

RECEIVED
STOUGHTON, MASS.

2023 MAY 26 A 9:51

OFFICE OF
CLERK

TOWN OF STOUGHTON

Massachusetts
MA 02072

Stoughton Town Hall
10 Pearl Street
(781) 341-1300 x9201

Planning Board
Daniel Kelly, Chairman
Paul Demusz, Vice Chairman
Paul Beliveau
Richard Terry
Dennis Walsh

PLANNING BOARD MEETING MINUTES Thursday, May 11, 2023

The Stoughton Planning Board met on Thursday, May 11, 2023 at 7:00 P.M. at the Stoughton Town Hall, Great Hall, 3rd Floor, 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: Craig Horsfall, Assistant Town Engineer; William D. Roth, Jr., Town Planner; and Karen Lawlor, Recording Secretary.

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. Beliveau. 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 May 11, 2023. The meeting is being taped by SMAC, so everyone should act accordingly. He was no Chairman's comments, and can we have a motion to open Item #2, Stoughton Logistics.

Motion by Mr. Demusz to open Item #2 – Stoughton Logistics, seconded by Mr. Terry. All in favor. Motion Approved 5-0.

Item #2. A NEW public hearing will be held on the petition of the applicant IV3 Stoughton Logistics Park LLC, (c/o Tyler Mordas of Brookfield Properties) 1 Meadowlands Plaza, Suite 301 , East Rutherford, New Jersey 07073 and owners: T.L. Edwards, Inc. and Edwards Acquisition LLC of 100 Wales Ave Avon , MA 02322 and J.F. White Contracting Co of 56 Old Page Street Stoughton, MA 02072, represented by Langan Engineering & Environmental Services, Inc. of 100 Cambridge Street Suite 1310 Boston, MA 02114 for a Special Permit under Section 6.4.5.5 Site Landscaping and 6.4.7.2 General Landscape Guidelines, for the proposed development of (3) Industrial Warehouse Buildings to be located at 0 Maple Street (Assessors Map 093 Lot 011), 45 Maple Street (Assessors Map 093, Lot 012), 0 Turnpike Street (Assessors Map 093, Lot 014), 1157-1185 Turnpike Street (assessors Map 093, Lot 016) , 0 Page Street (Assessors Map 093 Lot 017), 162 page Street (Assessors Map 094 Lot 050) and 56 Old Page Street (Assessors Map 093, Lot 007) in an I (Industrial) Zoning District).

Attorney R.J. Lyman introduced himself, along with Hillary Holmes. He explained that they are working with other Boards and this is the sixth time they are before the Planning Board. They are here tonight for a Special Permit for Landscaping in the parking areas. He presented an aerial view of the site and pointed out the improvements. Maple Street is at the top of the plan; Turnpike Street is on the left; and Page Street is to the right. They are proposing three (3) buildings with a total area of 880,000 square feet, along with loading docks and tractor trailer parking. They are accessing this property from Page Street with no truck access from Turnpike or Maple Streets. Old Page and Page Streets have an existing 60-foot access for trucks to come in and exit out, with a gated area for emergency vehicles. They are seeking a waiver under Section 6.4.5.5 for landscaping on parking and truck loading areas. Given the nature of the area, along with maneuvering, there doesn't allow much space for parking and landscaping, but they do have the required landscaped area including 10% open space conservation set aside as required by the Zoning Board of Appeals. He presented a plan showing the "common land" in green, and also a plan showing the previous common land. He made one (1) request at the Zoning Board, to make the common land a more compact area. This new Plan shows how they are tying into the landscaping and a variance was given; along with having 12% slightly more than the required 10% requirement.

An abutter questioned why a variance is need, since they never had parking in this area before, and trucks couldn't get by.

Mr. Mullen of 19 Clover was concerned with the waiver being requested of the Board. Why are islands in the parking lot not required, and is it because of the turning radius?

Mr. Horsfall explained that under the By-Laws, the required interior landscaping is met in the vehicular parking lot, and only for the tractor trailer location is being requested to be waived by Special Permit. He stated that Section 6.4.9, Special Permit, may be waived by the Board, as long as it is not creating a substantial detriment.

Rose Eckler had concerns about the employee parking lot and number of spaces; and if this has met all of the landscaping requirements.

Peter Murphy had concerns about the number of spaces and snow removal, and if there is any green space at the existing Amazon parking lot area?

Hillary Holmes presented the site plan and all snow removal areas are designated on the plan. If additional spaces are required in the future, they will be required to come back to the Planning Board.

Mr. Terry suggested that since the Developer knows what is required, the solution would be to scale back the project and make the buildings smaller. This would solve problems.

Mark Joyce of Palmer Lane had concerns about the quantity of open space and is hoping it meets the requirements in the truck parking spaces. Also, is the 10% required coverage, increased or being waived?

Jack Eckland asked if this waiver has been granted before, and the Board explained that it had been granted for a storage area near Ikea and for BJ's.

Attorney Lyman explained that Terry Edwards owns this property and rents out space. This is a completely different property and are creating a big change and transition of this area, and creating taxes to the Town of over \$2M per year.

Mr. Demusz stated that this is much safer doing the parking lot this way.

Motion by Mr. Demusz to Approve the Special Permit for Landscaping for Stoughton Logistics, seconded by Mr. Beliveau. All in favor. Motion Approved 5-0.

Motion by Mr. Demusz to open Item #3 – Stoughton Logistics, seconded by Mr. Terry. All in favor. Motion Approved 5-0.

Item #3. A Continued public hearing will be held on the petition of the applicant IV3 Stoughton Logistics Park LLC, (c/o Tyler Mordas of Brookfield Properties) 1 Meadowlands Plaza, Suite 301 , East Rutherford, New Jersey 07073 and owners: T.L. Edwards, Inc. and Edwards Acquisition LLC of 100 Wales Ave Avon , MA 02322 and J.F. White Contracting Co of 56 Old Page Street Stoughton, MA 02072, represented by Langan Engineering & Environmental Services, Inc. of 100 Cambridge Street Suite 1310 Boston, MA 02114 for Site Plan Approval under Section 10.6, "Site Plan Approval," of the Town of Stoughton Zoning Bylaws; and certain Special Permits under Section 6.1 Off Street Parking and Loading and Section 6.4.4.1 Vegetation Standards, for the proposed development of (3) Industrial Warehouse Buildings to be located at 0 Maple Street (Assessors Map 093 Lot 011), 45 Maple Street (Assessors Map 093, Lot 012), 0 Turnpike Street (Assessors Map 093, Lot 014), 1157-1185 Turnpike Street (assessors Map 093, Lot 016) , 0 Page Street (Assessors Map 093 Lot 017), 162 page Street (Assessors Map 094 Lot

050) and 56 Old Page Street (Assessors Map 093, Lot 007) in an I (Industrial) Zoning District).

Chair Kelly explained that the Applicant has been before the Board on numerous occasions; we have made various requests; the Applicant has made changes; worked with the Board and all Departments; and has done everything we have asked of them.

Mr. Horsfall stated that the Applicant has addressed all comments.

Attorney Lyman explained that solar installations have been requested and all landscaping requests have been completed. They are proposing to donate \$50,000 for a tree fund to be administered and planted by the Town.

Ms. Holmes explained that in March the Planting Plan was revisited and they have increased the number of plantings. They have added more restoration trees to address the removal of the 6" in diameter and over; proposing 759 trees be planted; and have increased the trees from 11% to 16%. She presented and explained the restoration plan. She showed what the plan looks like when planted and what it will look like at full size (in approximately 8 years). They have added an additional 384 plantings and can provide smaller plants in gallon containers. They have incorporated different types of trees which provide carbon, at the Boards suggestion, including maples, lindens, and poplar.

Mr. Beliveau stated that he is very encouraged by more plantings and it will look like a showplace when completed. It is restoring and putting the plants back to nature, and need to be taken care of and encouraged to grow.

Mr. Fox, Town Meeting member, 24 Pleasant Street, had concerns about the Traffic Study, including amount of spaces for 500 employees, and a 24-hour operation. These people are the landlords, not the tenants. They are estimating 1,000 trips a day when it realistically can be 3,000 trips. Also of concern is the psychology of the people parking. Everyone is coming to work and getting stuck behind trucks. Traffic will affect Pleasant Street, with 10% of traffic going down Pleasant Street. Also, not discussed is the intersection at Central and Pleasant Streets: no assessment and has not been discussed. He doesn't feel this report is complete and braking and back up beeps will be annoying. He feels there should be a cash bond for wear and tear on the roads. He referred to a comment made by Joe Scardino, stating that our taxes should not pay for the roads being worn down by these trucks. We should be resurfacing Page Street. In conclusion, these reports are not accurate and should be readdressed, along with the quantity and number of employees.

Attorney Lyman explained that his client is the largest owner/developer of these facilities and has designed this in the best possible way. The Traffic Engineers follows specific Rules & Regulations and Forms. They also had a second independent peer reviewer who prepared a second review and the client also paid for that.

Joe Eckland asked what is the backlash for Caterpillar being built. Was a traffic study done for that project and what is the expected impact. Also, can they come through Avon Industrial Park? The Board should be looking into that too.

Rose Eckland stated that she just found out about this project. There are traffic issues on the road near Target. This road will need to be repaired and repaved. There are 198 loading docks for this project? That is too much, so just pave and fix Turnpike and Page Streets. The Board needs to research the traffic on state owned roads. How can you put so many parking spaces on one (1) lot? Aren't there thresholds, and you should be getting permits from MassDOT. She has read the MassDOT website and it stated "to ensure there is no back up on a state highway". She is requesting a traffic report and permitting be done through MassDOT in order to be in compliance with the state.

Attorney Lyman explained that he wrote the thresholds for MassDOT, and they are following all rules and are in compliance and up to standards.

Peter Murphy of 60 Peters Drive had two questions: How many trucks are registered in the Town of Stoughton; and is there a proposal for irrigation of the plantings, and how much water will be consumed. He feels \$50,000 is a drop in the bucket for the Applicant. They should be bringing something into the Town. This is not fair to the residents, and this project is for the Applicant's benefit. He agrees to disagree with the Applicant and stated that he feels this project slid under the radar.

Mr. Fox, a resident, stated that communication is a big problem in this town and he didn't know about this project. We need larger representation and each Town Meeting member should be notified and emailed information about each project. The parking lot is lower than the rest of the property, where is the water going?

Ms. Holmes explained that the water usage for the building and irrigation has not been determined yet. They don't have any numbers. The storm water system has been greatly expanded and there are bio retention and sub-surface systems; and extensive work has been done in this area. They have had a third party review and worked with Environmental Partners, Town's consultant, on this project. We have met all stormwater regulations and all state bylaws.

Chair Kelly stated that the Planning Board requires a cash bond for the landscaping that they hold until the end of first growing season. Further, before an occupancy permit is issued, the project is reviewed and a punch list is prepared by Engineering. No permit will be issued until all the work is completed.

Bob Mullen stated that this project can't be approved anytime soon. Page Street is dangerous and is becoming a highway for trucks. He was concerned with what level of traffic study was completed? How do we control all of the extra traffic; and no decision should be decided.

Mr. Horsfall explained that the Applicant had their own Traffic Study done, and Engineering also had a third party review done. We used GPI, which we have used in the past. We were looking for less impact and the Applicant has done everything we have asked them to do.

Chair Kelly explained that when we first saw this project, we looked at the logistics; limiting cars and trucks; and turning onto Page Street. This is the best we can do for this site.

Maximo Polanco, the applicant's Traffic Engineer, explained that we have done a lot of work on this project, including: Development Impact Report; Environmental Impact Report; and used independent analysis. We haven't reduced the traffic, we have added traffic and took this into account when developing the property, to handle the traffic.

Mr. Fox stated that these reports need to be recalculated and readdressed. The material submitted in these reports is flawed. This whole project has flown under the radar and the applicant doesn't talk with the residents. All this information should be on the website.

Attorney Lyman stated that residents can get all notification and notices on the website. The Applicant is and has been very efficient with this project. This is their business and they are direct and research the economic impact on the community. This project will run smooth. If we violate any Planning Board issues, we have to come back to the Board. Brookside is his client and does not know who the tenants are yet. We have not misrepresented anything and have done two (2) traffic studies. The Applicant requested a vote tonight and not continueing this hearing. We have been very thorough throughout this project and that is the key.

Mr. Terry stated that he is not ready to vote since several issues were brought up tonight.

Mr. Beliveau had concerns with noise, decibel studies, truck use, and back up beepers.

Attorney Lyman stated that no new issues were raised tonight, and we have asked and answered all of these questions multiple times.

Chair Kelly explained the notification process for the Boards and everyone was notified of this and other Board's meetings. This is an allowed use and they have gone before zoning regarding the height and number of buildings. This is an Industrial Zone and this is an allowed use and by-right. If anything regarding this project changes, they are required to come back to the Planning Board.

Select Board, Joe Mokrisky of 78 Winter Street, explained that there is a new system on the website, consistently updating information on the Town. We have updated traffic issues and have tried a cut into Turnpike Street, but MassDOT shot it down two (2) times and we were overruled. Everything the Town does is in accordance with Open Meeting Laws and we don't want to penalize the Applicant, and we can't limit the hours of operation. Also, a lot of the traffic on Page Street is coming from Avon, which we have no control over. Traffic is increasing everyday all over. This project has been vetted and the Applicant has done everything we have asked of them. We are trying to legislate to widen Page Street and are working with the Town of Avon. We will do what is right for the residents of this Town. Also, Amazon's traffic is down 70%, due to a violation and they are trying to correct those problems and do the right thing. This original Plan was having the truck traffic on Turnpike Street. That was Not going to happen, and the plan was completely changed.

Mr. Terry suggested closing the meeting and holding off on voting until the next meeting. This will give us time and every consideration.

Motion by Mr. Terry to close the hearing, and seconded by Mr. Beliveau. All in favor. Motion Approved 4-1 (Walsh).

Motion by Mr. Demusz to open Item #4 – 710 Turnpike, 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 Best Price Signs and Printing Corp., 244 Liberty Street, Suite 8, Brockton, MA 02301 and the owner Iglesia de Dios Pentacostal, 710 Turnpike Street, Stoughton, MA 02072 for a Special Permit under Section 6.2.7, “Special Permit” of the Town of Stoughton Zoning By-Laws 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.

Mr. Roth explained that the Applicant was not present, had not submitted any revisions and he felt that there was a language barrier and the applicant may not have understood everything he was asked to do, but he will talk with the Applicant and requested that the application be continued until the next meeting.

Motion by Mr. Demusz to continue this hearing until June 8, 2023, seconded by Mr. Terry. All in favor. Motion Approved 5-0.

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

Item #5. A New public hearing will be held on the petition of the applicant 84 Lumber, c/o James Zaunic, 1019 Route 5A, Eighty-Four, PA 15330. Represented by J.K. Holmgren Engineering, LLC, 1024 Pearl Street, Brockton, MA 02021 for Site Plan Approval under Section 10.6 “Site Plan Approval” of the Town of Stoughton Zoning Bylaw, for the proposed development of an approximately 6,825 square foot industrial Building including a parking area for 11 cars located at 0 Page Street

The Applicant explained that they are proposing the construction of a 195' x 35' metal building with concrete pad and a bituminous concrete parking area for eleven (11) cars. The site is utilized for lumber storage and has a fork lift operation with a construction trailer. The trucks deliver laminated veneer lumber to customers. The proposed building will include an office space (for administration and office manager) and an area for production which allows employees to cut and assemble the lumber for pickup and delivery. No Customers will be on site and only a handful of employees (4-6) will be on site. There is only truck traffic for pick-up and delivery.

Mr. Roth and Horsfall reviewed their concerns, including:

- The building is three-sided with the saw cutting area open. The Applicant was advised to provide a noise study. This will need to be provided and reviewed in order for the project review to be completed;
- A 6-foot vinyl fence is proposed along the front to replace the existing chain link fence. There is no proposal to improve the frontage between the fence and the street. The frontage comprises of the fence, scrub trees, and overgrowth. The Town Staff recommends that the vinyl fence not be used, and the scrub trees and overgrowth be removed. A well-designed landscape plan that provides for an attractive street appearance shall be provided.
- There is concern with the dumpster. The dumpster pad is partially within the drive isle and it appears to be just placed in the front of the site with nothing surrounding it. We need to understand how users will access it because it is outside of the fenced in work area. It is recommended that the dumpster be placed in the back of the proposed building where it can be accessed by users of the facility and out of the view of the public;
- The landscape plan should be revised to provide a more detailed design and more variety of plantings. Color pictures/photos of the plantings at mature size need to be provided;
- The elevations appear to be mislabeled with respect to the direction of the elevations and should be revised. There is concern with the façade that faces the street. The staff feels that this does not present a virtually appealing street frontage and recommends architectural detailing. The building is a long blank metal building painted in one color. The applicant should look to use more than one color to soften the visual impact of the building;
- Curbing on both sides should be added, including vertical granite curbing is recommended;
- Grading behind the building needs to be corrected. There is a drop on the edge of the concrete pad where there is a 2% slope, and a 17% grade;
- HydroCAD calculations shall be revised to utilize rainfall amounts for all design storms as specified on the latest NOAA Atlas 14 Precipitation website;
- The Stormwater BMP's shall be designed to achieve 90% TSS Removal and 60% of the annual Total Phosphorus per the Town's Stormwater Regulations;
- Engineering is looking for some test pits;
- The relocation of subsurface systems to the front of the building will provide overflow and operate more efficiently;
- The O&M Plan needs to be recorded; and
- Fencing, signage, and landscaping, along with maintenance is being requested.

The Board was interested to exactly where this is located since this is "0" Page Street. It is located off of Maple Street between 354 & 318 Maple Street.

Paul Mullen, the applicant indicated that the property is being leased and not purchased the property. The hours are 7:00 – 5:00, but sometimes when orders come in they will start cutting earlier in the day. He also indicated that they will take the review comments and address them.

Motion by Mr. Demusz to continue this hearing until June 8, 2023, seconded by Mr. Terry. All in favor. Motion Approved 5-0.

Chair Kelly requested a motion to adjourn due to the late hour and being almost 11:00 p.m.

Adjournment

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