

PLANNING BOARD MEETING MINUTES

May 22, 2014

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

PUBLIC: Jim Mulvey, Kathleen Donovan, Joe Longo, Anthi Frangiadis, John Marth, Wesley Ewell, Peter Meier, Linda Zuern, Mike Rausch, George Sala

Ann Gratis, Recording Secretary

Chairman Farrell called the meeting to order at 7:05pm.

This meeting was televised and recorded.

Michael Rausch of the Bourne Enterprise is recording the meeting also.

Minutes of 4/10/14, 4/27/14: Mr. Howarth made a MOTION to approve. The MOTION was seconded by Ms. Benson with 6 in favor, 2 abstentions.

Planning Board Member Comments

Mr. Howarth: During this past campaign, comments were made that the Planning Board is pro-business. I hope we would be as it affects the tax base and it's in keeping with the LCP so it's not an outrageous thing.

Mr. Shearer: I apologize for the previous meeting and what transpired. It was uncalled for and unprofessional. It should not be how town politics work. Years ago a former member commented why he wanted to be a member so I got to thinking why I wanted to be a member. Another town Board had personal agendas and they came out and my proposal was looked at, then a tremendous amount of political influence, 1-sided decisions and a 3-year period with lots of financial costs, all because I questioned the integrity of several members of that Board. I read their bylaws and what they meant. I came across as young, naive and arrogant. They have perceived me that way since. It cost a lot of time and energy resources which were ill spent because I irritated people. It was eventually resolved in 15 minutes when an attorney looked at it and asked why was there an issue? We have a set of bylaws, it doesn't matter if you like the person or project. Bylaws are what it all comes down to and what really matters. We have two new members tonight, they swore to the oath that says "impartially" to the best of your ability. The town expects us to follow the bylaws. We have no opinion. It disgusts me that we don't. I wanted to make a difference and do the right thing but it gets harder and harder from when I got on. The town is on the verge of going broke. The Board of Selectmen help benefit the town and do the right thing, the Planning Board plans for the future. We have an influence on what this town will become. My entire life interests lie in this town. We are by far the most important Board and to get colored by petty influence is pathetic. I have enjoyed my time on this Board, I've learned a lot and I was a big part of why I didn't like the last meeting. I'm very passionate about it.

Ms. Benson: I've been on the Board for just over a year and we are all here for the Town and there is lots going on this year with the canal celebration, the Keystone property on Main St. I hope we move forward with positive attitudes and welcome to the new members.

Planning Board Member Comments

Mr. Gallo to Chairman Farrell: you run a great meeting. Our time is dedicated, if you find something you need to investigate you ask "why". The ZBA should be questioned as they have a "yes" checklist.

Mr. Clegg: I didn't get the memo about the similar comments. My year has not always showed us pro-business as a group and I think the taxi and kayak place will agree. There was an article in the paper where Chairman Farrell quoted the feelings of the voters. He feels the Board is a target in general and is pretty much pro-business. The voters I've talked to and the group I represent is sizeable and their concern isn't that the board is pro-business except when it comes to one developer who is now a member of this Board. Welcome Mr. Michienzi and I look forward to working with you.

Mr. Doucette didn't get the orchestration of memo either and the group he represents is the Town of Bourne. Welcome to the new members.

Jim Mulvey: Calls attention to the press and Board saying they are pro-business and saying you need to look at things impartially. This would imply pre-judgment/biased and in conflict with being impartial.

Ms. Benson: we are pro-planning. If a business works and goes by the book we approve, if it doesn't benefit the town, we won't approve.

Duplicate Release of Covenant: 65 Squanto Rd.

This release was originally done in 1986 and never recorded at the Registry of Deeds. Mr. Doucette made a MOTION to re-release. The MOTION was seconded by Mr. Howarth with all in favor.

Discussion: Adams St. For the possibility of changing to one-way.

George Sala, DPW: Met with MA Hwy, the Cape Cod Commission, Chief Woodside. It was a positive meeting and MA Hwy is willing to work with us. We haven't heard any negativity on this proposal. If everything goes smoothly, we hope to implement by the fall but don't hold me to that.

Mr. Clegg: is there any backup plan/alternatives? Example: no left turn onto Sandwich Rd. It would accomplish the same thing.

George: With the number of vehicles on Adams St., it's not just a left/right turn at the bottom, there are lots of near misses.

Chairman Farrell: we looked at this years back when I was on the Police department. We discussed it with MA Hwy and we know people don't read signs. The only way would be to install a raised median on Sandwich Road and they probably wouldn't approve as it's not wide enough. MA Hwy is now more open to listening to the Town. Current signage from the highway directs people to use Ben Abbey Road. The majority of accidents would have been avoided if it had been one way North to South. Thank you George, Chief Woodside for getting this together. The people on Adams St complain about trucks idling. Ben Abbey Road is regulated with a traffic light.

George: the top part of the road is in the state layout and needs to be shrunk down.

Mr. Gallo: a one way would work. Need to stop Christmas Tree Shop people from going up. There needs to be a big plan behind it, People will find their way to Westdale Park. It would be best to make people go over the bridge and come back by shutting the exit to Sagamore. Would be safer. Can you get the woman on the corner to cut those two trees? It would improve visibility greatly.

Chairman Farrell stated the Town can order any hedge, tree, or fence removed if impeding the view/sight line.

George stated Vermont St. will be made one-way also.

Discussion: Adams St. Cont'd

Mr. Doucette is on the Transportation Committee with Wes Ewell and they will discuss the pros/cons at the next meeting about no left turn. It's on ongoing process.

Consensus of the Board: all in favor of making Adams St. one-way North to South.

We will draft a letter of support if you require one.

Discussion: 41 Meetinghouse Lane – parking lot

Chairman Farrell stated the bollards have been installed.

Mr. Howarth said there have been no fender benders since. The safety issue was big and I'm satisfied it has been solved.

Chairman Farrell said he appreciates the applicant working with the Board on our requests.

Informal Discussion: 25 Perry Ave. Ryan Correia. Future proposal.

Joe Longo, Horsley & Witten, presented the plan. Excited about the property. Ryan Correia of Wareham has done other projects across the state. Working with Chris Bailey and Anthi Frangiadis, architect. We want to create a destination: live, eat, work. There will be more tax base, and works with the design guidelines of the GIZ (Growth Incentive Zone).

Ryan: it's an untapped market and will bring people to see the beauty of Buzzards Bay. The goal is to create year round jobs/housing as there is a need with the train coming here. the Cape Flyer is sustainable.

Anthi: This will be a destination. Restaurants, hotel, conference center, stores, residential. It will connect to Main St. via a walking path and to Perry Ave. and the new unnamed road by 218 Main St. It's designed to frame views of the canal. Phase 1: destination restaurant and residential with other mixed retail. Phase 2: hotel/conference center. Phase 3 more mixed use, residential and commercial. The restaurant/residential building is 7 stories stepped down to 4. The buildings fronting Main St. will have corner businesses such as coffee shops, etc. There will be subsurface parking of 144 units and surface parking for the restaurant. The residential units will be 2-3 bedrooms. Our target market is baby-boomers and people looking to scale down. The 7th floor will be a restaurant and retail with decks. 10-15% commercial.

Ryan: there will be retail on the first floor as well.

Chris Bailey, consultant: Phase 2 will be a hotel with no residential. Phase 3 is far out and haven't developed yet. Conceptual plans only at this point. The conference center will have banquet space and 90 rooms in the hotel.

Ryan: the hotel will be a boutique style with gym and spa. Construction time frame: Phase 1 12-18 months. During that time, we'll apply for permits for phase 2. We're looking at a 6-8 year program.

Anthi: We are considering the market driven factors, complexities. Develop a master plan we can all share.

Mr. Michienzi asked how many gallons a day of sewer they would be using.

Joe: about 30,000 a day for phase 1. A total of 90,000 for the entire project. There is enough for phase 1 to go to Wareham, then other options will have to be figured out. Maybe public/private sewer agreement.

Mr. Michienzi asked if they will be asking for the full 90,000 gallons?

Chairman Farrell stated the Sewer Commissioners would grant that.

Joe: we hope to be in front of this Board formally in July for Phase 1 and permitted by August.

Informal Discussion: 25 Perry Ave.

Joe: the path connecting to Main St. is surveyed at 40' and will be for foot traffic only.

Mr. Clegg asked for examples of the developers experience with this type of project.

Ryan: redeveloped the Majestic Mattress building in Wareham (12 units), currently doing one in Middleboro. We have funding for Phase 1 for this project all set.

Mr. Shearer said that 1/3 of the remaining sewer will be used on Phase 1. This will give benefits back to the town. What is the expected tax revenue?

Mr. Clegg: We have a 4 story limit now and you're proposing 7 stories canal frontage. Why should we go to 7 stories?

Anthi: the next meeting we'll discuss that. The mixture of units vs. the restaurant, flood zone. Excited about being on the canal and it has spectacular views. We'll be requesting a waiver. We don't want to be an albatross, and feel the density is a good thing, that's why we stepped the building.

Chris B: We are very active with hotels and the restaurant will be a tremendous draw.

Mr. Clegg: Won't the 4 story hotel be blocked by the 7 story restaurant building?

Chris B: the hotel will have a view of its own, the hotel alone is a hard sell. Need the restaurant to make it work.

Mr. Clegg: this does not include on-site sewage treatment?

Chris B: We are interested in discussing with the Town about on-site treatment for future phases. Would like to find a way to make it work. The project would have to be made smaller if on-site treatment.

Chairman Farrell: Sewage treatment isn't allowed in a flood zone (FEMA regulations), can't even have a leaching field.

Wes Ewell: We have evaluated the field behind the Community Building. There is no place in the downtown area as the water table is only 7-8' below the surface. Queen Sewell is 20-27' below. We don't know what we are going to do with our own sewer, let alone more development. Long range we would work with a developer to create a plan. We need to get the site certified first and are in that process now. We received MA DEP approval to continue testing. It's a 2 year project for the next step.

Linda Zuern: Think this project should include a facility. It would go through faster. How many spaces will there actually be?

Anthi: 1,000 spaces at full buildout, including subsurface and surface parking. We are looking at shared parking options. We don't want to pave paradise. Phase 1 – 144 subsurface spaces; Phase 2 – 150 and Phase 3 will have some garages under the units.

Linda Z: Parking is an issue especially with the train coming in. Concerned about the traffic, we have a hard time getting out of Perry Ave. now.

Ann Gratis asked what the street lighting will be, style, etc.

Anthi: A full lighting plan will be submitted with the application.

Linda Z: Need to retain the character of the village. What does a 7 story building do to the village style?

Jim Mulvey suggested the applicant display the proposal in Town Hall, the library, etc.

Chairman Farrell: We will look at each phase as it comes to us and keep in mind the other phases.

Mr. Shearer: I've spent a lot of time working on Main St. with the committee. It's one of Bourne's untapped resources. Thank you for bringing a project like this and giving it a chance. We are finally starting to see good things. We finally have someone interested in discussing something for this street. I've sat in meetings on how to hide a building right on Main St. that is caving in. Let's give him a chance and not throw every negative thing we can at him.

Chairman Farrell: If this is successful, it will make the Town successful. Wastewater is the lynch pin to a new downtown. If we want growth, which we need, we need wastewater.

Informal Discussion: 25 Perry Ave.

It will cost up to \$100 million to put in place and we can't put that on the residents. We need to find people like you that are willing to work on a wastewater development with the Town. Wish you the best of luck.

Public Hearing for Modification of a Special Permit #06-2013C: 218 Main St. Add 1 unit to an approved assisted living complex for a total of 106 units

Joe Longo presented the plan. The storage space on the 4th floor will be reconfigured for an assisted living unit. Nothing else has changed. The bank wants it at 106.

Mr. Howarth made a MOTION to approve to include all previous conditions. The MOTION was seconded by Mr. Doucette. Roll call vote as follows:

Mr. Clegg – yes	Mr. Agrillo – yes	Mr. Doucette – yes
Mr. Shearer – yes	Mr. Michienzi – yes	Ms. Benson – yes
Mr. Howarth – yes	Mr. Gallo – yes	

Public Hearing for Site Plan/Special Permit # 03-2014: 435 Shore Rd. Cumberland Farms. To eliminate the retail units and expand/remodel the convenience store.

Mr. Shearer recused himself and left the room.

Atty. Doug Troyer presented the plan. Currently the site has a 2,100sf store with 2 vacant rental units at 1,200sf each. They are working on renovating all their sites. This was built in 1972 and is very dated. The new colors are green and white with blue lettering. They are planning on significant improvements, which are much needed.

John Marsh, project manager: several stores on the cape and surrounding towns have already been remodeled. This would be similar to Main St. Upgrades for limited food service. Cumberland Farms hasn't always been the best about maintenance. We will overlay/stripe the lot, make the sidewalks handicapped accessible, upgrade the fence with the neighbors. We can't rebuild but can retrofit the lights. The lighting plan shows the difference of the old and new along with energy consumption. We can't be in full compliance and we don't have the ability to install lights that won't overspill.

Doug: We received a call from a direct abutter and that's why the fence is being replaced. It will be white vinyl. He has concerns with the dumpster area – debris on his property. We are asking for a lighting waiver, it will be improved and beneficial to the area. There won't be any fancy gables as the Buzzards Bay store, the site won't allow it.

Mr. Michienzi stated the track record of Cumberland Farms as tenants in general is horrendous.

Chairman Farrell: you are keeping the flat roof and brick façade, installing new windows in the front and changing the sign.

John: the gas island is staying the same, we will clean and fix leaks.

Chairman: After many years, we have a beautiful store on Main St. We have noticed a change in philosophy with Cumberland Farms. I really don't see a huge improvement. This is the village center and the proposal isn't a benefit to the community as it is now.

John: it's not a high-profile store as Main St. Spirit of give and take. I can look at perhaps adding a gabled entrance to be more in line with Main St.

Public Hearing for Site Plan/Special Permit # 03-2014: 435 Shore Rd

Chairman: CVS did it. Kept the flat roof with the peaks. Covering the brick is not a huge expense. Trying to make improvements. Hold and build on our tax base. Look at improving the façade from what's proposed. You are moving in the direction we want to see.

Mr. Agrillo: the fence at the back left corner, there is a grade issue as it falls. You'll need a gate from the back of the building.

Mr. Clegg: the current fence is 4' chain link. The proposed is 6' solid vinyl. The store will be 4,500sf total, that is a sizeable expansion of the interior.

John: it will be ½ retail and ½ storage/office. Agree with the Chair on the appearance. The village needs a facelift. It's very important.

Chairman: You can add a shield to the light pole so the overspill doesn't go onto the residential properties.

Mr. Doucette appreciates their trying to rehabilitate the site. Reviewing the plan there are some minor issues:

- The Red Box on the sidewalk – makes the sidewalk non ADA compliant, (John: Red Box is being removed);
- The perimeter sidewalks going across Beach t dumps into a parking lot. Look at making a connection so it meets someplace. It's used on a regular basis. Work with the Town so it's similar as across the street. (John: that sidewalk is Town property);

Chairman Farrell stated that Cumberland Farms installed those sidewalks/curbs in 1970 even though in the Town layout.

- Is the building settling into the wetland? I know you're looking into it. (John: will file an RDA with ConCom if needed);
- You'll need to look into lighting to the south and into the intersection as it overflows. Proposal is it keep it on site but the plan doesn't show that;
- Plantings are needed. Add more green all that's there are 2 little planters. (John: adding 2 areas on the plan on the north-west corner;
- Make it aesthetically pleasing. Keep in character with the brick, the proposal is to paint it white. There is red brick in the area, the white won't fit into the character of the village. We need more design prints. The parapet doesn't have the same look as a mansard roof. Buzzards Bay like Rehoboth has the brick and it's pleasing.

John: this site is not at the level of Main St. I only have so much free capital to work with. Elevation improvements can easily be done then we'll come back to revisit.

Mr. Doucette: we understand it's not the same as Main St. but would like it aesthetically pleasing with the area.

Ms. Benson stated the store is always packed. You'll get back your money 10-fold as there is no competition in that area.

Atty. Troyer: we would like to meet to address things prior to the meeting. We have budget issues but will do what we can.

Mr. Doucette made a MOTION to continue to 6/26/14. The MOTION was seconded by Mr. Clegg with all in favor.

Mr. Howarth: I have not always agreed with Mr. Shearer on issues but no one has worked harder and he has brought a lot of integrity to the Board. I have learned a lot from him.

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

With no further business before the Board, the meeting was adjourned at 9:45pm.

Respectfully submitted,
Ann Gratis

DRAFT