



TOWN OF PLYMPTON, MASSACHUSETTS PLANNING BOARD

Plympton Planning Board – Minutes -- January 13, 2020

Meeting opened at 7:25 p.m. members present A. Sobolewski, J. MacDonald, P. D'Angelo, J. Cohen; J. Schmid

7:30 0 Main and Mayflower Solar Array Continuance requested by applicant, by letter dated 1/13. Ms. Sobolewski moves to continue the Public Hearing to 1/27/2020. Mr. Schmid seconds, unanimous vote

7:33 399 Main Street Solar Array Continuance requested for hearing until 2/10/2020 by letter dated 1/7 Discussion of request to reschedule site visit to 2/8 at 10:00 a.m. Discussion on this scheduling issue with general agreement that this is a good date for the site visit. Ms. Sobolewski moves to continue the Public Hearing to 1/27/2020. Mr. Schmid seconds, unanimous vote

7:35 0 and 37 Lake Street Solar Array Continuance requested until 1/27/2020, by letter dated 1/7 Ms. Sobolewski moves to continue the Public Hearing to 1/27/2020. Mr. D'Angelo seconds, unanimous vote

8:00 Public hearing opened: CLE, LLC (applicant and property owner) for Site Plan Approval to construct two 80' by 90' buildings to be used by an Electrical Contracting Business, including the storage of 4 trucks, 6-8 autos of unspecified nature and 6-8 employee automobiles on land identified as 0 Palmer Road, owned by CLE, LLC. M/B/L 11/5/10. Site Plans are prepared by Webby Engineering Associates, Inc. dated February 19, 2019. Said plan depicts the construction of two green prefabricated metal-sided buildings with green metal roofs, a very small white cupola and three small windows. The buildings stand approximately 28.4 feet tall. The building interiors contain 7,200 gross square feet of floor area configured primarily as storage with a 10' by 9'11 5/8" office; a 10' by 10' lobby/showroom, a 6' by 10' entry and a 6 by 7' 8 1/2" bathroom. It is unclear from the plans whether both buildings will have this interior configuration.

Ms. Sobolewski reads the public notice into the record.

Present for the Applicant. Edward Conroy, Attorney; Kevin Farrell owner of CLE, Steven Shurtleff of CLE LLC and Joe Webby of Webby Engineering

Mr. D'Angelo recused himself from the meeting

Ms. Sobolewski notes that the consulting engineer has not provided his review and that we will not be able to discuss the consulting engineer's comments this evening. The applicant's attorney notes his understanding of the foregoing.

Mr. Conroy passed out a statement of use/letter that he submitted to the Board together with photographs of cellular nodes of various types. The letter and photographs were entered into the record. He described cellular nodes that the applicant has been putting up in Boston. They will have

two buildings on the property that they consider retail stores. The product that will be sold there are cellular nodes. Mr. Conroy states that "This will be a retail operation." He identifies cellular providers including Crown Castle, American Tower, Extinnet, and Verizon, as the customers. This is the way of communications and the cellular nodes will communicate the data. The applicant proposes to build two buildings that are both pre-fab with the same architecture. Mr. Conroy states that the idea is that it is going to be retail with the cellular company customers coming there and leaving.

There is to be no assembly there. The owner, Kevin Farrell, has a manufacturing facility at Wood Street, in Middleborough. Will be manufactured by CLE, LLC at that Middleborough location. The Board is presented with photographs of the manufacturing facility in Middleborough.

He notes that there is a porta toilet business located across the street and suggests that makes the proposed use compatible with the neighborhood.

Mr. Webby presents the site plan with the location of the property. The property is located in both the agricultural/residential and business zones. He briefly describes the location of the stormwater management structures and the property's drainage. He states that the septic system will be in the rear of the building as will the dumpsters. He asserts that the septic system was permitted several years ago in connection with a duplex that was to be constructed on the property and that has been re-approved by the Board of Health. Ms. Sobolewski questions when the septic system was re-approved as the Board received correspondence from the Board of Health on this application dated 12/30/2019 which states that the septic system permitting has expired and that the Board of Health will not pass on a building permit for the site without a new application for a septic system for this use. Mr. Webby notes that the septic system approval may not have happened yet and that they will need to follow up on that.

Mr. Webby stated that the wetland line was approved through an RDA with the Conservation Commission. Ms. Sobolewski inquires as to the date of the RDA Decision of the Conservation Commission and is informed that it was approximately 4-5 years ago.

Ms. Sobolewski notes that the Site Plan Approval Application does not identify the proposed use as "retail store", it states that the use is for an electrical contractor's business and identifies specific vehicles that will be located on the property, namely, 4 trucks, 6-8 autos of unspecified nature and 6-8 employee automobiles. Mr. Conroy states that the application was filled out to identify what Mr. Farrell does for a living and not what he is trying to do on this property. He states that "This is going to be a very distinct business from that business that he is in." Ms. Sobolewski states that the application should reflect the actual proposed use of the property, particularly where the storage of more than three commercial vehicles in this zone requires a Special Permit. Mr. Conroy asks whether the letter that he has submitted is sufficient to change what is proposed. Ms. Sobolewski states that they should submit a revised application that indicates exactly what they intend to use the property for. After discussion, the applicant agrees to revise the application.

Ms. Sobolewski asks whether there will be a bathroom, office and showroom in both buildings as it was not clear from the submission whether the floor plans for the buildings would be the same. Mr. Conroy states that there will be an office, bathroom and showroom in each building. He reiterates that they are building two separate buildings because if there were only one building it would exceed the size limitation on retail stores in the bylaw. Ms. Sobolewski asks for clarification that the reason both of the buildings will have an office and a bathroom and a showroom is so that the applicant can have a retail

use that is larger than the area that is allowed for retail stores in the Bylaw. Mr. Conroy confirms that to be the case and Mr. Farrell notes that it is also to avoid the requirement that a sprinkler system be required. The two separate buildings are small enough so that they do not have to have a sprinkler system. Mr. Schmid questions whether the buildings will have fire protection. Mr. Farrell states that they will put a localized sprinkler system in.

Ms. Macdonald asks what the hours of operation will be. Mr. Farrell states that the hours of operation will be 8-6.

Ms. Sobolewski asks them to describe how they are going to use this for retail uses, how the cellular nodes will be picked up by the purchasers. Small flatbed truck is what is typically going to be used. Mr. Farrell states that they will deliver them themselves. The traffic pattern will accommodate a 40 foot trailer. The largest that will be used according to Mr. Farrell. The showroom is for the customers to come and see what they look like and the manufacturing plant is not conducive to bringing people in to see the nodes.

Mr. Schmid notes that both interiors are the same but the plan only shows water and sewer available to one building. Mr. Webby states that they will revise them.

Mr. Schmid notes that the designs shown on the plans are for wholesale and warehouse, not retail.

Mr. Schmid asks whether they need a DOT curb cut. Mr. Webby states that they do not.

Mr. Webby describes the drainage patterns in response to a question from Mr. Schmid. Mr. Schmid inquires as to where the water is flowing and notes that the plan does not identify where the water is flowing. Mr. Schmid states that we need to know more about the drainage on Palmer Road.

Mr. Schmid notes that the front of the building shows two doorways and notes that the grading doesn't work with the slab for the building.

Mr. Schmid asks whether the building is really proposed to be green.

Ms. Macdonald notes that the building does not meet the design requirements in the Site Plan Review Regulations.

Ms. Sobolewski asks whether there is a list of waiver requests.

Ms. Macdonald asks what the nodes are composed of. Mr. Farrell notes that they are just a metal frame box.

Ms. Macdonald asks whether anyone will go to the building to buy them.

Ms. MacDonald asks how many employees there will be and is told that there will likely be two in each building to start with hopefully 8 to 9 employees over time.

Mr. Farrell states that the fabrication shop is not a good place to sell them. They will not be turning them on in the building. It is more a showroom to see how they look

Ms. MacDonald asks what the lighting will be and whether it will comply with the dark sky bylaw. The applicant states that they will comply.

Ms. Sobolewski asks whether there will be a sign on each building. Mr. Farrell states that there will only be one sign on one of the buildings.

Ms. Sobolewski reads the board of health comments into the record.

Ms. Sobolewski noted that the cupola was undersized, architecturally unpleasing and she would not support that architectural feature.

Ms. Sobolewski opens the meeting up to public comment. Siobhan Green, an abutter, is interested in seeing the view. This is the third owner that has bought the property and since the previous owner filled it in she has been getting flooding in her front yard. Stone wall that is along her property line and it looks like they will be cutting the trees down and giving her a full view of the site. There is a history of people who owned the property in the past who have routinely lied and defied the town as to the use that is going to be made of the property

What are the true hours of operation that will be proposed. There are wetland lines in the area next to her property. Wants to keep the aesthetics of the property.

She is questioning the security lighting? Mr. Farrell notes that they are not looking to shine lights and they are willing to work with the neighbors.

Mr. Wilhelmsen notes that the lights that are on the new police station are bylaw compliant down lighting and an appropriate lighting plan can be developed. Mr. Farrell notes that motion detectors may be a better choice. Ms. Green notes that the wildlife may set off the motion detectors. Mr. Farrell may be willing to put a timer on the lights.

Ms. Green questions whether the well water will be affected and raises the ongoing storage on the property of vehicles is draining into her well water. Mr. Webby states that the septic is a pump and mounded system. Mr. Schmid asks what the water table is and notes that the stormwater system could be relocated and moved toward the center of the property.

Discussion of next steps in the hearing process. Ms. Sobolewski reiterates that the Board's consultant has not yet submitted his review of the project's engineering. Mr. Conroy states that the applicant is willing to continue the hearing. There is discussion between Mr. Conroy and Ms. Sobolewski about an appropriate continuance date. Mr. Conroy states that they want to make sure the scheduled continued hearing date will allow them enough time to review the Board's professional engineer's comments stating that they "do not want to be blindsided" with the comments at the hearing. In order to afford the applicant sufficient time to review and respond to the comments February 10 is suggested by Ms. Sobolewski as a hearing date. Mr. Conroy and Mr. Farrell agree that is an appropriate date and state the applicant's agreement that the hearing should be continued to that date.

Ms. Sobolewski moves to continue the public hearing to February 10 at 7:15 p.m., Mr. Schmid seconds. Unanimous vote

The Board discusses a site walk date and time with the applicant and it is agreed that there will be a site walk on February 8, 2020 at 11:30 am

8:53 Ms. Sobolewski moves to close the meeting, Mr. D'Angelo seconds. Unanimous vote in favor.