



PUBLIC HEARING MEETING MINUTES

**RJF Commercial Properties
Shrewsbury Street/Hartwell Street
January 23, 2019**

Members Present: Paul Anderson (Chair), Marc Frieden, Barur Rajeshkumar, Vincent Vignaly, Sarah Miles

Members Absent: None

Others Present: See Attached Sign-In Sheet

All documents referenced in these Minutes are stored and available for public inspection in the Planning Board Office located at 140 Worcester Street.

The Chair opened the Public Hearing at 7:00 p.m. Mr. Vignaly read the notice into record. Abutter notification green cards were received as well as the tear sheets from the Telegram & Gazette.

In attendance were Brian Marchetti, Engineer (McCarty Engineering), Patrick McCarty (McCarty Engineering), and Robert Fuller (owner). Mr. Marchetti said the proposal is for two buildings on the two properties that surround the corner lot. The building/lot to the northeast will be a 6,800 square foot commercial building with office, garage, and three contractor bays with associated parking and stormwater treatment. An easement for access to the building from Shrewsbury Street is needed; frontage for the building is on Hartwell Street. There will also be a 16,000 square foot building in the southwest on a lot with access along the frontage on Shrewsbury Street. They have connected both driveways for ease of access. Utilities for the both buildings will be brought in from Shrewsbury Street. Stormwater basins will be located in the parking area of each building. When they were permitting the storage facility and baseball training buildings, there was a portion of this lot that was routed to the underground detention basin. They have incorporated the same square footage area to flow to the existing underground detention which equates to half the building. So they are taking half the building back to the existing stormwater system that was installed under the baseball field. The remaining runoff for rooftop and parking area will be routed to the underground detention basins for each building area. The plans were reviewed by VHB; they have addressed VHB's comment letter dated 1/18/19 in their 1/23/19 letter which Mr. Marchetti provided tonight to the board and Mr. Amico. Mr. Amico suggested the applicant highlight the comments he made that they can't adequately address and any waivers they are requesting. Mr. Marchetti said they will be requesting a waiver from 3.6.D.1.m. (location, flow, volume and timing patterns for existing and proposed traffic). Mr. McCarty explained that the northeast building is primarily going to be used for Mr. Fuller's business, LFR Chassis, which is currently located at 99 Hartwell Street. It is going to be a low-impact use. Mr. Fuller will use two bays; the third bay will be for rent. The larger building/lot on Shrewsbury Street is proposed to be a retail business. The proponent is in preliminary discussions with the town to locate a retail adult marijuana shop on the adjacent corner property. It was agreed that the area of the larger building/lot will be used as a short-term parking area to satisfy the parking requirements of the dispensary for the next five to seven years, or as long as it

is needed for that adjacent use. The marijuana dispensary is not being proposed with this project. The objective is to obtain Site Plan Approval for both buildings to immediately start construction on the 6,800 square foot building first so Mr. Fuller can move his business to it. The larger building would be approved but put on hold depending on what happens with the proposal for a marijuana dispensary. Mr. Rajeshkumar asked about the traffic on the connecting road from the dispensary. Mr. McCarty said when they file plans for the dispensary, which is a different traffic generator than industrial condos, they will complete a full traffic impact and analysis.

Mr. Vignaly disclosed that he works for the DCR. Mr. McCarty explained the property layout; on the other side of the tracks there are two more RJF properties and then DCR property; therefore, Mr. Vignaly does not need to recuse himself from the matter.

Mr. Vignaly asked what the parking needs are since Mr. Fuller is already operating the business. Mr. Fuller said there are four employees and 1-2 customers per week. Mr. McCarty included twelve parking spaces plus the bays for that building. Mr. Vignaly asked what the use is. Mr. McCarty said a rental bay.

Comments from the VHB letter were discussed: 3.6.D.1.r.-A revised photometric plan is being prepared and submitted for approval. Mr. Fuller owns the property on both sides of the line. A note will be added specifying that.

3.6.E.1-The plans are being revised by the landscape architect and will be submitted for approval.

5.2.B.2.c-The applicant is asking for a waiver. The Planning Board can only consider waivers for regulations in Section 3.6.

5.2.C.1-No loading spaces are proposed. The board would like to see loading areas labeled in the event it changes ownership and use. The board cannot waive sections other than 3.6.

Stormwater Comment #1-The applicant will perform test pits at the stormwater basins prior to the start of construction. Mr. Vignaly was not comfortable with that. It is a requirement of Mass DEP and should be done prior to construction. There is a wetland in the back of the building. Mr. McCarty explained the massive infiltration basin designed for the self-storage facility. He said they are upgradient of the wetland, they have extensive subsurface information from the hazardous material mitigation work that was done on the adjacent property, and does not see it as an issue. Mr. Amico agreed that it should have been done prior and was not; the board may consider a condition that they come back if the situation changes.

General Engineering Comment #6-Mr. Marchetti said the Fire Department did provide comments but nothing about hydrant locations. They were advised to check with the Fire Chief because it is past their entrance. Mr. McCarty saw the Fire Chief today. One comment was relative to the second driveway; he said it was confusing how it was presented on the plan. Mr. McCarty said they have been to the Conservation Commission and have received an Order of Conditions; he will provide a copy to the board.

Mr. Frieden commented that Mr. McCarty said the northeast building was going to be industrial condo. He asked if part of the application is a Business Center for three or more businesses in the

Business District. Mr. McCarty said the building is in the Industrial District and not in the Business District. He thought the Industrial Park was to have more than one building on a lot, not one or more businesses. He will check the zoning. It was noted that Industrial uses for construction contractors need a special permit.

Curtis DeVillers (211 Hartwell Street) said they can say the traffic is not an issue, but if they get approval for the two buildings, and put one on hold, they could build it tomorrow before the dispensary goes in. Mr. McCarty said they could, but it would not be a smart business move. They have to come back to the Planning Board and ask for a Special Permit and Site Plan Approval for the corner lot. Mr. Vignaly said they would not have enough parking on the corner lot to service the use they want to put there; the board would not approve it. Parking for a dispensary has not yet been established in town; it was asked of the members of the Marijuana Subcommittee that the Host Agreement should establish the number of parking spaces needed. Mr. DeVillers said he recently acquired his property on Hartwell Street east of the Legion Hall property and there was approximately 400-500 yards of dirt being stored on the property next to his property. He asked why it is there and how long it will be there. Mr. Fuller explained that he talked with the owner and has permission to store it there until it is screened. Rick Freeman (159 Hartwell Street-American Legion) confirmed that Mr. Fuller is allowed to store the dirt on their lot. Mr. Vignaly asked if they could screen away from the neighbors; Mr. McCarty agreed; there will be a condition in the approval letter. Screening will be done in the spring. Mr. Amico said to provide a separate letter to the board with the waiver requests. Sam Pierce (165 Hartwell Street) clarified that he has a verbal agreement with Mr. Fuller to sell the property on the south side of Hartwell Street. He is not selling H.R. Prescott & Sons.

Mr. Vignaly asked the status of the operation/parking of the U-Haul trucks at the storage unit's lot. The board was told they were not going to be there anymore because it wasn't working out. He drove by last week and there were 5-6 trucks. Mr. Fuller said there is no business there but there are 5 trucks. It was ecommerce to spark business with the storage facility. The board did not approve it as a U-Haul operation center; it is approved for storage units, not truck storage. It can be amended but Mr. Fuller said he doesn't want the U-Haul business anymore.

Mr. McCarty asked if there was any opportunity that the board could move the process up and have a draft ready for the next meeting. Mr. Vignaly said the board has continued hearings in the past while drafting an approval letter when the issues are nearly resolved. Mr. McCarty is hopeful that at the next meeting they will receive approval and can start construction immediately. He was reminded to check if a special permit is needed which will require four votes for approval.

Mr. Rajeshkumar made a motion to continue the public hearing to February 13th at 7:00 p.m.; Mr. Vignaly seconded; all voted in favor; motion approved.

Date Accepted: _____

By: _____
Vincent Vignaly, Clerk

Submitted by: _____
Melanie Rich