

TOWN OF AUBURN, MASSACHUSETTS
AUBURN PLANNING BOARD
Minutes of the Meeting
Auburn Town Hall Select Board Meeting Room | March 28, 2023 – 7:00 PM

Members Present: Chair John Regan, Vice Chair Todd Kirrane, Member Ron Brooks, Member Dwarakesh Nallan, and Member Sierra Smarra

Members Absent: None

Also Present: Town Planner Dr. Adam Menard and Staff Assistant Danielle Chamberland Roberts

Mr. Regan called the meeting to order at 7:00 PM and provided hybrid participation instructions for meeting attendees and access information to interested viewers. The Town cable staff was present, and the meeting was recorded and televised. No other attendee was recording the meeting.

Ms. Smarra arrived to the meeting at 7:02 PM.

I. ANR:

a. Hampton Street & Eaton Avenue

Mr. John Plifka from McCarty Engineering, Inc. representing the Danquah Holding and Realty Trust presented eight ANR lots (one fronting on Easton Avenue and seven fronting on Hampton Street) and proposed to correct a slight encroachment that Eaton Avenue previously had on the parcel.

No public comment.

Mr. Nallan asked if Parcel A is the plot being conveyed to the Town and Mr. Plifka replied in the affirmative.

Mr. Regan noted a large drop-off between Hampton Street and the lots. He asked how Mr. Plifka intends to make the lot accessible from Hampton Street. Mr. Plifka replied that he hasn't gone through a grading exercise yet, he is subdividing the lots and then grading will be addressed later. Mr. Regan asked if Mr. Plifka intends to bring in a road from Eaton Avenue and Mr. Plifka responded in the negative at this time.

Mr. Regan called for a motion to approve the subdivision on Hampton Street & Eaton Avenue as shown at 7:06 PM. Mr. Kirrane made the motion, it was seconded by Mr. Nallan.

Roll call vote:

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|------------|------------|------------|-------------|------------|
| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

II. Public Hearings:

a. Applicant Kimley-Horn and Associates requesting Site Plan Approval under section 3.2.6.1 of the Auburn Zoning Bylaw for a self-storage facility at 319 Washington Street, Auburn, MA 01501, Map 42 Parcel 31.

Mr. Regan called for a motion to open the hearing at 7:11 PM. Mr. Nallan made the motion, it was seconded by Mr. Kirrane.

Roll call vote:

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|------------|------------|------------|-------------|------------|
| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

Ms. Caycee Hart and Mr. Russell Orlick, Civil Engineers from Kimley-Horn presented a brief overview of the proposed project.

Mr. Gary Bertrand of 148 Millbury Street was concerned about the curb cuts and access at the proposed site. Mr. Regan replied that Mass DOT is the body who grants permission for curb cuts, not the Planning Board. Ms. Hart said that she doesn't believe there are any issues with respect to access.

Mr. Bertrand also had a concern that the height of the proposed buildings would impact his line of sight as an abutter and that the water table will also cause a need for the building to be raised up. Ms. Hart replied that she would consult with the plan architect and contact Mr. Bertrand with exact numbers.

Mr. Nallan recommended that the applicants increase the number of parking spaces based on the square footage of the proposed buildings. He also inquired about the location of ADA spaces. Additionally, Mr. Nallan asked about use of an easement between the two proposed buildings and the use of electric, water and sewer facilities at each.

Mr. Brooks recommended that the applicants check with Building and Code because he recalled there was an issue with groundwater with the previous site owner.

Mr. Kirrane voiced his concern that the intersection of Washington and Millbury Streets is a high-crash area. Ms. Hart said that they had done a crash rate analysis and there was a road safety audit that recommended installing advanced signage for the signal along the Northbound approach and some pavement markings. She said it should be fairly simple to work with MassDOT to make those changes. Mr. Kirrane then asked if the applicants would be amenable to a right turn only out of the driveway and she replied in the affirmative.

Mr. Regan recommended that the applicants add a silt fence lining the portion of the property that abutts Old Common Road and they agreed to do so. He also noted that the applicants have a silt fence on their erosion control sediment detail but no wattles or hay bales, which they agreed to add in. Next, he recommended that the applicants use a plastic cover over their bollard if the steel is galvanized to avoid difficulty with painting. Mr. Regan asked the applicants to explain what they list as "dense blended gravel" under their sidewalk detail. Ms. Hart agreed to add a MassDOT specification in the plans. He also noted that the plans show the drainage outlets headed towards Washington Street, and Ms. Hart said that they will add further details to depict all water draining towards the wetlands. Finally, he also recommended that the applicants show the manhole they are planning to install on the plans where there is an existing capped sewer pipe. After finishing his recommendations, Mr. Regan requested that the applicants present the lighting study that they had done with their proposed lighting plans. He also commented on the Fire Department's recommendation that the applicants make their entrance in off of Old Common Road due to traffic and safety concerns. The applicants replied that they are taking it under consideration but that they would prefer to keep the primary entrance off of Washington Street with the possibility of an additional entrance off of Old Common Road.

Mr. Nallan recommended that the applicants note the Fire Department's recommendations that the applicants install two fire hydrants on the property, to which Ms. Hart replied that the applicants have been working with the Fire Department for suggested locations for where to place them. He also recommended the applicants note the comments from the Fire, Sewer, and Water Departments regarding the sprinkler system, and Mr. Orlick replied that the applicants have noted the comments and begun addressing them.

Mr. Brooks noted that the lighting requirement is zero foot-candles at the property line, to which Ms. Hart assured him that this would be upheld.

Mr. Regan called for a motion to continue the public hearing to the April 11, 2023 Planning Board meeting at 7:40 PM. Mr. Kirrane made the motion, it was seconded by Mr. Nallan.

Roll call vote:

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| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

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b. **Applicant Eastland Partners Inc. requesting Site Plan Approval** under section 3.2.6.0 of the Auburn Zoning Bylaw for a warehouse/distribution facility at 190 Washington Street, Lot 1, Auburn, MA 01501, Map 34 Parcel 4.

Mr. Regan called for a motion to open the hearing at 7:41 PM. Mr. Kirrane made the motion, it was seconded by Mr. Brooks.

Roll call vote:

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| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

Mr. Travis Brown of Turning Point Engineering presented a brief review of the proposed project on Lot 1. He also noted that the applicants have received and addressed comments from Fire and Sewer Departments, as well as Graves Engineering.

Ms. Doreen Goodrich of 5 Lower Windbrook Drive noted her concerns about the hours of operation of any proposed business on Lot 1, disruptions to traffic lanes, and the number of tractor trailers blocking access to roads and causing traffic. She stressed the need for greater communication around traffic, safety, and turning lanes.

Ms. Barbara Kolofsky, a Windbrook Acres Mobile Home Park resident, noted her concern that as an abutter she was not notified about the recent clearing of Lot 50, which has now caused light pollution from the Honda Dealership. Mr. Regan advised Ms. Kolofsky to contact the Building Commissioner, as this issue is under his purview. Dr. Menard also noted that the Lot clearing was approved by the Conservation Commission, not the Planning Board, but he could not speak to Ms. Kolofsky's allegation that she was not notified.

Mr. Brown asserted that abutter notifications were sent out via certified mail and confirmed by the Conservation Commission. Mr. Regan asked that Mr. Brown provide proof that a notification was mailed out to Ms. Kolofsky. Mr. Brown agreed.

Ms. Goodrich restated her concerns about lack of communication and safety concerns. Mr. Regan requested that the developer be more communicative with residents and abutters. Ms. Goodrich noted that the developer is only required to provide one notification to all of Windbrook Acres Mobile Home Park, and it is the responsibility of Windbrook Acres to pass that notice on to all 100 residents.

Mr. Brooks asked about a prior potential agreement between Eastland and Windbrook Acres Mobile Home Park with respect to the encroachment of trailers, and Mr. Brown replied that it will be addressed once that property is developed, but the application he was presenting was only Lot 1. Mr. Chris Horne of Eastland Partners said that Eastland Partners had the best of intentions, and Mr. Regan encouraged him to send a letter to Windbrook Acres Mobile Home Park stating his intentions to donate the land in question.

Mr. Brooks asked for clarification about how the lanes will be changed to accommodate his proposal and Mr. Brown replied.

Mr. Kirrane asked for clarification on the proposed timeline, as well as the possibility of moving the driveway into the site further down to prevent queueing issues with trucks. Mr. Brown replied that it wouldn't be practical for maneuverability. Mr. Kirrane about the Fire Department's needs with respect to turnarounds and dead-ending, and Mr. Brown replied that a modification had been made to allow for K-turns. Lastly, Mr. Kirrane asked about the possibility of installing a walkway on the property and a crosswalk going across the street, ensuring ADA compliance with both. Mr. Brown replied that it could be considered.

Mr. Regan noted that as the building occupant was still unknown, so too was the number of required parking spaces for said tenants. He could not approve any plan on speculation. Mr. Regan also stressed that a previous problem with Ross Express's stated hours versus operating hours has upset residents, and Mr. Horne said that he would look into this issue.

Mr. Regan called for a motion to continue the public hearing to the April 11, 2023 Planning Board meeting at 8:15 PM. Mr. Brooks made the motion, it was seconded by Mr. Nallan.

Roll call vote:

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|------------|------------|------------|-------------|------------|
| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

- c. **Applicant Mass Ten Enterprises LLC requesting Special Permit** under section 3.2.5.3 of the Auburn Zoning Bylaw for a drive thru restaurant at 824 Southbridge Street, Auburn, MA 01501 Map 66 Parcel 148. *(Cont. from 1/24/2023)*

Mr. Regan called for a motion to continue the public hearing to the April 11, 2023 Planning Board meeting at 8:16 PM. Mr. Kirrane made the motion, it was seconded by Mr. Nallan.

Roll call vote:

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| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

- d. **Applicant Nordic Industrial Properties requesting Site Plan Approval** under section 9.4 of the Auburn Zoning Bylaw for an addition to an existing structure and a new free-standing structure for commercial/industrial use at 12-14 Sword Street, Auburn, MA 01501 Map 11 parcels 13 & 144. *(Cont. from 1/24/2023)*

Mr. Ron Mendez from Graves Engineering on behalf of Nordic Industrial Properties gave a recap of the scope of the project, including what is already extant and what is still being proposed.

No public comment.

Mr. Brooks asked if the applicant was planning to disturb the brook on the southwest boundary of the property and Mr. Mendez replied that the applicants are working within the buffer area and working with the Conservation Commission to ensure compliance.

Mr. Regan asked why the proposal included two sewer services coming out of the same building, and Mr. Mendez replied that one was for sewer and the other functions as an oil and water separator. Mr. Regan also asked for clarification on a part of the proposal that called for 6-inch sewer service that listed 8-inch PVC pipe. Mr. Mendez clarified that both parts should say 6-inch. Mr. Regan commented that he believes the current standard for granite curbing is to have concrete fully surrounding it for stability, and Mr. Mendez said he would look into this. Finally, Mr. Regan advised the applicants to use a plastic cover over their bollard if the steel is galvanized to avoid difficulty with painting.

Mr. Nallan referenced comment 6 on the proposal about parking to say that it is not currently in compliance with the Town's by-laws. Mr. Mendez said that there is no plan to change the parking except to restripe and formalize the spaces.

Mr. Regan asked if anyone on the board had an objection to making a motion to approve the plan as long as the applicant meets the requirements of the Conservation Commission at 8:24 PM. Mr. Brooks made the motion, it was seconded by Ms. Smarra.

Mr. Kirrane said he had one final question about comment 10 on the proposal about why the dumpster was not screened. Mr. Mendez replied to say that the dumpster is currently not screened and the applicants had not considered adding it.

Mr. Nallan asked Dr. Menard if the proposal does not adhere to the by-laws and if the Planning Board accepts it, does this mean that the Board is granting an exception or special permit? Dr. Menard replied that the Planning Board can waive the requirement with no permits necessary.

Mr. Kirrane asked Mr. Mendez is there was an objection to screening the dumpster and Mr. Mendez replied that he would defer to the representative from Nordic Industrial Properties, who replied that there was no objection.

Mr. Regan asked about the presence of snow storage, and Mr. Mendez directed him to the correct sheet in the proposal, as well as explained the intent to haul any snow offsite as needed.

Mr. Regan asked if anyone on the board had an objection to making an exception for the parking spaces being out of compliance with the Town by-laws. Being none, he asked for a motion to close the hearing at 8:27 PM. Mr. Brooks made the motion, it was seconded by Mr. Kirrane.

Roll call vote:

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|------------|------------|------------|-------------|-----------|
| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
|------------|------------|------------|-------------|-----------|

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|------------|------------|------------|------------|------------|
| Aye | Aye | Aye | Aye | Aye |
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Motion passed 5-0.

Mr. Regan called for a motion to approve the plan with an allowance for a modification on the parking as long as the applicant meets the requirements of the Conservation Commission at 8:27 PM. Mr. Brooks made the motion, it was seconded by Ms. Smarra.

Mr. Kirrane asked for an amendment that the applicant will screen the dumpster, Mr. Regan agreed to include it.

Roll call vote:

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|------------|------------|------------|-------------|------------|
| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

- e. **Applicant Robert Lemansky for G. L. McKinstry Trust, for a Definitive Subdivision Plan** for a two-lot single family home development with site improvements on property located at Claire Drive and Linda Avenue, Auburn, MA 01501 (*Cont. from 1/24/2023*)

Mr. Regan called for a motion to continue the public hearing to the April 11, 2023 Planning Board meeting at 8:28 PM.

Mr. Kirrane asked how long the Board will continue the hearing. Dr. Menard said that he had spoken with the applicant, who is waiting for comments from the DPW on the land disturbance, which they want to incorporate into their plan before bringing it before the Board.

Mr. Regan called for a motion to continue the public hearing to the April 11, 2023 Planning Board meeting at 8:29 PM. Mr. Kirrane made the motion, it was seconded by Mr. Brooks.

Roll call vote:

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| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

III. Other Business

a. **Discussion:**

i. **Commerce Drive bond reduction**

Dr. Menard said that the original bond in place by Graves from December 2021 was for a total of \$1.178 million. They are proposing to reduce it to \$567,000.

Mr. Brooks recommended that the Board reduce it to \$650,000 to allow for a small buffer.

Mr. Regan called for a motion to reduce the bond to \$650,000 at 8:31 PM. Mr. Brooks made the motion, it was seconded by Ms. Smarra.

Roll call vote:

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|------------|------------|------------|----------------|------------|
| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Abstain | Aye |

Motion passed 4-0, with 1 Abstention.

ii. Henshaw Street Solar Array Extension Request

Mr. Regan noted that the proposal is being held up by National Grid.

Adam Christie, Vice President of Pro-Tech Energy Solutions and submitter of the extension request, spoke remotely.

Mr. Brooks asked if Mr. Christie had an idea of when he can expect approval from National Grid. Mr. Christie replied that the decision is no longer with National Grid, they decided in February 2023 that the extension request be moved to a Department of Public Utilities capital gains investment project study which should finish in 12 months. Mr. Christie noted the significant investment of time and effort thus far, and he is confident that he will have a definitive answer from DPU by the end of this year. The current one-year extension Mr. Christie is requesting will enable the DPU study to be finished, which will give Pro-Tech Energy Solutions the information they need to be able to move forward with the landowner to begin construction if it's approved.

Mr. Nallan asked if any updates would be available partway through the study and Mr. Christie replied that they would not. Mr. Christie said that once the DPU has completed their study and the results are issued, the project will be added to a queue for system impact studies with will turn into an interconnection service agreement.

Mr. Regan asked if Pro-Tech Energy Solutions could complete the job within a one-year extension from now, and Mr. Christie replied that they could not, as that would only allow the company to work from the anticipated completion of the DPU study in December 2023 to June 7, 2024. He explained how all that is expected during the extension they are requesting is for the company to receive approval from the DPU and the project to return to National Grid. At that point Pro-Tech Energy Solutions would request a third extension which would cover the project from construction to COC.

Mr. Regan called for a motion to approve the extension at 8:42 PM. Mr. Nallan made the motion, it was seconded by Ms. Smarra.

Roll call vote:

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|------------|------------|------------|-------------|------------|
| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

b. Modification:

i. Flexcar, LLC at 525 Washington Street

Mr. Jason Pruitt, representative of Flexcar, spoke remotely. He gave an overview of the site plan modifications: 1) preparing, sealing, and restriping the lot, 2) adding a fence around the back and side of the property, 3) adding gates to the East and West sides of the building and installing a KnoxBox, and 4) installing 4 new EV chargers.

Mr. Regan asked how the automation of the gates will work. Mr. Pruitt responded that the gates would be open during hours of operation and closed and locked with KnoxBox access for emergency personnel.

Mr. Kirrane asked about a memo from Police Chief Todd Lemon recommending that the applicants install security cameras. Mr. Pruitt replied that he intends to install cameras in the near future, but not in advance of the business opening. Mr. Kirrane asked Dr. Menard if the Board can condition Chief's Lemon's recommendation of the installation of cameras on the Board's vote of approval. Dr. Menard replied that it could, but the onus is on Flexcar to appropriately secure their business, not the Board.

Mr. Regan called for a motion that these changes are considered a minor modification at 8:53 PM. Ms. Smarra made the motion, it was seconded by Mr. Nallan.

Roll call vote:

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|------------|------------|------------|-------------|------------|
| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

Mr. Regan called for a motion to approve the minor modification at 8: 53 PM. Mr. Brooks made the motion, it was seconded by Mr. Kirrane.

Roll call vote:

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|------------|------------|------------|-------------|------------|
| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

c. **Decisions:** None

d. **Minutes: 01/24/2023**

Mr. Regan called for a motion to approve the January 24, 2023 Meeting Minutes as submitted at 8:54 PM. Ms. Smarra made the motion, it was seconded by Mr. Brooks.

Roll call vote:

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| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

e. **New Business Unforeseen by the Chair:** None

f. **Member/Town Planner Update:**

- i. Dr. Menard noted that the Planning Board is actively seeking an Associate Member to join the Board.
- ii. He also announced that the Pre-Town Meeting is April 25, 2023 at 6:00 PM in the Select Board room. There are a few zoning changes that will be discussed at the next Planning Board meeting on April 11, 2023 for interested residents, and those changes will then be discussed in further detail at the Pre-Town Meeting.

g. **Adjournment / Next Meeting:**

Mr. Regan called for a motion to adjourn the meeting at 8:55 PM. Mr. Brooks made the motion, it was seconded by Ms. Smarra.

Roll call vote:

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|------------|------------|------------|-------------|------------|
| Ms. Smarra | Mr. Nallan | Mr. Brooks | Mr. Kirrane | Mr. Regan |
| Aye | Aye | Aye | Aye | Aye |

Motion passed 5-0.

Next meeting will be April 11, 2023 at 7:00 PM.

Danielle Chamberland Roberts, Staff Assistant to the Town Manager

To access video playback of the Planning Board meetings, please visit www.auburnguide.com and click the YouTube icon on the homepage to go directly to ACTVAuburn's page.

Planning Board Packet Documents:

- Auburn Commerce Park at 190 Washington Street, Lot 1
 - Application for Site Plan Approval
 - Auburn Fire Rescue Department Comments
 - Auburn Sewer Department Comments
 - Auburn Water District Comments
 - Bond Estimate Update Letter
 - Building Commissioner/ZEO Comments
 - Construction Estimate Letter
 - Long-Term Operation & Maintenance Plan
 - Response Letter
 - Site Development Plan
 - Stormwater Management Report
- Danquah Holding and Realty Trust at Hampton Street & Eaton Avenue
 - ANR Application
 - ANR Site Plan
 - Letter of Intent
- Flexcar at 525 Washington Street
 - 11x17 Site Plan
 - 24x36 Site Plan
 - Application for Site Plan Modification
 - Auburn Fire Rescue Department Comments
 - Auburn Police Department Comments
 - Site Plan Narrative Letter
- Nordic Industrial Properties at 12-14 Sword Street
 - Commercial Development & Addition Permit Drawings
 - Commercial Development & Addition Stormwater Report
 - Peer Review Letter
 - Response Letter
- Pro-Tech Energy Solutions at 1 Henshaw Street
 - Site Plan Approval Extension Request
- Starbucks at 824 Southbridge Street
 - Auburn Fire Rescue Department Comments
 - Economic Development Coordinator Comments
- Tesla at 385 Southbridge Street
 - Certificate of Action –Special Permit Decision
- Triton Storage at 319 Washington Street
 - Application for Site Plan Approval
 - Auburn Sewer Department Comments
 - Auburn Water District Comments
 - Building Commissioner/ZEO Comments
 - Civil Plan Permit Set
 - Stormwater Management Report
- Planning Board Agenda
 - February 14, 2023
 - March 14, 2023
 - March 28, 2023
- Planning Board Meeting Minutes

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- o January 24, 2023