

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

AVON TOWN CLERK
REC'D JAN 5 2024 AM 8:14

Date: November 16, 2023
Members Present: Chuck Comeau, Robert Pillarella, Jason Suzor, Jr., Tracy Self
Members Absent: n/a
Others Present: Robert Borden, Building Inspector (in-person)

Chuck Comeau, Chair called the meeting to order at 7:13 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

Tracy Self made a motion to approve the meeting minutes of October 5, 2023, seconded by Jason Suzor, Jr. No discussion on the motion. All in favor. The motion carries.

Warrant

A motion was made by Jason Suzor, Jr. to pay the warrant to JDE Civil in the amount of \$ 1,700.00 for project manager coordination for TL Edwards Parkview, seconded by Robert Pillarella. No discussion on the motion. A roll call vote was taken. Vote unanimous. The motion carries.

A motion was made by Jason Suzor, Jr. to pay the warrant to JDE Civil in the amount of \$ 3,230.00 for project manager coordination for 108 Bodwell Street, seconded by Robert Pillarella. No discussion on the motion. A roll call vote was taken. Vote unanimous. The motion carries.

A motion was made by Jason Suzor, Jr. to pay the warrant to Gate House Media in the amount of \$ 482.00 for advertising for 108 Bodwell Street, seconded by Robert Pillarella. No discussion on the motion. A roll call vote was taken. Vote unanimous. The motion carries.

Public Hearing – 108 Bodwell Street

The Public Hearing opened at 7:15 p.m. Chuck Comeau, Chair read in the following Public Hearing Notice for 108 Bodwell Street.

Notice is hereby given that the Avon Planning Board will hold a Public Hearing on Thursday, November 16, 2023, at 7:15 P.M. regarding property located at 108 Bodwell St. This hearing will consist of Site Plan Review under Section 12-2 to expand the paved areas of the site over an existing gravel parking area. Also, in conjunction with a Site Plan Public Hearing the Avon Planning Board will hold a Public Hearing in regard to a Special Permit under Section 5-4 for alteration of allowed use and for the proposed site work in a Water Supply Protection District. The hearing will be held in the Avon Planning Board Office at the Avon Town Hall, Buckley Center. The hearing will be conducted via hybrid participation and maybe accessed remotely or in person at the Avon Town Hall.

The meeting link can be found at www.avon-ma.gov/node/59/agenda/2023. Plans may be viewed by appointment prior to the hearing at Town Offices or found on the Town Website. <https://www.avon-ma.gov>.

Publication dates: October 30, 2023 and November 7, 2023 in The Enterprise.

Paul Seaburg, Project Manager for Grady Consulting, L.L.C, spoke on behalf of the applicant, CJ Shaughnessy Realty LLC regarding the property known as 108 Bodwell Street, as shown on Assessors Map B5 Lot 1-7 for the Town of Avon ("Site"), contains approximately 275,598 square feet of land. He explained the site is located in the Industrial and Water Supply Protection Zoning Districts and is currently occupied by a commercial warehouse, an allowed use in the Industrial Zoning District. The access to the site is granted from Bodwell Street, a public way. Mr. Seaburg explained that the existing structure is in a conforming location with respect to setback requirements. The site currently consists of existing paved access and loading areas with a compacted gravel parking and storage area on the southerly side of the site. The applicant is proposing to pave the existing compacted gravel parking area.

The applicant is requesting Site Plan and Special Permit approval from the Planning board for an increase in impervious coverage within the Water Supply Protection District. Conformance details are shown on the Site Plan, by Grady Consulting, L.L.C.

The applicant will get the revisions of the Site Plan to JDE, Inc. Mr. Seaburg discussed that the project has already been approved by the Conservation Commission. The Planning Board members require a letter that meets criteria of the Watershed Protection District. The four criteria are as follows: (under Section 255-5.4 Letter E, #4):

Based upon the evidence presented, the **TOWN OF AVON PLANNING BOARD** finds in accordance with *By-Laws Town of Avon Section 255-5.4.1 through 255-5.4.4 Standards* that:

- 1) the project will not cause a one percent or greater reduction in the ground water yield of the public wells in the District; and
- 2) the project will not cause 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; and
- 3) the project will not cause a violation of underground injection control regulations under **310 C.M.R. 27** and **248 C.M.R. 2.0** based on the evidence presented pursuant to the request for a **SPECIAL PERMIT** and pursuant to a request for approval of **SITE PLAN REVIEW** and based upon the evidence presented, the **TOWN OF AVON PLANNING BOARD** finds in accordance with *By-Laws Town of Avon Section 255-12-2 Permits* that: Pursuant to said plans presented along with the updated revisions, the applicant has met the requirements for approval of the requested granting authority; and
- 4) the applicant shall demonstrate that the creation of any impervious surface greater than 15% of the lot or 2,500 square feet, whichever is larger, includes facilities to recharge water from the fifty-year storm without endangering the groundwater. The facilities shall use vegetated infiltration basins where possible rather than drywells, and shall be protected by oil, grease, and sediment traps.

Tracy Self made a motion for the applicant to proceed with JDE, Inc. for any extra inspection work (to be paid for by the applicant), seconded by Jason Suzor, Jr. No Discussion on the motion. All in favor. The motion carries.

Tracy Self made a motion to issue the Special Permit under Section 5-4 for alteration of allowed use and for the allowed use and for the proposed site work in the Water Supply Protection District. Work performed on the revised Site Plan is subject to all items, contingent on the following Order of Conditions and review from the engineer that the applicant has completed what is required by the Planning Board, to include a waiver request for paving, seconded by Jason Suzor, Jr. No Discussion on the motion. All in favor. The motion carries.

ORDER OF CONDITIONS

EXHIBIT A

1. Final Inspection of drainage system must be made prior to issuance of a certificate of use & Occupancy from Avon Building Department.
2. Hazardous Materials List: A list of hazardous chemicals greater than household quantities is required to be submitted to the Planning Board.
3. The Building will be used primarily for material storage and loading and unloading of vehicles. Please refer to the State of Massachusetts Plumbing Code if the owner or occupant intends to park vehicles with fuel tanks of any kind overnight inside of the building.
4. Install the building number address as required by Section 255-10.5
5. The requirement for line striping the parking spaces along the rear of the building and the left rear parking lot area has been waived in this decision.
6. A maintenance plan for the underground water quality structure will be developed and placed on file at the **AVON PLANNING BOARD** office. Yearly maintenance and submission of the yearly report is required by Massachusetts Stormwater Regulations.
7. Prior to final sign off from the Planning Board, provide 3 copies of "As-Built" Labeled Plans, to be submitted by a registered land surveyor.
8. Required handicap and van accessible parking spaces shall be located nearest the front entrance for public use. Signs and pavement shall Massachusetts architectural access board standards.
9. Trash and recycle dumpsters shall be placed on concrete pads and enclosed with chain link fence with privacy slats or wood fence (solid type) with access gates.
10. No irrigation systems allowed using Town of Avon Public Water supply.
11. Provide annual reports to the Planning Board for catch basin and manhole maintenance for drainage system.
12. Hammering and removal of ledge shall occur during normal business hours.
13. Any changes to the approved plan will require notification to the Avon Planning Board.
14. Submit a list of chemicals, pesticides, fertilizers, fuels and other potentially hazardous materials to be used or store on the premises in quantities greater than household use.
15. The project will meet conditions of the Avon DPW. A review of the paving is subject to DPW inspection.
16. The Special Permit for Water Shed Protection District expires 2 years from the date of this Decision.
17. All conditions and/or requirements of any Town Department, Board or Commission must be met to the satisfaction of the aforementioned and the Avon Planning Board.
18. No outside storage trailers, enclosed ground boxes, or accessory buildings over 120 S.F. allowed without approval or a building permit.
19. The project shall be constructed pursuant to the plans as revised and dated 12/6/23 as drawn by Grady Consulting, Inc.
20. The following is the required list of inspections for the installation of the drainage system:
 - a. Bottom of hole for each system
 - b. Piping, chambers, etc. prior to backfill.
 - c. Installation of the First Defense unit and piping prior to backfill.
 - d. Level spreader pipe installation prior to stone installation.
 - e. Level spreader after stone installation and final leveling. Contractor to have laser level set up for this inspection and demonstrate that the LS is level

21. The following is the required list of inspections for the installation of the drainage system:
- a. Bottom of hole for each system
 - b. Piping, chambers, etc. prior to backfill.
 - c. Installation of the First Defense unit and piping prior to backfill.
 - d. Level spreader pipe installation prior to stone installation.
 - e. Level spreader after stone installation and final leveling. Contractor to have laser level set up for this inspection and demonstrate that the LS is level

Discussion

The Planning Board members previously received the first set of mylars and originals from Bill Self for Parkview Lane. Bill Self presented a new set of plans and mylars for Parkview Lane. The members of the Planning Board signed the mylars.

Building Inspector Update

- 108 Bodwell project on going.
- 54 Bodwell project complete.
- 61 Straffello roof replaced.
- 40 Straffello – new sprinkler system
- 57 Littlefield expanding/improvements.

The next meeting of the Planning Board will be held on December 21st, 2023.

A motion was made by Jason Suzor Jr. to adjourn the meeting at 8:56 p.m., seconded by Robert Pillarella.



Jason Suzor, Jr., Clerk

List of Documents:

Meeting minutes – October 5, 2023
Meeting agenda – November 16, 2023
Parkview mylars
108 Bodwell Street
-site plan review
-application