



Town of Wrentham
Planning Board
79 South Street
Town Hall 2nd Floor Meeting Room

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2019 JUN 20 AM 8:44

Meeting Minutes

May 15, 2019

Members Present: Chuck Woodhams (Vice-Chair), Jim Lawrence (Clerk),
Bob Cass, Everett Skinner, Steve Schwarm and Thomas Wrynn

Members Absent: Michael McKnight, Chairman

Town Planner: Rachel Benson

Departmental Secretary: Priscilla McGill

7:02 p.m. Call to Order – Agenda Overview

Mr. Woodhams as Chair in the absence of Mr. McKnight

Meeting Minutes

Mr. Skinner moved to approve meeting minutes as presented for May 1, 2019, subject to correction of typos. Mr. Lawrence as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

Discussion – Park Street (Preserve at Mill Pond) - Tripartite Amendment

Howard Bailey appeared before the Board with Michelle LeMay as notary for the documents. Ms. Benson clarified that the Tripartite Agreement is revised for Phase II, Lot 40, which was an oversight of the previous agreement.

Mr. Skinner moved to approve the addition of Lot 40 to the Phase II Tripartite Agreement. Mr. Schwarm as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

Discussion – Park Street (Preserve at Mill Pond) – Earth Removal Bond

Ms. Benson stated that there needs to be an Earth Removal Bond in place until the final as-built is submitted and noted that Mr. Bailey could request bond reduction as phases are completed. Mr. Bailey spoke of phased areas being completed and disputed the By-Law exemptions. Mr. Bailey also spoke of discrepancies between the Sub-Division Control Law and the Town By-Laws. Discussion ensued to other project sites in comparison to this project site and bond overlapping with earth removal and conservation. Mr. Skinner noted his opinion, that if Phase I is substantially completed regarding moving earth, he as a Board member, would be willing to look at a bond reduction for Phase I earth Removal. He also noted that, at this time, he would not consider either Phase II or Phase III for reductions in Earth Removal bond.

7:15 p.m. Mr. Lawrence moved to postpone the New Public Hearing Land Owner Petition for 807 South Street to later in the meeting. Mr. Skinner as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

Discussion – Park Street continued

Mr. Skinner noted that when the street bond is in place, it will overlap the earth removal bond and then the earth removal bond can be reduced. Mr. Bailey stated that they could submit calculations, have Beals & Thomas review for the Town, and come back before the Board for approval. The Board agreed that Beals & Thomas will conduct a site review using 53G funds and Mr. Bailey will return on June 19th for a discussion of bond reduction.

7:25 p.m. New Public Hearing

Mr. Lawrence moved to open the New Public Hearing for Land Owner Petition for 807 South Street to rezone from Residential 43 (R-43) to Commercial/Industrial 2 (C-2). Mr. Skinner as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

Mr. Woodhams stated that the meeting is being recorded. He noted that all people that would like to speak will be allowed to speak, requested all to be respectful, to the point, and not repetitive.

The applicants, Chris Cahill, owner of 807 South Street appeared before the Board. Mario Gomes, owner of 801 and 803 South Street was in the audience. Attorney William J. Proia of Riemer & Braunstein, LLP and Mark Fougere, AICP of Fougere Planning & Development, Inc. appeared before the Board on behalf of Mr. Cahill and Mr. Gomes.

Atty. Proia stated their reasoning for the rezone as “common sense” idea given some land use patterns and decision of the Town for that general area over the last several years and suggested that residential tastes have moved towards being away from commercial districts. He noted that the property abuts the Interstate Highway Route 495 and they are seeking to rezone to C-2 district where the Board will have Special Permit and Site Plan review over any proposed project. Mr. Lawrence clarified, for the audience, which sites they are seeking rezoning and that the State forest abuts the large parcel of land directly off the highway.

Mr. Fougere spoke of the potential impact of tax revenue to the Town with the zoning change versus the current residential zoning. He spoke of a 15 unit single family home development with homes selling at the \$600K range and generating \$9M in value generating \$197K in taxes, \$22K in excise tax, and \$1K tax for 1% CPA funding.

Mr. Fougere further noted that for a mixed use project of 240 condos, a 100 unit hotel, and 9,000 sq.ft. of retail. This scenario would estimate at \$110M project value which could generate \$1.5M in taxes, excise tax from cars \$150K in taxes, CPA funds at \$12K, 6% occupancy tax at \$264K in taxes per year.

Mr. Lawrence inquired if the property owners have had discussion with developers for this type of development on the property. The property owners stated that they have not spoken to developers. Atty. Proia noted that the family plans to be in charge of the development and not sell the land to a developer. Mr. Lawrence stated that there is no guarantee that the owner will not sell the property but there is no intent at this time. Mr. Woodhams noted that the condos are not allowed in the C-2 district and inquired as to why they proposed that use. Atty. Proia stated that they were just showing the difference between commercial mixed uses versus the residential value of tax benefits. Ms. Benson pointed out the environmental constraints of the property in which the majority of the property falls within Zone 2 which is in the Aquifer Protection District which anything over 15% impervious has to go through a Special Permit process. Ms. Benson further noted that there are wetlands and a Title 5 buffer and part of the Watershed Protection District which is also a Special Permit and pointed out the slopes of the property. Ms. Benson inquired if the land owners took any of the mentioned constraints into consideration when proposing the options. Atty. Proia stated that they have only proposed a scenario and they do not have an existing plan. Mr. Woodhams stated that he is on the Economic Development Committee and this was proposed to that Board as a C-3 project which is very restrictive and now is

being proposed as a C-2 district which is more permissible and inquired why they changed. Atty. Proia stated that C-2 is more in keeping with the surrounding area.

Mr. Wrynn stated that the only thing allowed by right is roof mounted solar and family day care, everything else would have to come before the Planning Board. Mr. Woodhams noted that the EDC, for which he is on the committee, voted unanimously against this zoning change, at this time, but could have future reconsideration. Atty. Proia inquired as to why the EDC voted against the change. Mr. Woodhams responded that with the amount of commercial development currently underway in Town the EDC wanted more time to consider the impact of this potential change and project.

Public Input

Gregg McCombs of 797 South St. stated that his home is two houses away from the four properties on request for rezoning and is strongly against the change. He felt it would have negative effect to the surrounding residential properties and felt that it would allow the owners the potential to package the property and sell to a developer, which would diminish the value of the surrounding residential properties. Mr. McCombs noted that the applicants' attorney stated that the property owners want to develop the properties themselves. Mr. McCombs suggested that the value to develop the properties would be upwards of \$100M and questioned where they would get that money from. He spoke of the current heavy flow of traffic to the outlet mall and the impact of more traffic with the proposed uses. Mr. McCombs further noted that if the zoning changed, the one property that is not up for rezoning, would be surrounded by commercial property. He spoke further on the impact of construction and encouraged the Board to disallow comments for hotel and possible revenue when there is no proposed project.

John Dennis of 799 South St. direct abutter to the land. Mr. Dennis stated that the property is landlocked and requires the sale of two properties owned by Mr. Gomez, which are directly next to Mr. Dennis. Mr. Dennis encouraged the owner of the landlocked property to donate it to the State. Mr. Dennis read his letter to the Board as direct abutters for the zoning change from R-43 to Commercial C-2, unequivocally opposing the zoning change. Mr. Dennis further read that they specifically purchased the property 35 years prior for its tranquility and abutment to the State Forest as well as protection provided as residential zoning and traffic created by rezoning would adversely affect the neighborhood. He further noted the potential burden to the Police and Fire departments.

Cheryl Nadeau of 805 South Street, direct abutter sandwiched between the parcels for proposed rezoning. Ms. Nadeau spoke of the land being family owned back to her great-grandmother and has a personal stake in the proposed rezoning. She spoke of the traffic impact added commercial property and strongly opposes the proposed rezoning.

Claire Freeman of 795 South Street, spoke of living in Wrentham for over 35 years and down sized when children were grown to South Street to stay in Wrentham. She spoke of the area being a gateway to Wrentham and would like it to remain a quiet and historical area.

David Clinch of 795 South Street, noted that the development across from the Outlets is vacant and cannot see the Town allowing more commercial in the area.

Mr. Skinner clarified that the Town is not proposing the zoning change, but that it is a land owner that is, and the Town is required by law to have the hearing. Ms. Benson stated that she reviewed the Affordable Housing Plan, Master Plan, draft Open Space Plan, and a few other traffic plans. She noted that in review of the Master Plan, it was recommended that the area from Wampum Corner to Route 495 have an overlay district for multi-family housing and she reached out to the Paige Duncan, former Wrentham Town Planner and noted that Paige had to return Grant money back because the residents were strongly opposed to changes.

Mr. Lawrence commented that the Route 1A is a State road and the Town does not have a say in changes to the road.

Ms. Nadeau inquired as to the set-back footage between her property and the proposed change property. Ms. Benson noted that there is enough frontage for the petitioner to create an access roadway for a residential subdivision, which can be done by right. Ms. Nadeau also inquired as to protection if a project is approved and there is blasting of ledge. Mr. Woodhams explained the permitting process through the Fire Dept. that is required for any construction blasting in the Town.

No further public comments.

Mr. Skinner moved to close the public hearing. Mr. Lawrence as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

No further Board discussion.

Mr. Skinner moved that the Board unanimously recommend No Action to the Board of Selectmen. Mr. Wrynn as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

Mr. Schwarm expressed that if the Board had more prior information as to how the land could be used it may have been easier to have a positive reaction to it.

Discussion – Accessory Dwellings

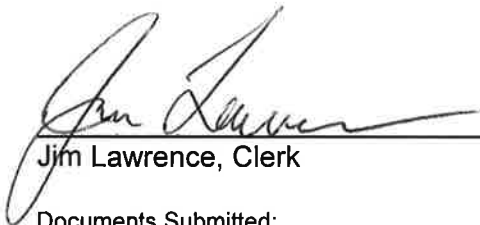
Mr. Skinner stated that he attended an Accessory Dwelling discussion meeting with a ZBA board member, Building Commissioner, and Ms. Benson and a revised copy of language will be distributed. Mr. Skinner briefly described some of the changes that were discussed at the meeting, such as limited square footage, elimination of third front door if there are already two entries, and limited driveway access among other items. Discussion ensued.

Ms. Benson stated that there will be another working session and revisions with the anticipation of getting this ready for November Town Meeting.

8:25 p.m. Mr. Skinner moved to adjourn. Mr. Wrynn as second. Aye-6; Nay-0 and Abstentions-0, (6-0-0).

Respectfully submitted,

Priscilla McGill, Administrative Assistant


Jim Lawrence, Clerk


Date

Documents Submitted:

1. Agenda dated May 15, 2019
2. Meeting Minutes dated May 1, 2019
3. 807 South St. Land Owner Petition
 - a. Public Hearing Notice
 - b. Guerriere & Halnon, Inc. plan for Proposed Zoning Change dated February 8, 2018
4. Park Place amended Tripartite Agreement – Phase II