

**PLANNING BOARD
MEETING MINUTES:
October 13, 2022**

PRESENT: Daniel Doucette, John Carroll, Amanda Wing, David O'Connor, Sandra Goldstein, Pat Nemeth, Elizabeth Brown, Christopher Farrell, Jeanne Azarovitz, William Meier (alternate)

ABSENT:

STAFF: Jennifer Copeland

ALSO PRESENT: Cheryl Greene, John Pontonio, Brian Wallace

Meeting called to order by Chairman Doucette at 7 pm.

1. Meeting Minutes:

- a. **4/14/22:** Motion to approve by Mr. O'Connor, Seconded by Ms. Brown, Ms. Nemeth and Mr. Carroll Abstains. All aye votes, minutes accepted.
- b. **6/9/22:** Motion to approve by Ms. Brown, Seconded by Ms. Azarovitz, Mr. O'Connor Abstains. All aye votes, minutes accepted.
- c. **6/23/22:** Motion to approve by Ms. Nemeth, Seconded by Mr. Carroll, Ms. Wing Abstains. All aye votes, minutes accepted.

2. Lot Release: Beachwood Estates lots, 2, 5, 6, and 8.

Ms. Copeland- Mr. Maher owner, is going to sell the house. His attorney realized that lot 5 was not recorded in the registry of deeds. In 1987 Lots 2, 5, 6, and 8 were released but they were never recorded. Basically just a re-release.

Motion to approve by Ms. Nemeth, seconded by Ms. Brown, All aye votes, motion passes.

3. Special Town Meeting Proposed Articles: Signage Section 3210 and Section 2888
Amend Section 3210 General Sign Regulations and Section 2888 Downtown District-Signs not Permitted.

Mr. Doucette- Requested during Town Meeting that the language be amended to clarify the legal language used in the description to something more simple. They're offering a handout showing which type of signs are going to be affected. The amended language and handout would be put in the Town Meeting Handbook. No major change to the article itself.

Motion to accept the revised motion by Ms. Brown, seconded by Ms. Wing. All aye vote, motion passes.

4. Petitioned Town Meeting Proposed Article 2842 (3) (a) and (b): Performance Standards for Residential Use

Mr. Doucette- This is to try and correct the bylaws so that we don't count the 55 and older projects. They will meet the standard. This is a vote for definite postponement. This is a very technical issue.

Cheryl Greene, general counsel for Calamar here to speak on this matter.

Attorney Greene- right now we are working on the Affordable Housing Agreement. A template was created in 2017 and we worked off of that template. Also going to work on lottery system for the allocation of affordable housing units for residents. Can do the program through existing mechanisms in town. Looking forward to support the affordable housing initiative in this plan. 18 units are set aside, town is selecting 12 varied units for affordable housing. Expect that this will be ready before the end of the year. Hope is the 12 units will be leased by that time. There's 2 pieces: the agreement

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and the lottery system, this will not hold up anyone moving in however. Nothing is slowed down.

Mr. Farrell- The delay with the project had nothing to do with the zoning by-law, but it still needed to be addressed.

Motion for indefinite postponement by Mr. Farrell, seconded by Ms. Azarovitz. All aye votes, motion passes.

5. Public Hearing Request, Site Plan Review #509

0 Ernest Valerie Rd. Application for Site Plan Review for proposed project to develop a large scale, ground mounted photovoltaic system with inverter and battery storage. Site work includes the construction of a paved access road, fencing, and Stormwater management. Continued from 9/22/22

Mr. Doucette- Still waiting on Cape Cod Commissions answer.

Ms. Copeland- The Town Administrator has met with the Chief Regulatory officer to discuss the project. Because it is complicated, they want to go through it all.

Motion to continue to October 27th by Mr. Farrell, seconded by Ms. Azarovitz. Aye vote taken, all ayes, motion passes.

6. Site Plan Review/Special Permit SPR/SP #04-2021A: 6 Forest Park Dr.

To construct a 5 bay 8,250 sf. Warehouse/storage commercial bldg.. in a water resource district. Representing Applicant Brian Wallace with JC Engineering present.

Mr. Wallace- Property is abutting 4 Forest Park Dr. which has a similar building on it. Proposed construction is a 5-bay contractor-style building, 8,250 sq. ft. There will be clearing and grading. Providing landscaping between building and Forrest Park Drive. 9 parking spaces as required with one handicapped parking spot. Meets all zoning requirements. Building will be serviced by on-site septic service. Town water, gas, and electric. Roof will have roof drain system connecting to existing drainage on site.

Project utilizes a lot of already existing infrastructure previously approved including two retention areas. Central sub surface drainage system Proposing to add 9 additional leeching pits to contain additional runoff from roof and the added pavement. Project located in water resource district, requesting special permit to remove more than 70% of existing natural cover, currently at 71.5%.

Ms. Copeland- Bigger issues are the request for removal of coverage and ground cover removal. Also discussed an easement because the driveway is only located on 4 Forrest Park Dr. If ever sold in the future, lot 6 would have no driveway.

Mr. Wallace- Lot 4 and 6 are owned by the same entity so drafting up easement documents now aren't needed now. In the future, that would have to be drafted up, but it doesn't make sense to do it now, open to conditions however.

Ms. Brown- reviewers are uncomfortable with that due to how it will work out in the future. Wants people to understand that lot 4 was considered with lot 6 in a special permit granted in May 2021. There was a condition that any future development will take into consideration natural space, impervious space, and natural tree cover. This was due to concerns after approving a 53.5% impervious surface for lot 4. Wanted to remember this when there were future developments for lot 4.

Ms. Nemeth proposed combining the two lots under a subdivision.

Mr. Wallace- Impervious surface percentage on lot 4 is 53.5%, proposed lot is 38.4%. Combined is about 46%.

Ms. Brown- Is there any way to reduce it to 40%. Max we supposedly allow is 40%

Mr. Wallace- not easily, couldn't reduce parking without a waiver.

Mr. O'Connor- Looks like we are trying to put too much onto one lot. This is due to many different permits looking for relief.

Concerns came from Ms. Brown and Ms. Wing about acceleration and deceleration lanes on these roads with the Industrial Park and highway.

Mr. Doucette- Have tried to work on this with other applicants; it's still in negotiations with MASSDOT due to it being state property.

Ms. Copeland- The subdivision requires a few things to be done. Once construction done there will be improvements to the road including repainted lines, signs, curb improvements, etc. Town holding up on completion of the road. Subdivision was done 20 years ago.

Ms. Brown- concern is it looks like the increased traffic will be too much for the road.

Mr. Farrell- Regarding combining the 2 lots: we've done it in the past without requiring them to do it and we find that over time the lots end up combining. Typically it fixes itself over time by the property owner. Regarding Doc's comments about approval of the other lots. The Bourne Water District sent a letter saying that they were satisfied with the vegetative soils and other green improvements for the other lots in that area. We have not received one yet for this project.

Ms. Goldstein- Lot 3 requested a lot more removal and additions than this project and we approved. Did not approve of this then due to the large size. Idea then was to reduce the building by one bay and have other inside changes that would be more efficient.

Mr. O'Connor- Lot 6 is cleared already, forest cover removal is more than it was before. There should be a work line and property line. The application is not valid on that item. This could be revegetated but how does it happen procedurally? Three issues: The visual treatment of the line close to the right of way line, the visual treatment is undefined and there's no potential plant list. Also wanted to define the street with shade trees. The bio-retention areas proposed do not allow this to happen. The front lawn of lot 4 drains right into the street picked up by a catch basin, is that additional drainage load going to overload the catch basin in a major event? Maybe relocate bio-retention area to east side of driveway, grades and location would help with drainage and allow shade trees.

John Pontonio, owner of property- Company hired to clear the lot went further than they should have.

Ms. Nemeth- Feels proposed development is too big for the site. One bay should be removed to solve the issue.

Mr. O'Connor- This would solve the main issues.

Mr. Wallace- Can look at that, the building on 4 is already constructed.

Mr. Farrell- The lots would have to be combined with Doc's changes.

The Board and applicant plan to work together to move forward with this project. Time waiver had to be signed to move the Motion forward.

Motion to continue to November 10th by Ms. Brown, seconded by Mr. Farrell, aye vote taken, all ayes, motion passes.

Motion to adjourn at 8:01 p.m. by Mr. Farrell, seconded by Ms. Azarovitz, meeting adjourned.