



TOWN OF AVON
2021 JAN 22 A 7:56
TOWN CLERK

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

Avon Planning Board

Date: August 6, 2020

Members Attending: Charles P. Comeau, Robert Pillarella, Charles Comeau, Jr., Charles Marinelli

Absent: n/a

Also, Present: Robert Borden, Building Inspector,
Edward Mekjian, abutter of 273 East Main Street
Rickie Elhaouli, Rami Sidani representing 273 East Main Street
Mr. Jason Jarvis representing New England Truck Solutions; John DeSousa
Cathy Kenney, Kathy MacDonald, Christine Godino, Superintendent of Avon Public Schools
Nick Celia, Paul Konowicz, Paul Collins, John Smith abutters of 144 South Street

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 6:30 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 Charles Marinelli to approve the meeting minutes from March 5, 2020, seconded by Robert Pillarella. A roll call was done. Robert Pillarella voted aye, Charles Marinelli voted aye, and Chuck Comeau voted aye. The motion carries.

A motion was made by Robert Pillarella to approve the meeting minutes from June 18, 2020 with one exception (Mr. Pillarella's name is misspelled), seconded by Chuck Comeau Jr. A roll call was done. Mr. Pillarella voted aye, Chuck Comeau, Jr. voted aye, and Chuck Comeau voted aye. The motion carries.

11 Ledin Drive

Mr. Jason Jarvis represented New England Truck Solutions. They are looking to use 11 Ledin Drive for sales, service and parts, same as the previous business. Mr. Comeau asked if there would be any change in the number of vehicles. Mr. Jarvis stated there will be no changes to the front. They need a Class I License so the state will recognize them as the new owners of the property. The hours of operation will be Monday through Thursday 7 a.m. to 11 p.m., Friday 7 a.m. to 5 p.m., closed on Saturday, and Sunday 7 a.m. to 3:30 p.m. A special permit is not required. The Planning Board will send a letter of endorsement to the Board of Selectman for them to approve the Class I License. This letter will state that the existing use and the new use will be the same. There will also be a list of conditions attached to it.

Public Hearing 273 East Main Street

Town of Avon Planning Board Public Notice:

Notice is hereby given that the Avon Planning Board will hold a Public Hearing on Thursday, August 6, 2020 at 8:00 p.m. regarding property located at 273 East Main Street. This hearing will consist of Site Plan Review under Section 12-2 for a proposed rebuild of the existing motor vehicle service station and adding a convenience store. Also, in conjunction with a Site Plan Public Hearing the Avon Planning Board will hold a Public Hearing in regards to a Special Permit under Section 5-4 Water Supply Protection District. The Hearing will be held in the Avon Planning Board Office at the Avon Town Hall, Buckley Center.

Plans may be viewed prior to the hearing at Town Offices,
Publication dates: July 22, 2020 and July 29, 2020 in The Brockton Enterprise

The Planning Board will have to continue the Public Hearing on 273 East Main Street since the meeting was posted as being held at town hall and not virtually through a Zoom meeting. The Planning Board received the site plans for 273 East Main Street, Avon, MA. The Planning Board will review the site plans. The site plan proposal is to raise and rebuild the gas station, adding four fuel dispensers, new canopy, and nine parking spaces in front of the store, underground drainage system, gallery and grease trap, and change

from full serve to self serve. Mr. Comeau opened the public hearing, stating that the abutters were notified by the Town Clerks office.

Mr. Ranni Sidmi from North County Group is representing the owner of 273 East Main Street. The applicant would like to convert the old repair shop into a convenience store. They will be adding four fuel dispensers. The applicant is proposing nine parking spaces in front of the building, a new canopy, and underground drainage system to collect and infiltrate the stormwater, (currently there is no drainage system). The convenience store will be 2,198 sq. feet which is outside the fifty feet protection zone off the wetlands. There will be an underground leaching galley and a proposed grease trap that will collect water. The applicant is proposing a self serve gas station. The existing tanks underground will be replaced with two underground storage tanks; one consisting of 10,000 gallons of regular and the other tank will be a combination of 7,000 diesel and 5,000 super. They will be encased in an underground vault; the tanks are double walled fiberglass tanks. The applicant is planning on putting in a new septic system as well.

Mr. Comeau stated the current by-law does not allow for a self serve gas station. The applicant will have to petition the Town of Avon, Board of Selectman to get a warrant added to the next Town meeting to consider changing the by-law. Right now it only allows for full service gas stations. Mr. Comeau stated there is no issue in regards to a convenience store. Mr. Comeau asked if the applicant spoke with MA highway regarding the curb cut and where the frontage of the property abuts the state highway. Mr. John DeSousa from North County Group has initiated talks with MA Highway, as long as they show MA highway they are containing the curb cuts to control the traffic flow more than what currently exists. Once the applicant receives more input from the Planning Board and the Conservation Commission, they will make the application to MA Highway. Mr. Comeau stated that this property is located in the Watershed Protection District. Mr. Comeau spoke about the list of requirements for gas stations; tanks, construction, drainage, containment, etc. These are all allowed in the Watershed Protection District as long as the list of requirements is set in place. In regards to the parking lot area, Mr. Comeau asked if there is anything regarding a proposal for bollards to help stop vehicles from going through the building. There is currently nothing on the plan. The applicant does not have a problem adding the bollards as a safety measure. Mr. Comeau asked what type of facility will be in the building. The applicant stated there will be a donut shop and warm up food only. The grease trap is required because they have a three bay sink to rinse out coffee pots. If there is seating, it will be minimal. There will be public restrooms to be used by employees and customers. Mr. Comeau would like to look more into the snow storage. The applicant will remove any additional snow off site. Mr. Comeau is concerned about the traffic and speed of the vehicles on the roadway, especially coming off of Harrison Boulevard where there is currently a yield sign. The Planning Board would like the applicant in talking with MA highway put a stop sign instead of the yield sign that is currently there for safety measures. When customers exit the gas station, the Planning Board would like to see a right turn only sign installed. The applicant will keep the signage pretty close to the same area as it is now. The applicant will email the board a preliminary elevation of the building. The dumpster area will be covered by a plastic stockade white fence. The lighting is adequate and will have to be dark sky compliant lighting that points down to the ground. Mr. Bob Pillarella has a lot of the same concerns as Mr. Comeau. Mr. Pillarella has big concerns regarding the line site to Harrison Boulevard as well as the increase in traffic flow due to the donut

shop and convenience store. Some of the decisions that are made by the Planning Board will be determined on what MA Highway allows. Vehicles entering and exiting the station cross four lanes. Mr. John DeSousa suggested that the gas station have one way in and one way out signs to help alleviate the traffic concerns. Mr. Borden, Building Inspector asked the applicant if there will still be a separate diesel pump.

There were no questions from the public.

The Public Hearing on 273 West Main Street will be continued until the next Planning Board meeting scheduled for September 3, 2020.

Public Hearing for 144 South Street

Town of Avon Public Hearing Notice:

Notice is hereby given that the Avon Planning Board will hold a Public Hearing on Thursday, August 6, 2020 at 8:00 P.M. regarding property located at 144 South Street. This hearing will consist of Site Plan Review under Section 12-2 for a proposed parking lot for the Ralph D. Butler School. Also, in conjunction with a Site Plan Public Hearing the Avon Planning Board will hold a Public Hearing in regards to a Special Permit under Section 5-4 Water Supply Protection District. The hearing will be held in the Avon Planning Board Office at the Avon Town Hall, Buckley Center.

Plans may be viewed prior to the hearing at Town Offices,

Publication dates: July 22, 2020 and July 29, 2020 in The Brockton Enterprise

The Planning Board will have to continue the Public Hearing on 144 South Street since the meeting was posted as being held at town hall and not virtually through a Zoom meeting.

Mr. Mike Carter of GCG Associates, Inc. and Christine Godino, Superintendent of Avon Public Schools discussed the site plan for 144 South Street, Butler School parking lot project. The town of Avon Public Schools is proposing modifications to the driveways, parking areas and walks for the Butler Elementary School. The improvement include adding an additional 101 marked parking spaces and an additional driveway to access the school. These changes will improve the traffic flow for the school busses, parents and safety for the students. Currently there are 68 existing parking spaces. The proposal is for a total of 169 parking spaces.

Questions from the Planning Board:

The Planning Board discussed the option of having a two way in and out at the current entrance. They discussed the importance of having signage installed to show where to enter and exit the parking lot. Once the project is complete, the school buses will park in the rear parking lot of the Butler School. The Planning Board and Robert Borden, Building Inspector discussed the option of having two parking spaces be utilized for electric vehicles. The energy code does not state that the charging stations for the electric vehicles need to be in a specific spot. Mr. Pillarella and Mr. Marinelli discussed the option of adding a 6ft. fence for blocking vehicle lights and to provide some privacy to

the abutters and the possibility of the addition of trees to define the space. The east/west property line of 7 Leo's Lane might require a 6 ft. fence due to the glaring lights of vehicles as well. The storage and removal of snow was discussed as well.

Questions from the public:

Mr. John Smith of 1 Leo's Lane had concerns regarding the pitch of the water flow on whether or not it would flow into his yard or the parking lot. He is concerned with how close the new road will be to his backyard. The property line is 30 ft. from the side walk area. Mr. Smith is concerned about his trees and if there will be fencing put up around the abutters' houses.

Mr. Paul Collins of 3 Leo's Lane discussed the option of using the road near the church. The Planning Board and Mr. Mike Carter explained that it is due to safety concerns. Mr. Collins is concerned about kids hanging around the parking lot and driving too fast. He has concerns about kids pool hopping since his property is in close vicinity of the parking lot. The Planning Board listened to Mr. Collins concerns. The police department does routine patrols of schools during each shift. Mr. Collins discussed the option of having speed bumps to help slow down speeding vehicles. The Superintendent will take care of any issues with speeding in the parking lot. Mr. Carter discussed the option of raised cross walks or the possibility of removable speed bumps. Mr. Carter discussed the possibility of a wood barrier near the infiltration basin. The Planning Board discussed with the abutters the mitigation plans and strategies in place regarding what recourse the abutters have. The Planning Board explained that Dig Safe will mark out all existing lines, electric, hydrant, etc. The abutters are concerned about dust control while the project is process. Mr. Comeau explained that part of the specification for the job is to hold the contractor responsible. The Conservation Commission requires a safety fence to be erected to protect abutters during construction. The Planning Board discussed the construction hours of operation due to concerns of the abutters. Mr. Comeau discussed E and O performance bonds and inspections. Mr. Edward Mekjian, member of the Conservation Commission walked Leo's Lane and is very happy with the drainage. They discussed who is responsible for unblocking the drainage and catch basins and maintaining them. The Planning Board will look into whether it is the responsibility of the owner of the property or the DPW.

Nick Celia, co-owner of 3 Leo's Lane explained his concerns regarding water drainage. His yard will have to be raised 2-3 ft. due to the septic. He asked if the curb would help with the flow of water into his yard and if the curb is dislodged will it still control the water flow. Mr. Mike Carter discussed that it should not be an issue, the vertical granite curbing being used is stronger than asphalt curb. The abutters would like a copy of the drainage system report. The abutters discussed the option of having a fence or trees for privacy.

The project will start the next summer (2021).

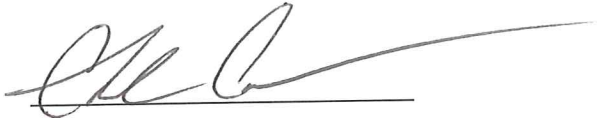
There will be further discussion regarding crosswalks, fencing, and removable speed bumps at the next scheduled public hearing.

The next meeting of the Planning Board will be held September 3, 2020 at 6:30 p.m.

Adjournment

A motion was made by Robert Phillarella to adjourn the meeting of the Planning Board at 9:14 p.m. Seconded by Charles Comeau, Jr. Vote: Unanimous

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'Chuck Comeau, Jr.', written over a horizontal line.

Chuck Comeau, Jr., Member
Avon Planning Board