

PLANNING BOARD MEETING MINUTES

July 10, 2014

PRESENT: Christopher Farrell, Douglas Shearer, John Howarth, Louis Gallo, Elmer Clegg, Lea Benson, Vincent Michienzi, Joseph Agrillo Jr.

ABSENT: Daniel Doucette

PUBLIC: Jim Mulvey, Mike Rausch, Bob Parady, Gary Labrie, Robert Prohett, Tom Donovan, Andy Campbell, Kathleen Donovan and other members of the public

Ann Gratis, Recording Secretary

Chairman Farrell called the meeting to order at 7:00pm.

This meeting was televised and recorded. Michael Rausch of the Bourne Enterprise is recording the meeting also.

Minutes of 5/22/14 and 6/12/14: Ms. Benson made a MOTION to approve. The MOTION was seconded by Mr. Howarth. Mr. Clegg had reviewed the suggested changes to the 5/22/14 minutes and was satisfied. All in favor.

Planning Board Member Comments

Mr. Clegg read the following:

JUNE 15, 2014

To Whom It May Concern:

On Thursday, May 29, 2014 I received a call from Vincent Michienzi asking if I would come to his Medical Center job site to discuss some changes of plan for the Sandwich Road parking area from the Site Plan - Special Permit previously approved by the Planning Board. He said he was calling at the suggestion of Chris Farrell because Farrell was concerned that I would object. We agreed to meet the following afternoon, Friday, May 30. Michienzi greeted me at the parking lot. He first explained that his Falmouth Hospital tenant was planning to use the off-site lot for employee parking and was requiring him to pave the parking lot. He then stated that he was not planning to do the full lot as approved on the Site Plan - Special Permit, but was only planning to do the spaces within the Site Plan 350 foot perimeter. I could not tell from his statement whether he was defaulting from the approved plan, which included spaces in excess of 157 required parking spaces, or whether he was planning to do the full planned amount but only pave the portion of the lot designated for employee parking. I was also concerned whether adequate safety equipment turning radius would be provided in his new plan.

He secondly said that he was going to widen the parking lot walkway to Sandwich Road from 4 feet to 10 feet to better accommodate plowing and snow disposal. I could not tell what impact this change might have on the overall parking lot.

He thirdly pointed to a large tree near the Keene House that was scheduled for removal on the approved Site Plan to accommodate the exit driveway to Sandwich Road. He stated that "some people" had approached him wishing that the tree could be preserved. He showed me how he would run the driveway between the tree and the house. I reminded him that the driveway needed to be 16 feet wide and he stated that there was 16 feet from the corner of the house to the tree. I was left with concern that the displaced driveway would not meet requirements.

At this point, I told Michienzi that I had no authority to approve any deviations from his approved site plan and that he should submit a revised Site Plan to the Planning Board. When I asked him whether he had discussed his deviations with the Town Planner, he responded that Ms Moore was out sick due to stress created by Selectman Ellis, but that Planning Department Secretary, Ann Gratis had told him that she thought that the tree issue was only a minor change.

We then crossed Sandwich Road where the crosswalk is planned to provide pedestrian access to the Medical Center property. Michienzi pointed out that he was making the crosswalk wider than required and he confirmed that the 4 parking spaces on State right of way would be removed. I stressed to him the importance of striping for pedestrian access from Sandwich Road to the sidewalk at the Medical Center Building. He then showed me the new foundation extension on the Medical Center addition. I observed and commented on the limited queuing space at the drive-in window and he said it would be addressed if it proved to be a problem. I also observed and commented on the challenge faced in tying in the roadway at the north end of the addition to the Trowbridge Road exit. He acknowledged that he was experiencing runoff from Trowbridge Road and that it would have to be addressed. While we were there, Michienzi pointed out that he is considering acquiring the house on Trowbridge Road adjacent to his property for additional parking. I surmised that his motivation is to create additional parking spaces to permit build-out of the top level of his building.

We then returned to the parking lot at 9 Sandwich Road. Michienzi expressed his irritation with Selectwoman Zuern whom he claimed was out to "kill his Medical Center". He stated that he had a lawyer in Boston through whom he was considering legal action against Zuern. We then concluded our discussion by sharing family Italian heritage and I told him my wife was waiting for me in the Library parking lot. I returned to my car and recounted the visitation to my wife, including my concern that Michienzi's statements about Selectwoman Zuern were intended to forewarn me of the consequences of resisting his plans. Coupling that message with a previous statement about his toughness he made privately to me at our first Planning Board meeting, I felt strongly that Michienzi was attempting intimidation. That weekend I had a chance midday encounter with Michienzi and Chris Farrell in Pocasset. They were leaving a hardware store and heading in the direction of a Chinese Restaurant and Liquor Store. Michienzi said that they were headed out tuna fishing on his boat that he keeps in a slip in Pocasset. He asked me if I liked to fish and I declined. The meeting was cordial.

Elmer Clegg
Planning Board Member
Town of Bourne

Atty. Robert Parady requested to withdraw all applications for 530 MacArthur Blvd. without prejudice. Mr. Howarth made a MOTION to accept the withdrawal. The MOTION was seconded by Mr. Clegg with all in favor.

Public Hearing for Supportive Finding: 530 MacArthur Blvd. To continue the use of a non-conforming side setback and existing paved parking area within the 50' setback from MacArthur Blvd.

Withdrawn without prejudice

Public Hearing for Site Plan/Special Permit #04-2014: 530 MacArthur Blvd. To use an existing building for vehicle towing and storage in a Water Resource District.

Withdrawn without prejudice

Mr. Shearer: Due to a change in residency, I'm resigning.

Mr. Howarth made a MOTION to adjourn. The MOTION was seconded by Mr. Gallo with all in favor. With no further business before the Board, the meeting was adjourned at 7:19pm.

Respectfully submitted,
Ann Gratis