TOWN OF SToughton
Massachusetts
MA 02072

Stoughton Town Hall
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Planning Board
Joseph Scardino, Chairman
Daniel Kelly, Vice Chairman
Jonathan Garland
Senesie Kabba
Paul Demusz

John Charbonneau, Town Planner

PLANNING BOARD
MEETING MINUTES
Thursday, May 13, 2021

The Stoughton Planning Board met on Thursday, May 13, 2021 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
Senesie Kabba
Jonathan Garland
Paul Demusz

Also present were: John Charbonneau, Town Planner; Craig Horsfall, Assistant Town Engineer; Karen Lawlor, Recording Secretary.

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. Kabba. Roll call taken, All in favor, Mr. Demusz, Mr. Kabba, Mr. Garland, Chairman Scardino, Approved 4-0-0.

Chairman Scardino welcomed everyone to the Planning Board May 13, 2021 meeting, and explained that this meeting is being recorded by video and audio by SMAC for future broadcast, so everyone should guide their actions accordingly. In the interest of time, there are no Chairman comments tonight, so we will open with Item #2. We are waiting for Mr. Kelly to log on to the meeting, so we will take the Agenda out of order.
Mr. David Tiswell introduced Attorney Inez Friedman Boyce, General Counsel for the Bank, explained that it is common this time of year for there to be burned edges due to snow melt. He photographed and sent pictures showing the difference from April 20 to May 12. Plantings were shown and it was stated that it is natural for hydrangeas to look brown at first when not in bloom.

**Motion** by Mr. Kabba to Release $55,714.00 from the original $65,714.00 Bond for Harbor One, and hold $10,000 until the Applicant comes back on the 4th Thursday in June on June 24th, seconded by Mr. Kelly. Roll call taken, All in favor, Motion Approved 5-0-0.

**Motion** by Mr. Kelly to open Item #3, Boston Solar, and seconded by Mr. Demusz. Roll call taken, All in favor, Motion Approved 5-0-0.

**Item #3.** A New Public Hearing will be held on the on the petition of The Boston Solar Company, LLC, 55 Sixth Road, Woburn, MA the owner of Green Flash, LLC, 81 Chase Run Road, Stoughton, MA 02071 represented by Jacobs Driscoll Engineering, Inc., 50 Oliver Street, Easton, MA 02356 for Site Plan Approval under Section 10.6 “Site Plan Approval” of the Stoughton Zoning Bylaws to construct solar canopies over the existing parking area on the property identified as 11 Evans Drive, (further identified on Assessors Plan No. 43, Lot 58 and located in the Industrial (I) zoning district.

Greg Driscoll of Jacobs Driscoll Engineering explained a few outstanding issues, including:

- A letter to Richard and Elizabeth Cohen of 1459 Central Street from Attorney Elliot Lowe of Newton MA. “This office has been asked by your neighbors at 11 Evans Drive, which does business at Kidsports to contact you about an encroachment from your property onto their property. My client discovered that a structure, a small barn, located on the northwesterly side of your property, encroachments slightly onto my client’s property. It appears from the record that this structure was built sometime between 2010 and 2013, without obtaining a permit. We are not aware if a permit was ever required. This letter is written to notify you that the encroachment is occurring without permission, and to preserve my client’s ownership rights to their property upon which the encroaching structure is located. At this time, they do not plan to take any further action, but they may request that I file a notice at the Registry of Deeds to further establish their position on the record”;

- Encroachment of the fence, two (2) feet over, the easement would have to be recorded and the neighbors granted an easement;

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Motion by Mr. Kelly to continue this hearing to May 27, 2021 at 7:00 p.m., seconded by Mr. Demusz. Roll call taken, All in favor, Motion Approved 5-0-0.

Motion by Mr. Demusz to open Item #4, Stoughton Gas, Titanium Group, seconded by Mr. Garland. Roll call taken, All in favor, Motion Approved 5-0-0.

Item #6. A continued public hearing will be held on the petition of the property owner Stoughton Gas Group, LLC, 245 North Pearl Street, Boston, MA 02301 and the applicant Titanium Group, LLC, 500 Turnpike Street, Canton, MA 02021 represented by Paul Schneider, Esq., 779 Washington Street, Suite 2B, Canton, MA 02021 and Michael Khoury, Esq., 124 Washington Street, Suite 2022, Foxborough, MA 02035 for a Special Permit pursuant to Section 3.1.4D.5 of the Zoning Bylaws for other drive-in or drive-through facilities and Site Plan Approval pursuant to Section 10.6 of the Zoning Bylaws for the property located at 1580 Turnpike Street, further identified on Assessors Plan No. 95, Lot 19 and located in the Neighborhood Business (NB) zoning district.

Attorney Michael Khoury introduced himself, along with Applicant Ronen Drory, and Hal Choubah, Engineer. Attorney Khoury explained that the Site Plan Approval was filed on November 5, 2021 and the Board recommended changes. We submitted a revised plan and it addresses the issues the Board requested. The Applicant had requested not to submit a full set to make sure that they were on the right path.

Mr. Choubah explained that at the April 2, 2021 meeting, there were 17 comments which included site layout issues and the traffic trip generator report. We had discussed options and redesigned the entire site. We swapped the building and pads; placed the building against the residential area; and opened up the site to the north. We eliminated the drive thru on Page Street; reduced the curb cut; improved site distance; created the entrance and exit off of Turnpike Street; added an island; increased the size of the drive-thru lane from twelve (12) feet to sixteen (16) feet; increased the cueing from eight (8) to twelve (12) cars; showed the location of the fuel trucks; showed the handicapped spaces; reduced the amount of retail space to 350 square feet; and addressed all issues. Public safety is the most important issue and we want to make sure we receive input and have the Board's blessing with this new plan.

Mr. Horsfall and Mr. Charbonneau were very pleased with these plans and after reviewing the plans, stated that these plans are far superior. The queuing was increased; no traffic back up; dumpster was moved; the order board is placed away from the apartments; widened the drive-thru; no speed table; would love to see a mountable median; and discourage left turns in and out. This is a huge step forward; a much better plan; the design works; and this site layout is a vast improvement.
Mr. Horsfall has reviewed the plans and had a few comments, including: The dog park, which has black vinyl fencing, needs to be on the plans. This is a low impact area and the rain garden needs more detail. There are waivers for signage and lighting and we want to discourage night use of this property. White PVC will not work for the dog park, so we should consider an alternative. If there is a port-a-potty on site, they need to go before the Board of Health, and the company needs to be licensed with the Town. Handicapped signage needs to be added, along with a sign at the composting area that states “no waste from the dogs”.

Mr. Demusz stated that since there are no other dog parks in the area, we might need more parking.

Mr. Terry explained that he has checked out other dog parks in the area, including Randolph, and more parking is not needed. Also, an order of conditions was obtained from the Conservation Commission.

Mr. Garland stated that some research should be done about parking, nice weather and weekends.

Mr. Kelly was concerned with the opening times (dawn to dusk) and if we conform with other parks opening and closing times. This is a very busy street and intersection and wanted to know if there were any site line or traffic analysis studies done. This is an area at the intersection that will be defining the area, so a cape cod berm should be discussed.

Mr. Horsfall stated that the Applicant needs a colored landscape plan; a cleanup of the park; and this area should be closed in the winter due to snow. He is concerned with safety, so there needs to be written verification on other parks in the area.

**Motion** by Mr. Kabba to continue the hearing to June 10, 2021 at 7:00 p.m., seconded by Mr. Demusz. Roll call taken, All in favor, Motion Approved 5-0-0.

**Motion** by Mr. Kelly to open Item #7, Other Business, seconded by Mr. Demusz. Roll Call Taken, Motion Approve. All in favor 5-0-0.

Mr. Scardino rejoined the meeting at this point.

**Item #7. Meeting Minutes – March 25, 2021; April 8, 2021; and April 22, 2021**

**Motion** by Mr. Kabba to Approve the Minutes of March 25, April 8, and April 22, 2021 as written and amend by Mr. Kelly and Chairman Scardino, seconded by Mr. Demusz. Roll call taken, All in favor, Motion Approved 4-0-0 (no Mr. Garland).

**Motion** by Mr. Kelly to open Item #8, Other Business, seconded by Mr. Demusz. Roll Call Taken, Motion Approve. All in favor 4-0-0 (no Mr. Garland).