

PLANNING BOARD MEETING MINUTES

January 23, 2020

PRESENT: Steven Strojny, Elmer Clegg, Daniel Doucette, David O'Connor, Sandra Goldstein, Elizabeth Brown, John Carroll, William Meier (alternate)

EXCUSED: Lou Gallo, Jeanne Azarovitz

STAFF: Jennifer Copeland

PUBLIC: Susan Ross, Francis McDonald, Kerry Horman, Peter Meier, Thomas Ward, Elizabeth Apedemi, Luanne Laprade, Warren Randolph, Wendy Randolph, Kathy Volkmann, Luanne Laprade, William Laprade, Sam Iarelli

Ann Gutterson, Recording Secretary

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

Minutes: 11/14/19: Mr. Clegg made a MOTION to approve, seconded by Mr. Doucette with all in favor.
12/12/19: Ms. Brown made a MOTION to approve, seconded by Mr. Doucette. Mr. Clegg stated the final vote for Hunters Brook was missing and on 552 MacArthur Blvd, he voted no.
Ms. Brown withdrew her MOTION, Mr. Doucette withdrew his second.
Continued to the next meeting.

Request for Release of Bond: Eustis Lane, Pocasset. Three year follow-up.

Mr. Doucette: Went out there today, the drainage and hammerhead are complete.

Chm. Strojny: Email from George Sala, he is satisfied.

Mr. Doucette made a MOTION to release the remainder of the bond, seconded by Mr. Clegg with all in favor.

Public Hearing for Special Permit #16-2019: 26 Horne Ave Realty Trust. 26 Horne Ave, Pocasset. For an affordable dwelling unit on a non-conforming lot.

Sam Iarelli, JC Engineering: Proposed single family with deck, ramp, septic. Meets zoning setbacks, GFA, lot coverage and conforms to Sections 4260 and 4264.

Mr. O'Connor: I have reviewed this project and found it consistent with the bylaws.

Francis McDonald: I own the lot. We want to make sure it stays affordable forever.

Chm. Strojny: It'll be in perpetuity with a deed restriction or deed rider.

Luanne Laprade, 11 Horne Ave: Been there over 20 years. The location and size, impression it's a 4 bedroom home. The driveway location is a concern, how far from the roads is it set back? Why are they using different zoning standards? When does that stop?

Chm. Strojny: Housing crisis on Cape Cod. Bylaw created to help that. This lot is bigger than many lots in the neighborhood.

Luanne: Will it be owner occupied or rental?

Sue Ross: I live in the area. It will be home ownership for a single family affordable housing. Can't rent it. If they sell it, it has to stay affordable.

Mr. Clegg: How is that enforced?

Sue: Deed rider says they can't rent it. When sell it has to go through the Housing Trust. We get on it when we find out about it.

Kerry Horman: The housing trust will take title to the land, build the house and sell it through the lottery process, they need to meet income requirements, get a mortgage, etc.

26 Horne Ave. Cont'd:

Philip Brad, 11 Horne Ave: Power outages in neighborhood all the time. We are always last to get it back and this is going to add stress to that. I was told by the power company that my lights will always flicker until new transformers are installed.

Tom Lord, 19 Avery Rd: Not sure how it fits in with the houses that have been there a long time.

Chm. Strojny: I understand your concerns. Feel once it's built, it will fit in. The lot is bigger than most around it.

Pat Hancock, 33 Marjorie Ave: Are they getting assistance?

Sue Ross: No.

Mr. Doucette made a MOTION to close the hearing, seconded by Ms. Brown with all in favor.

Mr. O'Connor made a MOTION to approve subject to the following conditions:

- All work authorized under this approval shall be in accordance with the application, supportive materials and testimony of the owner and its representative.
- Before an occupancy permit is issued, the dwelling must be in compliance of MGL Ch. 40B sec. 20-23 and with 760 CMR 56.00 the Local Initiative Program (LIP) and meet the guidelines and standards promulgated there under by the Dept. of Housing and Community Development (DHCD) for inclusion in the DHCD Ch. 40B Subsidized housing Inventory as Local Action Units.
- A regulatory agreement and/or deed rider, in an acceptable form, shall be executed and recorded at the Barnstable Registry of Deeds by the applicant.
- The proposed lot is restricted to one (1) single family dwelling, restricted as an affordable homeownership in perpetuity or the maximum time period allowed by law.
- The dwelling is restricted to no more than four (4) bedrooms.
- The proposed lot shall not be afforded the privilege of Section 4100 – accessory dwelling.
- Stake the limit of the disturbed work area before construction and maintain throughout construction.
- Dust control shall be maintained on site at all times during construction.
- Prior to the issuance of an occupancy permit, an As-built site plan must be submitted to the Planning Board showing all appurtenances above and below ground.

The MOTION was seconded by Mr. Doucette.

Mr. Doucette: This counts against the 40B inventory. The state goal is 10%. Once we hit that, we can turn away 40B's.

Ms. Goldstein: Just because it's an affordable unit, it's still a single family ownership and subject to compliance with all bylaws.

Mr. Clegg: I have photos of the lot, but can see the topo.

Sam: It's 8' from the Northeast corner to the South, pretty level.

Mr. Clegg: Abutter's concern if not subject to bylaws. Have more restrictive separation from house to house.

More protection to your privacy because it's affordable.

Roll call vote as follows:

Mr. Clegg – yes

Mr. Doucette – yes

Ms. Brown - yes

Mr. Gallo – absent

Ms. Azarovitz – absent

Ms. Goldstein - yes

Mr. Strojny - yes

Mr. Carroll – yes

Mr. Carroll – yes

Mr. Meier (alternate) - yes

Chm. Strojny: Free Citizen's Planner training on Jan. 30th at the Falmouth Public Library. Encourage you to attend.

Mr. Doucette made a MOTION to adjourn, seconded by Mr. Carroll with all in favor.
With no further business before the Board, the meeting was adjourned at 7:42pm.

Respectfully submitted,
Ann Gutterson