

**Town of Bourne
Planning Board
Meeting Minutes
January 25th, 2024**

TOWN CLERK BOURNE

2024 FEB -9 PM 3:58

RECEIVED

PRESENT: Chairman Daniel Doucette, Liz Brown (Vice Chair), David O'Connor (Clerk), Christopher Farrell, Catherine Walton, Jeanne Azarovitz, James Robinson Jr, Amanda Wing (Zoom), John Duggan.

EXCUSED: None.

STAFF: Julia Gillis.

ALSO PRESENT: Greg Wirsew, Scott Froman, Christopher Kirrane, Andrew Knowland, Andrew Zickell, David Foynes, Paula Hughes, John Hughes, Merlin Ladd, Evan Watson, Ed O'Connor, Pat O'Connor, Judith Froman, Tony Decaneas, Ellen Decaneas, Marijane Tuchy.

This meeting took place at Bourne Veterans Memorial Community Building, 239 Main Street, Buzzards Bay and also virtually via Zoom. Chairman Doucette called this meeting to order in open session at approximately 7:05pm.

1. Application for Extension #04-2019X-A

21 Canal Street, Map 11 Parcel: 27

The application is a request for an extension. This project is located in a Wetland Resource Area.

This extension request is for two years. Greg Wirsew with Green Seal Environmental introduces himself as representative of this project. He states that they are still planning on going forward and are working with the Cape Cod Commission. Chm. Doucette clarifies to a member of the public that this is just an extension of the project that was approved, and any changes would be an amendment or a new permit.

Mr. Farrell Makes a Motion to Approve the Extension for Two Years. Mr. Robinson Seconds the Motion.

Scott Froman, a member of the public questions why they are continuing to extend this, and states that this expired in December. He expresses frustration with the project, and asks the board to remember what the original owners of the land intended for this project. Letter submitted into record From Judy Froman 1.25.24

Roll Call Vote As Follows:

Mr. Duggan – YES. Mr. Robinson – YES. Ms. Azarovitz – YES. Ms. Brown – YES. Ms. Wing – YES. Mr. Farrell – YES. Ms. Walton – YES. Mr. O'Connor – YES. Chm. Doucette – YES.

The Motion Passes.

2. Application for Access Determination

79 Mayflower Rd, Map 4.4 Parcel 11

This application is for an Access Determination.

Atty. Christopher Kirrane introduces himself as representative of this project. The Building Commissioner determined that this lot is buildable, but deferred to the Planning Board for an access determination. Atty. Kirrane states that the lot has vehicular access. He goes over comments made from the water district and engineering department, and adds that some concerns raised do not affect access. Atty Kirrane addresses the suggestion of bringing the road from the other side of Mayflower, and states that other properties have subsumed this land and putting a road there would destroy other people's property.

Mr. Farrell states that they have reviewed this application many times now, and the only way for there to be access into this property is through where others have encroached. Mr. Farrell and Ms. Walton express concerns about the water runoff, and Atty. Kirrane responds that this is not an access issue.

Chm. Doucette adds that since the town engineer has brought up drainage and stormwater management, he would like to see this addressed. Atty. Kirrane responds that they would like to have an engineering report from their side before the board makes a decision.

Mr. Duggan states that the applicant is looking to see if he legally has access, which would make it easier to spend money on engineering. He states that he does believe that there is legal access on this property, and they are discussing two separate issues.

Mr. O'Connor asserts that they need engineered drawings and more clarity on what is going on.

Mr. O'Connor Makes a Motion to Continue until February 8th 2024. Mr. Robinson Seconds the Motion.

Andrew Nolan identifies himself as an abutter. He expresses concern that this could dramatically change the neighborhood. Andrew Zickell, an abutter, expresses concerns about how this lot was deemed buildable because of water issues. David Foynes, an abutter, provides anecdotal evidence that there is a water issue on this property. Laura Hughes, the co-owner of the property, explains that they plan to

live on this property, and states that this is only the second time they have been before the board. She shows pictures and says that this is a natural grade, not a steep hill. She disagrees with her neighbor's assertions regarding buildability and the water issues on the property.

Roll Call Vote as Follows:

Mr. Duggan – YES. Mr. Robinson – YES. Ms. Azarovitz – YES. Ms. Brown – YES. Ms. Wing – YES. Mr. Farrell – YES. Ms. Walton – YES. Mr. O'Connor – YES. Chm. Doucette – YES.

The Motion Passes.

3. Supportive Finding #07-2023SF and Waiver of SP/SPR #07-2023W:

570 MacArthur Blvd, Map: 39 Parcel 77.3 (*Continued from 1/11/24*)

Application for a Supportive Finding and Waiver of Site Plan Review/Special Permit to convert the temporary outdoor dining area into a permanent outdoor dining area to serve food or beverages to persons outside the building due to the limitations on indoor dining imposed in the Commonwealth of Massachusetts from the COVID-19 public health emergency. This project is in a Water Resource District.

The applicant signed a waiver of time constraints and would like to continue this to February 22nd.

Mr. Duggan Makes a Motion to Continue the Public Hearing until February 22nd 2024. Mr. Robinson Seconds the Motion.

Roll Call Vote as Follows:

Mr. Duggan – YES. Mr. Robinson – YES. Ms. Azarovitz – YES. Ms. Brown – YES. Ms. Wing – YES. Mr. Farrell – YES. Ms. Walton – YES. Mr. O'Connor – YES. Chm. Doucette – YES.

The Motion Passes.

4. Application for Site Plan Review/Special Permit #06-2023:

46 Holt Road, Map: 23.2 Parcel: 156 (*Continued from 1/11/24*)

The application is to construct two (2) duplex residences, for a total of four (4) dwelling units.

Merlin Ladd introduces himself as representative of this project. He goes over specifics of his meeting with the Design Review Committee, and states that they were approved contingent upon certain landscaping conditions.

Chm. Doucette states that there is an outstanding issue with the list of plantings and their specifications. Mr. Ladd states that they are all on the posterboard he is presenting now, but may have just emailed the plan over to staff that day.

Ms. Azarovitz goes over details of the plan, and Mr. O'Connor stresses the importance of preserving the existing trees.

Ms. Azarovitz Makes a Motion to Approve Site Plan Review/Special Permit #06-2023 with conditions, including the issuance of a planting plan and plant list with special regard to protecting the existing trees. This must be submitted and approved by a Planning Board Representative and Staff prior to issuance of a building permit. Ms. Brown Seconds the Motion.

Roll Call Vote as Follows:

Mr. Duggan – YES. Mr. Robinson – YES. Ms. Azarovitz – YES. Ms. Brown – YES. Ms. Wing – YES. Mr. Farrell – YES. Ms. Walton – YES. Mr. O'Connor – YES. Chm. Doucette – YES.

The Motion Passes.

5. Application for Site Plan Review/Special Permit #04-2023:

119 Cranberry Highway, Map: 12.3 Parcel: 60 (*Continued from 1/11/24*)

The application is to construct a 3,600 square foot garage to be used for storage.

Evan Watson introduces himself as representative of this project. He goes over some changes that were requested from the board, including planting, drainage, erosion control, and parking. Mr. Watson states that they would like to put the overhead wires underground but have to look into utility easements.

Mr. O'Connor goes over existing trees and asks the applicant to preserve those by the cemetery in lieu of planting new pines if possible.

Mr. Robinson Makes a Motion to Accept the Application for Site Plan Review/Special Permit #04-2023 with conditions, including stamped stormwater report with drainage calculations to be approved by the Town Engineer and preserving and protecting the northeast corner of trees. Ms. Avarovitz Seconds the Motion.

Roll Call Vote as Follows:

Mr. Duggan – YES. Mr. Robinson – YES. Ms. Azarovitz – YES. Ms. Brown – YES. Ms. Wing – YES. Mr. Farrell – YES. Ms. Walton – YES. Mr. O'Connor – YES. Chm. Doucette – YES.

The Motion Passes.

6. Adjourn

Mr. Farrell Makes a Motion to Adjourn. Ms. Brown Seconds the Motion, with all in favor.

With no further business before the board, the meeting is adjourned at approximately 8:10PM.

Respectfully Submitted,

Ina Sullivan
Recording Secretary

