

## **PLANNING BOARD MEETING MINUTES**

### **May 13, 2010**

**PRESENT:** Chris Farrell (7:10pm), Daniel Doucette, Doug Shearer, Don DuBerger, Dudley Jensen, John Howarth, Louis Gallo, Peter Meier, Clement DeFavero

**ALSO PRESENT:** Paul Gately, Diana Barth, Jim Mulvey, Ron Matheson, David French, James Smith, Maria Smith

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Ann Gratis, Recording Secretary

Vice-Chairman Doucette called the meeting to order at 7:03P.M.

Mr. Meier made a MOTION to approve the minutes of 4/22/10. The MOTION was seconded by Mr. Howarth with all in favor.

**81P:** Rip Van Winkle Way. Combining 3 lots.

Mr. Meier made a MOTION to approve with the stamp and any future construction on the unconstructed section will be looked at in the future for road name change. The MOTION was seconded by Mr. Shearer with all in favor.

**Compliance Review:** 111 Main St. Review of special permit and fire dept. conditions.

Vice Chairman Doucette read a letter dated 5/13/10 into the record from the FD stating that Mr. Smith is working on complying and if customer parking in the front continues to be an issue, the FD will paint Fire Lanes. A plot plan of the front lot showing what will be displayed where needs to be submitted.

Mr. Smith stated he bought a second truck but has to keep it on the dirt lot (old movie theater) as it has been vandalized in the back lot at night.

Mr. Meier would like the tables to look better – paint? Maybe some trellises.

Mr. Smith stated they are seasonal and will be removed after.

Mr. Shearer made a MOTION to allow his junk dealer's license to be extended to May 1, 2011. The MOTION was seconded by Mr. DeFavero.

Ron Matheson, Buzzards Bay, submitted photos of the site taken on 5/13/10. He stated this business detracts from Main St.

Mr. DuBerger wants the site to continue to improve.

Mr. Howarth made a MOTION to amend to add a compliance review on June 10, 2010 by the Planning Board. The MOTION was seconded by Mr. Gallo with all in favor. All in favor of the Main MOTION as amended.

**Request for Release from Covenant:** Cape Sagamore Highlands. Lot 15 in exchange for Lot 13.

Nancy Angus stated she has a buyer for Lot 15. Not asking for anything new, just an exchange.

Mr. Meier stated we have a \$50K bond and doesn't think that is enough.

Nancy stated there are still 17 prime lots under covenant. Can't release any more lots until they get permission from the CCC. No mortgage on the property. We have a chance to make a sale and maintain our commitments to the Town.

Mr. Meier made a MOTION to swap lot 13 (released but never recorded) for 15.

**Request for Release from Covenant:** Cape Sagamore Highlands (Cont'd)

Mr. Farrell stated that lot 15 is a better lot than 13 in certain aspects. Doesn't want to exchange lots. We have gotten burnt too many times.

Mr. Howarth made a MOTION to deny the request to swap. The MOTION was seconded by Mr. DeFavero.

Nancy stated she has been in touch with the DPW, have met the responsibilities to the Town, paid over \$200K for affordable housing. We need to convey a lot to meet the requirements, has someone ready to close on this lot. His financing won't last much longer.

Mr. DuBerger stated she has met the standards, doesn't think this is a big risk. We shouldn't stop a sale at a critical time with the current economy. This is not the same nightmare as Jillian Drive.

Nancy stated that when they come for future releases, they will discuss the road bond at that time. People wanted to see Cliffside open, it's a balancing act. What if we gave you a different lot?

Mr. Howarth withdrew his MOTION. Mr. DeFavero withdrew his second.

Mr. Meier made a MOTION to release 15 and put lot 20 back under covenant and come to us at our first meeting in Sept. to review the bond. The MOTION was seconded by Mr. Howarth with all in favor.

**OLD/NEW BUSINESS**

Chairman Farrell stated that a squad of helicopters flew over the Trowbridge Tavern to say bye to the family. They flew low over other Town buildings as well, then headed down to Virginia. On Saturday troops are leaving from MMR and anyone wanting to help in the sendoff is to meet at 9am at the bridge rotary.

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

With no further business before the Board, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,  
Ann T. Gratis