

PLANNING BOARD MEETING MINUTES

January 10, 2 013

PRESENT: Christopher Farrell , Doug Shearer, John Howarth (7:15pm), Jon Nelson, Dudley Jensen, Vincent Michienzi (Alternate)

ABSENT: Daniel Doucette, Donald DuBerger, Louis Gallo

STAFF: Coreen Moore, Town Planner, Dody Adkins-Perry, Eng. Tech.

ALSO PRESENT: James Mulvey, Paul Gately, Diana Barth, Andy Campbell, Robert Gowen, John Fitch, Mike McGrath, Kerry Horman, Sue Ross, Steve Walsh

Ann Gratis, Recording Secretary

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

Mr. Shearer made a MOTION to approve the minutes of 11/29/12. The MOTION was seconded by Mr. Nelson with all in favor.

Certificate of Vote: Wolf Road covenant.

Coreen explained they need this for the sale of the property. In 2009 there was a prior approval by the Board to exchange 2 lots. There was a technical issue as one of the lots can't be subdivided so they are swapping the covenant of the subdivision and putting it on the new lots. This is just to reaffirm the vote and sign the paper from Land Court.

Mr. Shearer made a MOTION to reaffirm the vote and to hold the paper until we receive the new covenant. The MOTION was seconded by Mr. Nelson with all in favor.

Request for Covenant: Lot 6 Henry Drive.

Tom Donovan stated that all water service is in, 90%of the utilities are in. The base coat is on most of the road. Would like to release the bond and attach lot 6 to use as covenant.

Mr. Shearer made a MOTION to accept lot 6 under covenant and release the bond. The MOTION was seconded by Mr. Nelson with all in favor.

Approval Not Required Plan (M.G.L. 41A c.81P): Scraggy Neck Dev. Corp., 360 Scraggy Neck Road – 2 unbuildable lots.

Steve Doyle said this is for the old boathouse.

Mr. Shearer made a MOITON to approve. The MOTION was seconded by Mr. Nelson with all in favor.

7:12pm – short recess

7:16pm – back in session

Public Hearing for Special Permit #12-2012: 55 Maple St. Bourne Housing Partnership. To create an affordable house.

Kerry Horman stated this is the first application under the bylaw that was passed a couple years ago. This lot really represents what we are trying to do. It's a nice established neighborhood. The house will be 3-bedroom, 1300sf and sell for \$160k-\$180k and be deed restricted. About 50% of Bourne residents would be eligible.

Mr. Jensen stated this meets all our requirements. It's tight but well presented.

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

- Before an occupancy permit is issued, the dwelling must be in compliance of MGL ch. 40B sec. 20-23 and with 760 CMR 56.00 the Local Initiative Program (LIP) and meet the guidelines and standards promulgated there under by the Dept. of Housing and Community Development (DHCD) for inclusion in the DHCD Ch. 40B Subsidized housing Inventory as Local Action Units.
- A regulatory agreement and/or deed rider, in an acceptable form, shall be executed and recorded at the Barnstable Registry of Deeds by the applicant.
- The proposed lot is restricted to one (1) single family dwelling, restricted as an affordable homeownership or affordable rental dwelling unit in perpetuity or the maximum time period allowed by law.
- The dwelling is restricted to a total of three (3) bedrooms.
- The proposed lot shall not be afforded the privilege of Section 4100 – accessory dwelling.

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

Mr. Nelson – yes	Mr. Shearer – yes	Mr. Farrell – yes
Mr. Michienzi – yes	Mr. Jensen – yes	Mr. Howarth - yes

Public Hearing for Special Permit #13-2012: Robert Gowen. 1025 Sandwich Road. For a hot dog cart.

Robert Gowen explained he's got an 8'x12' enclosed trailer and will only be serving hot dogs, chili, chips and soda. It's located on the old Cape Side Diner site and will be brought around the back of the building at night. Hours of operation will be 10-6pm year-round.

Mr. Howarth said this is a perfect location and use for the property. MOTION to approve subject to the following conditions:

- Trash must be removed daily
- Waste securely contained.

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

Mr. Nelson – yes	Mr. Shearer – yes	Mr. Farrell – yes
Mr. Michienzi – yes	Mr. Jensen – yes	Mr. Howarth - yes

Public Hearing for Definitive Subdivision: John & Cynthia Sheldon. 526 Scraggy Neck Rd. 2 lots.

Mike McGrath stated the existing house that straddles the new lot line will be razed. Requested waivers: road width, paving, lights, water main, environmental impact report, underground utilities, dead end road.

Mr. Shearer stated the utilities need to be underground, no easements granted. Only two lots serviced by Tern Way, if more, then the road needs to be brought up to subdivision standards. The first 20' in from Scraggy Neck Road must be paved then gravel is fine. Waiving of the report, lights and road width is fine. Andy Campbell is fine with two services from Scraggy Neck Rd.

Paul Pachell, contractor, asked if they can use cobblestones instead as the 20' apron.

Chairman Farrell said the DPW doesn't like that as the gravel still gets into the road.

John Fitch, atty., asked if we can condition that "or such other surface as approved by the DPW"?

John Roche, atty for abutter, asked how the water line is going to lot 5A?

Mike stated they prefer to follow Tern Way.

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

- All utilities are run underground as per section 354 of the Bourne Subdivision Regulations.
- Houses are to be numbered in accordance with Tern Way and not Scraggy Neck Road.
- A gravel and paved road with a minimum width of 16' is constructed as shown on the plan and that the drainage swales, catch basins and dry wells are properly maintained.
- The 20' apron from Scraggy Neck Road must be paved or other such surface as approved by the DPW.
- The water lines must follow Tern Way onto both properties.
- Any further access off of Tern Way will require the road to be brought up to subdivision standards.

The MOTION was seconded by Mr. Howarth with all in favor.

Public Hearing for Special Permit #09-2012: Laurie Kelly. 111 Main St. For an antique store with special event tent.

Chairman Farrell stated the building looks nice on the outside. Plans?

Laurie said it's going to be an antique store and auction house – not a junk store. There is not enough space inside and we want the tent for special events (Scallop fest, etc) and it will be placed in the back of the building.

Mr. Nelson doesn't think the tent should be included in the special permit. Just get a permit from the Building Dept. every time you want to put it up. The Fire Dept. had a list of conditions.

Laurie loves this town and has been in retail/interior design her whole life. Wants a fresh new image.

Mr. Nelson made a MOTION to approve the antique store and auction house subject to the following conditions:

- The project must meet the requirements of the Bourne Fire Dept.;
- All items displayed in front of the building must be brought inside or into the storage container after hours;
- Area of 15 feet from the front of the building can be used for display;
- All outside display is limited to hours of operation and must be moved inside daily;
- The special permit will be reviewed for compliance in two (2) years.

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

Mr. Nelson – yes

Mr. Shearer – yes

Mr. Farrell – yes

Mr. Michienzi – yes

Mr. Jensen – yes

Mr. Howarth - yes

Committee Assignment: Appointment to the Bylaw Committee.
Postponed to the 1/24/13 meeting.

Coreen asked if Stormwater Phase 2 can be on the next agenda? Yes.

Shaun Handy, Planning Board applicant, introduced himself and gave his background of engineering.

Mr. Jensen made a MOTION to adjourn. The MOTION was seconded by Mr. Nelson with all in favor.

With no further business before the Board, the meeting was adjourned at 8:20PM.

Respectfully submitted,
Ann T. Gratis