



**Halifax Planning Board
Meeting Minutes
April 18, 2019**

Official

A meeting of the Halifax Planning Board was held on Thursday, April 18, 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, Jonathan Soroko,
Phone in call: Karlis Skulte Absent: Larry Belcher

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: Jonathan Soroko AIF

Karlis Skulte phone called into session at 6:35 p.m.

Motion to suspend the regular Planning Board meeting and open the Public Hearing for Special Permit for 925 Plymouth St. for RG Automotive

MOTION: Mark Millias
SECLOND: Jonathan Soroko All in Favor

6:35 p.m. Hearing opened: Tori Guerchon for Mr. Greene

Hearing was on 4/4 and continued to tonight, any other comments, etc. Mr. Millias brought Mr. Soroko up to speed. Mr. Soroko noted that he remembers Mr. Greene coming in for an informal meeting to discuss what he needed. The sign will be 4' wide x 26' long, text only. Asked if the Inc. needed to be shown on rough plan. The size of the sign will be the same. Board is not concerned with the text or graphics.

No other text or comments, Mr. Skulte (phone) does not have any other comments.

Motion to approve the sign at 925 Plymouth St. for RG Automotive for the proposed sign of 4' x 26' feet on the building.

MOTION: Mark Millias
SECOND: Karlis Skulte All in favor

Voice vote: Skulte – yes, Millias – yes, Soroko – yes and Andrews – yes

Motion to close the public hearing and return to the regular scheduled planning board meeting.

MOTION: Mark Millias
SECOND: Jonathan Soroko All in favor

Bills payable:

Motion to pay bill for WB Mason for office supplies, Inv.# in the amount of \$96.24

MOTION: Mark Millias
SECOND: Jonathan Soroko All in favor

Motion to pay bill for April 18, 2019 Amory Engineers PC for Inv. #15052 for review services of O'Reilly Auto Site plan review and reports for \$1,845.52.

MOTION: Mark Millias

SECOND: Jonathan Soroko

All in favor

6:45 p.m. Site plan review – O'Reilly

Discussion: Present: Casey Burch.

Mr. Millias noted that he did see the email with response to any questions and is satisfied with what he had. No comments on some did not have an impact on the review.

Mr. Andrews requested to see the plan again. Jonathan Soroko also reviewed the plans and recalls the informal discussion last fall. Mr. Andrews stated that he spoke with Mr. Peck and he said he does not have any problem allowing the pipe to go around/on there. He also noted that he did not get a response from Mutual Bank regarding the basin. There will not be any casting of light outside of the site. Mr. Soroko asked about the delivery trucks. Mr. Burch stated a WB50. Mr. Soroko had a concern with the parking spaces during the day. They would be unusable while delivering during store open hours. Mr. Soroko also asked about a "Fire Zone". Approximately 12 spaces would be being used while during deliveries.

Mr. Burch stated they will refrain from delivering during peak hours, about 14 – 15 people would be in the store, max space require is only 15, O'Reillys likes to have 32-36. In the conditions they will not deliver during peak hours. Similar to when gas stations have a delivery, but less intrusive.

Mr. Burch advised that the Board of Health initial review was fine however if there was ever a change of use of the building they would have to go back and revise the plan.

Mr. Andrews asked if there were any other comments> Mr. Skulte is all set. Mr. Millias asked how to motion the conditions.

Motion to approve the site plan 19-SPR-03 at 330 Plymouth St. for O'Reilly Auto Parts meeting the conditions set fourth prior, and to include: further discussion continued

Discussion prior to full motion continued regarding the previous response regarding the drainage, if the Town decided not to investigate and discover the pipe, then no action would be taken. If they find a pipe, the owners (O'Reilly) are willing to do the work, but if the town doesn't then. If the pipe is not found, they [O'Reilly} is not responsible for putting the pipe in, finding it or connecting it to the Town. We cannot put that on someone else Mr. Andrews: the intent, if O'Reilly is going to accommodate the towns overflow then it wouldn't be on them to do the rest of the work.

Mr. Millias: It all rests on if the 'town' finds out the pipe connects.

Mr. Andrews: trying to separate the two things, the Town and the Bank.

The members agreed that there is clearly an issue with the drainage, but if the town doesn't investigate then someone else can not be responsible for it.

Again, Mr. Alger stated his case regarding the drainage and pipe.

It's in the towns best interest for the town to look into it. Question is whether the planning board can put a condition onto an approval stating "the Town will" investigate. O'Reilly doesn't have to give an easement.

Condition would be that O'Reilly would grant the town and easement if they can connect it. Mr. Burch was okay with that. However, if the town doesn't do anything, they do not have to grant an easement.

Mr. Burch noted again, if the Town finds the pipe, they would tie into it. They would grant an easement if needed. They are discussing an easement that would be for the pipe coming from the street.

To clarify O'Reilly would be willing to physically take the pipe, connect it and allow to run through the property as long as the "town" took on to find the pipe, where it is, and if it exists. All they're asking if the town figures out where the pipe is and if its usable. If the town is not willing, the plan continues as proposed, if the pipe is dead ended or not connected which would have less runoff to the back. If the pipe doesn't exist, no connection, stays as is, they do work as proposed, then what ever water someone going from 106 to the back corner of the property, will no longer go that way. Wouldn't be sending any 106 water back thru the O'Reilly property to discharge into the wetlands.

Mr. Millias continued with the motion with the following conditions.

1. The hours of operation will be 7 a.m. to 10 p.m.
2. The sign(s) must be submitted for final approval and permitted by the Zoning Enforcement Officer to meet all sign bylaws.
3. The applicant agrees to maintain all stormwater piping, structures, hydrodynamic separator and infiltration basin per the approved plans and the submitted Operation & Maintenance Plan included as part of the Engineering report.
4. The applicant agrees to maintain parking areas suitable to the Town standards
5. The dumpster pickup will occur before the 7 a.m. prior to opening.
6. Delivery times will be between 7 a.m. and 7 p.m. and not during peak hours.
7. That a Fire Protection Engineer be brought in to assist the Fire Department with plan review, revisions and ensuring that an applicable CMRs and Standards are followed.
8. The Halifax Board of Health shall approve Applicant's subsurface sewage disposal system.
9. No outdoor loudspeaker public address system shall be permitted.
10. No outside sales or "flea market" operations shall not be permitted on the site.
11. No unregistered vehicles are allowed or stored on the property
12. Lighting shall be shielded in such a manner so as to minimize glare and adverse impact to the residences abutting the site.
13. Outside lighting shall be turned off at the same time the store closes, except in emergency situations or for maintenance and except for lights for safety or night watch purposes.
14. A performance guarantee (cash surety) in the amount of 0.00 dollars will be submitted to The Town of Halifax and shall be held in an account under both the applicant and the Towns name.
15. Approved activity shall be completed within two (2) years, but may be extended by the Planning Board if satisfactory evidence that unusual circumstances have prevented completion within the specified time.
16. **Condition of Approval Potential Storm Tie-in for Basin Overflow:**
During the Site Plan Review permitting process the location of an existing stormwater drain pipe was presented to the board. Pictures of the pipe indicated that it traversed the Mutual Bank property and outleted into the existing swale located in the residential neighboring property, south of the bank. The location of the start of pipe is unknown at this time. According to pictures and the neighbor's testimony the pipe supposedly stops at the Bank's property line; but if said pipe continued and happened to traverse 330 Plymouth Street in anyway then the Applicant will provide a drainage structure to tie into this pipe so that stormwater overflow associated with the proposed infiltration basin would be conveyed into this pipe rather than into the rear of the property and overland into the adjacent ditches on Mr. Peck's property. The Town of Halifax Highway Department will investigate if this pipe has any connection to 330 Plymouth Street through means of video snaking or excavating. If this pipe does not traverse the property of 330 Plymouth Street then the applicant and O'Reilly Auto Parts do not have to install a tie-in structure.

MOTION: Mark Millias
SECOND: Jonathan Soroko

Voice vote: K. Skulte – yes (via call in) M. Millias – yes J. Soroko – yes G. Andrews – yes

Call with Mr. Skulte

Discussions:

Stop & Shop would like directory signs for the “on-line” pick up parking spots. All signs will be inside on their property. Mr. Millias stated it is just parking lot management, all inside the parking lot, nothing on Route 106. Buy on-line and pick up groceries at store. Applicant is not asking for special permits. Board did not have any issues with the request as long as the signs met all by-laws.

Autumn Lane As-Built:

Members reviewed the plans received. Decided to wait for final review engineer reports before signing and endorsing the plan.

Zoning bylaw changes:

Bylaws received by the Board of Selectman. Notice for Public Hearings scheduled for May 9. Members briefly reviewed the articles.

Motion to cancel the next regularly scheduled Planning Board meeting of May 2.

MOTION: Jonathan Soroko
SECOND: Mark Millias

Motion to adjourn

MOTION: Jonathan Soroko
SECOND: Mark Millias All in favor

It was unanimously voted to adjourn the meeting at 7:40 p.m.

Respectfully submitted,

Date Approved: _____

Terri Renaud
Planning Board Secretary
