and he thinks the proposal is good. Bruce Thomas, 48 Church Green, is in favor. He has no flooding now and wants to keep it that way. He asked if they will have a management company all the time? He asked about the trees along his property line and what if planting die, they should be required to replace as he was on his recent approval. He stated fair is fair. Dennis suggests having their engineer give Bruce their plans for review. Discussion took place if there is a problem with the plantings whose responsibility is it to replace? Bruce doesn't want any flooding on his property. It was stated the site is held to the requirements of Mass. Housing for 30 years. It was asked about snow storage and they said they will haul it out and /or have the management company remove it. Dennis asked if approved when do they plan on starting construction? It was answered demo in September and start in October 2023. Dennis asked how can we get assurance they will work closely with Bruce? They agreed to work with Bruce.

**Mike made motion to approve the SPR with the dept. comments & conditions:**

**Condition #1) That the plans dated July 7, 2023 and revised on July 27, 2023 shall govern with the following additional conditions:**

**Condition #2) Lighting shall not illuminate any portion of abutting properties**

**Condition #3) The site shall be kept clean and clear of debris**

**Condition #4) Two sets of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc**

**Condition #5) Two sets of updated plans shall be provided that conforms to this decision prior to Building permit**

**Condition #6) Stormwater controls to control and contain water on site during construction shall be in place**

**Condition #7) Compliance with ZBA case # 3728 is required**

**Condition #8) Provide lighting at entrance to dumpster enclosure**

**Condition #9) Post sign for museum parking.**

**Condition #10) Management company to remove snow from site if designated snow area is full.**

**Notes:**

**Note 1) Compliance with code related comments from the Water Division as follows: DPW permits are required including City licensed contractor, road opening, and or trench. DPW permits are required including city licensed contractor, road opening and trench permits. Plans shall be submitted to DPW for water services, fire service line, gate valves and curb stops**

**Note 2) DPW specifications shall apply including backflow devices, pressure testing, materials, installation, inspection and approval and prior notice is required before any city water work is to be performed and inspections are required prior to backfilling**

**Note 2) Compliance with the Commission on Individuals with Disabilities letter for code related comments as follows:**

- 1. All AAB/ADA regulations to be followed for both exterior and interior.**
- 2. Accessible routes need to be provided to all areas (curb cuts, detectable warnings, etc ) per 521 CMS 20.00,. Including to patios and gazebos. Gazebo also needs to be accessible.**
- 3. Accessible parking spaces to be accessible route to accessible entrance. There are 63 parking spaces identified. This would require 3 accessible parking spaces (including identified as accessible van parking) per 521 CMA 23.00**

**4. Signage for accessible parking spaces (International Symbol of Accessibility) per 510 CMR 41.00**

<b>Vote:</b>	<b>7 In Favor</b>
<b>Anthony Abreau</b>	<b>YES</b>
<b>Dennis Ackerman</b>	<b>YES</b>
<b>Robert Campbell</b>	<b>YES</b>
<b>John Reardon</b>	<b>YES</b>
<b>Manuel Spencer Jr</b>	<b>YES</b>
<b>Brian Carr</b>	<b>YES</b>
<b>Michael Monteiro</b>	<b>YES</b>

Meeting adjourned at 11:27 PM

