

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, June 8, 2023

The Stoughton Planning Board met on Thursday, June 8, 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: 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 June 8, 2023. The meeting is being taped by SMAC, so everyone should act accordingly. Item #1, Chairman's Comments. He would like to thank Dennis Walsh for his service on the Planning Board for the past year. His term is up and he was appreciated by the Board. Mr. Walsh thanked everyone and enjoyed his time there.

Motion by Mr. Demusz to open Item #2 – Form A – ANR Plan, seconded by Mr. Terry. All in favor. Motion Approved 5-0.

Eric Dias of Strongpoint Engineering introduced himself and explained that this is a simple two (2) lot ANR Plan. They have the required access, frontage, and meets the shape factor.

Motion by Mr. Demusz to open Approve the ANR as presented, seconded by Mr. Terry. All in favor. Motion Approved 5-0.

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

Item #4. MAPC presentation on the Campanelli Rezoning Study.

Andrea Harris Long introduced herself and explained that they have been working hard on this study. They have done updates; will be doing additional outreach; and are now looking for comments from the Board. Once additional information is gathered they will come back to the Board with additional updates.

The purpose of the study was to support and retain industrial growth and economic development. Leverage is depending upon maximizing sewer improvements along Route 27; expanding industrial growth for more jobs and tax revenues; retaining existing industrial uses to grow and expand; and leveraging regional bus service and connecting commuter rails. They are also accessing current zoning and providing recommendations for improving zoning based on land use, and zoning analysis, along with industrial market assessment. They have three (3) main goals, including:

- Land Use/Zoning Assessment: Comparable industrial park selection in consultation with Real Estate Expert and existing land use, parcel level comparison across selected parks.
- Industrial Market Assessment: Business conditions analysis including industry types, employment, building stock. Real estate conditions analysis including rents and occupancy.
- Zoning Recommendations: Proposed I-2 Zoning District.

As part of the study, a regional South Shore commercial real estate expert was consulted to elect the three comparable study areas. The following three selected industrial parks were identified as comparable in terms of having sewer improvements in place and their proximity as industrial market competitors: (1) Commerce Center, Canton; (2) Will Drive, Canton; and (3) York Industrial Park, Randolph.

Campanelli is more affordable; has a comparable amount of real estate; has fewer total businesses; and has a single vehicular access point with limited frontage and visibility from major roads and highways. Dimensional and parking regulations are more restrictive compared to other industrial parks.

Chair Kelly explained that he likes some of the ideas, along with the creativity for the economy. This allows more flexibility in height and allows for over four (4) stories with a special permit. Also, the lot size is very different with many different lot sizes.

Mr. Terry was concerned with the different in costs for real estate and having no direct access to the highway. There is a cost differential on the different industrial parks and we need to check on this.

Mr. Beliveau had concerns with the minimum setbacks; vegetated and landscape buffers. Also, size of trees, time for development of screening; lack of sidewalks, and the conditions of the roads. Also of concern was access of the workers to work by transit; shuttle; and bus.

MAPC explained that they are looking for feedback from Boards, Committees, Town Meeting members, along with more outreach to property owners. They plan on doing a Rt. 27 engagement and keep track of all questions, and then come back and do another presentation.

The proposed timeline will be:

- Focus groups will share the Campanelli Report recommendations with Town Officials, Property and Business owners (in and near the study area);
- Share report recommendations with the public as the project progresses;
- Go through with the public hearing process;
- Collection questions and feedback to be addressed during the process;
- Make tweaks to the draft bylaw;
- Have the Board will see the full matrix; and
- The Goal is to present at Fall Town Meeting.

Mr. Terry requested doing some research on comparing similar industrial parks to Campanelli, including Reebok in Canton.

Mr. Roth explained that they are trying to increase and make this area a higher density with more available uses; such as small businesses with at least six (6) employees; creating higher property values, along with creating larger businesses and buildings. He stated that he will put this study up on the website for the residents to view.

Motion by Mr. Demusz to open Item #4 – 0 Page Street, and seconded by Mr. Terry. All in favor. Motion Approved 5-0.

Item #4. 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

A memo was read into the record from S. Scott Rogers, ALSA, Design Engineer, J.K. Holmgren Engineering. "I respectfully request a continuance for 84 Lumber on Page Street, to the hearing on July 13th. We will be in contact soon, Thanks Again, Scott."

Motion by Mr. Demusz to continue 0 Page Street to July 13, 2023 at 7:00 P.M., and seconded by Mr. Beliveau. All in favor. Motion Approved 5-0.

Motion by Mr. Demusz to open Item #5 – 239 Pleasant Street (Assisted Living), and seconded by Mr. Terry. All in favor. Motion Approved 5-0.

Item #5. A CONTINUED Public Hearing will be held on the petition of the Applicant Louis Assisted Living, LLC and owner Yolande Louis, 36 Lunda Street, Waltham, MA 02451, represented by Terrence P. Morris, Esq., 57 Elm Road, Newton, MA 02460, for Site Plan Approval under Section 10.6, "Site Plan Approval," of the Town of Stoughton Zoning Bylaws; for the proposed building renovation to create a 13-bed Assisted Living Facility and the construction of 16 parking spaces to be located at 239 Pleasant Street (Assessors Map 067 Lot 301), in an RU (Residential Urban) Zoning District.

Attorney Terrence P. Morris of 57 Elm Road, Newton, MA, introduced himself along with John Glossa, Engineer, from Walpole, MA. He explained that they have updated all the comments from Mr. Horsfall. He doesn't see any issues and are not requesting special conditions.

Chair Kelly asked how does the Applicant wants to handle the sidewalks.

Attorney Morris explained that they have attending four (4) ZBA meetings. There was never an issue or mention of the sidewalks in the transcripts or in the Decision. He would like a discussion on the detriment and safety of not having sidewalks, since he feels that it would create an unsafe condition for the pedestrians. You can walk from the parking lot and can have direct access to the building through the ramp. If you are coming from the left side of the building you would have to cross in front to enter on the side. If a sidewalk is installed, once it ends when you approach Prospect Street, there is no sidewalk with a 340 foot gap. There are no sidewalks in this area.

Mr. Glossa has an engineering colleague who is a traffic engineer and done projects in Quincy, Boston, and Brookline. He has consulted with him and he stated it is not a good idea to construct a sidewalk since it will create a problem and a hazardous situation.

Chair Kelly explained that he doesn't want to vote and supersede another Board, so he suggested going back to the ZBA to change this. He hears two (2) different interpretations and feels that they don't have the insight on exactly what they are doing, and needs more clarification.

Attorney Morris suggested that the Planning Board add a condition to this Decision, and they will go back to the ZBA.

Mr. Roth explained that he has done a draft Decision with conditions, and the Board went through the Comments & Conditions:

1. The size and material of the existing water service shall be labeled on the plan. The applicant shall verify that the water service is sufficient to meet domestic and fire suppression demands for the project. The Applicant has requested that the Board defer this item to the Building & Fire Departments as they will need to issue permits for the project. We believe this request is reasonable.
2. The ZBA approval for the site required the applicant to construct a sidewalk at the front of the site and obtain a curb cut on Pleasant Street. The plans shall be revised to indicate a new 5' wide sidewalk and curbing to be constructed on Pleasant Street along the entire frontage of the property. The plans shall include sufficient information and detail to install the sidewalk per the property. The plans shall include sufficient information and detail to install the sidewalk per the construction details within the Subdivision Rules & Regulations. The applicant stated that they would prefer not to construct the sidewalk due to safety issues and physical constraints. The applicant will need to return to the ZBA to request to modify the decision if the sidewalk is eliminated from the plan.

3. A waiver is requested to allow a reduced parking space size of 9'x18' long. The Board should consider if this waiver is reasonable.
4. A waiver has been requested for the submission of a Development Impact Statement for this project. The Board should consider if this request is reasonable for this application.
5. A waiver has been requested for relief from Project Review Fees. These fees are not for external peer review services but are intended to cover cost associated with the Town's internal review process. As such, we do not recommend that the Board grant this waiver.
6. The location for all proposed site lighting and construction details shall be added to the plans. A photometric plan shall be included in the plan set to ensure that the site lighting does not exceed the limits set forth in the By-Law. The applicant is proposing to utilize the existing lights on the building. The Board shall consider if this is acceptable.

The Board mutually agreed not to make a decision tonight until we can get an advisory review regarding the sidewalk issue.

Motion by Mr. Demusz to continue this hearing until July 13, 2023, and seconded by Mr. Beliveau. All in favor. Motion Approved 5-0.

Motion by Mr. Demusz to open Item #6 – Best Price Sign, seconded by Mr. Terry. All in favor. Motion Approved 5-0.

Item #6. 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 he met with the sign representative and there is still a language barrier, and they had someone interpret but they are going to continue until July 13, 2023 meeting.

Motion by Mr. Beliveau to continue this hearing until July 13, 2023, and seconded by Mr. Demusz. All in favor. Motion Approved 5-0.

Motion by Mr. Demusz to open Item #7 – Ron DiMatteo, and seconded by Mr. Terry. All in favor. Motion Approved 5-0.

Item #7. A NEW public hearing will be held on the petition of the Applicant: Ron DiMatteo, 45 Sumner Street, Brockton, MA 02301 and the owners Applewood Farm Realty Trust, 737 School Street, Stoughton, MA and RDR Sumner LLC, 1044 Central Street, Suite 201, Stoughton, MA. Represented by PMP Consulting, Inc., 200 North Bedford Street, East Bridgewater, MA 02072 for a Definitive Subdivision Modification approval of a previously approved subdivision, Pine Hill Estates. The proposal is to divide Lots 36 and 82 on Assessors Map 73 into 3 new lots which are 2 proposed building lots and the remainder area of Lot 36. The property is located at 3 Ruggiero Way, (Assessors Map 73, Lot 82), Sumner Street (Assessors Map 73, Lot 36) located in the Residential-Suburban A (RA) zoning district.

Mr. Jacobs introduced himself and explained that he represents Ron DiMatteo, representative of Pine Hill Estates. They are proposing to divide Lots 36 and 82 on Assessors Map 73, into three (3) new lots which are two (2) proposed building lots and the remainder area of Lot 36. He presented before and after plan showing the proposed lots. They were granted approval by the Zoning Board in 2022, and the binder and all utilities are complete.

There were no issues with Mr. Horsfall's review and this was a modification of the plan and a Form A.

The Board was concerned with why they should modify an already approved plan. The Decision specifies that this property shall contain "no more than 4 lots". However, the applicant has now added more land, thus meeting the lot area requirement. In addition, the ZBA by granting a variance to the lot frontage and lot width requirements has now made the proposed lots comply with the zoning bylaw. It was noted that despite being notified, there are no neighbors present here.

Chair Kelly questioned if the existing conditions can be modified by the Board, and the Board agreed that we should continue this hearing; get legal council's approval in order to make technical changes; and resolve all issue, in order to move forward.

Donna DiMatteo explained that this property is her mothers and they are trying to utilize the property for the family to live on.

Chair Kelly explained that the Board has no issue with the concept of what the Applicant is trying to do, we just need a legal opinion in order to move forward and do this correctly.

Motion by Mr. Demusz to continue this hearing until July 13, 2023, and seconded by Mr. Beliveau. All in favor. Motion Approved 5-0.

Minutes will be discussed at the next meeting and Mr. Terry asked to be reappointed to the CPC.

Motion by Mr. Demusz to re-appoint Mr. Terry to the CPC, and seconded by Mr. Beliveau. All in favor. Motion Approved 5-0.

Chair Kelly requested a motion to adjourn at 8:30 p.m.

Adjournment

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