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Stoughton Town Hall
10 Pearl Street
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Planning Board
Daniel Kelly, Chairman
Paul Demusz, Vice Chairman
Paul Beliveau
Richard Terry
Dennis Walsh

PLANNING BOARD MEETING MINUTES Thursday, March 23, 2023

The Stoughton Planning Board met on Thursday, March 23, 2023 at 7:00 P.M. at the Stoughton Police Station, Community Room, 26 Rose Street, Stoughton, MA relative to the following agenda item for the purpose of receiving public comments.

The following members were present:

Daniel Kelly
Paul Demusz
Richard Terry
Dennis Walsh
Paul Beliveau

Also present were: William D. Roth, Jr., Town Planner; Pam McCarthy, Acting Town Planner; and Craig Horsfall, Assistant Town Engineer.

Everyone stood as we recited the Pledge of Allegiance.

The Planning Board meeting was called to order at 7:00 p.m.

Motion by Mr. Demusz to open the public meeting, seconded by Mr. Terry. All in favor, Chair Kelly, Mr. Demusz, Mr. Terry, Mr. Walsh, and Mr. Beliveau. Motion Approved 5-0.

Chair Kelly welcomed everyone to the Planning Board meeting of March 23, 2023. The meeting is being taped by SMAC, and requested that everyone act accordingly. He introduced the new Town Planner, William Roth, and welcomed him aboard.

Mr. Roth stated that he has worked at a Planner in southeastern Massachusetts for 22 years, has over 30 years of experience in planning, and looks forward to working in Stoughton.

Chair Kelly has no additional comments and he is taking the Agenda out of Order.

Item #3. Tosca Drive, Central Street, Canton Street Intersection Layout Alteration Review (Craig Horsfall, Assistant Town Engineer) – (Vote May Be Taken)

Mr. Horsfall explained that we discussed this at the last meeting and is looking for approval from the Planning Board. This project has been worked on for a few years and the Plan was prepared on December 8, 2021 and revised on September 12, 2022, with slight alterations being made.

Motion by Mr. Demusz to Approve the Plan with the proposed alterations to the Tosca Drive, Central Street, Canton Street Intersection Layout Alteration Plan, and seconded by Mr. Terry. All in favor, Motion Approved 5 -0.

Motion by Mr. Demusz to open Item #8, 400 Prospect Street, Fire Station, and seconded by Mr. Terry. All in favor, Motion Approved 5 -0.

Item #8. Deliberation on 400 Prospect Street – Stoughton Fire Station for Site Plan Approval under 10.6, “Site Plan Approval” of the Town of Stoughton Zoning Bylaws Votes may be taken.

The Board reviewed the Decision and read each of the Special Permit Conditions into the record:

1. The Applicant shall record the O&M Plans. Proof of recording shall be submitted to the Planning Board and the Engineering Department prior to the issuance of a Building Permit;
2. A Sewer Connection Permit for the project is required to be issued by the Engineering Department prior to the issuance of a Building Permit Plan;
3. The entire drainage system shall be cleaned by the Applicant at the end of construction;]
4. A set of construction plans shall be submitted to Engineering;
5. A final As-Built shall be submitted for review by the Engineering Department prior to the Certificate of Occupancy;
6. Offsite traffic improvements shall be installed per the Technical Memorandum prepared by GPI, dated January 11, 2023;
7. There will be no screening required for roof top equipment. If sound produced by roof top equipment is report by the neighbors and is determined to be detrimental the neighborhood, the applicant shall be required to return to the Planning Board to discuss the noise generation and to determine effective methods to mitigate the noise to acceptable levels; and
8. The landscaping plan shall be finalized at a future meeting by the Planning Board.

The Board discussed the Decision and the signed Decision will be added to the Updated Plans.

Motion by Mr. Beliveau to Approve the Plan, accept all conditions to the Fire Station project located at 400 Prospect Street, and sign the Decision, and seconded by Mr. Demusz. All in favor, Motion Approved 5 -0.

Motion by Chair Kelly to close the public hearing for 400 Prospect Street, and seconded by Mr. Demusz. All in favor, Motion Approved 5 -0.

Motion by Mr. Demusz to open Item #4, 445-449 Page Street, and seconded by Mr. Terry. All in favor, Motion Approved 5 -0.

Item #4. A Continued public hearing will be held on the petition of the applicant and owner, PVG Five LLC, 164 Washington Street, Plainville, MA 02762 and represented by Barry R. Crimmins Esquire, Law Offices of Barry R. Crimmins, P.C., 909 Washington Street, Stoughton, MA 02072 for Site Plan Approval under Section 10.6 for the construction of a 5 story 90-room hotel addition for the property located at 445-449 Page Street (further identified on Assessors Plan No. 95, Lot 36) located in the Industrial (I) Zoning district and any other relief that may be required relative thereto.

Attorney Barry R. Crimmins, 909 Washington Street, Stoughton, MA, introduced himself, along with Brian Dunn, Project Engineer, on behalf of his client, PVG Five, LLC. He was before the Board in November and they requested revisions of the Plan. They have been done and submitted to Craig Horsfall, Assistant Town Engineer, and the Board. Some of the changes include updating the parking and clarifying some issues. They had previously proposed compact parking spaces, and now they are all standard spaces. The only waiver they are seeking is the number of spaces; they changed the setback of the building; and have provided a field source generator for natural gas. They have updated the erosion control and provided records of the cleanout for the grease trap. The existing parking has enough spaces when there is full occupancy. Since they are closing ninety (90) rooms, there is no parking issue.

Mr. Horsfall stated that his number one question is the size of the parking spaces and if it is adequate for standard spaces. They number of spaces required is 190, and they are seeking a waiver for 177 spaces, which is 30% and losing thirteen (13) spaces. Fifty-three (53) are compact spaces and the rest are full/standard. They have revised the rear parking with one hundred (100) full size spaces and eighteen (18) compact. All other comments have been addressed.

Mr. Dunn explained that that they have tried to minimize the parking that is existing and bring it up to engineering standards, along with landscaping.

Chair Kelly stated that he did a site visit and would like the plan to show the southern entrance be a one (1) way in, not the existing two (2) in and two (2) out. He is trying to protect the neighbors who live across the street, who have head lights directed at them all the time.

Mr. Dunn explained that this will create an internal issue with a one-way circulation around the building. If the southern entrance is one way in, he prefers leaving a two-way site circulation around the building, but reducing entrance to 20-feet and signed do not enter, along with discussing different routes.

The Board requested a plan showing what the Applicant is suggesting in regarding to the driveway, along with landscaping showing the required pictures, types, colors, and sizes of the proposed plantings.

Attorney Crimmins suggested taking a vote tonight with a condition of approval for the revision of the entrances and species of the landscaping.

Chair Kelly stated that they will have a Decision prepared for the next meeting, at which time they will vote on this project.

Motion by Mr. Demusz to continue this hearing until April 27, 2023, and seconded by Mr. Terry. All in favor, Motion Approved 5 -0.

Motion by Mr. Demusz to open Item #5, 239 Pleasant Street, and seconded by Mr. Beliveau. All in favor, Motion Approved 5 -0.

Item #4. A New Public Hearing will be held on the petition of the applicant, Louis Assisted Living, LLC and owner Yolande Louis, 36 Lunda Street, Waltham, MA 02451, represented by Terrence P. Morris, Esq., 57 Elm Road, Newton, MA 02460 for Site Plan Approval under Section 10.6, "Site Plan Approval," of the Town of Stoughton Zoning Bylaws; for the proposed building renovation to create a 13 Bed Assisted Living Facility and the construction of 16 parking spaces to be located at 239 Pleasant Street (Assessors Map 067 Lot 301), in a RU (Residential Urban) Zoning District.

Attorney Terrence P. Morris, of Elm Street, Newton, MA, introduced himself along with the owner, Yolande Louis, and John Clausen, Engineer. He explained that this project was started before the Pandemic, and they received a Special Permit from the Zoning Board. They are proposing a building renovation to create a thirteen (13) bed assisted living facility, along with creating sixteen (16) parking spaces. There will be four (4) staff members per shift, and the residents will be between the ages of 60 – 85. It is likely they will have no automobiles, and estimate less than five (5) cars for the residents. Visitation is mostly on weekends and there is rarely a parking problem.

The location of the parking lot drops down towards the back of the property, and to left of the building is an existing curb cut, which was previously used for parking. They feel the parking in the rear is less intrusive. There is fence along the eastern lot line and it is wooded in the rear. The northwest corner rises to a knoll; and to the right in the upper right hand corner there is a walkway that will tie into the existing handicapped ramp. The lighting fixtures will face the building, and the trash/dumpster area in the southwest corner will be screened. They are seeking relief for the width of the driveway.

John Clausen, Engineer, from Walpole, MA stated that he has done a lot of work in the Norwood/Walpole area and done a few projects in Stoughton. He has taken over the project and been reviewing with Mr. Horsfall. There are no sidewalks and the location to the right of the building is not a good location for the handicapped space. They prefer parking in the rear and they will provide a walkway. He also provided a new drainage design with an underground basin in accordance with the 100-year storm. He also feels that twenty (20) feet is wide enough for the driveway since there is a slope between the driveway and the house and wanted to avoid using retaining wall. He reviewed the fire suppression systems and they are looking for the inspection records to see if they are on file. If they can't find the records, they will hire someone to do the inspection. There is curbing along the parking area and the driveway, only on the road side.

Mr. Horsfall had concerns with the parking lot curbing which runs along the inside of the dumpster pad, and stated that they have made a lot of progress on these plans since the last submission. He is requiring a stamped Plan from the Engineer, and that the walkway in the front of the property is not necessary but is required by the Zoning Board. If the Planning Board or applicant don't want to provide the sidewalk, the applicant must go back to Zoning Board of

Appeals. It is quite expensive and the applicant doesn't feel it is necessary because it doesn't go anywhere. He feels that the driveway should be twenty-four (24) feet wide not twenty (20) feet. There needs to be room for loading, unloading, emergency vehicles, or fire equipment.

Chair Kelly had concerns about the length of the walkway from the rear to the front door; putting the parking on the left side of the building where they won't be any fighting the grading; and keeping the curb cut away from the intersection. He also stated that he respects Craig's opinion.

The single catch basin unit which is doing all the collections on site was also discussed, along with the separating unit being placed in it. A TSS unit will prolong the life of the infiltration system, and needs to be on the Plan.

Mr. Horsfall put the revised landscape plan (which was just received from the Applicant), on the screen for review. The plan showed a minimum view of the walkway, different species of plantings, and the woods behind the parking lot. They are not taking down any trees and there is a fence along the neighbor's property.

Chair Kelly was concerned with the operation of the facility and would like to have a closer look at the project to understand what they are doing with the parking and the walkway. He had concerns with lighting and the effect on the neighbors, and would like a full lighting plan.

Paul Carter of Birch Street had questions about the facility: number of beds; wheel chair accessible; walkers; and food prep on the premises. He could find no definition of assisted living anywhere in the bylaws.

Mr. Horsfall stated that he is hearing a different answer regarding food prep than what he was originally told. If they are preparing food, they have to follow the plumbing code and need a grease trap. Two (2) different ones are required: interior and exterior. In addition, the walkway and a ramp was discussed, along with additional fencing for the neighbors, the lot lines; infiltration system; and a twenty-four (24) foot driveway.

The Applicant requested a continuance until April 27, 2023 with all document submitted by April 13th.

Motion by Mr. Demusz to continue this hearing to April 27, 2023, and seconded by Mr. Beliveau. All in favor, Motion Approved 5 -0.

Motion by Mr. Demusz to open Item #6, 214 Washington Street, and seconded by Mr. Terry. All in favor, Motion Approved 5 -0.

Item #7. A New Public Hearing will be held on the petition of the applicant, A.A. Will Materials Corp., 198 Washington Street, Stoughton, MA 02072 represented by Francis C. Crimmins, Jr., AB Initio Elder Law Solutions, LLC, 247 Washington Street, Unit Tow, Stoughton, MA 02072 for Site Plan Approval under Section 10.6 for the change of use including the addition or relocation of five (5) or more parking spaces (grading and paving of retail landscape display area, material storage and parking areas with required drainage systems) at the property identified as 214 Washington Street (further identified on Assessors Plan No. 57.

Lot 112) located in the General Business (GB) zoning district and any other relief that may be required relative thereto.

Chair Kelly read into the record: "A New Public Hearing will be held on the petition of the applicant, A.A. Will Materials Corp., 198 Washington Street, Stoughton, MA 02072 represented by Francis C. Crimmins, Jr., AB Initio Elder Law Solutions, LLC, 247 Washington Street, Unit Tow, Stoughton, MA 02072 for Site Plan Approval under Section 10.6 for the change of use including the addition or relocation of five (5) or more parking spaces (grading and paving of retail landscape display area, material storage and parking areas with required drainage systems) at the property identified as 214 Washington Street (further identified on Assessors Plan No. 57, Lot 112) located in the General Business (GB) zoning district and any other relief that may be required relative thereto."

Attorney Francis Crimmins, Jr., introduced himself, along with Frank Wills, 4th generation owner, and Ron Tyberi, Project Engineer. They have been in business for 50 years and Mr. Will's son Kevin is on vacation and he is the 5th generation. There is a building which is set back, that they have tried to purchase for 30 years and have finally been able to. Documents were passed out for the Board to review.

Mr. Will explained that his company sells pavers, flagstone, granite, and any type of landscape equipment, to contractors and homeowners including a retail store area. They are trying to make an area for homeowners to get away from the contractors and professional landscapers to establish a certain level of comfort. Hopefully they can direct homeowners to an outdoor showroom to show them visually what they do. Between the property there is an existing wall and they would like to make a cut-thru in the area where materials are now being stored, and make a walkway. Trucks travel thru this area now and they will create a safe walk thru. He further explained that MassDOT requires an access permit if there is a change of use. They have submitted an application and it is in process. They plan on paving to the right of the property line on the north side and will need a waiver to allow for the setback (of five (5) feet) to allow this. He also explained that they are creating another lane and have talked with Engineering about extending all the way down York Street.

The Board requested that the Plans be revised to show the limits of the outdoor areas; where the limits are and that they do not interfere with parking; more information on the southern side of the property; a description of the paver display area; elevation plans; and more definition on exactly what is going on.

The Applicant further explained that the display area is rectangular and approximately 17,000 square feet. There are trees in the rear; some trees in the front will come down; and some trees will stay in certain areas.

Chair Kelly would like fencing put in near the U-Haul property and would also like to see a landscaping and tree removal plan.

The Applicant requested a continuance until April 27, 2023 with all document submitted by April 13th.

Motion by Mr. Demusz to continue this hearing until April 27, 2023, and seconded by Mr. Beliveau. All in favor, Motion Approved 5 -0.

Motion by Mr. Demusz to open Item #7, 710 Turnpike Street, and seconded by Mr. Beliveau. All in favor, Motion Approved 5 -0.

Item #7. A New public hearing will be held on the petition of the applicant Best Price Signs and Printing Corp., 244 Liberty Street, Suite 8, Brockton, MA 02301 and the owner Iglesia de Dios Pentecostal, 710 Turnpike Street, Stoughton, MA 02072 for a Special Permit under Section 6.2.7, "Special Permit" of the Town of Stoughton Zoning Bylaws to install a sign in such a way that will exceed the maximum allowable size on the property located at 710 Turnpike Street (further identified on Assessors Map 91, Lot 2) located in the Residential – Suburban B(RB) zoning district.

The representative from Best Price Signs and the church pastor, Iglesia de Dios, explained that they would like to install a new sign that exceeds the maximum allowable size on the property and remove the existing sign. It is a simple sign with no lighting.

Mr. Horsfall stated that he did not do a formal review, and the proposed sign will be sixteen (16) feet from the curb line and five (5) to six (6) feet off the existing property line.

Chair Kelly explained that this property needs a cleanup and he felt a new landscaping plan should be provided.

The Board explained that they need to provide a landscape plan to the Board and come back when it is complete. They need to submit the new plans by April 27th if they want to come back to the Board for the May 11th meeting.

Motion by Mr. Beliveau to continue this hearing until May 11, 2023, and seconded by Mr. Terry. All in favor, Motion Approved 5 -0.

Motion by Mr. Demusz to open Item #8, General Business, Minutes, and seconded by Mr. Beliveau. All in favor, Motion Approved 5 -0.

Item #8. General Business - Minutes

Ms. McCarthy explained all the edits and corrections made to the Minutes of February 9, 2023.

Motion by Mr. Demusz to Approve and Accept the Minutes of February 9, 2023 with all corrections, and seconded by Mr. Beliveau. All in favor, Motion Approved 5 -0.

Adjournment

Motion by Mr. Kelly to Adjourn, seconded by Mr. Demusz. All in favor, Motion Approved 5-0.

The meeting adjourned at 9:10 pm.