



TOWN OF AVON

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TOWN CLERK

BUCKLEY CENTER, Avon, MA 02322

Telephone: 508-588-0414

Avon Planning Board

Date: January 7, 2021

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, Norman Kotoch, 100 Ladge Drive, T.J. Recupero, Attorney for Curtis Estates, William Self, Tom....

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 7:00 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

No minutes approved. The minutes will be updated and emailed to the Planning Board members.

100 Ladge Drive – Extra Space Storage – Preliminary informal discussion

Mr. Kotoch discussed the option of adding 10 x 10 mass storage portable units to the property located at 100 Ladge Drive. He would like to have the support from the Town of Avon. Currently, Extra Space Storage is at 90% plus capacity. They are not able to meet the demands of what the customers are asking for; there is a high demand for storage in this area. Customers tend to usually use storage areas within a three-mile radius of where they live. He also stated that smaller businesses in the area are using

storage units more often so they can be more competitive. The units will run on the back end of the property along the back driveway area.

He would like to utilize the other property for parking. He understands that he needs authorization from the Town of Avon. He explained to the Planning Board members that they would be permanent structures, taxable units, and is a more efficient way of utilizing the space. These mass units are better with condensation.

Mr. Comeau, Chair stated there can be no construction completed in that area unless there is a special permit issued by the Planning Board due to the area being in the Watershed District, which is close to a waterway and underground structures that go to the Town of Avon's drinking water supply. There can be no highly contaminated buildings near the area and no expansion will be allowed that would disrupt or disturb the ground area there.

Mr. Kotoch stated that the mass units will not affect the ground area. The mass units sit on top of the ground, not on a concrete pad therefore no foundation will be dug. Mr. Kotoch will have his engineer speak more on the how the mass units work. The mass units can be removed by a forklift. Mr. Kotoch discussed that if the mass units are not working out for the town, they can be easily removed.

Mr. Comeau and the Planning Board had many questions including what holds the mass units down; what will the intrusion to the ground be; what type of flooring will be used (typically steel). There is a big concern regarding what types of items will be stored that can spill and possibly leak into the water supply. The maintenance records will need to be updated and there needs to be adequate parking spaces. Mr. Kotoch wants the town to be 100 percent satisfied and would like to improve the area. Mr. Kotoch will construct some drawings for the Planning Board members to review.

Mr. Bob Pillarella, member of the Planning Board is concerned with the property looking like a trailer park. He discussed that there are plenty of storage companies in the area in nearby towns, Holbrook, Stoughton, Brockton, etc. He discussed that any disturbance in the Watershed District will have to meet with the Conservation Commission and the water way district. The Planning Board members emphasized how concerned they are with disturbing the Watershed District area due to how close it is to the Town of Avon's drinking water. The parking area across the street (which is leased by Extra Space Storage) will have to come under the Stormwater Rules and Regulations of the state and the Town of Avon to be discussed with the Conservation Commission.

Mr. Comeau, Chair and the Planning Board members will set up an appointment with the building inspector and fire chief to walk the site, the Planning Board will then continue the informal discussion with Mr. Kotoch regarding 100 Ladge Drive.

Curtis Estates: Update on outstanding items

On behalf of the applicant, William Self discussed that each unit as they are completed and occupied, they prepare a Board of Health as-built drawing for each building of the whole site minus a few items. They are waiting on the following items: fencing around the bio-retention area; most everything has been planted; specific planting helps generate or take out the nitrates in the water from the street that comes into those areas; the

wetland, wild grass mix around the sides and top of the slopes on the edge of the pavement is starting to grow. The applicant would like to wait until early summer to see how they have grown. The grassy areas will be looked at in the spring and most likely will be reseeded along with the fence installation. Canton Fence is set to come out to install the fence possibly in January if their schedule opens up. The latest will be early spring for the fence installation. The trees are planted throughout the site look healthy. It is documented on the as-build plan. The trees that are in the original proposed plan have been removed from the as-build plan. The bio-retention garden is left to be wild, for environmental purpose, it is not intended to be cut. The bottom is 20-feet in diameter, 30 inches of special soil mix, some percent sand, some percent gravel.

The top of the basin area has a two-foot stone trench around the outside perimeter to help the run-off water infiltrate underground, it flows down into the basin, and the bottom of the basin has four to five inches of large chunk mulch for filtration. The catch basin has a raised cover so the water will always go into the cover; it is designed for that reason. Under the Stormwater maintenance program, once a year depending on the conditions, the basin area should be maintained and inspected; as well as the catch basin being cleaned out. The Association will be responsible for the maintenance. The other items include the complete cleaning of all the drainage structures throughout the roadway and the drainage retention areas in back along the industrial park (3 to 4 structures) that will also be part of the yearly cleaning. The trustees of the association are responsible for making sure the fence is installed). William Self discussed that the signage; crosswalks, and sprinkler system is complete.

Mr. Comeau discussed the agreement the Avon town council drafted between the trustees for condo association and trustees for the land owner that they are releasing their rights to sue the town for any claims as to water pressure. Mr. Comeau, Chair and the Planning Board will vote to rescind the particular line on their Order of Conditions that states that booster pumps must be installed. This agreement has indemnified the town against anyone coming back to the town that said we did not enforce the portion of that order. Through the testing, the engineers and the visible work that was performed it was deemed that booster pumps were not required in the worst case scenario it met the minimum pressure standard that was set forth. Due to this happening, the Town of Avon does not have to enforce that portion of the Order of Conditions that the booster pumps be installed. At the last meeting this was tabled due to the paperwork between the Town of Avon and the Curtis Estates trustees had not been complete. Now that it is in place and complete, the Planning Board will vote to remove that item out of the Order of Conditions. Mr. Pillarella discussed that given the fact that it was tested and found that there is suitable water pressure at least at minimum levels, we would still like to include in the vote they take the fact that it was rescinded not because the Planning Board felt the water was adequate, but because it was not installed, therefore in hind sight testing was completed. He wants to take liability off of himself to say that he voted for the booster pumps and it should have been completed.

A motion was made by Bob Pillarella to write a letter rescinding which will include an explanation as to why the Planning Board is rescinding their vote, seconded by Charles Marinelli. No discussion on the motion. A roll call vote was taken. Bob Pillarella voted aye, Charles Marinelli voted aye, Charles Comeau, Jr. voted aye, Jason Suzor, Jr. voted aye, and Chuck Comeau voted aye. The motion carries.

A letter will be drafted by the Planning Board that will be forwarded to the members for review. This will be tabled until the next meeting scheduled for January 21, 2021 at 7:00 p.m.

Tom discussed the specific language in the Order of Conditions states in order to maintain adequate water pressure, booster pumps will be required (he does not have an issue with the vote). Under the modeling completed in 2017 and September, 2020 when the testing was complete, it was two historically dry periods. He stated that the town's current water by-laws protect the town from any claims against them as to insufficient water pressure. A final plan will be submitted in the spring in the final as-build. William Self will get a copy of the cleaning of the drainage structures as part of the final submittal stating that it has been completed.

The association is responsible for the yearly and normal maintenance of the area. Mr. Comeau, Chair wants proof that the fence gets installed. Mr. Self will be responsible for calling Canton Fence regarding the fence installation.

Mr. Pillarella and the Planning Board are requesting a copy of the HOA, deeds, rules and regulations, as well as the names of the Association members.

Building Inspector update

- If the additional storage units are allowed at 100 Ladge Drive, the assessor said they are fully taxable as a piece of property. The uses are permitted by the bylaw. The paving for parking is restricted to 15% or 2,500 square feet whichever is larger.
- Discussion regarding the new updates (amendments) to 40A, it affects what you can zone, how to zone it, amendments to zoning, the state legislation just passed this bill.
- Lowe's Outlet may open the beginning of February.

Adjournment

A motion was made by Bob Pillarella to adjourn at 8:40 p.m., 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.

List of Documents:

1. January 7, 2021 Meeting Agenda
2. Site Plan 100 Ladge Drive (Extra Space Storage)



Chuck Comeau, Jr., Clerk