

PLANNING BOARD MEETING MINUTES

March 25, 2010

PRESENT: Chris Farrell, Daniel Doucette, Doug Shearer, Don DuBerger, Dudley Jensen, John Howarth, Louis Gallo

STAFF: Coreen Moore, Town Planner

ALSO PRESENT: Paul Gately, Diana Barth, Jim Mulvey, Kevin Dandrade, Mike Cahill, Deborah Larsen, Deborah Matthews, George Ayer, Nicole Ivy, Patricia Fremming, Elizabeth Duff, Mike Scott

Ann Gratis, Recording Secretary

Chairman Farrell called the meeting to order at 7:02P.M.

Mr. Doucette made a MOTION to approve the minutes of 3/11/10. The MOTION was seconded by Mr. Howarth with all in favor.

Public Hearing for Amendment to Site Plan Review/Special Permit #07-2009B:
Factory Outlet Mall.

Mike Cahill, Kevin Dandrade and Atty. Mike Scott presented the plan. There will be a signal at the new entrance and improvements at the Sandwich Road/Mid Cape Connector intersection including a right turn only lane. Still working with MA Hwy for the landscaping facing Rt. 3. There will be a 6' stockade fence behind the mall abutting the residences.

Nicole Ivy has worked at the mall for 12 years and thinks this will be good and safer.

Mr. Doucette made a MOTION to approve subject to the following conditions:

1. A waiver and/or alternative configuration, in accordance with §3511 of the Zoning Bylaw, from the width of landscaped areas, number of plants (trees), and parking lot setbacks is approved for property screening according to the following:
 - a. Section 3512 (ii) – required due to the inability to plant trees and large shrubs over the proposed septic field, the stormwater infiltration areas, and the existing high-pressure gas main (along the Mid-Cape Connector).
 - b. Section 3513(i) – the “street line” landscape buffer of 15 feet is established along the Mid-Cape Connector frontage, but the plantings will be located immediately behind the loading access aisle due to the proposed site grades and detention basin.
 - c. Section 3513(ii) - a waiver for sideline planting areas along the Mid-Cape Highway (Route 6) and the northerly and southerly property lines.
 - d. Section 3513(iii) - a waiver of the district boundary planting area is required to maintain the existing vegetation buffer along the northerly edge of the parcel. A 6-foot high wood fence will be maintained or installed in this area.
 - e. Section 3513(iv) - a waiver of planting requirements is required due to the inability to plant trees and large shrubs over the proposed septic field and stormwater infiltration areas. However, the 2% interior parking lot green space is satisfied with the proposed site plan, which is currently depicted approximately 5% within parking lot islands.
 - f. Section 3514 – a waiver is required to facilitate the construction of the slopes along the Mid-Cape Connector and the on-site detention basin.

- g. Access/egress points for the buildings must be shown on the final plans submitted with the building permit application.
 - h. The Applicants have agreed to relocate and reset the existing stone "Coca Cola" sign currently located in the façade to a landscaped area located at the far northeast corner of the parcel or into the new building façade.
 - i. Prior to the issuance of a final occupancy permit, an as-built site plan must be submitted depicting final locations of all structures and site related appurtenances per Section 1238.B.8. of the Zoning Bylaw.
3. The Applicants shall be responsible for obtaining all required approvals from the Massachusetts Highway Department (Mass DOT) for the off site road improvements including, but not limited to, the signalized entrance and roadway changes proposed on the Mid Cape Connector, and the intersection improvements proposed at the intersection of the Mid Cape Connector and Sandwich Road (Route 6A).
 4. Prior to the issuance of a building permit, the Applicants shall combine the subject property (including that portion of Factory Outlet Road owned by the Applicants thereby abandoning and eliminating Factory Outlet Road) into a single lot, as shown on the Project plans, by either an Approval Not Required or 81X plan. Proof of recording of the plan at the Registry of Deeds must be submitted to the Building Department prior to issuance of the building permit.
 5. Final details of the interface of the grading and drainage design at the northwest corner of the site, which will be prepared for the Mass DOT permitting, shall also be provided to the Planning Department staff. The final detail plans must identify the vertical benchmark.
 6. Prior to issuance of a building permit, the Applicants shall submit a revised Erosion Control Plan and a revised Landscape Plan which includes a note on the plans indicating the all disturbed areas will be loamed and seeded, or planted, with non-invasive species of vegetation.
 7. If erosion or siltation occurs during construction in areas of the site beyond where silt fence or hay bales are drawn on the Erosion Control Plan, appropriate erosion/siltation controls must be implemented.
 8. The height of the enclosures for the dumpsters and trash compactors must be at least as high as the enclosed dumpster/compactor.
 9. The Applicants shall install a street sign, or similar signage, by the new access driveway, in a location to be approved by the Bourne DPW, denoting the name of the access driveway as "Factory Outlet Way" (or, any other name, provided however, that any other name must be approved by the Board of Selectmen).
 10. The Applicant shall provide additional natural screening and maintain the fence between the project and neighbors to the north, add additional opening between the project and Eleanor Avenue with path and stairs if needed.
 11. This decision shall supersede the prior Site Plan / Special Permit Approvals (Nos. 07-2008, 07-2008A and 07-2008B).

The MOTION was seconded by Mr. Howarth.

Roll call vote as follows:

Mr. Shearer – yes

Mr. Doucette – yes

Mr. DuBerger – yes

Mr. Jensen – yes

Mr. Howarth – yes

Mr. Gallo - yes

Mr. Gallo – recused from vote

Public Hearing for Modification to a Subdivision: Factory Outlet Mall. To rescind a section of road.

Mr. Doucette made a MOTION to accept the withdrawal. The MOTION was seconded by Mr. Shearer with all in favor.

Mr. Doucette is on a couple committees and one of them told him that the Town and Planning Board isn't business friendly. We have made the mall come back to us four times.

Mike Cahill stated that is not correct. They have been working with MA Hwy for changes in safety and stacking capacity. This has been a good Board to work with as well as the Selectmen, Tom Guerino and the staff. You have given us good direction and feedback. Bourne has been very supportive of this project.

Public Hearing for Site Plan Review/Special Permit #04-2010: 440 Shore Road. For mixed use: vegetable market with apartment above.

Deborah Larsen explained what she was proposing. A country market selling vegetables, hot dogs, lobster rolls, etc. She wants it to look nice. The owner has recently renovated it. Will have a hotdog stand outside during the summer.

Mr. Shearer stated there are a couple of outstanding issues: they need a variance from the ZBA, Board of Health regulations.

They will put in 8 parking spaces and will have the only handicapped space in the area. Nothing will be kept on the sidewalk. This is a win win for the village.

Chairman Farrell stated the parallel parking spaces should be reserved for employee parking and the apartment renter can use the other space.

Deborah wants to put concrete blocks as parking strips and plant flowers in them.

Mr. Shearer made a MOTION to approve subject to the following conditions:

- The project must meet the requirements of the Bourne Fire Dept.;
- The applicant will provide three (3) parallel parking spaces to the right of the current building for parking for employees and the renter of the apartment;
- The applicant will provide a sign prohibiting parking within 30' of Worcester Ave.;
- The applicant will provide five (5) angles parking spaces with wheel stops to the left of the building. The space closest to the building to be an 8' wide van accessible handicapped parking space with signage;
- Any outdoor sales of goods to be restricted to :”foodstuffs”, such as produce, coffee, hotdogs and canned and jarred “goods”. Outdoor sales of non foodstuffs such as, but not limited to; clothing, furniture, appliances and other house wares is prohibited without future review of the Planning Board;
- All outdoor sales will be restricted to the existing covered structure (platform) to the right of the building;
- The applicant must provide an enclosed structure for trash and trash barrel storage;
- That overnight storage of “goods” and associated displays outside is prohibited

The MOTION was seconded by Mr. Howarth. Roll call vote as follows:

Mr. Shearer – yes	Mr. Doucette – yes	Mr. DuBerger – yes
Mr. Jensen – yes	Mr. Howarth – yes	Mr. Gallo - yes

OLD/NEW BUSINESS

Jim Mulvey asked about a vertical access turbine. Do we have regulations for those in the bylaw?

Chairman Farrell stated the MMA is exempt from town regulations. It’s experimental and is mounted to a building.

The bylaw does address building mounted turbines.

Mr. Doucette made a MOTION to adjourn. The MOTION was seconded by Mr. Shearer with all in favor.

With no further business before the Board, the meeting was adjourned at 8:08 p.m.

Respectfully submitted,
Ann T. Gratis