



**Halifax Planning Board
Meeting Minutes
April 4, 2019**

Official

A meeting of the Halifax Planning Board was held on Thursday, April 4, 2019, at 6:30 p.m. at the Halifax Town Hall, Meeting Room #1, 499 Plymouth Street, Halifax, Massachusetts.

Members Present: Gordon Andrews, Mark Millias, Karlis Skulte **Absent:** Larry Belcher, Jonathan Soroko

The meeting was called into session at 6:30 p.m. and the agenda was read into the minutes by Gordon Andrews
Motion to accept the agenda as read

MOTION: Mark Millias

SECOND: Karlis Skulte

AIF

Motion to suspend the regular Planning Board meeting and open the Public Hearing for Special Permit for 925 Plymouth St. Notice read into minutes by Mark Millias

The Halifax Planning Board will hold a public hearing on April 4, 2019 at 6:35 p.m. in Meeting Room 1, Town Hall, 499 Plymouth Street, Halifax, MA on the application by Richard Greene to seek a special permit to allow for a wall sign to be 4' in height and 26' in length on the Commercial Building located at 925 Plymouth Street, Halifax, MA 02338. Said property is owned by Richard Greene, Trustee, 925 Plymouth St., Halifax MA 02338 as shown on Assessors Map #58, Lot 1A. The applicant seeks a special permit in for a sign larger than those allowed by right, in accordance with 167-13 C(d), of the Zoning By-laws of the Town of Halifax under Section 167-13 Exterior Signs, subsection: Wall Sign 167-13 E(14)(b). Area is zoned Industrial. Petition #891

MOTION: Mark Millias

SECLOND: Karlis Skulte

All in Favor

Hearing opened:

Present: Rich Greene, would like to make the sign larger for easier view from street.

Mr. Skulte noted that the only difference is the height, and the length is within allowed use.

The building is set back from the street at 101 feet. Mr. Millias stated that the area is zoned Industrial and would be well within limits of the area and to get visibility, doesn't have any issues. Mr. Skulte agreed.

Chairman asked if there was any input from the audience.... There was none.

It was asked if the sign is lighted. Mr. Greene stated that only the light from the telephone pole at the street shines back onto the building.

Notices went out to all departments, no comments returned. It was noted that a special permit according to Chapter 40A requires 4 members of a 5-member board must vote and 2/3rd must approve. It was asked if we can act or have to wait, reviewed chapter 40A, special permits: confirmed need 4 members to vote.

Motion to continue the public hearing to April 18th at 6:35 p.m.

MOTION: Mark Millias

SECOND: Karlis Skulte

All in favor

6:45 p.m.

Motion to open the regular scheduled Planning Board meeting

MOTION: Mark Millias

SECOND: Karlis Skulte

All in favor

Motion to suspend the regular scheduled Planning Board meeting and open the Public Hearing for site Plan Review 19-SPR-03, 330 Plymouth St., O'Reilly's for a continuation

MOTION: Mark Millias

SECOND: Karlis Skulte

AIF

Public Hearing opened: Present is Casey Burch representing Solli Engineering for O'Reilly Auto Parts.

To recap from last meeting, they modified the detention basin to provide for the recharge volume and provide infiltration, and provided the leak off in the driveway, does 2 things, 1) satisfies the Highways concerns about runoff from the driveway and also if the road floods, this leak off is 2-3 inches than the grade in the road, so it would go thru the shallow swale designed and go around the property. Modifications with this pipe, it was raised up again, to be close to the crown of the road, and close to the crown of the pipe within the road (here). This pipe travels down and [apparently] goes to the river by the Fire Dept. In high, bigger storms, it was used as an overflow. More of a diversion, D box, outlet here, almost to crown of road, only come into the pipe during high storm events. Safety leak off if it reaches top of road. Presented to conservation and Steve from Highway) was in attendance and he was fine with the design. Mr. Burch agreed they would need an easement, or they can take the pipe out. This plan is trying to help everybody.

Members discussed where the pipe is, where it goes, where the water goes. It would be diverted into the swale, ditch. M. Millias: your raising the invert at the street for that pipe correct? Mr. Burch: tying into a man hole, we can do work in the right of way. Tying right into the pipe that is there now. It will fill up and come in, raise up to the elevation that we had in this manhole, that is the overflow. Close to the crown, 2" below, but could be higher. Mr. Andrews: your proposing to put a manhole on the corner of the property? Mr. Burch: correct, tying into where the pipe comes into it.

The invert leaving that pipe is the same as the main line going down... its higher? Mr. Burch, no currently it's the same, my proposed is higher. Mr. Millias: assessment on this, the chance of water going in there is now less likely, making that situation better.

Mr. Skulte asked for existing conditions on the street, to confirm the pipe and goes west. Maybe a condition of approval might include a better understanding of what is happening in the right of ways, since you already have some survey might be beneficial to everybody to maybe get couple more manholes down the street just to confirm what actually is going on there.

Mr. Millias: you were able to provide extra in case the volume at the road was higher, but you actually lessened the chance that water would impact neighbors. Mr. Burch: correct. 67.07 – 67.928 definitely flowing that way. Then goes into a 14" main, which makes sense, you want downstream pipes to be larger. Pipe in front of [O'Reilly's] is 12", but yes. Proposed pipe will still be higher, but don't know if it is the same elevation of the existing pipe. Highway Dept did tell me, they use it because it does flow into that, during high storm event? I think they use it all the time. Yes, we are trying to be higher, (into our property) Story told, was they closed it off and it caused problems in the road, so busted it open and still have issues in the road, but trying to give you two other measures to help the current conditions and hopefully not add any water. Manhole is at 72....more general discussion of pipe and water flow

Mr. Andrews asked if they would consider giving an easement for that?

Mr. Burch: yes, client wanting the property definitely would. I think it should be a condition of approval.

K. Skulte asked if he looked into the infiltration question and the appropriate rate to use in the basin in the back. Mr. Burch responded with, they used the hydraulic soil group B, because that is what the national survey said it was, so it doesn't change the recharge volume, using the recharge factor rate of a B soil, so its 665, the infiltration rate I used .52 originally, then tried the minimum of .17 (from the manual) they are 33 hrs. instead of 11 hours, which is still under the 72 hr. threshold that the storm water manual allows for.

Mr. Skulte also asked if he looked at the hydric cad, if it was impacted by lowering the infiltration rate.

Mr. Burch, I did it for the impervious area and truncated the, originally the static method and the dynamic method and the volume of 665 came out to .08 which was less than the .15 that was required per acre foot.

Contacted Terricon (the ones that did the boring) what they used for the conductivity, they said they did it in the lower stratus of saturated soils. Ran those with that rate, came up to 71 hours still under, so infiltration rate of .07 inches per hour, still under 72 thresholds.

Mr. Skulte then asked about a .52 rate and if the peak rates changed of if the elevation in the basin changed.

Mr. Bruch did not run that but won't affect the recharge volume. Can take a look at that. But they are significantly lower.

Comments from the Board of Health- nothing submitted yet but should take note of the grading of site. Mr. Burch said they have now submitted and have comments back and working on. Meeting on 4/17, but will have waivers for Title V. He briefly discussed what they will be asking for.

Mr. Andrews noted there is about 15' of green out front, maybe up to 24'. They then discussed the landscaping plan, around the sign, backside, there will be no planting down in the swale. Possibly on the outer edge there will be a tree, likes high saturated conditions [swamp white oak]. There will be no obstruction of view and the sidewalk will be on that side.

Opened to abutters. Mrs. Alger again wanted to know about the water and why not get a pipe to connect with the [bank] and flow under the ditch instead of over the ditch and wash away. Wants to have another drain put in and go to the Fire Station. William Alger believes that there will be more buildings and more water.

Mr. Millias still believes the design will not have more water and alleviates water from entering into the property, will not be a worse situation.

Mrs. Alger said since they uncovered that pipe from the drainage of the road, they have more water, the last 2 years. Mr. Millias again stated that the drain will be higher so less water will enter into that property.

Mr. Burch stated that all goes the basin and gets detained, and then leaks out. Mr. Millias stated that if this design was ineffective and causing more water he would not like and believes it will be better.

Mr. Andrews discussed the pipe off the street is buried underground, coming down, this is an open pipe and will come down, the amount should be less. Members discussed the volume and the pipe, is it closed off, open.

Mr. Skulte stated that it happens with every rainfall event it will go into the wetlands because it is at the same elevation. By raising it, [pipe] it will be less frequent, with smaller storms will continue down 106 and won't go into the pipe. Surcharge condition and going into the banks, this will relieve that problem.

Mr. Andrews asked if the Alger's would be willing to have the pipe come out open at the end and connect to the town? Which pipe? Walkway.... Bring pipe out there. Would they be willing to have the pipe come out in the ditch? Take the water from the town directly? There is no easement right now, is this a viable solution.

Mrs. Alger said if they have it piped out behind house and into the Country Club property.

(Members reviewed the site plan) Mrs. Alger showed an easement (them and J. Peck – copied made).

It was discussed if Mutual bank installed the pipe? Mr. Alger noted they installed a (the) pipe years ago but they don't know if it is intact. Mr. Skulte asked why they installed it? Mr. Alger said because it was a drainage

easement. He also stated they didn't want the open ditch because they were selling the lot. It's [pipe] is 10 feet under the lot. They also believe they are going over the property, not thru.

Mr. Skulte asked if they put a catch basin on (side) of pipe, it would solve the problem of going over.) Mutual bank needs to clean out the basin so it can drain properly.

Members then wanted to see the Mutual Bank plan to show where the drains are. [If the overflow went into the pipe and out, wouldn't flood the field.]

Mr. Burch went over the plans and stated the discharge points are out letting towards the ditch and follow the proper channel and not contribute to the issue. The Alger's also believe they are getting water from Monponsett St. They O'Reillys property doesn't touch the easement noted on the plan, and it is not within their property, they are 60 feet back. The pipe looks to stop short of the property, the easement is 20' wide easement. The banks plan shows a 24" concrete pipe. The swale is where the outlet is supposed to be. Mr. Burch said he did not see a 24" pipe (in the swale). Mr. Alger said it is under the drainage. Mr. Skulte asked what the[elevation] is. Mr. Burch said at grade its 68. Mr. Skulte stated if Mutual bank could have an inlet that dropped into the pipe, it may solve some of the problem. Still retained in the basin, then into existing pipe and discharge on the other side of the wall.

(Inlet at the street is at 71.9) It was briefly noted that this bank's plan was 20 years ago and the storm water manual may not have been in play. Invert at concrete pipe is 61 and coming out at 67, so coming out at grade and that is buried 5 feet below grade and 2 feet of pipe.

They discussed if the surveyors picked up the pipe and the easement, the structure. Mr. Andrews asked if O'Reilly's put in a manhole to take their overflow? It was wondered if they pipe is still there. Mr. Burch said it is an idea. However, it is still Mutual Banks issue[to clean the basin] Mr. Andrews wants to try and resolve more than one issue. If they [O'Reilly] gives an easement to the town, overflow into the pipe and run the pipe the rest of the way down.

Mr. Burch stated that when they were out there, nothing flew, no flow coming from that pipe, (Mr. Alger said nothing really is) if nothing come out and this is open, and there is water in it.... Is that pipe damaged? Is it not connected? Mr. Alger did not know. Mr. Burch said there is water that puddles in here. Mr. Andrews suggested to have a camera run down it. Mr. Burch stated if there is no flow coming out of this pipe and this is still full then, ... I didn't want to do a design connected into an unknown like that, but...

Mr. Andrews said that whatever is coming off the street that does come down that pipe, then you're not dealing with in, its going in there. Mr. Burch: maybe it's the street pipe that goes into that, and our flow goes to that drainage. Right now, you don't experience this flow from our property directly from this discharge point, if you add all our flow here, you're going to get quite a flow coming out of the pipe instead of coming around this way. Mr. Alger said they want their overflow, not....

It's the overflow not directly into this. In the end they don't know what is going into the pipes. 24" pipe, goes to a 12" pipe, minimal flow from the basin, from the street should be minimum.

Mr. Andrews would like the Highway Dept to put a camera in to check it, and do some investigating, see what is happening in the street. Mutual Bank put in manhole/ for their overflow.

Mr. Skulte noted that they can not guarantee piping all the way from the outlet thru their easement.

Mr. Burch said it will be an added structure , and need confirmation before they construct this, make sure it [pipe] is not broken.

Briefly discussed if it flooded over the banks of the ditch, it is not, but comes up high. If Mr. Peck was going to do as he advised to correct the problem. If any other buildings come in, they will have to design accordingly as well.

It was asked if they [Alger's] are ok with O'Reilly if they can get the "overflow" into 'the' pipe and out to the ditch properly. Mr. Alger said no and asked to ensure the water is only going to be the overflow of water.

Discussion continued on what water is being tied into the towns main line. Commercial properties on Plymouth St. The easement on their property is with John Peck, not with the Town. Does look like commercial properties

across the street is going down Rte. 106, however the pipes are probably too small that is why the water overflow is going into their property. Probably 12" and 18". Members agreed to move forward and potential conditions.

Discussed having the Highway Dept investigate the pipes in that area, where they go and sizes of pipes.

Mr. Skulte asked if the pipe be suitable for connection that they would redesign the plans such that they connect to the pipe instead of discharging with surface? Mr. Burch said yes, if there is a pipe is still there, its an easy connection. On record they would be ok with that. Further discussed Mutual Bank possibly repairing pipe. Alger's would be amendable with that if it is viable. Mr. Burch asked what he needs to do if it is changed. Members agreed to submit changes; no public hearing would be necessary. Only change is the outflow overflow, so an additional manhole structure. Again, stated that O'Reilly would not be able to do anything on other land.

Mr. Millias wanted to make clear, the pipe in the pictures (presented by Alger's) on the end, when came to your property line and stopped it was just and open 24" pipe just collecting ground water? Alger's said yes. Opened to the surface, no head walls built. It was wondered how the anything feed into it. May have been a little bit of a ditch, then a manhole put in after the fact. Bank built 7 feet on top and someone connected to it?? Buried pipe, not perforated so not catching ground water. Still reiterated that we can make them (O'Reilly) build something on someone else's property.

Mr. Alger then suggested they will build a berm all the way down their property and the town can do what they want. Mr. Andrews said the board will have Mutual Bank come back in, in conjunction with Conservation, to get resolved. The design that O'Reilly's is providing is helping the problem, bigger issue is more of a Town problem and Bank maintenance more than this new project. IF anything comes in for the other lots, the board will plan to try and control a little more, as part of [their] designs. Mass DOT plans did show a pipe coming in, when those were built and was draining to the back of the property when they re-did Rte. 106, no detail of exactly where they went, just a pipe going to the back of the property, was the original design, and some point the town connected the pipe into the rest of the system.

Mr. Skulte would make a motion to approve with a number of conditions, as it relates to the drainage issue, signage, hours of operation, typical conditions that we have for this kind of project.

Mr. Millias has not problem with the design as it is, it will make it better. One condition should be able to tie into that pipe. Briefly discussed typical/ standard conditions, hours of operation, dumpster pick up, etc.

Mr. Skulte suggested that they close the Public Hearing and developing draft condition to act on them at the next meeting. Conditional approval subject to the conditions associated with the approval. Vote to close the public hearing.

Motion the close the public hearing for site plan review 19-SPR-03 for 330 Plymouth St.

MOTION: Mark Millias

SECOND: Karlis Skulte

All in favor

Motion to re-open the regular scheduled planning board meeting

MOTION: Mark Millias

SECOND: Karlis Skulte

All in favor

Next meeting will be only the members deliberation and subsequent vote.

Form A: 19-A-05

Joe Webby, Webby Engineering, Brookside Realty owns land on Franklin St. On north side of power lines, would like to carve out a lot. 150 frontage, 40,605 sq. ft. of uplands, isolated vegetated wetlands, not proposing to do anything with the back lot. Shape factor is 48.

Motion to approve and endorse the plan of land for Brookside Realty being Map 104 lot 5B

MOTION: Mark Millias

SECOND: Karlis Skulte All in favor

Secretarial:

Motion to accept meeting minutes for March 21, 2019

MOTION: Mark Millias

SECOND: Karlis Skulte All in favor

Bills payable:

Motion to pay bill for We Print Today for copies made, Inv.#2177 in the amount of \$13.50

MOTION: Mark Millias

SECOND: Karlis Skulte All in favor

Motion to pay Theresa Renaud for reimbursement time, effort and costs incurred for \$17.63

MOTION: Mark Millias

SECOND: Karlis Skulte All in favor

Update:

Don Treannie, final inspection requested for Autumn Lane will be sending in an As-Built for road completion.

Dunkin Donuts – Joe Murray would like to place a bench on the patio and maybe planters. Just checking in with the board to make sure it is okay. No advertisements or sign will be on it. Provided all ADA is no disturbed. Patio on right, ADA access in on left. Planters are fine.

Building permit for Solar project, 107 River St. Site plan was approved. Send notice to building insp. to ensure plans received match what was approved. Briefly discussed the modules would probably be updated by the time it is constructed, with no changes to site. Permit signed by G. Andrews

Motion to adjourn

MOTION: Karlis Skulte

SECOND: Mark Millias All in favor

It was unanimously voted to adjourn the meeting at 7:45 p.m.

Respectfully submitted,

Date Approved: _____

Terri Renaud
Planning Board Secretary