



Georgetown Zoning Board of Appeals

Memorial Town Hall ♦ One Library Street ♦ Georgetown, MA 01833

Phone (978) 352-5742 ♦ Fax (978) 352-5725

MINUTES OF A PUBLIC HEARING
Map 15, Lot 46 Carleton Drive, Georgetown MA
Applicant: G. Mello Disposal Corp
Owner: East West Mirra Realty LLC
ZBA File #19-07
April 2, 2019

Board Members Present: Jeff Moore Acting Chairman, regular member
Paul Shilhan, regular member
Dave Kapnis, regular member
Shawn Deane, regular member – Absent – will do Mullen Rule
Gina Thibeault, regular member
Sharon Freeman, associate member
David Twiss, associate member - Recused

Applicant present – Jason Mello, VP of Operations
Attorney: Nancy McCann of McCann & McCann, 89 Newbury St, Danvers, MA 01923
Scott Cameron, P Engineer – Morin-Cameron Group, 66 Elm St. Danvers Ma
Rebecca Brown of Greenman-Pedersen GPI traffic consultants.
Patty Pitari – Zoning Board Administrative Assistant

**Note Board Members are referred to by their Initials, (NM) Nancy McCann, Rebecca Brown (RB)), and Scott Cameron SC)
Attorney Eichman (JE)*

Acting Chairman JM opened the Hearing at 8:35pm. JM introduced the Board members, Sharon Freeman will be voting if we vote tonight.

Associate Member David Twiss stated he needed to recuse himself from this hearing for G. Mello.

GT read legal ad; A Public Hearing will be held on April 2, 2019 at 7:30pm, at the Georgetown Town Hall 3rd Fl. Meeting Room, for Applications filed by the Applicant G. Mello Disposal Corp, Jason Mello, 95 Tenney St., Georgetown MA 01833; Owner: East West Mirra Realty LLC, relative to the property located on Carleton Drive, Georgetown, MA, Assessor's Map 15, Lot 46 in the Commercial C District.

The Applicant requests a Special Permit for Light Industry Use, 165-8 and 9, or a Special Permit per 165-9 for a use not specifically listed in the Schedule of Uses, for a transfer station to be constructed and operated on the property. The Applicant also requests a Special Permit for construction and operation of a transfer station in a Water Resource District. All pursuant to M.G. L. Chapter 40A, § 9, and the Georgetown Zoning Bylaws Chapter 165 Sections, 7, 8, 9, 11, 29-38, and 74-79. Also found on the website for: Massachusetts Newspaper Publishers Association's (MNPA) masspublicnotices.org. ZBA file # 19-07. AD#13775705 ---Georgetown Record 3/8, 3/15/19

Applicants Presentation:

N. McCann I am here on behalf of the applicant G. Mello Disposal Corp., with me tonight is Gregg & Jason Mello as well as project engineer, Scott Cameron and traffic engineer, Rebecca Brown of GPI – From our previous hearings on the existing site, it became apparent, that another site may be desirable and were asked a number of occasions if we have looked at other locations. The owners found an alternate location as the board requested last time we saw you on the existing site on E. Main Street, this site is off Carleton drive, Map 15 Lot 46, in the CC district and it about 14.5 acres. It's adjacent to RT. 95, at end of Carleton drive, and has not been developed although in 2004 a Special Permit was for construction of a facility to house light manufacturing operations including process and screening of stone and soils for re-use off-site with bulk storage, maintenance of vehicles and above ground fuel storage. In 2005, the Property received a Special Permit and Site Plan Approval for the storage of toxic materials in the CC Zoning District and Water Resource District associated with a light manufacturing and processing operation, office, garage and fuel distribution. We think this site would work extremely well for this use. This is under agreement with the current owners.

As you know from previous hearing DEP is requiring them to upgrade and most of those requirement is enclosure of facility. The current location is outside. This site/use we can design so it will be efficient, address concerns of existing site.

NM - The Applicant requests (a) a Special Permit under Section 165-8 and 165- 9 to allow the use of the Property as a transfer station as defined under the Zoning Bylaw; or (b) in the alternative the Applicant requests that the Board find that the transfer station is a Light Industrial use and grant Special Permit under Section 165-8 and 9 to permit the transfer station as a light industrial use permitted under the Schedule of Uses. In the CC zone. And a Special Permit for Water Resource as a portion of property lies within Water Resource.

NM describes the definition of "Transfer station" I want to make all understands what it is and what it is not, it is where residential garbage/trash and recyclables, and commercial trash, construction materials and non-hazardous commercial wastes are accepted, sorted, processed, compressed, baled, and loaded on vehicles for transport to disposal sites or landfills. It's not a landfill, it is taken into the site and its processed, it's a hand separation, medals, recyclable, waste and trash which is then taken to a landfill or other disposal area, this is not an end disposal site. This is truly a transfer station, we accept material process it and transported off site, nothing stays on the site, there will be no burying of materials, no storage of material, no hazardous materials or liquid waste , no oils or paints, it will take in household and construction materials. Everything is taken off the site within 72 hours. It's a clean, neat, well run operation.

The Georgetown Zoning Bylaw does not define a "transfer station", however the operation of a transfer station meets the definition of a "Dump" under the Zoning Bylaw, being "disposal by abandonment, dumping, burial, or any other means and for whatever purpose of garage... trash, refuse, or waste material of any kind." Neither a dump nor a transfer station is a use specifically listed in the Schedule of Uses. A transfer station is a use that accepts and processes material for transportation off site and is therefore a use similar in character to light industrial uses permitted under the CC Zoning District, and those uses previously approved on the Property.

NM – This new proposed new transfer station facility on the Property consists of a 30' access driveway along the westerly lot boundary; a residential waste and recycling drop off center; a 15,000 square foot waste handling building; scales, scale house and circulation areas around the new building. The drop off area is safe and efficient.

I want to point out there will be 5 employees on the shift when accepting materials in, the **hours of operation** are; Mon- Fri 6am -5pm, however materials will be accepted from 7:30am – 3pm, the difference is in the time, that is when the separation of materials is going on, the processing, the cleanup. Saturday 7am-4pm & Sunday 7am- 12pm. Friday, Sat & Sunday accepting Materials 7:30-12noon. This is in the application, again the building is 15,000 sq. ft., residential drop off separate from the commercial scale area. 500 tons a day capacity,

will meet and exceed current needs and going into the future, The proposed building meets all of the dimensional and density requirements under the Georgetown Zoning Bylaw. The Applicant proposes a permitted capacity of 500 tons per day (108,900 tons per year) of solid waste which will meet needs now and into the future, as well as advance the goals of the Massachusetts Solid Waste Master Plan.

All trucks will be covered leaving the building.

We did meet with the planning board at their last meeting and I believe you have a letter to such. What I took away from them was screening from RT. 95, which we will address with them. We will also need an Order of condition from Conservation commission. We also gave you a traffic impact study.

Scott Cameron of Morin-Cameron Group, Engineer

SC reviews existing plan/site dated 8/11/2004. The site is located along the north side of Carleton Drive and consists of approximately 14.57 acres in CC district, also Medical Marijuana overlay district and partially within water resource and floodplain district. The site has been subject to construction (gravel access drive along easterly lot line, land clearing activities and storage of earth materials in the middle portion of the property. It is bordered to the east by I95, to the north by undeveloped CC property and developed and undeveloped residential zoned property, to the west by developed industrial property and to the south by Carleton Drive.

Topographically it is generally flat with a high elevation of approximately 87 long the west side line to a low elevation of 83 along the east side line. The flat topography results in low areas which are wetlands under jurisdiction of Mass Wetland Protection bylaw. The rear portion of property is partially within the flood plain overlay district. Parking - We anticipate to have a maximum of 4 employees on site in a peak shift.

He also show zoomed out map, access through gravel road. The proposed structure is a 15,000 sq. ft. (150 ft. x 100 ft.) building which is enclosed and far superior the existing location, In the vicinity, there is nothing across the street, it's 1,000 ft. before you get to a residence through the wood, and a few homes coming a Carleton and they are about 1,000 ft. away also. The existing building at 203 e. main 30' x 60' is the new building on this site building is 150' x 100'. The building construction the first floor is concrete, translucent panels on top side of building for light, and metal siding. Building Height is 32 Ft.

He reviews the Plan sheet 3 of 5 Site Layout Plan, and describes the Driveway selection he described multiple ways to enter and we came up with entering on Carleton drive, big sweeping driveway this areas is a much shorter run, can accommodate when you come in you can fit a 65 ft. long truck, 30 ft. wide driveway coming in as they come in the would come around in a clockwise manner, Plenty of room for queueing and drop off.

He also describes residential drop off area, and commercial processing area that 3 tractor trailer trucks can fit inside. He passed around picture of compactors, everything goes into compactors, goes into trucks. Commercial lanes on left, separate lanes for residential. 2 scales more efficient. .

See Engineer's report in application.

Summary of operations – see in application

JM asks another lane is marked public drop off can you explain that.

SC – Public drop off is for coming in with piece of furniture or smaller items that might not need to be weighed, say \$15 to drop off, this is mostly for weekends for residential.

JM – larger items like steel, is there an area for that. SC – The steel is sent to once place, construction items another place etc.

S. Cameron briefly spoke of storm water management that will be handled at Planning through Site Plan Approval. As they have not gone through the full engineering yet for planning.

SC – Presented the Floor plans and the unloading into the building totally enclosed.

JM – Where the truck loading area is, are there multiple trucks in there for materials, do you sort and then bring it in. SC – Yes, bring one truck in that is full take it off and then another, and it's brought off site within 72 hours. It's designed at size to be sorted, loaded and taken off site asap.

JM – How many types of items get sorted?

Jason Mello – There is household waste, it gets separated goes on truck goes to a local incinerator, then construction debris, we get out clean wood to recycle and take metal out, metal goes to a metal processor, construction material goes to a construction demolition company. Bulk items like mattress and furniture goes to incinerator as well. Normal or household recycles most part end of in the compactors in the residential drop off site but if we have a truck that comes in that's picking up recycling on the curb, it will be separated and that goes to a recycling processor in Charlestown MA.

JM asks about drywall. J. Mello – that is mixed demolition debris goes to processor off site.

JM – the typical garbage truck, residential trash, would that come in the building.

J. Mello – They may right now we don't, that doesn't need to be sorted, that would be approx. 2-3 trucks get dumped and they immediately go on tractor trailer and they go. Our primary material now is construction and bulky waste. Our residential is mainly Georgetown residents, some from Rowley, their 1 or 2 bags a week.

TRAFFIC

Rebecca Brown of, GPI Inc. (RB)

RB - The study you have focused on two basic elements, traffic operations (how much traffic generated) and what impact that will have on surrounding roads, and other is the safety, travel speeds and site distances. See attached.

RB - This site on Carleton Drive is bounded by Carleton Drive to the north; E. Main St. (RT. 133) to the West and South and I95 to the East. As Carleton Drive is under the jurisdiction of the Town of Georgetown, local review and approval only will be required for the proposed driveway.

* Access and egress to the site will be provided via one full-access/egress driveway on Carleton Drive.

Explained Existing Traffic volume Summary – Average month conditions

Traffic study contains current volume conditions, collisions, most recent 5 year from 2012-2016, see table 2 page 9 of traffic study from 2 directions and North & south off ramps

Also included and spoke on Vehicle Speeds, site distance summary, Future Conditions, traffic growth,

*A schematic of 2026 No-Build condition Peak hour Traffic volumes

*Trip Generation – The Institute of Transportation Engineers (ITE) does not provide trip rates for a transfer station. .

The proposed facility is anticipated to receive materials from approximately 200 residents, 60 roll off container trucks, 50 small commercial truck, and 10 packer trucks per day on a typical weekday. Approximately 20 transfer Trailers will be required to transport this material off-site. On a weekend, the facility is expected to receive material from 10 roll-off container trucks, 20 small commercial vehicles and 400 resident vehicles. Three transfer trailers will be required to transport this material off-site. See table 5 of study.

The new site is about 66 vehicles through a day increase. See presents a board with vehicle trips,

An increase of 150 trips on a weekday overall. See study for detailed information.

The analysis does not take into account is that Carleton Drive as it approaches RT. 133 is technically wide enough to accommodate 2 vehicles, although it's not stripped, so we analyzed it as a one lane approach. There is also a 10 ft. wide shoulder, on RT. 133 as you approach Carleton drive from the highway, which vehicles can use to pull off and decelerate as they approach, it allows traffic on RT. 133 to keep moving, also safety benefit. Highest delay we found is 7 seconds per vehicle.

RB we did a speed study on 133 as it approaches Carleton drive to the south, they travel quickly coming off highway its' posted for 35, we found people are travels about 49-50 mph. 85% of people are traveling at or below that, we looked at site distances for vehicles coming out of Carleton drive, in either direction that they can see 133, and approaching Carleton so they have enough time to see, so you would need 375 ft. of site distance for passenger, for truck longer it's about 395 ft. of site distance, we found site distance of well over a 600 Ft. in both directions along rt. 133.

JM – Is that a gap in traffic that is required or a site line? RB – That is a site line.

RB we found no safety concerns.

JM – Any specific questions from board, and then audience.

NM – I would like to summarize: The Applicant requests a Special Permit under Section 165-8 and 165- 9 to allow the use of the Property as a transfer station which is a use not specifically listed in the Schedule of Uses, and being a use similar in character to other light industrial processing uses permitted by Special Permit in the CC District. In the alternative, the Applicant requests that the Board find that the transfer station is a light industrial use as defined under the Zoning Bylaw and grant a Special Permit under Section 165- 8 and 9 to permit the transfer station as a Light Industrial Use permitted by Special Permit under the Schedule of Uses. Light Industrial use is defined under the Zoning Bylaw as “fabrication, **assembly, processing**, finishing work, or **packaging** in such a manner that noise, dust, odor, vibration and similar objectionable features are confined to the premises. A transfer station involves accepting of materials, processing that material and shipment off site. The transfer station use therefore meets the definition of a Light Industrial Use under the Zoning Bylaw.

She believes the transfer station is a huge public benefit. The existing transfer station would close and this would be the new transfer station. G. Mello is a benefit to community.

JM – I have questions on site generation trips, and there seasonality in the traffic flow, I saw a monthly adjustment factor that get applied, if I read it correctly there is a substantial increase in the summer months for general traffic flow, is that correct? I am looking at Mass Dot table.

RB – If you look at February you will see that one is 16.5% less traffic. JM – as opposed to the annual average. RB – Yes.

JM – As far as they traffic you see coming to the site, you may see seasonality as well?

J. Mello – General the break of spring is the busiest first couple weeks of spring, right about now it starts.

JM – So it you look at the numbers where it shows trips in and out of site has there been seasonality adjusted to those as well?

RB – Yes.

JM – What do those numbers reflect?

RB – These reflect a peak day.

JM so you have the existing and new facility, your comparing the two, and those both represent the maximum capacity of each site. RB – Yes. RB the existing site handles 50 tons a day, so a 500 ton day for the proposed facility.

JM- It's those numbers that you then fold back into your analysis when you look at the impact of the site, so you're looking at the peak potential traffic that gets generated at the facility, against the existing traffic flow then you project that out.

RB – Yes.

GT – On a general level it makes sense, but they don't have full engineering

NEW CORRESPONDENCE – Read into record by J. Moore, 1 letter from Fire Dept. & Planning input letter. (see attached to these minutes).

JM read *Letter from Fire Chief, Fred Mitchell, dated 3-12-19 in support of the proposed transfer station on Carleton drive with the following provisions; First, the facility must meet all Mass Dep regulations etc. for confinement, containment, and runoffs of any hazardous materials/waste. All hazardous materials shall be properly stored. The proposed building must meet all existing MGL 527 CMR Fire Protection System, and NFPA fire codes pertaining to their facilities use. The facility must have a municipally connected fire alarm system. Finally ensure the fire department had adequate access to the facility in case of an emergency repose. , all MGL fire codes. (See attached).

JM read Planning comments attached to these minutes.

Motion to go beyond the 10pm rule. PS moved SF seconded, all in favor, yes. Motion carried.

Audience

Chris Christiansen, of 1 Katie Lane, Georgetown – I think it's a detriment, I looked at plans and have variety of concerns, including noise, other businesses, like Cambridgeport traffic, construction noise if permitted, vermin, fire, old decision #04-08 of hazardous materials. And there are piles of material. And wetlands. Thank you.

NM – To address Mr. Christiansen's concerns; the old decision from ZBA for transport terminal the 2005 permit, was never built. Any construction hours will be under the Planning board, Site plan approval, yes there are piles of fill only and prior of Mello's due diligence with the purchase and sale was to have those piles tested to be sure no toxins of any king, it was just fill.

JM – So those were deemed to be negative.

NM – Correct. NM – The enclosure limits the odor, noise etc.

Christensen – There is a new business on Carleton, Cambridgeport that has a large number of trucks coming and going, and a grow facility I believe is going in so the traffic may need to be amended.

Michele Tirone, 2 Carleton Drive – My biggest concern is I live on Carleton drive, we have 3 children, we just have traffic with Cambridgeport business, my kids bus stop is on that road, and there are no sidewalks, it's a safety concern for me. I don't think it's wide enough.

Joseph Tirone, 2 Carleton Drive – Since that Cambridgeport came on the street, he stated his driveway is up a big hill that comes down that street, I am afraid a truck would hit my wife's car waiting for the bus, I can't that traffic person would say there is enough room, you put this place in you never get downtown, you can't turn 18 wheelers in there. They said enclose, have you driven by JRM new enclosed place on a summer day it smells for miles. He also raised concern of value of his house. Also there are a lot of piles on that lot. I don't think it's good, there should be an intersection, my wife got hit 5 years ago on that street taking a left turn. Thank you sorry I lost control earlier.

Marie Grasso of 4 Heather Rd – This is a safety issue for me, my daughter Michele Tirone has 3 kids, they get off the bus, it's dangerous.

JM – We do post hearings and agendas on Facebook. And it on the town website, and they have been before this board for more than a year now, this will continue.

JM asked for more information about how trucks go in and out now, and the point about Cambridgeport was that considered in the traffic.

RB – I did mention the growing facility going in, I did include that in the traffic numbers, She shows on the ariel map, she shows the path of vehicles as they sweep in right onto Carleton as they turn in, one option is they stay I their lane as on 133, but need to take a large portion of Carleton drive, but if there is not oncoming traffic in opposite direction, they can sweep out make a wide turn using 133 so not taking up as much space.

PS – When you talking about tractor trailers, specifically to remove the trash that has been brought in, the biggest is a roll off truck.

RB – correct there are about 20 of those a day, largely in the off peak times, when not a lot of residential traffic going in and out. RB shows turn and exiting on map, and shows the reverse of vehicles coming in at same time, and you can see there is room.

JM you noted a 72 second delay at the intersection during a peak hour from someone waiting to get out to begin with, so there will be a queue there, at what point is there room for a truck to get in during that peak hour, you're going to have cars queued to get out. So what happens if a tractor trailer truck comes in?

RB – You may have truck coming in the morning you may have trucks come in after the close down of the receider material ??? Inaudible, the level service of F. that is on a Saturday mid-day, so on a Saturday you would only need 3 trucks to take that material off-site.

J. Mello – The tractor trailers would not come on Saturdays while we are open.

JM – What about Monday. J. Mello – I would have them come in after close. JM –Saturday?

J. Mello – Yes, so we close at noon, and we will operate until about 3, so we will have no traffic except for those trailers.

JM – They all go somewhere on 95. Jason Mello – The majority goes north on Rt. 95. JM – Going out turning left to the highway, not through Georgetown for the majority.

J. Mello – For the majority, yes.

Audience

Michele Tirone, 2 Carleton Drive – How do they go around the school bus?

RB – They can't it's against Ms. Tirone interrupts

JM asks please be respectful and let her finish, thank you.

RB – Physically when a bus is stopped there, but by law they are also not allowed to.

Discussion follows on width being wide enough per the traffic engineer (RB)

GT – Have you looked at different ways to do that entrance to make it more user friendly?

RB – We have not we have looked at geometry here, that will be done during Site Plan Approval, offsite site mitigation.

GT – I think you should look at it, if there is a way take off that point, more of a right angle.

DK – I agree that that turn is bad.

NM – We will look into that.

JM – How much tonnage do you get from residential traffic?

J. Mello talks about tonnage – On a Sat or Sunday it's primarily residential with a few small contractors, and we average right around 40-45 ton.

JM – How many people/residents are tipping the scale vs. people dropping the bags off?

J. Mello – On a weekend that's including going over the scale, anything more than a bag goes to scale, not near as many during week.

PS – I agree with Gina that intersection is awkward. It seems like a viable place to put the station, but there are other businesses on the street and the people here probably didn't see business coming in all at once, granted it is zoned that way, but I think that intersection could be enhanced. If we can even touch it.

NM – We will look into it for next time.

SF – The town shares responsivity, it can't fall all on the businesses.

JM – I am concern about the number of vehicles into and out of site, particular when you get to 133, it's the amount of overall increase in that area, I have to think more about it.

Marcia Grasso, Heather Rd. – Just one comment, as we go onto main street, these big trucks, you can't view getting out and take a right, when you have a large truck entering in there.

JM explains it a process, but I think it is a problem for that intersection.

NM – Yes, also we didn't take any credit for existing transfer station in the traffic report or credit for trips already in their corridor for the transfer station that is there, because the actual net increase is not as great as the numbers as presented tonight, because we wanted to give you the conservative view. We will bring some graphics next time, on the width question and look at the possible mitigation that can be done there.

Motion to Continue

JM - We can continue to May 7, 2019 meeting date, Motion by GT seconded by DK. All in favor yes 5-0.

Patty Pitari
Zoning Administrative Assistant

Approved at May 7, 2019 Business Meeting