

## PLANNING BOARD MEETING MINUTES

April 27, 2017

**PRESENT:** Daniel Doucette, Stephen Strojny, Vincent Michienzi, Lou Gallo, John Howarth, Robert Gendron, William Grant

**ABSENT:** Elmer Clegg, Joseph Agrillo

**PUBLIC:** Jim Mulvey, Ryan Correia, Steve Souza, Patrick O'Neale, Gary Seidelman, Joe Noonan, Sean Riley, Heidi Bresnahan, Penny Weeks, Irene Carbone, Judy LeBlanc

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Ann Gutterson, Recording Secretary

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

**Request for Re-Release from Covenant:** Lot 2 (55 Rocky Point Rd).

This lot was created in 1969, has been sold twice and an attorney just found out it was never released. Mr. Grant made a MOTION to release. The MOTION was seconded by Mr. Howarth with all in favor.

**81P:** Brookside Residential. Lot line adjustment.

Coreen: I received a revised plan with corrections. It's for Amberwood and Springbrook Ct. open space parcel with the stump dump. A number of proposed structures were deleted. I assume parcel A will be joined with the open space in the future. It meets the criteria.

Mr. Howarth made a MOTION to approve. The MOTION was seconded by Mr. Gendron with all in favor.

**Informal Discussion:** Tom Donovan. Removal of easement on Jonathan Bourne Drive.

Technical issue with the private petition, this may not be happening.

**Public Hearing for Site Plan Review #493:** Off Bournedale Rd. Buzzards Bay Water District. For a chemical injection facility.

Patrick O'Neil: this is a 40 acre parcel located at the pumping station.

Coreen: It's between 105 and 142 Bournedale Road.

Patrick: The building is 600sf and will treat the water from two wells. Paved driveway, masonry building 18' high, with a gated security fence and a tree buffer in the front island. The drainage swale will be repaired after construction.

Mr. Gendron: I'd like a better understanding of the drainage after it's paved. What is the timing of construction?

Patrick: It will shed away from Bournedale Road. It will go out to bid, then 6-8 weeks, so late summer at best.

Mr. Gendron: I suggest putting a curb barrier at the road during construction.

Patrick: We will have stone/rip rap at the entrance. It's not a lot of construction.

Mr. Strojny: Can you tell us how it works in layman's terms?

Patrick: Originally, there were wells, it was pumped and you drank it. 20 years ago the EPA said that water needs to be treated for lead, copper, corrosiveness of the groundwater and reduce the PH. It's set up for two chemicals but usually only use one. It will inject from the storage tanks into the water system. The second setup is for chlorine and that's only used periodically. It's all on controls and approved for drinking water.

**Site Plan Review #493: Cont'd.**

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

- Temporary erosion control on Bournedale Road

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

**Public Hearing for Site Plan Review/Special Permit #02-2017:** 370 MacArthur Blvd. McDonald's restaurant. Remodel and drive-thru reconfiguration and increase of impervious surface.

Mr. Grant made a MOTION to continue. The MOTION was seconded by Mr. Gallo with all in favor.

Mr. Gendron recused himself.

**Public Hearing for a Definitive Subdivision:** 21-25 Perry Ave. Ryan Correia.

Leonard Bello, attorney: We are now under a gun. Contracts have been extended to the end of May, if we don't get the go ahead, it will delay another year.

Mr. Strojny: From the preliminary to now we had peer review from Coastal Engineering to make sure the Stormwater plan is adequate. There are a number of changes/conditions that need to be added if we're going to put it to a vote to keep the hotel on track.

Shawn Riley, Coastal Engineering: The Stormwater is in compliance with the State and the Town bylaws. There are some minor comments: the Bourne subdivision regulations call for concrete pipe or aluminum. They propose an alternative and it's ok. The drain pipe needs to have adequate cover on it, at least 12".

Mr. Strojny: This covers four lots. Lot #1 is ready to go (hotel lot), Lots 2, 3, and 4 will be unbuildable at this point. When the applicant is ready to present other projects they can come back and ask to change it from not buildable to buildable with a special permit.

Coreen: My 4/24/17 memo pointed out a few deficiencies that must be corrected. There was a miscommunication on lots 2, 3 and 4. The lot width didn't meet our requirements. They can do it with a special permit. A note should be added to the plan stating these lots are not buildable until such time as a special permit is approved. It doesn't require an amended plan, we've done it in the past, it's not unusual. Lot 3 requires some adjustment. It's a private way, looks more like an easement than a road and has frontage of 500'. Eliminate the cul-de-sac and create lot 3A and will be able to get a special permit and make access through to Keystone Place. The special permit decision for the hotel should be amended to include the reliefs so it will be as plain as day. I talked to engineering and they gave me the street addresses to give you. The road name can be conditioned and needs to be approved by the Board of Selectmen. Using "Court" may be an issue as it doesn't meet the definition of one. More of a Street or Drive. Construction of the road: a number of waivers were presented. #1 can't be waived and a special permit is required. Items B-F can be considered. E and F are recommended by Coastal. B – the whole site is in a flood zone and the road isn't supposed to be below the base flood elevation. They are proposing 14' not 16', it's ok.

Pavement width required 30' they are proposing 24'. The wider road would invite speed, I think it's ok. The slope should be 3:1, they propose 2:1, which is fine.

Mr. Gallo: Road 24' flat with berms on each side?

There will be concrete curb on both sides and the catch basins will be curbed also.

## 21-25 Perry Ave. Cont'd.

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

- A note added to the plan that says lots 2, 3, 4 are not buildable as laid out and needs a special permit.
- Lot 3 further amend to separate the cul-de-sac and reserve for future access.
- Amend the special permit decision for the hotel to include the waivers.
- The road name and street numbers added to the plan.
- A Stormwater maintenance plan is required to be in place.
- Granting of waivers for: road width to 24' paved, 2:1 slope, road centerline and road at 14'.

The MOTION is seconded by Mr. Howarth.

Helen Bresnihan, 110 Tahanto Rd: What is the height of the hotel? Will the ladder truck work? Do we still need a ladder truck?

Chairman Doucette: The hotel has already been approved and given to the fire dept and they had input.

Leonard: Do you treat the special permit as a new application? - yes

What is the time frame? Need to talk to the hotel attorneys and tell them the surrounding lots will need special permits. I'll be asked when will these lots be released?

Chairman Doucette: Once the special permit is granted, the lot goes from unbuildable to buildable.

Mr. Strojny: We don't know what the developer will present to us.

Coreen: The lot doesn't meet zoning due to lot width. The special permit would give relief and has nothing to do with the structures.

Leonard: Can we come and apply for the permits to make the lots buildable prior to projects?

Coreen: You're essentially asking for a variance. With downtown the bylaw gives the Planning Board the granting authority. Looking at the overall development plan, does it make sense. Usually 25-40' of frontage, a special permit can make it larger. If on Main Street they may not want 500' of frontage, but this makes sense as it's creating a community.

Leonard: Is there any reason why that aspect (lot width) was not something that could have been done from the preliminary to now?

Coreen: Absolutely could and should have been done. It was in my memo for the preliminary plan, the special permit was never applied for.

All in favor of the MOTION.

Chairman Doucette: Town meeting night need a quorum of 5 for the bylaw. We are meeting in the library at 6:30pm.

Mr. Strojny made a MOTION to adjourn, seconded by Mr. Michienzi with all in favor. With no further business before the Board, the meeting was adjourned at 7:45pm.

Respectfully submitted,  
Ann Gutterson