

PLANNING BOARD MEETING MINUTES

March 8, 2018

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

STAFF: Coreen Moore, Jennifer Copeland

PUBLIC: James Mulvey, Nolan Leroy, Eliza Cox, Greg Wirsen, Pat & Ed O'Connor, Kathy Peterson, Dan Moerman, Betty Murphy, Peter Meier, Michael Metcalf, Alexander Reader, Paul Reader, Shaun Young, A. Kullar Stephen Mealy, Adeniran Ashan and other members of the public

Ann Gutterson, Recording Secretary

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

Minutes of 1/11/18 - Mr. Grant made a MOTION to approve. The MOTION was seconded by Mr. Strojny with all in favor.

1/25/18 – Mr. Grant had a revision on page 6: Non-exclusive lease, should be Now (educational exemption).

Chairman Clegg: he had a lease for shared, lease rights. Remove the period.

Mr. Grant made a MOTION to approve with the amendments. The MOTION was seconded by Ms. Azarovitz with 7 in favor, 2 abstentions.

Mr. Gallo recused himself stating he has done work for UCT and left the room.

Waiver Request: 220 Sandwich Rd. UCT. For an 830sf classroom.

Nolan: This will be a classroom to support the auto collision and repair for 2-3 periods a day for kids already enrolled.

Ms. Azarovitz: Fire Dept. follow up?

Nolan? I spoke with Dave Pelonzi and he understood it was a vocational classroom. He didn't respond to the email.

Ms. Azarovitz: No issue with the waterline?

Nolan: No issue, its 20'-30' north of that.

Chairman Clegg: This is the third time the school has been to us in three years. There's been turnover on the Board. The Dover Amendment applies due to educational use. The two preceding years was two isolated classrooms.

Nolan: This is not a stand-alone classroom.

Chairman Clegg: Height, safety, etc. New pedestrian way across the back of the school. Thoroughly marked?

Ms. Azarovitz: Yes.

Coreen: If the GFA is under 1600sf, it doesn't require Site Plan Review, can't impact the overall town or abutting properties, no drainage or lighting issues.

Chairman Clegg: It's quite a campus you're building up there. Is enrollment projected to go up? You're at 760-764 now.

Nolan: I think it's trying to stay around the same.

Chairman Clegg: Are there limitations with the wastewater system?

Nolan: It can go up to 800 students. We are starting to look at expanding with the DEP.

220 Sandwich Rd.

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

1. No building permit shall be issued until:
 - a. The Fire Dept. has completed comprehensive review for the entire property.
 - b. The Bourne Water District has been satisfied that the existing waterline will not be impacted.

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

Public Hearing for Site Plan Review/Special Permit #09-2017: 154 Cranberry Hwy. Michael & Liesl Fraser. For contractor condos with apartments above, and associated parking, drainage, landscaping, etc.

Chairman Clegg: I spoke with Roger Laporte on this. He's getting short on patience with the adjacent property.

Mr. Gallo: 1 on 1 slope, it's crazy to put a burden on the abutters. Almost need an engineered wall and move it in closer. It's detrimental to the abutters.

Chairman Clegg: Should we deny the request to continue?

Coreen: If you deny the continuance, you have to open the hearing.

Chairman Clegg: Send a letter looking at 152 Cran. Hwy?

Coreen: 154 is before you. The other property is before Roger Laporte. Discuss how they integrate, they do have a shared driveway.

Chairman Clegg: Consider giving to 4/26/18 and reach out to them and let them know with Roger on the abutting property.

Coreen: I'll set up a meeting.

Mr. Gallo made a MOTION to continue to 4/26/18. The MOTION was seconded by Mr. Doucette with all in favor.

Informal Discussion: 871 Scenic Hwy. Change from SDD to VB.

Adeniran Ashiru: This parcel and 20 Herring Pond Rd are half in the VB district. 871 Scenic is SDD with a non-conforming motel (Scenic View Motel). Would close off the entrance to that and use 20 Herring Pond to create a year-round mixed use development on the property. Needs to be VB to do that.

Coreen: The SDD was there, Bournedale Overlay District and Flexible Resource District overlays so very restrictive. VB was there for years, on the other side is residents. This would be continuing a district.

Chairman Clegg: Is there a plan?

Adeniran: No buyer now, have to make marketable. It's for sale now, improvement makes the whole area better.

Coreen: Can go through private petition or Planning Board sponsorship.

Chairman Clegg: I'd like to have a prospective buyer here before we consider sponsoring the change or not.

Coreen: Similar to Jaspers. Mixed use, still difficult to market. They are maxed at 12 units and would need more. Want year round housing/office/retail. Need zoning change if any chance of redevelopment. Steep terrain. Would like to see possible buildout – conceptual.

Ms. Azarovitz: How will that impact traffic?

Coreen: Existing curb cut will be removed which is a good thing.

Mr. Grant: Why isn't this spot zoning?

Coreen: Common with an adjoining district.

Ms. Goldstein: Is Herring Pond Rd residential?

Coreen: VB and some residential.

871 Scenic Hwy. Cont'd:

Mr. Gendron: There are three houses then the Butterfly Boutique. Would like to see the hotel redeveloped. Concern with access off Scenic Hwy. We should have a conceptual plan.

Coreen: That's why the buildout plan, to see how the lot can be used to the maximum. Possible for the fall town meeting.

Mr. Gendron recused himself.

Discussion: Zoning article for Senior Care Overlay District (SCOD)

Eliza Cox: My client purchased this in April 2017. Robert Gendron is the principal along with Greg Wirsén.

Greg: We are in the process of getting the required signatures for a private petition.

Eliza: The project will involve a multi-agency review: MEPA, CCC, and Bourne Site Plan Review/Special Permit. State, Regional and local review. It's just under 11 acres and abuts Canal Road and Hunters Brook Rd. Currently in two districts and there is industrial use in the area, McDonalds, Dunkin Donuts, gas station, condo use in the south and south east of the property. In 2010, the Board designated the area VB to transition from commercial to residential. Overlay district – thought VB was a simple map amendment. After talking with staff, we felt that's not the right approach. Takeout/fast food, gasoline, not what my client envisioned. Came up with an overlay District (OD) which allows existing zoning to stay in place. Also allows a limited number of new uses subject to requirements. Bourne has many overlay districts. This mirrors the Marine OD. There are other sections that need to be amended. This is the meat of it. Sequentially after the Marine OD. Definitions, permitted uses A-C. Senior care retirement and medical offices. Dimensional requirements. B2 is 50%, R40 is 20%, 40' max height. It's consistent with other areas of the bylaw. To make it work, they'd need four stories with mechanical. It will be clustered toward the commercial and away from the residential. Max density: townhouses or nursing home. 8,000sf of land per unit. 23 Canal Rd condos is 41,790sf with 12 units, that's 3,483sf per unit; 25 Canal Rd is 1.612 acres, with 16 units, that's 4,339sf per unit; 51 Canal Rd is 71,425sf with 19 units that's 3,744sf per unit.

Bob Gendron: Will be 2.5-3 stories, approximately 30'. The apartments will be 3-4 stories.

Eliza: Double the density. 8,000sf per unit. Residential buffering, vegetation and fencing.

Bob: I was born and raised in town and live in Sagamore Beach. My company is GenCon and we plan, develop and own. My parents built on Diandy Rd in 1976. In 2013, I purchased my first house in Monument Beach in 2017 I moved back to Diandy Road. No land left. The original intention was to build houses on this property. Now I'm a firm believer of the aging in place model. Based on baby boomers, 20% age 65+ in 2020. Unique opportunity and create medical professional jobs to the community. Other village business (VB) district, don't want retail near there. Have heard a lot of concerns. I want the community to know the access should be on Canal Road. The 20 age restricted condos is a better use for Hunters Brook Rd than VB. 70% of residential area is less than proposed. This town has an incredible resource in town, the canal. We have new schools, police dept and possible new fire station with limited tax payers. Our group would be the largest tax payer in this area. The Town budget went up 6%, we want tax base expansion. There are concerns with water pressure. This is in its infancy. I'm passionate, will listen and work with everyone and open to suggestions.

Mr. Strojny: What is the scope of our conversation tonight? Just talk about the overlay district?

Chairman Clegg: Discuss the overlay district proposal in hopes to move forward to the Town Meeting warrant.

Senior Care Overlay District Cont'd:

Bob: Will ask for a positive recommendation to support us. We have 100 signatures for the private petition.

Mr. Strojny: Tremendous need on Cape Cod for service. Looked at the Cape Cod Commission's most recent housing study. In 2025 there will be 35% over age 65 on Cape Cod. There is a need across the whole spectrum. I've seen seniors living in a house that's gotten away from them and they don't have a place to go in town. They stay with family or friends, many times not a safe place. Might be appropriate in Bourne. Such a need for this. Housing market has to be healthy. Young professionals can't afford to set up shop here. On my street in Monument Beach, a local police officer bought a neighbor's house and spent three weeks fixing it up. That wouldn't happen if the woman didn't have a place to go. Calamar is a great step in the right direction. Bob wants to invest in our community. Calamar will flow out of Bourne to NY, CT, etc. We get property tax, but the wealth is leaving. It's too early to take positions one way or another.

Ms. Brown: Why we need to have the geriatric approach of 55+. Caretakers for them, incorporate places for them (CNA, etc.). This is so single use. Potential of some units on site for the employees.

Chairman Clegg: Medical building, senior living facility, age restricted town houses. Have you thought about affordable housing?

Bob: High rent model, \$4,000 for one bedroom. Sell their house, \$2,000 a month if my parents buy a townhouse for \$350,000 and live there 10 years then sell for \$300,000, \$60,000 left to go to another facility. This allows equity to roll over. Townhome to entry fee of senior community. If I can support 15 people for 3 years then offer similar in size to Trowbridge. 8 practices, 50 jobs. We hope by having in Sagamore Beach our starter homes generally are late 70's houses. The memory care can interact with 55+ under VB zoning that allows retail with apartments. We don't feel that kind of density should abut a \$40 million development.

Ms. Brown: Max density shall not exceed 8,000sf.

Ms. Goldstein: Intergenerational housing?

Bob: Hope age 55 move into townhome 10-20 years.

Ms. Goldstein: Families moving in. Multigenerational.

Bob: Beneficial to tax planning strategies. Similar model in Duxbury for that. People don't age at the same rate. Limited to two-bedrooms.

Chairman Clegg: Doesn't restrict children.

Coreen: Land use vision map designated as VB, but never changed in the bylaw.

Chairman Clegg: B2, R40. How many single family homes in the perimeter?

Bob: In the VB district, Sorrenti property by the Fire Dept. Kam is the biggest, then UPS, vacant parcel then the Dunkin Donuts. I want to be sensitive to owners on Patty's Way and technically wouldn't see those from Dunkin. Rather look at a beautiful building than a hill.

Chairman Clegg: Who owns the B2? – Sorrenti.

Bob: Will work with them and put in a nice stone wall. Make more aesthetically pleasing and a good separation.

Chairman Clegg: Where would you put wastewater? On site?

Bob: Wetland system on Canal Road, we have to be careful of. Sit under the parking lot (discharge) a small structure in the complex. Haven't placed it yet. No discussions with condo communities, just some neighbors. We went live on social media. Access off Canal Road, support to do that.

Chairman Clegg: Any access off Hunters Brook Rd?

Senior Care Overlay District Cont'd:

Bob: The 20 townhouses on Hunters Brook Rd, secondary emergency access, restrict use. Most traffic will be medical from 9-5 M-F. Major concern of the community and ours.

Chairman Clegg: Could do gated control for the condos.

Sharon Young, Washburn St: I'm 68 in a 2-story house that won't work for me either. Appreciate sensitivity to meet the needs of the community. Biggest concern is the Hunters Brook Rd traffic. GPS sends people down here in the summer. I'd rather see this type of development but my neighborhood is concerned with the traffic.

Betsy Murphy: Read a letter of support.

Judy Froman: Required to have assisted living in that type of overlay?

Eliza: Not required, just an option.

Judy: I work with people in transition to retirement and beyond. Concept of what to do with your parents, etc. is overwhelming and there is a lot to it. Golden egg (assisted living) what are options? Consistent pattern of assisted living being built but not filled. Very expensive. What are the trends, who is moving in?

Chairman Clegg: Atria in Falmouth, CC Senior Residences are sold out.

Judy: No they're not. Continuing care model is awesome.

Chairman Clegg: Calamar was very revealing for me.

Judy: Variety of housing needs and how to have them.

Chairman Clegg: Business development and economic development are not the same. How do you feel overall for the town?

Judy: Taxes. I love the woods. Smart growth is challenging. Demographics. Commend for doing a lot of leg work.

Amy Kumer: Elder law attorney. This is a continuing care type of facility?

Bob: Currently planning on that, skilled nursing on the top.

Amy: Maplewood in Yarmouth is independent, assisted and memory care. Allows people to stay in place. People do well in these places. Costs are a concern. Should be a low income component. Most start at \$4,900 a month, not very affordable. A nursing home is \$375-\$400 a day, that's \$12,000-\$14,000 a month. Bourne Manor and Royal in Buzzards Bay important to have newer facilities. Not separating couples is good. Under \$4,000 in rent is attractive and good for Bourne.

Chairman Clegg: Keystone. We failed to address the affordable and had to back track.

Eliza: 10% affordable.

Chairman Clegg: At least.

Sue Ross, Bourne Housing Partnership: We have already been contacted by them.

Ed O'Connor: Patty's Way, direct abutter. I know it would be built. Have addressed by concerns. I know the family, they have a good reputation. So many things they have to go through. I'm sure it will be a good project. Better than gas stations or 227 units.

Kathy Peterson, Board of Health: Faceless companies most of the time. You'll see these guys and be able to talk to them. Have to start looking at other revenue as the landfill won't be around forever. Think it's a good project.

Bob: 10 Duplexes, 20 units.

Mike Metcalf: Talked about people selling homes, the government taking them. The property in question is not VB zoned.

Senior Care Overlay District Cont'd:

Chairman Clegg: Vision plan was to be VB. Now it's R40 and B2. This would be an overlay and the existing zoning would remain.

Mike: Traffic concerns. I had no idea the owners across the street would sell. Traffic was horrible and they cut through. Very little traffic now. There will be more traffic, no way around that. Do I think it belongs here? Not sure. For me, not in my backyard. He's a business man. Make sure research is done correctly. Do we have enough resources to handle it?

Kelly Marsena, Keystone: I think it's wonderful. Bourne can benefit from economic development. Marketplace vs living. We did fill our building but it took twice as long to do it. A lot of non-residential area – water, base, a lot of need for affordable. Several high end assisted living aren't full. They may have the means but doesn't mean they're coming. Many won't leave their home. Our mix is a little different. 55 – 15% actually independent are paying assisted prices.

Eliza: Existing zoning doesn't allow what they want to do. I've created other overlay districts. Barnstable has one.

Jim Mulvey: Is this a corporation? Yes. Who retains the powers over the community as far as individually owned?

Bob: The business plan still needs finalization. Taxes to the town will be \$750,000 a year approximately. We wanted to keep the medical building separate. The intention is to hold long term. No plans in effect. Potentially two months down the road.

Steve Mealy: Process – overlay is well presented. Go through as though looking at a lot. What impact will be, will benefit overall? Detractions in neighborhood. Complicated, different. Really put your teeth into it.

Don Perry: Support. Well thought out, good economically. I've been in town 20 years, Sagamore Mulch and Stone.

Scott Froman, Lucia Lane: Lot of concerns about this. Keep in mind plans for other development on Sorenti property. Traffic, water resource district, police/fire presence will be a problem. Gridlock last summer. Don't think it's the right project for here.

Chairman Clegg: What would be a good project here?

Scott: I understand other plans are out there. Too much on too little land.

Chairman Clegg: Almost 11 acres? Yes.

Scott: 2-3 acres are wetlands.

Mr. Strojny: How big is your lot?

Scott: $\frac{3}{4}$ of an acre.

Ms. Goldstein: Any streets in town or other towns not a private way but only open to residents – not a through way.

Chairman Clegg: Not in Bourne, but traffic restricted to residents only.

Eliza: A public road can't gate and restrict access.

Mr. Strojny: Do you have a final product overlay or still a work in progress?

Eliza: One type we'll fix.

Mr. Strojny: If fix and make available to the public.

Mr. Grant: Great concept. Getting ahead of yourselves. Max buildout – all at once or stages?

Bob: Commercial first, medical. Limit construction on Hunters Brook Rd and do the townhomes last. Interior to outside, 18-24 on the build. It's a different market than Buzzards Bay.

Bob: The Cape Cod Commission, 6 months at \$1 million. You can shut us down, our risk.

Senior Care Overlay District Cont'd:

Chairman Clegg: Would we support this at Town Meeting? All would support, not many on sponsor.

Bob: Traffic is always there. Bourne has a vision and people are willing to invest. Show others we're taking this seriously.

Chairman Clegg: How far from the Fire Dept? – ½ mile.

Coreen: MCOB went to Town Meeting supported by the Board. Not prepared, when you sponsor, you have to get up and explain it. Think the proponent has done a thorough job. More success rate if support and not sponsor.

Chairman Clegg: For our meeting on 3/22: We need to go into executive session at 6pm to vote on if each of us interprets condition #2 of the Cumberland Farms decision if it's an absolute or expression of the Board. Review minutes from 7/16, 10/16, 10/7 and the decision.

Also on is the marijuana article. Need the use table, moratorium. If it gets denied the moratorium goes away in November. Who wants to speak at the public hearing? Economic development, etc. Police Dept., Town Administrator or Finance Director/FinCom chair.

Mr. Grant: The Selectmen are working on who will speak, the proponent or the expert. Quite an undertaking to put a forum together on short notice. They don't have figures on income and costs.

Chairman Clegg: Atty. Troy said in Sept. the moratorium might not stand up in court and he urged an up/down vote before the April 1st deadline.

Coreen: Research procedure on vote of an article. I don't think you can make a non-recommendation.

Ms. Azarovitz: The DRC met preliminary with the owner of the old Port O'Call. Wants to open an upscale, trendy restaurant. More restaurant than bar.

Mr. Doucette: The Community Preservation Committee is having their public hearing on March 19, 2018.

Mr. Doucette made a MOTION to adjourn. The MOTION was seconded by Ms. Azarovitz with all in favor. With no further business before the Board, the meeting was adjourned at 10:11pm.

Respectfully submitted,
Ann Gutterson