

The regular meeting of the Bridgewater Planning Board convened at 6:30 pm.

MEMBERS PRESENT: Mr. Ajemian, Ms. Guarino and Mr. Geller Mr. Driscoll arrived at 6:40pm.

ALSO PRESENT: Mr. Akins, Associate member; Mr. Romulus, Assistant Director, ECD.

OLD NORTH ESTATES PUBLIC HEARING CONTINUATION

Mr. Ajemian took the chair in the absence of Mr. Driscoll. He explained the rules of procedure and noted that the meeting was audio and video recorded. He made the applicant and the engineer aware that there were only three members present, as such, any decision on the subdivision must have a unanimous vote. He asked if they wanted to proceed with the hearing or continue to a later date when more members were present? They said they will go forward.

Mr. Frank. Gallagher presented the changes made as a result of the last meeting:

1. Vera Haskell request for some buffering along the rear lot line. They have added a note on the plan that they will plan 6 arborvitae along the easterly lot line. The locations and spacing of those trees shall be established at the site between the developer and Mrs. Haskell. The developer will be responsible for the cost of the trees. Mr. Geller suggested that they be at least 6' and Mr. Gallagher said they would be happy to do that. Mr. Ajemian suggested using deer resistant arborvitae. Mr. Gormley said he had no problem with that.
2. To make sure that none of the trees around the perimeter of the site will be impacted, they have added to sheet #4 an extension of the limit of work that was shown; they have an erosion control barrier that they have shown as the orange line and they have extended that to make it basically a closed loop all the way around the site. They will stop all work where that orange line is.
3. They submitted revised plans based on comments from the consultant, HML Associates which address those issues. A response from HML on December 4th states that the revised plans address their comments and concerns.

Mrs. Haskell-293 North Street- questioned the construction of the private road and would it be overseen by someone? It was explained that although it will remain private, it will be constructed according to the subdivision rules and regulations. Mr. Gormley said there will be a Homeowners Association established and recorded and it will be responsible for the roadway, not the Town. Mr. Romulus explained that once it is approved, the work will be overseen by the Town Engineer, Highway Superintendent and Consultant. A road bond will be posted to ensure that the work is completed.

John Valentine-Lantern Lane expressed concern about the possibility of shade coming from the trees and interfering with his solar panels.

On a motion by Ms. Guarino, seconded by Mr. Geller, and unanimously voted, the public hearing was closed.

On a motion by Ms. Guarino, seconded by Mr. Geller, it was unanimously voted to approve the subdivision with the standard conditions of approval with the addition of the following:

- **6 deer resistant arborvitaes, at least 6' high will be planted along the easterly border of land owned by Haskell. The location and distance of those plantings will be determined by the developer, Jay Gormley and Mrs. Haskell. The developer will be responsible for the installation and cost of the trees.**
- **The water service will be in compliance with the Town of Bridgewater Water Dept. without the need for looping.**
- **No tree clearing along the easterly and southerly boundaries.**

Mr. Driscoll arrived at 6:49 pm and took the chair.

FORM A-400 CONANT STREET-John and David Turner

The plan was prepared by Michael J. Kiska & Associates dated 1/07/20. The plans show two lots with existing dwelling located at #400 Conant street with 1.25 acres and Lot 1 with 1.10 acres.

Mr. Romulus said he received a comment from Mr. Etoniru today that he has reviewed the plan and recommends endorsement.

On a motion by Mr. Ajemian, seconded by Ms. Guarino, it was unanimously voted to endorse the plan.

300 ELM STREET- DLW LLC

The original applicant, Pilgrim Consolidators, Inc had restricted hours of operation to Monday-Friday- 5:30 am to 9:00 p.m. Saturday 7:00 am to 1:00 pm and closed on Sundays. A year ago, on February 20, 2019, a modification of the hours was requested by the applicant and approved to allow the hours to be 24/7 for a period of one year and the Board would review at that time.

Mr. Romulus said he checked with the Building Inspector and he said there have been no complaints. The CED office recommends that the hours be continued as voted. The minutes were reviewed to see if the abutters were to be notified for the discussion and there was nothing to indicate direct notification.

An attorney noted that representatives from Polar Springs were present and they advised him that they had no neighbor complaints.

Mr. Ajemian questioned if they had any estimates on how much traffic they have had on Elm Street? Jim Doyle stated no, that would be their traffic department, but they have no traffic after 9:00 pm unless a truck breaks down and they haven't had to operate on Sundays. They are a food and beverage company and are required to be open on Sundays.

There was no public comment.

On a motion by Ms. Guarino, seconded by Mr. Geller, it was unanimously voted to allow the continuance of the 24/7 hours of operation.

1400 PLEASANT STREET PUBLIC HEARING CONTINUATION

The public hearing reconvened at 6:59 pm. The Special Permit portion of the public hearing was concluded last meeting and unanimously voted.

Rebecca Baptista from SEA said they were asked to provide a landscape plan signed by a Registered Landscape Architect which they have done. It was signed by Melissa Desjardins, Landscape Architect from 456 Water St. Portsmouth, RI 02871. She was a former resident; she was familiar with the area and came to assess the situation. It shows that 8' stockade fence that was requested, an evergreen buffer and 5 Elm trees and 19 deer resistant (dark American) 6'-8' arborvitaes She said with the elevation change and these improvements, that should reduce noise and block lights. The landscaping will be on the restaurant side of the fence and the responsibility of Mr. Emma.

Email from the Town Engineer read: he has reviewed the 2/4 revised site plan and has no adverse comments. He recommended that the board should include a requirement that the installation of the grease trap be subject to inspection by the Health Agent and Town Engineer in any approval they may grant.

Rebecca said she had just handed out some revised plans and would like to explain the changes:

1. There was a concern about a connecting sidewalk between the existing restaurant and the new waffle house parking lots. On the second page of the plans, they have shown an extension of the striping for the accessibility spot and extended the sidewalk and will stripe out one of the parking spaces that exists for a safe pedestrian passage between the two.
2. A comment that came from the contractor was simply can they have the grease trap in the grass rather than the pavement and she moved it.

Mr. Ajemian questioned whether it was a stockade fence that was discussed last time; he expressed concern about its durability and that it wasn't the best to serve long term. They tend to rot and fall apart, he said. Having a cedar fence or vinyl fence was discussed. He also stated that it will be sealed on a regular basis to maintain its integrity. Mr. Geller suggested having it cedar with posts of a larger diameter. He also questioned whether there was a proposed fence around the dumpster? Mr. Perry said yes. Mr. Romulus noted that it was up to the discretion of the Board on what kind of fence they want, and they could make a condition that it be maintained.

Richard Lombardi-1339 Old Pleasant Street- stated that they have taken down every tree that was there, so now when they look out their dining room window, they see Ron Emma's restaurant sign. Rebecca explained that they would be putting up an 8' stockade fence and planting trees. Mr. Lombardi apologized and said he could not hear during the presentation. Robert Venditti-1349 Old Pleasant Street came to the podium and explained also what was existing to Mr. Lombardi. Mr. Lombardi said that he was satisfied.

Paul O'Leary- 1328 Old Pleasant Street-stated that an 8' fence is not going to block a 30' light on pole in the parking lot. Rebecca said there were two existing poles towards the front. There is a proposed light on the maintenance garage building and wall packs on the building. Mr. Driscoll mentioned that there is a lighting bylaw that lights can't glare on to the neighbor's property.

Mr. Venditti suggested that the problem with the fence is with the posts asked if there was a way to use a metal post to give it more stability and to have less chance of snapping. Anytime there is a slight wind, he gets a post that snaps. Would like a stipulation on the type of post and reinforcement of the post.

Mr. Romulus suggested additional condition of approval:

Prior to the issuance of an occupancy permit the applicant must submit an as-built site plan for review and approval of the Community & Economic Development Department and Town Engineer. Said As-built shall indicate the installation of an 8' stockade fence, the type, as well as the plantings depicted in the approved Site and Landscaping plans.

Mr. Ajemian suggested adding a cedar fence with pressure treated post. Mr. Perry said they could look into that. Mr. Akins suggested using the life span aspect of a fence rather than stipulating those specifics. Mr. Driscoll suggested that they were getting too deep into this. It was suggested that they do a stockade fence and it is up to them to maintain it. Mr. Ajemian disagreed and suggested they require a fence that is going to last. Mr. Driscoll asked the members if they were ok with the landscape plan? In agreement. Yes on 8' stockade fence. Mr. Perry stated that if the fence blew down, Mr. Emma certainly would put it back and get it repaired. He would not want his restaurant to look like it wasn't maintained. Mr. Driscoll asked Mr. Ajemian if he would be satisfied with a pressure treated 8' stockade cedar fence with wider posts? Mr. Ajemian said yes. The board agreed the conditions should read that said As-built shall indicate the installation of a fortified, sealed, cedar, larger diameter post of 5" , 8' stockade fence, a fenced in dumpster, as well as the plantings depicted in the approved Site and Landscaping plans and has to be reviewed by the CED and town Engineer prior to occupancy permit.

Mr. Romulus said the conditions should carry over the hours of operation 6:am-2;00 pm for the Restaurant and 8:00 am-2:00 pm for the Patio. Any change of hours shall require a request for modification of the Site Plan/SP with notice to abutters.

Mr. Romulus said there were a couple more conditions that should be noted to make sure the site plan goes along with the special permit:

The applicant must schedule the installation of the grease trap for inspection with the Health Agent and the Town Engineer. Confirmation of the inspection and installation must be documented and submitted to the Community & Economic Development Department for review and approval prior to the issuance of an occupancy permit.

Landscaping shall be maintained by the applicant for a period of 2 years after installation and shall be in satisfactory growth at the end of the guarantee period. The applicant shall be responsible to remove all failing plant materials and replace them with the same kind and size of material as specified in the landscaping plan.

Prior to the issuance of an occupancy permit the applicant must submit an as-built site plan for review and approval of the Community & Economic Development Department and Town Engineer. Said As-built shall indicate the installation of a fortified, sealed, cedar, large diameter post, 8' stockade fence, as well as a fenced in dumpster, and the plantings depicted in the approved Site and Landscaping plans.

Mr. Romulus requested that the board vote on whether this is a major or minor modification.

On a motion by Mr. Geller, seconded by Mr. Ajemian it was unanimously voted to accept this as a minor modification to the site plan.

On a motion by Ms. Guarino, seconded by Mr. Geller, and unanimously voted, the hearing was closed.

On a motion by Mr. Ajemian, seconded by Mr. Geller, it was unanimously voted to approve the minor m modification with the standard conditions and the additional ones discussed and stated by Mr. Romulus.

MINUTES APPROVED

On a motion by Mr. Ajemian, seconded by Mr. Geller, it was unanimously voted to approve the minutes of 1/15/2020.

COMMITTEE REPORTS

Ms. Guarino reported that the CPC will conduct a public hearing on 2/26/2020 at 6:00 pm at the Senior Center on a community preservation plan update.

Mr. Romulus reported that he, Mr. Ajemian and Ms. Burke met with Michael Dutton as well as Kimberly Williams to discuss what to do with the funds that will be received for the Bedford Street solar farm project, as well as talking about establishing a tree board. What they got back from that meeting was that any funds that are conditioned have to be accepted by the Town Council as a gift. The second thing is that there has to be some type of guidance once those funds are accepted and that brings us to establishing a tree board. Michael Dutton was open to the idea of establishing an ad hoc committee which will give some guidance to the Town Manager.

On a motion by Ms. Guarino, seconded by Mr. Ajemian the meeting was adjourned at 7:51 pm.

MINUTES APPROVED: _____ 3/4/2020