

PLANNING BOARD MEETING MINUTES

December 14, 2017

PRESENT: Elmer Clegg, Steven Strojny, Jeanne Azarovitz, Daniel Doucette, Lou Gallo, William Grant, Robert Gendron, Sandra Goldstein, Elizabeth Brown

STAFF: Coreen Moore, Jennifer Copeland

PUBLIC: James Mulvey, Vicki Carr, Leslie Murphy, John Murphy, Tara Murphy, Nathan Kelly, Tim Murphy, Peter Meier, Brent Narkowicz, Nate Kelly, Peter Meier, and other members of the public

Ann Gutterson, Recording Secretary

Chairman Clegg called the meeting to order at 8:00pm.

Minutes of 11/9/17: Ms. Azarovitz noted a typo and word change. Mr. Grant made a MOTION to approve with the changes. The MOTION was seconded by Mr. Strojny with all in favor.

10/26/17: Ms. Goldstein doesn't have the wording changes she wanted to add to the 81P.

Chairman Clegg: The lot was identified.

Ms. Goldstein: The lot, where it's located, part D use of the land, in open space and recreational use.

Chairman Clegg: Does that have an impact on the decision voted? All we rule on is lot frontage, right?

Coreen: Yes.

Chairman Clegg: Identified in the description. I read your email and don't think it adds any meat to the article as written up.

Ms. Goldstein: Don't think it's an addition of any merit.

Chairman Clegg: Minutes are a record of considerations, motions, votes.

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

Presentation: Open Space Plan update.

Nate Kelly, Horsley & Witten, principle in charge of the project. This is a valuable resource for the town and will be useful over the next seven years. Will be a gateway to funding and has been submitted at the State level. General policy hasn't changed – resources, habitat, groundwater, coastal. Aging population will change needs for demographic shift. Management, adequate staffing, it's a lot to manage. Implementation – How will it be implemented moving forward? The OSC met with the Board of Selectmen. Will need to designate people to be stewards of the plan. Checklists created and given to Boards/Departments. There is no mechanism to look at the plan on a regular basis.

Planning Board: Permit review, onsite, adjacent resources, scenic roads, demo delay bylaw, design active living – how people move around. Good for everybody. Looked at 54 parcels/sites. Some for accessibility. Received the Cape Cod Commission comments. We are looking for a letter of endorsement then we go to the Selectmen.

Chairman Clegg: Learn about the Town of Bourne, its history, demographics, it's a wealth of information. Section 8 and 9 are the goals and actions. There are 13 broad goals defined: management, recreation, community character, open space, etc. 61 items over 7 years to hopefully be done.

Tremendous involvement with the Town Planner in many of the action items.

Coreen: Any plan we do you'll see that also. Works with other committees/departments to get things implemented. Helping them to implement. I did a lot of that early on, now I do more regulatory. I hope to get back to that. Tons of plans on the shelf, many items are duplicated in plans.

Open Space Plan update Cont'd:

Chairman Clegg: Section 8 – each of us should review. Section 9 is the action items and the plan, 11, 12 and 23 call for Planning Board action. Things to be mindful of.

Ms. Brown: Funding – this opened access, did we lose access?

Coreen: The Park was a big issue because we had an outdated plan and couldn't ask for funding.

Chairman Clegg: Write a letter in support.

Public Hearing for Site Plan Review #495: 1224 Rt. 28A. John & Leslie Murphy. To add 7 parking spaces for a total of 20.

John Murphy: We are a software company in Yarmouth. Currently 10-12 employees. This building will work and we live closer. Unified Global Technologies. We make the 3D plans for kitchens, etc. Sell it all over the country and world. Cabinet makers are our clients. Add 4-5 employees at this new location, mostly programmers for a total of 15-16 people.

Chairman Clegg: If for office only, will they need more parking?

Coreen: Yes.

Ms. Brown: Thank you to Dan Doucette for his help on this. It was a daycare center. Bringing up to requirements of the parking. A small portion is R40 by the pond and isn't affected by the reconfiguration, but the site is mostly B2. Abutters are both businesses. It's paved and well within the impervious coverage at 24%.

Ms. Goldstein: Is there a handicap space?

John: There is one on site. We are adding 7 plus a handicap.

Chairman Clegg: How many are required?

Coreen: Only one but it has to be van accessible and it is.

Ms. Brown: There is a good ramp to the building. The dumpster is in the Northwest corner and pickups can't be during business hours.

Chairman Clegg: Do they need a loading area?

Coreen: The Board can waive that.

Mr. Grant made a MOTION to close the public hearing. The MOTION was seconded by Mr. Doucette with all in favor.

Ms. Brown made a MOTION to approve subject to the following conditions:

- No work shall commence on the retaining wall construction until the project engineer and Building Inspector are notified. Project engineer shall monitor construction and if conditions dictate, shall stop construction at any time to ensure safety of project. Building Inspector to be notified of any stoppage.
- Under Section 3400 of the Bourne Zoning bylaw, a lighting plan showing illumination of overspill shall be submitted to the Planning Board prior to site work commencing.
- The contract between the applicant and disposal company shall stipulate that trash removal to occur before or after normal business hours and posted near the dumpster.
- The prohibitions of the Water Resource District under Section 4700 must be included in all leases and be visibly posted in a storage area for each leasable unit.
- Prior to the issuance of an occupancy permit, an As-Built plan must be submitted to the Planning Board showing all appurtenances above and below ground.

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

Public Hearing for Modification to a Subdivision: 21-25 Perry Ave. CMP LLC. Reconfiguration of a lot.

Ryan Correia: Looking to combine lots 4 and 5 for the Calamar project. Over the allowable frontage so we created a drainage lot on Kendall Rae Place called 4A to allow the Calamar footprint to not encroach on the lot line.

Mr. Strojny: There were a number of technical requirements which are very helpful to have. The revised plan does meet all the requirements. Most lots don't have enough frontage, this destination is different as we are looking for higher density.

Coreen: The building crossed lot 5 line so it was eliminated and increased the frontage.

Mr. Grant made a MOTION to close the public hearing. The MOTION was seconded by Mr. Strojny with all in favor.

Mr. Strojny made a MOTION to approve. The MOTION was seconded by Ms. Brown with all in favor.

Public Hearing for Special Permit #08-2017-2: Cont'd from 10/26/17. 13 Kendall Ct. Calamar Enterprises. For dimensional relief per Section 2830.

Brent: There was an oversight not receiving the dimensional relief on the front setback in the original special permit application.

Mr. Strojny: The setback requirement is 30' max for Main St. This case is unique and makes more sense to allow for pedestrian and vehicle flow, flood zone with the fill brought in. We gave relief under the Site Plan Review aspect and now with the Special Permit aspect as we are the SPGA. The setback for this is 85.8' with a relief of 55.8' under sections 2830, 2820, 2835, and 2838. This is only for the front setback.

Coreen: Side and rear there is no minimum the front needs a special permit and dimensional relief.

Mr. Grant made a MOTION to close the hearing. The MOTION was seconded by Mr. Doucette with all in favor.

Mr. Strojny made a MOTION to approve front relief of 55.8'. The MOTION was seconded by Ms. Azarovitz.

Coreen: Sec. 2827, 2831 is met and dimensional relief has been met under 2838.

Mr. Strojny made a MOTION to amend to include that. The MOTION was seconded by Ms. Azarovitz.

Vote on amendment: Roll call vote as follows:

Mr. Grant – yes

Mr. Strojny – yes

Mr. Gallo – yes

Ms. Azarovitz – yes

Mr. Clegg – yes

Ms. Goldstein – yes

Ms. Brown – yes

Mr. Doucette – yes

The project is not changing.

Roll call vote on the Main MOTION as Amended:

Mr. Grant – yes

Mr. Strojny – yes

Mr. Gallo – yes

Ms. Azarovitz – yes

Mr. Clegg – yes

Ms. Goldstein – yes

Ms. Brown – yes

Mr. Doucette – yes

Public Hearing for Special Permit #06-2017: Cont'd from 9/14/17: 1077 County Rd. Rose Kozaryn Living Trust. For more than four horses, indoor riding arena and associated site work in a Water Resource District.

Chairman Clegg: We received a letter requesting a continuance to 1/11/18. Time constraints have been waived. I will not be here for that meeting and Mr. Nagle has been informed. He may continue it to the following meeting. We need a business plan for Candy Lane Ranch as it will bind them to certain conditions.

Mr. Doucette made a MOTION to continue to 1/11/18. The MOTION was seconded by Mr. Grant with all in favor.

Discussion: Draft a "Preliminary Project Planning Board review" bylaw, which is referred to in Bourne's Commercial Wastewater Management Allocation Policy.

Mr. Grant and Coreen are working on a definition for the preliminary project review bylaw. Need to beef it up and be more definitive for wastewater allocation.

Coreen: It's not complete yet.

Chairman Clegg: When reach an accord, distribute to the Board for review before Jan. 11, 2018 if possible.

LCP Update:

Chairman Clegg: The town attorney said the Planning Board has total responsibility. Sent a letter to the Selectmen to appoint a committee. Unsure if we'll be doing the LCP or a subcommittee with staff or a committee with community, staff and the Board. Take a break for the holidays.

Committee Reports:

Mr. Doucette: The CPC has applications for FY19 available and they need to be turned in by 1/26/18 for the May 7th ATM.

Ms. Brown: Is it for individuals also?

Mr. Doucette: Yes. Hearings will be in February or March.

Ms. Brown: Our bylaw meeting got rescheduled.

Peter Meier, Selectmen: Point of personal privilege: The ground breaking for Peebles school will be Jan. 6, 2018 at 11am. We want the children to do the ribbon cutting. They hope to get the footings in the ground by 1/25/18 and open in the summer of 2019. It's the same builder as the Bournedale school. It's an exciting time to be in Bourne.

Buzzards Bay Park: Shutting down soon for winter. Most of the playground equipment delivered has been installed.

2020 will need a vote if you want the CPA to continue. It's 3% of tax dollars.

Chairman Clegg: Perry Ave development: The strip between his property and the Army Corps is owned by the Town. There is a request by the hotel to clear that land. Rather than give an easement, or discuss selling it to them, I'd rather not sell it.

Mr. Strojny: McDonald's on MacArthur Blvd is having a ground breaking on 1/4/18 at 10am.

Mr. Grant: I went to the site, they had to dig deeper than I thought for the retention area. The building is more attractive and the roof runoff was a great idea, Sandra.

Ms. Goldstein: They spent \$17,000 extra to do that. The roof doesn't need to be treated the same.

Mr. Doucette made a MOTION to adjourn. The MOTION was seconded by Mr. Strojny with all in favor. With no further business before the Board, the meeting was adjourned at 8:30pm.

Respectfully submitted,
Ann Gutterson