



TOWN OF AVON  
2022 AUG 24 P 3:41  
TOWN CLERK

BUCKLEY CENTER, Avon, MA 02322

Telephone: 508-588-0414

## Avon Planning Board

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**Date:** July 21, 2022

**Members Present:** Chuck Comeau, Chair; Charles Comeau, Jr., (via phone); Vice Chair; Robert Pillarella, Member; Jason Suzor, Jr.; Clerk, Charles Marinelli, Member (in person)

**Members Absent:** n/a

**Others Present:** Chris Lucarel, RHINO 40 Ledin Investors, LLC., Area Director, Ed Conley, RHINO 40 Ledin Investors, LLC.; Robert Borden, Building Inspector; Lynne McKenney, Recording Secretary (in-person)

Chuck Comeau, Jr., Vice Chair called the meeting to order at 7:18 p.m. with all members present. Each Board member acknowledged their presence at the meeting by responding in the affirmative during the roll call. Due to technical difficulties, the meeting was only partially recorded.

This meeting of the Planning Board is being conducted via a hybrid method. The public may attend the meetings in-person or may continue to participate via remote Zoom access. Until further notice, in-person attendees, who are not vaccinated, will be recommended to wear a mask.

### Minutes

A motion was made by Charles Comeau, Jr. to approve the meeting minutes of May 14, 2022, seconded by Charles Marinelli. No discussion on the motion. A roll call vote was taken, Robert Pillarella voted aye, Charles Marinelli, Charles Comeau, Jr. voted aye, Jason Suzor, Jr. voted aye, and Chuck Comeau voted aye.

## **Public Hearing for 40 Ledin Drive**

Chuck Comeau, Chair opened the Public Hearing on 40 Ledin Drive at 7:19 p.m.

The following Public Hearing Notice was read in.

Notice is hereby given that the Avon Planning Board will hold a Public Hearing on Thursday, July 21, 2022 at 7:15 P.M. regarding property located at 40 Ledin Drive. The hearing will be held at the Avon Town Hall, 65 East Main St. Avon, MA. Please visit <https://www.avon-ma.gov/node/63/agenda/2022> for updates on hybrid participation and Covid protocols.

Petitioner, RHINO 40 Ledin Investors, LLC of 33A Commercial Wharf, Boston, MA is requesting the hearing which will consist of a Special Permit under Section 255-7.5 and Site Plan review under section 255-12.2 for the proposed construction of a 12' x25' concrete pad to support the installation of a Fire Rover (containerized, packaged fire monitoring and extinguishing system) at 40 Ledin Drive., Avon, MA.

Plans may be viewed by appointment prior to the hearing at Town Offices or found on the Town Website. <https://www.avon-ma.gov>.

Mr. Chris Lucarel discussed the proposed work at 40 Ledin Drive and answered the Planning Board member's questions. The petitioner would like to install a containerized, packaged fire monitoring and extinguishing system for incipient fires that is independent and stand-alone from any existing fire protection system. He explained that the containerized system, also called "Fire Rover" includes 30 gallons of non-hazardous foaming agent pre-mixed with 970 gallons of water, stored in a 1000-gallon tank contained inside an inter-modal container and will be located to the exterior of the building. He explained that the proposed work is to construct a 12'x 25' concrete pad to support the installation of the Fire Rover. He explained that the company has done 40-50 installations in the area.

The Planning Board discussed the following:

- The concrete pad sits flush with pavement
- The Fire Rover sits inside of the storage container (locked box)
- Fire Department to be notified (the fire suppression system is tied into the Avon Fire Department)
- How the Fire Rover works (pressurized system to prevent freezing, (12 inch pipes painted yellow connected to the building)
- There is no anti freezing agent used, tank sits alone

No members of the public attended the meeting.

## **Motions**

A motion was made by Robert Pillarella having considered the following: Motion to approve Site Plan review under section 255-12.2 for the proposed construction of a 12' x 25' concrete pad to support the installation of a Fire Rover (containerized, packaged fire monitoring and extinguishing system) at 40 Ledin Drive, seconded by Jason Suzor, Jr. No discussion on the motion. A roll call vote was taken. Robert Pillarella voted aye, Charles Marinelli voted aye, Charles Comeau, Jr. voted aye, Jason Suzor, Jr. voted aye and the Chair, Chuck Comeau voted aye. The motion carries.

A motion was made by Robert Pillarella to approve the Special Permit under section 255-7.5 L.2 to issue a special permit authorizing the installation of one 8' x 20' shipping container. The period of time of such authorization for the special permit is intended remain in effect as long as the building use remains the same, seconded by Charles Comeau, Jr. No discussion on the motion. A roll call vote was taken. Robert Pillarella voted aye, Charles Marinelli voted aye, Charles Comeau, Jr. voted aye, Jason Suzor, Jr. voted aye and the Chair, Chuck Comeau voted aye. The motion carries.

Due to site work being performed in the Water Shed Protection District a Special Permit must be approved by the Avon Planning Board. A motion was made by Charles Comeau Jr. to approve the Special Permit for 40 Ledin Drive under section 255-5.4 Water District Protection District having considered the standards below seconded by Charles Marinelli. No discussion on the motion. A roll call vote was taken. Robert Pillarella voted aye, Charles Marinelli voted aye, Charles Comeau, Jr. voted aye, Jason Suzor, Jr. voted aye and the Chair, Chuck Comeau voted aye. The motion carries.

- A one-percent or greater reduction in the groundwater yield of the public wells in the district;
- Pollution from sewage wastes, stormwater runoff or other liquid or water-soluble materials that would reduce the affected aquifers or streams to below drinking water standards or otherwise reduce the quality of water available in the public wells in the district or in downstream surface water supplies;
- Violation of underground injection control regulations under 310 CMR 27.
- In addition, the applicant shall demonstrate that creation of any impervious surface greater than 15% of the lot or 2,500 square feet, whichever is larger, includes facilities sufficient to recharge water from a fifty-year storm without endangering the groundwater. The facilities shall use vegetated infiltration basins where possible rather than dry wells, and shall be protected by oil, grease and sediment traps.

In the Water Supply Protection District, the following uses are explicitly prohibited:

- The application of pesticides, including herbicides, insecticides, fungicides and rodenticides for nondomestic or nonagricultural uses in accord with state and federal standards.



- The application of fertilizers for nondomestic or nonagricultural uses so as to minimize nutrient transport and deposition.
- Uses which render impervious more than 15% or 2,500 square feet of any lot, whichever is larger.
- Activities involving the handling of toxic or hazardous materials in quantities beyond normal household use.
- The storage of liquid petroleum products except for the approved above-ground or in-building storage in a freestanding container with secondary containment for the tank's full capacity of fuel for household heating, for legally required waste oil retention facilities, for emergency generators or for water treatment works designed and approved according to 314 CMR 5; however, replacement of existing tanks or systems for keeping, dispensing or storing of gasoline is allowed consistent with state and local requirements.

The Planning Board will need a list of the chemicals that are stored at 40 Ledin Drive.

Chuck Comeau, Chair explained to the petitioner that there is another fee of \$250.00 owed for the Special Permit in the Water District Protection District.

A motion was made by Robert Pillarella to close the Public Hearing on 40 Ledin Drive, seconded by Charles Comeau, Jr. No discussion on the motion. A roll call vote was taken. Robert Pillarella voted aye, Charles Marinelli voted aye, Charles Comeau, Jr. voted aye, Jason Suzor, Jr. voted aye and the Chair, Chuck Comeau voted aye. The motion carries.

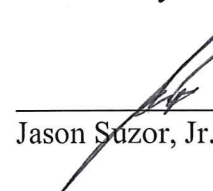
### **Discussion**

The Planning Board members discussed the following:

- 655 West Main Street
- Mail
- Upcoming Public Hearings

The next Planning Board meeting is scheduled for August 11, 2022 at 7:00 p.m.

A motion was made by Charles Comeau, Jr. to adjourn the Planning Board meeting at 8:09 p.m., seconded by Charles Marinelli.

  
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Jason Suzor, Jr., Clerk

### **List of Documents:**

1. July 19, 2022 meeting agenda
2. Planning Board misc. mail
3. Meeting minutes July 14, 2022
4. Public Hearing Notice, Application, Site Plan, Abutters list for 40 Ledin Drive