



TOWN OF ACUSHNET

MASSACHUSETTS

OFFICE OF THE PLANNING BOARD
122 MAIN ST.

ACUSHNET, MA 02743

<http://www.acushnet.ma.us>

FAX: (508)998-0203

Acushnet Planning Commission
Regular Meeting
and
Public Hearing - Deep Brook Estates -
Definitive Subdivision
June 22, 2017

Open: 6:30 pm

Adjourn: 8:30 pm

Present: Marc Cenerizio, Chairman
Mark DeSilva, Sr.
Bryan Deschamps

Henry Young, Planner

Absent: Rick Ellis
Phil Mello

Issue: A motion is made to open meeting.
So moved: M. DeSilva, Sr.
Second: B. Deschamps
Vote was 3 for, 2 absent.

Announcement that the meeting is being audio- and video-taped is made as required by Massachusetts General Laws.

Issue: A motion is made to approve the minutes of May 18, 2017.
So moved: B. Deschamps
Second: M. DeSilva, Sr.
Vote was 3 for, 2 absent.

All minutes are on file at the Planning office, 130 Main Street, Parting Ways, 2nd floor.

Issue: Vouchers were signed. All vouchers are on file at the Planning office, and in the Finance Department at Town Hall.

Issue: Mail was reviewed and is attached to these minutes.

Issue: May 17, 2017 letter from Division of Fisheries and Wildlife regarding Southcoast Rail

The letter outlines concerns regarding the Massachusetts Endangered Species Act and the amended Southcoast Rail Phase one relocation. The letter is on file at the Planning office.

Issue: Copy of the Acushnet Annual Report for 2016. It is on file at the Planning office, and with the Town Clerk.

Issue: Town Accountant memo regarding end of fiscal year practices.

Issue: Memo from Kristie Costa (Collector/Treasurer) and Jim Marot (Building Commissioner/ Zoning Enforcement Officer) regarding license and permit renewal denials for applicants who owe local taxes, fees, betterments or any other municipal charges, per MGL Chapter 40, subsection 57.

This memo is on file at the Planning office, and with the two authors at Town Hall.

Issue: DEP water testing results at Long Plain School. Report is on file at the Planning office.

Issue: Letter to Kristie Costa was signed by the Board authorizing a 1.5% pay increase for non-union employees of the Planning Commission, Henry Young, Merilee Kelly and Donna M. Ellis. Copy of the letter is on file at the Planning office, and at the Treasurer's office at Town Hall.

Motion was made to sign letter.

So moved: M. DeSilva, Sr.

Second: B. Deschamps

Vote was 3 for, 2 absent.

Issue: Public Hearing - Deep Brook Estates - off Park Drive - John and Michael Koska - Bob Rogers, GAF Engineering

The legal ad for this hearing was read by Mr. Cenerizio.

Besides the members of the Board and Mr. Young, attendees were:

- Gail Turpel, 34 Park Drive
- Steve Turpel, 34 Park Drive
- Helena Chavarria, 45 Fairway
- Barbara Hathaway, 52 Morses Lane
- Ronald Froias, 10 Park Drive

- Nelson Rio, 39 Park Drive
- John Silva, 19 Morses Lane
- j. Carvalho, 48 Fairway Drive
- Erin Sylvia, 46 Fairway Drive
- Mike Hanczatyk, 73 Park Drive
- Karen Flynn, 70 Park Drive
- Kevin Flynn, 70 Park Drive
- Jose Carvalho, 48 Fairway Drive
- Monique M. Cote, 105 Park Drive
- Gerald Rooney, 55 Morses Lane
- Arlene Pombo, 60 Morses Lane
- Ayako Rooney, 55 Morses Lane
- Geraldine Reed, 4 Hunter Street
- Mitchell Gatonska, 4 Wildrose Lane
- Jeanne Gatonska, 4 Wildrose Lane
- Holly Raposa, 4 Wildrose Lane
- T. Raposa, 4 Wildrose Lane
- Tammy Faye, 19 Park Drive
- Dr. Nikki Galibois, 37 Morses Lane
- Attorney Rob Galibois, 37 Morses lane
- Margaret Ishihara, Attorney for John and Michael Koska, PO Box 567,
West Wareham, MA 02576

Bob Rogers presents the project. The green abutter notification cards were presented. The project has a proposed 850 foot extension of Park Drive. Deep Brook Drive would now be 1430 feet to the cul-de-sac. Current zoning calls for 60,000 square feet with 40,000 sq.ft. of upland, and 150 feet of frontage. The property is bisected by Deep Brook, which was determined in 2000 by DEP to be an intermittent stream.

The proposal is to add 15 more lots to the 17 already present. They would have town water and on-site septic systems. There are three drainage basins with easements: one behind lot 6, one behind lots 8 and 9, and one behind lots 13 and 14.

The plan is 15 sheets.

The applicant has not filed a notice of intent with Conservation, the DEP and Natural Heritage. They will file after the peer review, which is pending.

Some perc tests were done last September and October; they will do more. Because of Habitat, a large piece of land remains unbuildable.

There was a fire flow test done in May, and it showed 30% more capacity than is needed.

Police have provided a 5 year accident report, citing 5 accidents.

A couple of months ago, Planning approved a preliminary plan for this subdivision.

Waivers for the definitive subdivision are consistent: sidewalks, underground utilities, trees, 40 foot layout, street lighting, 24 foot travel lane 12 inch Cape Cod berm. The requested waivers are in writing on the plan.

Henry Young held a meeting with Department heads (Police, Fire/EMS, Conservation, DPW, Building Inspector) today, with the same presentation as you heard tonight. Some comments and questions reported by Mr. Young were:

- proposed easement for the cul-de-sac, if ever the Town were to permit connection to Morses Lane: do we want that?
- the water flow study, 20psi, 1300 gal/minute, 30% above needed: anecdotally, perhaps there is a net decrease in water pressure; peer review will give answers
- wet bottom ponds: when it rains water needs somewhere to go; they could hold water for a longer amount of time; problem would be increase in mosquito and tick populations; Board of Health is asking to consider "dry bottom ponds
- Fire and Police asking for adequate turnaround space
- specific lots problems:
 - Lot 7: wetland; Deep Brook could overflow, house could flood
 - Lot 1: did not have sufficient upland, was reconfigured so it does have 40,000 square feet
 - Additional percs need to be done: 2 on 2; 2 on 1; and 1 on drainage basin - Mr. Rogers states that the septic systems will be in the front yards near the road; 600 or 800 sq. feet for a 4 bedroom
- Natural Heritage Endangered Species Habitat has mapped endangered as a priority habitat

Mr. Young points out that Planning Commission is not the only entity reviewing this project.

At this time the public attending the hearing were asked for comments and questions:

- Mr. Froias, 10 Park Drive: where will the water come from? Mr. Rogers explains that it will come from the hydrant at the end of Park Drive. Mr. Froias asks who makes the final decision on this project? Mr. Cenerizio states that many Boards and hurdles will be looked at as this is approved or disapproved: it may take 3 months, it may take a year. Mr. Froias asks if each home will have its own septic system; the answer is yes.
- Mr. Turpel, 34 Park Drive: Are there any considerations to connect with Morses Lane? Not at this time.

- Mr. Galibois, 37 Morses Lane: My wife and I actually own the two lots on Morses Lane that could be used to connect. In the presentation two drainage easements were described on lots 13 and 14. Are there easements on both? Mr. Rogers responds yes, dashed lines. Mr. Galibois asks for the elevation. Mr. Rogers explains that the discharge will be onto the lot's own property; this discharges into the wetland system. Mr. Galibois states that they may not discharge onto his property. Mr. Rogers explains that the retention/detention pond will mitigate the rate and volume.
- John Silva, 19 Morses Lane: Mr. Silva owns 15 acres and wants to know about drainages and flood plain potential, if drainage is being funneled through Deep Brook; wetlands is his concern. He asks who owns the property at the end? Mr. Rogers states that Wildrose Meadows has a 40 inch pipe that drains into the wetlands. Mr. Cenerizio explains that new stormwater regulations for collecting, treating and storing runoff have been enacted since Wildrose Meadows was built.
- Mr. Pio, 59 Park Drive: How much additional flow will there be on park Drive? Mr. Rogers states no increase. Mr. Pio says the grade difference between Park Drive and Fairway Drive is 20 feet higher than the hydrant at Park Drive. Mr. Rogers states that the tests they have run indicate 863 gallons/minute, and 37 psi pressure.
- Ms. Chavarria, 45 Fairway Drive: I am concerned because pressure is an issue at my house. Will it get worse? Will traffic increase, and can there be signage to slow people down? Mr. Cenerizio states that the Police have a safety officer who can assess the traffic problems, but it comes down to individual responsibility in the end.
- Mr. Galibois, 37 Morses Lane: An observation: Morses Lane could run water to alleviate water pressure problems
- Mr. Rooney, 55 Morses Lane: He is happy to hear that there are no immediate plans to connect to Morses Lane. When he moved there 35 years ago, there were 9 houses, now there are 30. The lane has not seen any improvement; it is narrow and difficult to navigate. Mr. Rogers states that there are no intentions to connect roadway or water to Morses Lane. It would gain them nothing but a denial from the Town and State.
- Ms. Gatoska, 4 Wildrose Lane: Her concern is a giant tree-trimming truck that parks on their cul-de-sac. God forbid any emergency vehicle would need to access the turnaround. Mr. Cenerizio tells her to contact the Police with this issue. She also states that there is a hydrant 2 houses up from her property; it has never been flushed. She asks if anyone ever checks? How many hydrants in the proposed development? The last question deals with safety issues: 15 lots, 4 bedroom houses, lots of kids, lots of traffic. There will be an increase in kids, traffic.
- Mr. Hanczaryk, 73 Park Drive: He hopes the Town is not too eager to tie into Morses Lane, as increased traffic will be an issue. He also asks how the utility company feels about the road going under the power lines? Mr.

Rogers states that Eversource put brand new locked gates with no keys for Mr. Koska and no permission to do so. They will be addressing that.

- Mr. Flynn, 70 Park Drive: He would like a response about increase in traffic. Mr. Rogers states that they think 150 trips a day, 10 a day from 15 homes. Speeders can be a problem, perhaps addressed by speed bumps and signage. Mr. Cenerizio states that the homeowners need to bring it to the attention of Police and Safety.

This public hearing will be continues to July 20, 2017 at 6:45 pm.

Motion is made to continue public hearing on Deep Brook Estates to July 20, 2017 at 6:45 pm.

So moved: B. Deschamps

Second: M. DeSilva, Sr.

Vote was 3 for, 2 absent.

Issue: Inquiry on Morses Lane - Ciano - Steve Giosa, SITEC

Plan from 1988 created two lots, on a paved portion and gravel ancient way. The goal is to construct own home; need lot 1 and keep 61B as 61B. Is it possible to make retreat lot to build home on? How does Board feel about 300 feet of frontage on an "ancient way"?

Mr. Cenerizio asks if Lot 1 is 56 acres?

Mr. Giosa states that this is preliminary questioning.

Mr. Young says that the applicant would have to make the case that it is an ancient way; that they would have to prove frontage. He asks if the path is a 40 foot strip. He asks what the drainage is like?

Mr. Giosa explains that it would be a wetlands crossing.

Mr. Cenerizio asks how wide is Morses Lane to the end? Would they consider an extension onto Morses Lane paving? Mr. Giosa explains that the ancient way is 33 feet wide (2 rod way). Mr. Giosa is instructed to provide documents to the Town's legal team (Kopelman and Paige) through Henry. K&P will review and determine if ancient way applies here.

Mr. Giosa states then a Form A will be brought to Planning for processing.

Ms. Roderigues of 16 Morses Lane asks "if they do all that and the Town's lawyer says it is allowable, will the Planning Board approve it? And what is an ancient way? Mr. Cenerizio explains that an ancient way is a way that has access to and is used as access prior to subdivision control in Town.

Issue: 148 Peckham Road - Proposal for 3 Lot Common Drive Special Permit - Joshua Arruda - John Romanellis of Romanelli Associates Inc.

Seeking a public hearing for this proposed common drive.
Need Forms N and O, and 9 more copies of the plan for distribution to Town Boards.
The public hearing is set for July 20, 2017 at 7:30pm.

Issue: Southern Sky Solar installation extension of time to act

Since they are having some difficulty with the electric company allowing them to hook up to the grid Southern Sky is asking for a one year extension.
So moved: B. Deschamps
Second: M. DeSilva, Sr.
Vote was 3 for, 2 absent.

FYI: Henry is researching whether or not there IS a specified time to act on these solar special permits. He will report to the Board on this issue.

Issue: Form E - Edgewood Acres - last lot release - moved to July 20 meeting

Issue: Planner Update - Henry Young

- Met with Dan Moniz, who is constructing a subdivision that abuts an existing subdivision in Acushnet known as Forestdale. Mr. Young is seeking ways to mitigate concerns about traffic. As of now there is no through way into Acushnet. Mr. Young and Mr. Moniz have started a conversation.
- There was a good meeting on Deep brook Estates with Department heads and Mr. Rogers.
- Mr. Young read a letter from the Board of Health to P.J. Keating, owners of the gravel pit and business on South Main Street. There are ongoing public hearings by the BOH to address concerns about dust mitigation and relocation of the buildings. The process seems to be working well. The BOH is the dust mitigation approving authority.

Issue: Motion is made to adjourn at 8:30 pm.
So moved: M. DeSilva, Sr.
Second: B. Deschamps
Vote was 3 for, 2 absent.

Issue: Next meeting will be July 20, 2017 at 6:30pm in the Planning office, 130 Main Street, Parting Ways, 2nd floor.

Respectfully submitted,
Donna M. Ellis.