



TOWN OF ACUSHNET

MASSACHUSETTS

OFFICE OF THE PLANNING BOARD
122 MAIN ST.

ACUSHNET, MA 02743

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FAX: (508)998-0203

Acushnet Planning Commission

Regular Meeting

and

Continuation of Public Hearing - Deep Brook Estates

and

**Continuation of Public Hearing - Special Permit - Common Drive - 148 Peckham Road
September 21, 2017**

Open: 6:30 pm

Adjourn: No time noted

Present: Rick Ellis, Acting Chairman
Mark DeSilva, Sr.
Phil Mello
Bryan Deschamps

Henry Young, Planner

Absent: Marc Cenerizio

Issue: Motion to open meeting was made at 6:30 pm.
So moved: M. DeSilva, Sr.
Second: P. Mello
Vote was 4 for, 1 absent.

Issue: Announcement that meeting was being audio and video taped is made.

Issue: Vouchers were signed and are on file in the Planning office, 130 Main Street, Parting Ways, 2nd floor and in the Accounting Department at Town Hall..

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

Issue: Rick Ellis, acting Chairman, will run the continuation of the public hearing on Deep Brook Estates, but has recused himself from voting on the issues.

A motion is made to open and continue the public hearing for Deep Brook Estates.

So moved: B. Deschamps

Second: P. Mello

Vote was 4 for, 1 absent.

(At this point, Mr. Ellis recuses himself from the hearing, but runs the meeting. He will not vote on any issue connected to this application.)

GAF Engineering's Bob Rogers speaks on behalf of John and Michael Koska's proposal. He acknowledges that they have received the first peer review from Field Engineering's Rich Riccio, responded to it and today received another letter.

Mr. Young states that there has been good back and forth between the parties.

Rich Riccio of Field Engineering, the peer review consultant, spoke of the issues they found, Field Engineering letter of August 16, 2017, and that have been discussed with Town Department Heads and Town Planner Young:

- 1) the ground water required table elevations needed to be shown, and that has been addressed
- 2-4) procedural issues: abutters list, BOH acknowledgement receipt, copy or waivers letter
- 5) order of conditions from ConCom needed (if there are any changes after Planning Board approval made by ConCom, they would have to return to Planning)
- 6) waiver to minimum width of 40 feet from 50 feet requested (consistent with approved previous portions of development)
- 7) need plan for the 32 lots off a single access roadway (17 already there and the 15 lots this new plan proposes)
- 8) waivers of sidewalk and planting strips are missing
- 9) they are using individual recharge systems for each lot; make sure it is done
- 10) questions about pipe size calculations, which have now been provided and are adequate
- 11) subdrain was required, and has been added to newest plan
- 12 - 14) calculations needed on stormwater management; pre-and post-development analysis
- 15) one detention basin did not have test for groundwater determination; it has since been provided
- 16) detention areas and cuts for underground utilities need de-watering detail on plan
- 17) technical detail on calcs for posted outlet needed to be revised; this has been provided
- 18) clarification on watershed plan for basins; this has been addressed
- 19) sediment forebay sizing calcs were requested, and have been provided

(There was a peer review #2, dated today. September 21, 2017, which was received, for which there was no time to respond but which will be covered in the continuation of this public hearing.)

Present at this public hearing, along with the Board and Engineers, were:

- Nelson Pio, 59 Park Drive
- Margaret Ishihara, 2201 Cranberry Highway, PO Box 567. West Wareham MA 02576
- Adam Barboza, 27 Morses Lane
- Merilee Kelly ConCom Agent
- Rich Riccio, Field Engineering Co., Inc, 11 D Industrial Drive, Mattapoisett, MA 02739

Mr. Young asks if there are any disputes on the review between GAF and Field? Mr. Rogers, GAF, responds that there is no dispute, that they are very comfortable with the review. They ask for a continuance from the Planning on this public hearing.

Mr. Young asks if there are any additional questions or comments from the Board? Hearing none, the attendees are asked if they have questions for the engineers or the Board.

Joe Correia, Board of Health Agent, presents his Board's concerns. They have issues in general about mosquito and tick control, to lessen the impact on humans of diseases borne by those populations (EEE, West Nile virus, Lyme Disease, Babesiosis, HGA (human granulocytic anaplasmosis) and other communicable diseases). Wet detention ponds are a prime habitat for animals and insects. They are difficult to clean out and maintain. The Board of Health is asking developers and Planning to require that these ponds of water be grassed at the bottom and above the seasonal high groundwater. Obviously there is going to be some storage prior to them drying out. But it is hoped that if they are maintained once or twice a year, trimmed down bottom and sides to keep invasive species out, that it will make for better public health outcomes.

Mr. Young noted that health and safety issues and regulations for water quality standards seem to make for conflicting issues between the Board of Health and the Conservation Commission. The approval of the subdivision will be contingent on ComCon's decision on the basins.

Mr. Rogers states that the engineer will work with the Notice of Intent. He asks how Planning feels about basins: wet or dry? Planning is seeking agreement between the Board of Health, Conservation and the DPW on the issue.

Mr. Young asks if the public has any questions:

- Nelson Pio, 59 Park Drive: He states that water pressure is 34 psi at 45 Fairway Drive. He is not sure if that is adequate and if there will be enough pressure for the neighborhood. There is a 25 foot grade to the top of the hill. Mr. Young responds that as part of this project, GAF did an impact study for water main pressure. Mr. Rogers states that the fire flow test was done with a 2 1/2 inch line fully open. At the end of the existing line the test was done by Fire Protection Engineers of Fairhaven and found to be adequate. Mr. Pio states that the water pressure is inadequate for homes and fire protection. Mr. Ellis recommends the abutters and engineers converse with the DPW and the Fire Department to resolve. He states that "back in the dark ages", when he was beginning to work as an engineer, one of his tasks was to investigate water pressure difficulties in Acushnet. All higher elevations in Acushnet will be low pressure until New Bedford increases flow or Acushnet provides a separate pressure zone with standpipes (which the Town has not been willing to fund for the past 45 years). That is the cause of the water pressure problems in Acushnet. Whether this extension makes that worse for this neighborhood we cannot say. Mr. Young states that we as a Board cannot determine water pressure adequacy. That determination will have to come from DPW and the Fire Department. He recommend Mr. Rogers submit to them for review.

Mr. Ellis asks if there are any other questions.

A motion is made to make approval of Deep Brook Estates contingent on ComCon's basin approval, as their concerns are our concerns.

So moved: B. Deschamps

Second: P. Mello

Vote was 3 for, 1 absent, 1 abstaining.

A motion is made to continue Deep Brook Estates public hearing to October 19, 2017 at 6:45 pm in the Planning office, 130 Main Street, Parting Ways, 2nd Floor.

So moved: M. DeSilva, Sr.

Second: B. Deschamps

Vote was 3 for, 1 absent, 1 abstaining.

All documentation on Deep Brook Estates is on file at the Town Clerk's office and at the Planning office.

Issue: Stormwater information

Mr. Ellis asked for clarification regarding recharge basins for house lots. These recharge rain water that comes off roofs?

Mr. Rogers replies yes, and states that Acushnet has its own stormwater bylaw. The Planning Board is the Stormwater Committee. However, Acushnet has a few

things that are more stringent than the DEP Stormwater standards; ie, volume control, bigger water quality requirement and additional TSS (total soluble solids) requirement. So, if they are required to go with dry basins, they will need a waiver from volume control requirements.

The primary reasons for roof infiltration units are volume control and help in pre-and post analysis.

Mr. Ellis asks if this would be part and parcel of this subdivision approval: individual recharge basins for house lots? Mr. Rogers states yes, in addition to sumps, we need it for DEP stormwater management and for Town Bylaw adherence.

Mr. Ellis asks who will be responsible for overseeing that the basins are put in when the houses are constructed? Mr. Rogers recommends it be the Board of Health, but Mr. Ellis states that the Building Department is the one with authority (with a way to convince builders that they need to put that in before they can get an occupancy permit). He reminds the Board that we just had one subdivision where the builder "forgot" to put them in.

Issue: A motion is made to continue the public hearing for Special Permit, Common Drive, for Arruda at 148 Peckham Road.

So moved: P. Mello

Second: B. Deschamps

Vote was 4 for, 1 absent.

Issue: Continuation Public Hearing - Special Permit - Common Drive - 148 Peckham Road - Arruda

John Roamnelli of Romanellis Associates Inc. has brought in a Form A as part of this project.

This 3 lot Form A meets all the minimum requirements in frontage and area.

After discussion, a motion was made to approve the Form A as submitted.

So moved: M. DeSilva, Sr.

Second: P. Mello

Vote was 4 for, 1 absent.

The plans were signed, and the paperwork was subsequently submitted. All Form As are on file at the Planning office.

Mr. Ellis notes that these are lower density retreat lots with one less road the Town would be responsible for (no maintaining, no snow plowing, no garbage pickup or school bussing).

The Board continues on with the application for Special Permit - Common Drive for Joshua Arruda. Mr. Romanelli brings in Jamie Bissonette, Consulting Engineer. He explains the plan has been updated by changing the wetlands crossing. The letter from GAF Engineering's Madden was addressed:

They want to:

- keep under 5,000 square foot threshold for wetlands disturbance
- maintain gutter line out to Peckham Road
- although regulations allow up to 10% slope, they look to keep it about 8%, flattening to 1-1 1/2%
- at first crossing, there will be retaining walls on both sides with a culvert underneath
- houses to have roof drains and onground drains
- acknowledge that stormwater management is not applicable

Mr. Romanelli has filed a Form N and a Form O, the special permit application for common drives and the language required to be inserted into the deeds of the affected lots, clarifying that each lot owner understands that the road will be jointly owned and maintained in perpetuity equally by the lot owners and that the road will never be accepted by the Town. All the cost of repairs, plowing, maintenance and responsibility for the road and utilities will be equally borne by the lot owners.

A motion is made to continue the public hearing on this issue to October 19, 2017 at 7:15 pm.

So moved: B. Deschamps

Second: M. DeSilva, Sr.

Vote was 4 for, 1 absent.

All documentation for this issue is available at the Town Clerk's office.

Issue: Form A - Tripp property - 1164 Main Street - across from Country Whip - Romanelli Associates Inc.

This proposal is a Form A lot and a retreat lot. After discussion, it was determined that the area, frontage and setback requirements are met. A motion is made to approve the Form A as submitted.

So moved: P. Mello

Second: B. Deschamps

Vote was 4 for, 1 absent.

All Form As are on file in the Planning office.

Issue: Questions about Labonte Street (paper street) and Pembroke Street property - Ben Reis

Mr. Reis is looking at purchasing the property above. He proposes building three house lots on a paper street in existence prior to subdivision control. It is a private way, to be owned by him to the center line of the unbuilt street. At present it is heavily wooded with wetlands at the beginning and upland at the end. It is located in the Village District, with 100 feet of frontage, 100 foot width and 10,000 square feet of area. The tricky part is improving the access; there is 20 feet to the edge of the right of way.

Mr. Ellis points out that the regulations have a fire code requirement of 20 feet. The applicant may have to encroach on the wetlands and replicate somewhere else on the property.

Mr. Young asks who owns the paper street? Mr. Ellis states that state law says even if the lot description goes to edge of property lot line, the owner owns to the centerline of the street. That gives them access rights and the right to improve.

Mr. Reis met with Dan Menard of the DPW who told him that if he brings water and sewer down the way, he could improve any portion of the 40 foot easement. Mr. Ellis asks if he can run sewer down there, to which Mr. Reis replies Dan Menard said he could.

Mr. Ellis states that Mr. Reis has rights on Labonte Street to access and improve for three lots, including running utilities. He adds that typically the Planning Board does a site visit on these. A motion is made to conduct a site visit on Saturday, October 14, 2017 at 9:00 am on Pembroke Street at the corner of Labonte.

So moved: M. DeSilva, Sr.

Second: P. Mello

Vote was 4 for, 1 absent.

Mr. Ellis requests that the applicant speak to the Fire Chief and the DPW in the meantime and ask them to speak with Henry Young. He tells Mr. Reis it is a process with no guarantees.

Planning will meet on 10-14-17 at 9:00 am to walk the property.

Issue: Form E - Edgewood Acres - Lot 7 - signing

Motion to sign the release form for Lot 7 in Edgewood Acres.

So moved: P. Mello

Second: B. Deschamps

Vote was 4 for, 1 absent.

This Form E was given the next day to Mike Reis after it was notarized. All Form Es are on file in the Planning office.

- Issue: Memos from Finance Department regarding new forms - filed
- Issue: Memo from Brian Noble regarding return to the five day work week after summer hours of no Fridays and extended Tuesdays
- Issue: Notice from Buzzards Bay Coalition regarding purchase of land for Conservation purposes - attached to these minutes
- Issue: Planner Update - Henry Young

Issues:

- working with Brian Noble Town Administrator on the discontinuance of some paper streets (it must be voted on at Town Meeting with notification to owners of land on paper streets)
- looking for an intern for the rewrite of the Master Plan
- the Town has not done many subdivisions for a while, and there is a state program where Towns must comply with building of sidewalks and underground utilities to qualify for certain monies. Mr. Noble is asking for a "forward look" by Planning to require these in new construction. Is it appropriate to waive sidewalks? Should the issue be raised? Are these to be required on Labonte Street construction in the central village?
- Mr. Young is looking into the paperwork submitted for "ancient way" status of Morses Lane and will be conferring with Town lawyers to see what must be done.

- Issue: Mr. Mello raises the issue of work being done on Peckham Road and the need to speak with both the workers and Police about visibility of traffic pattern. Mr. ;Young says he will speak with them.

- Issue: A motion is made to adjourn (no time noted).
So moved: B. Deschamps
Second: M. DeSilva, Sr.
Vote was 4 for, 1 absent.

Respectfully submitted,
Donna M. Ellis