



BUCKLEY CENTER, Avon, MA 02322
Telephone: 508-588-0414

TOWN OF AVON
2020 DEC 29 A 9:21
TOWN CLERK

Avon Planning Board

Date: November 5, 2020

Members Present: Charles Comeau, Chairman, Robert Pillarella, Vice Chair, Charles Comeau, Jr., Member, Charles Marinelli, Member, Jason Suzor, Jr.

Others Present: Robert Borden, Building Inspector, Nick Cristofori

Chairman Comeau announced that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, Subchapter 20 and the Governor's March 23, 2020 Order imposing limitations on the number of people that may gather in one place, this hearing of the Avon Planning Board will be conducted via remote participation. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public can adequately access the proceedings as provided for in the Order. Chairman Comeau reminded the viewing audience that persons who would like to view this meeting while in progress may do so by joining the Zoom link for the videoconference in session.

Chairman Comeau called the meeting to order at 7:03 p.m. with all members present. Each Board member acknowledged their presence at the meeting by responding in the affirmative during the roll call.

Minutes

A motion was made by Robert Pillarella to approve the meeting minutes of October 1, 2020, seconded by Charles Marinelli. There was no discussion on the motion. A roll call vote was taken. Robert Pillarella voted aye, Charles Marinelli voted aye, Charles Comeau, Jr. voted aye, Chuck Comeau voted aye. The motion carries.

A motion was made by Robert Pillarella to approve the October 15, 2020 meeting minutes seconded by Charles Marinelli. 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 Chuck Comeau voted aye.

Class One License for Unbreakable, LLC. – 105 Memorial Drive (D3-11-2)

The applicant Mike Borghesani is requesting a Class One License for the light assembly of heavy equipment and the sales of new and used machines. The applicant is currently working out of Stoughton. The assembly of the equipment will be completed inside the building consisting of front end loaders and some smaller size equipment. Mr. Borghesani stated that there will be no storage containers on site and the machines will be kept out back. The applicant explained that trucks will not be delivering equipment on a daily basis, usually once or twice a month. The applicant discussed the possibly of adding onto the building next year. The Planning Board asked if any equipment will be for sale out front. The Planning Board requires that all traffic needs to be contained to the sight and is to be kept clean and presentable. The board asked if there will be any assembly or repairs completed. The applicant explained that there will be minimal repairs, limited if any. The applicant's hours of operation will be 8 a.m. to 4 or 5 p.m.

The Planning Board is requesting a list of chemicals and products, grease, antifreeze, oil, etc. The applicant will not have any 50 gallon drums. There will be no additional signage as of right now, the applicant may replace or paint the current sign. The Planning Board stated that if any lighting is added it has to be dark sky compliant. Mr. Borden stated that the applicant will need to get approval from the Board of Selectman for the actual license. Mr. Borden, Building Inspector, clarified with the applicant that the work being completed at 105 Memorial Drive will consist of light repair and assembly. The applicant said it would be mostly the repair of Cat 908's, which are about 12,000 pounds. The rules and regulations for the use inside the building will fall under the building code. The Planning Board will send a letter of recommendation to allow the Class One License for 105 Memorial Drive to the Board of Selectmen.

A motion was made by Robert Pillarella to send a letter of recommendation to the Board of Selectmen, for them to issue a Class One License to 105 Memorial Drive, Unbreakable, LLC., seconded by Charles Marinelli. A roll call vote was taken. Robert Pillarella voted aye, Charles Marinelli voted aye, Chuck Comeau, Jr. voted aye, Jason Suzor, Jr. voted aye and Chuck Comeau voted aye. The motion carries.

The Planning Board will send a letter to the Board of Selectman to approve the Class One License for Unbreakable, LLC. – 105 Memorial Drive (D3-11-2). If they decide to make any improvements, the applicant will need to go in front of the Planning Board with a site plan for them to review.

Stormwater Rules and Regulations

Nick Cristofori discussed the changes to the Stormwater Rules and Regulations.

A motion was made by Robert Pillarella to adopt the amendment that was approved at the last meeting to include the \$3,500.00 application fee and implementation of the Stormwater Rules and Regulations as of January 1, 2021, seconded by Charles Marinelli. A roll call vote was taken. Robert Pillarella voted aye, Charles Marinelli voted aye, Charles Comeau, Jr. voted aye, Jason Suzor, Jr. voted aye, Chuck Comeau voted aye. The motion carries.

540 Bodwell Street Continued Public Hearing

Paul Seaburg of Grady Engineering reviewed the site plan for 540 Bodwell Street, Ext.

Mr. Comeau discussed the recommendations from Grady Engineering regarding the property at 540 Bodwell Street, Ext. The applicant is waiting on approval from the Board of Health regarding the shared septic system at 540 Bodwell Street Ext. Mr. Seaburg stated that if the property at 540 Bodwell Street Ext. is sold, the septic system will be shared and there would be an easement. The applicant stated that the groundwater test pits have been completed and that the ground water on site is high.

Mr. Robert Pillarella stated that in reading the information from the site plan, it has met all of the requirements pending the Board of Health and the Conservation Commission recommendations and Orders of conditions.

The building size being constructed will be 25ft high with a single sloped roof. The Planning Board questioned where the reduction of pavement will be. The applicant will be removing the pavement alongside the wetlands. The Planning Board asked the applicant how the sub surface drain area infiltration system will be maintained. The applicant has an Operations & Maintenance plan which includes maintenance and yearly reports to be given to the town. The landscape plan will include lower sized shrubs, possibly one or two trees in the circle area. Cape Code berm will be installed along with a small wood style guard rail. The Planning Board did not receive any correspondence from the Fire Department regarding the project. The dumpster will be surrounded by a stockade fence.

There were no questions from the public.

Mr. Comeau, Chair would like to hold off on voting pending the outcome of the Conservation Commission and the Board of Health recommendations. There will need to be something is writing regarding the shared septic system.

Robert Borden discussed his concerns with 540 Bodwell Street Ext. including: FEMA flood insurance rate maps (flood zone area); six parking spots are in the front yard setback; the frontage on the lot is pre-existing non-conforming and may require a variance; one handicap parking spot is required, rules and regulations state that it needs to be a van size space. These concerns need to be looked into prior to the approval of the site plan. The Planning Board will look into the amount of parking spaces and where they need to be located. Paul Seaburg will track down the variance for the Planning Board and Robert Borden, Building Inspector.

A motion was made by Robert Pillarella to continue the Public Hearing on 540 Bodwell Street Ext. to discuss additional items to December 3, 2020 at 7:30 p.m. seconded by Charles Marinelli. A roll call vote was taken. Robert Pillarella voted aye, Charles Marinelli voted aye, Jason Suzor, Jr. voted aye, Chuck Comeau voted aye. The motion carries.

1 Kiddie Drive

Frank Marinelli, Attorney and Joe Karis, Owner

All documents need to be signed by the Planning Board members. A stamped copy will then be sent to Mr. Frank Marinelli, Attorney of 1 Kiddie Drive. A copy will be mailed to the Registry of Deeds to be recorded.

Update from Robert Borden, Building Inspector

- Lowe's Outlet Store – should be completed by 12/1/20
- Messina may rent out some of their vacant property on Stockwell Drive
- The largest online retailer is looking at 275 Bodwell Street
- Discussion regarding Doherty Ave.
- TL Edwards is looking to finish paving on Katherine's Way
- Katherine's Way - the road has sunk where the water lines were put in
- Discussion regarding 361 West High Street
- Johnson Road house will be demolished for a new colonial to be built
- Recording log on Curtis Estates booster pumps need to be installed, refer to engineer's letter. There needs to be a resolution for the applicant to get a certificate of occupancy.
- Discussion regarding Lot 11 near Ikea Way.
- A warrant for a cease and desist was given to 75 Robbins Street (Air B and B), sleeping quarters in the basement are not allowed. The property owner has to provide a statement to the Town of Avon that he will never rent that room again.
- Simon from Avon Gas is proposing an addition to the repair shop. He will need to come in for a full site plan review with the Planning Board.

Housing Production Plan

A warrant for a Public Hearing will be completed. Town administrator will get more information regarding the Housing Production Plan. The Green Community initiative will be discussed soon as well.

Adjournment

At 8:58p.m., Mr. Robert Pillarella made a motion to adjourn the Planning Board meeting, seconded by Mr. Charles Marinelli. A roll call vote was taken. Robert Pillarella voted aye, Charles Marinelli voted aye, Chuck Comeau, Jr., voted aye, Jason Suzor voted aye, Chuck Comeau voted aye. The motion carries.

Respectfully Submitted,

Chuck Comeau Jr

Chuck Comeau Jr., Recording Secretary
Avon Planning Board

List of Documents:

1. November 5, 2020 Meeting Agenda
2. Stormwater Rules and Regulations
3. Housing Protection Plan
4. Summary from Frank Marinelli, Attorney for 1 Kiddie Drive