PLANNING BOARD
MEETING MINUTES
Thursday, June 25, 2020

The Stoughton Planning Board met on Thursday, June 25, 2020 at 7:00 p.m. by remote participation pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law M.L.L. Ch. 30A, Section 18 and the Governor’s March 23, 2020 Order imposing strict limitations on the number of people who may gather in one place.

The following members were present:
Joseph Scardino, Chairman
Daniel Kelly
Lynne Jardin
Senesie Kabba

Also present were: John Charbonneau, Town Planner.

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

Motion by Ms. Jardin to open the public meeting, seconded by Mr. Kelly. Approved 4-0. Roll call taken, Kelly, Jardin, Kabba, Scardino, All in favor.

Chairman Scardino welcomed everyone to the Planning Board June 25, 2020 meeting, and explained this meeting is being recorded by video and audio by SMAC, so everyone should guide their actions accordingly.

Motion by Mr. Kelly to open Item #1 Chairman’s Comments, seconded by Ms. Jardin. Approved 4-0. Roll call taken, Kelly, Jardin, Kabba, Scardino, All in favor.
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Item #1. Chairman's Comments – SCHMUGD Rezoning Updates.

Chairman Scardino introduced the Town Planner to explain the SCHMUGD Rezoning Updates. Mr. Charbonneau stated that this project is moving forward and the working group has been meeting with the Consultants and with the Downtown Task Force. They also met with the Planning Board on June 11, the Stoughton Redevelopment authority on June 15 and the Selectboard on June 16. With all feedback received from town Boards, the next step is to draft a survey for the public to complete. That work has begun.

Motion by Ms. Jardin to open Item #2 – 287 Washington, seconded by Mr. Kelly. Approved 4-0, Roll call taken, Kelly, Jardin, Kabba, Scardino, All in favor.


Attorney Crimmins introduced himself and explained that the Applicant has completed all the landscaping that has been required by the Planning Board.

Mr. Charbonneau explained that they have reviewed the property and everything is up to the standards of the Town. The Board had been holding surety for only the new day lilies that were planted and those have survived well.

Motion by Mr. Kelly to accept the Bond Release request for 287 Washington, seconded by Mr. Kabba. Approved 4-0, Roll call taken, Kelly, Jardin, Kabba, Scardino, All in favor.

Motion by Ms. Jardin to open Item #3 – 480 Washington Street, seconded by Mr. Kelly. Approved 4-0, Roll call taken, Kelly, Jardin, Kabba, Scardino, All in favor.

Item #3. Harbor One Bank (480 Washington Street) – Landscaping and Site Improvement Discussion (David Tidwell)

David Tiswell introduced himself and discussed with the Board the vinyl fencing with slats and the long-term maintenance of the landscaping. Mr. Tiswell stated that they added $10,000 worth of additional landscaping and $3,500 worth of sprinklers which was all out-of-pocket expenses.

Chairman Scardino explained that the Board was concerned with the aesthetics of the property and the Applicant has done what was asked of him. But he is concerned with the burned grass. It seems like the lawn didn't take, and he was comparing it to the Sonic landscaping which is perfect. This property should look perfect like Sonic and should resemble Pebble Beach. The plants look anemic and when trees are replaced they should be replaced with the same size trees.
Mr. Tiswell explained that on the southerly side of the property, between HarborOne and the gas station, some of the plantings were updated and new plantings were added, which were the same species as used before. He has been arguing with the landscape contractor since the beginning and nothing has been resolved. Further, he explained that the $32,000 bond, which is a large sum, is still being held.

Mr. Charbonneau explained that the mulch wasn’t distributed accurately and doesn’t cover the sprinkler system. He made a site visit to the area on Friday and some progress was made with the rip-rap and silverstone, and a few other issues need to be addressed in the next few months. He is requesting an updated as-built Landscaping Plan and the Engineering Department can decide what amount of money can be released. Mr. Horsfall is on vacation, and when he returns some money can be released and some money needs to be held until the project is completed up to the standards of the Town. He will talk with the Inspector, since the Inspector didn’t know the requirements.

Mr. Kabba suggested that they move to grant a waiver and to have this area continuously maintained. Ms. Jardin and Mr. Kelly agreed with Mr. Kabba.

Mr. Charbonneau explained that the fence needs to be color coded on the Plans so the paint adheres to the As-Built, so it shows the changes when it is revised and that the species are shown on the southern boundary. In conclusion, he explained that the Planning Board needs an updated As-Built Plan and a review of the Plan needs to be approved by the Engineering Department before any money is released. We will come up with a fair amount for the next growing season. Engineering will do an estimate and request a bond reduction and the Applicant will come back to the Board.

Ms. Jardin suggested talking with the Inspector, so this doesn’t happen again.

Chairman Scardino explained that everyone is working remotely, so communication is an issue.

**Motion** by Mr. Kelly to open Item #4 — Stoughton Recycling Technologies, seconded by Ms. Jardin. Motion Approved Roll Call taken, Kelly, Jardin, Kabba, Scardino, All in favor. All in favor. 4-0.

**Item #4. Stoughton Recycling Technologies (100 Page Street) — Decommissioning Bond Discussion (John Kennedy).**
Mr. Charbonneau explained that the Applicant is proposing a Decommissioning Bond. Engineering has not yet reviewed this and given us a breakdown. The Bond is in the amount of $86,000 and should be an appropriate amount. The DEP requests $90,000 per megawatt which keeps us in the line of credit. The Bond has the beneficiary as the bank, and we are wondering if a Bank can be added as a trustee of this bond, since the DEP is the beneficiary of the Trust, and only they can decommission the bond. We are not opposed to one (1) bond being used for two (2) purposes. This is a feature event and the Bond is only accepted in cash.

Chairman Scardino explained that the Town only accepts cash and this is a long-term bond for approximately twenty-five (25) years. This insulates the Town and also draws interest. This insures the Town, in case the Bond company goes bankrupt. We don’t know what the money will be worth in the future. This cannot be accessed by anyone except the DEP and we will have Town Counsel look this agreement over.

Mr. Kabba suggested that we look at the Bond agreement and wondered if we could have a second (2nd) beneficiary. We should consult with Town Counsel and see if we can add the Town as a beneficiary or a co-beneficiary within the Trust.

Mr. Charbonneau stated that he will check with the DEP and will check the Agreement we have with Hexagon. We have to do all of the agreements the same.

Mr. Kennedy explained that the will revised the agreement and which check with the DEP. He doesn’t believe that Hexagon has DEP Approval since that is not on a landfill.

**Motion** by Mr. Kelly to open Item #5 – General Business, seconded by Mr. Kabba. Motion Approved Roll Call taken, Kelly, Jardin, Kabba, Scardino, All in favor. All in favor. 4-0.

**Item #5. General Business - Minutes.**

Chairman Scardino stated that he has made a few changes which are redlined, and he requested that Mr. Charbonneau put them up on the screen for everyone to review.

**Motion** by Mr. Kabba to Approve the Minutes of March 12, 2020, as amended, seconded by Ms. Jardin. Motion Approved 5-0. Roll Call Taken, Kelly, Jardin, Kabba, Scardino, All Approved.

Chairman Scardino explained that the Board usually meets in July and August on a summer schedule. Last summer they were very busy so they met a few times over the summer. He would like to meet once in July and once in August. The Board decided to meet on July 23, 2020 and since a few applications are expected to come in, we might meet a few times in August, and will just wait until the Applications come in.
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Mr. Charbonneau explained that he has an update to the SCMUOD Rezoning. He explained that the SRA, the BOS; the Planning Board; and the SCMUOD Consultant have met and the Consultant is working on a draft Survey Questionnaire along with a draft flyer. They are being finalized and he hopes they will be getting out by next week.

**Motion** by Ms. Jardin to open Item #6 – General Business, seconded by Mr. Kelly. Motion Approved 4-0. Roll Call taken, Kelly, Jardin, Kabba, Scardino, All Approved.

Mr. Charbonneau explained that he will be receiving a proposed roadway residential subdivision. Forty-four (44) feet is required and this is thirty (30) feet, with sidewalks on one (1) side of the street. He has sent this to Town Counsel and he feels this is not appropriate to propose a residential subdivision on commercial property and then rezone this later. The uses are yet to be determined. Waivers would need to be approved but they are not allowed at this point and need a roadway that meets commercial standards. They only thing that matters to the Town is the roadway, and this shouldn’t come before us before they get a zoning change, but they do have a right to move forward. Other projects coming before us are 19 Hamden Street for a self-storage facility and a Burger King.

Chairman Scardino stated that on behalf of the Stoughton Planning Board he would like to wish everyone a good evening. He and Ms. Jardin are heading to Town Meeting now.

**Adjournment**

**Motion** by Mr. Kabba to Adjourn, seconded by Ms. Jardin. Motion Approved 4-0, Roll Call taken, Kelly, Jardin, Kabba, Scardino, All Approved.